

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
November 12, 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: Present--Keith Dalton, Town Manager; Greg Jacobs, Assistant Town Manager/Treasurer; Christy Dunkle, Assistant Town Manager/Planner; Paul Culp, Town Clerk; Chief Neal White, Berryville Police Department

Press: Mickey Powell, The 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 invited a motion to approve the agenda.

Council member Harrison moved to approve the agenda, seconded by Council member Rodriguez. The motion passed unanimously by voice vote.

4. Public Hearing

No public hearing was scheduled.

5. Discussion of Public Hearing Items

There being no public hearing, no discussion occurred.

6. Citizens' Forum

No one signed up.

7. Presentations/Awards/Recognitions

Mayor Dickinson noted that Chris Shipe had been named Berryville-Clarke County Veteran of the Year for 2019 at the Veterans Day ceremony on Sunday the tenth.

8. Consent Agenda

Mayor Dickinson invited a motion to approve the consent agenda.

Council member Rodriguez moved that the Council of the Town of Berryville approve the consent agenda as amended. Council member Harrison seconded the motion, which passed unanimously by voice vote.

9. Unfinished Business

Proposed Amendments to the Employee Handbook

Mr. Dalton and Mr. Jacobs directed Council's attention to two sections that had undergone further revision since preparation of the agenda packet. Mr. Jacobs said the holiday schedule in the handbook had been revised to reflect the fact that the police and utilities departments do not work on the same schedules as other Town employees and sometimes do not accrue leave and overtime in the same manner.

Mr. Dalton directed Council's attention to changes in bereavement leave. He said annual leave had been eliminated in favor of having paid time off. He said staff and the Virginia Risk Sharing Association had examined military leave provisions to assure that they align with legal requirements.

Council member Harrison and Mr. Dalton discussed comp time for exempt employees and how a work week is defined. Mayor Dickinson said the handbook does not specify pay schedules. Mr. Dalton recommended proceeding with other elements of the proposed revisions and addressing comp time and pay periods next month.

The mayor said that references to timekeeping are scattered throughout the handbook and that there is no anti-discrimination and harassment policy. Mr. Dalton said he believed there was such a policy. The mayor said it does not include harassment.

Mayor Dickinson said the handbook specifies different introductory periods for the police department on one hand and all other employees on the other. She said the only difference appeared to be that the police department has a performance appraisal at the end of an employee's introductory period. Mr. Dalton said other employees do undergo such an appraisal. There was a discussion of the difference in the duration of introductory periods between the police department and other departments. Chief White and Mr. Dalton explained that police department employees are

leave-eligible after 180 days, as are other employees, but that police department personnel do not become regular full-time employees until after they complete an additional 180 days.

Mayor Dickinson said all employees should have a performance assessment at the completion of the introductory period. Mr. Dalton said that this does occur.

Mr. Dalton agreed to revisit the handbook next month.

10. New Business

Appointment to the Architectural Review Board

Recorder Arnold said the Personnel Committee had interviewed Mary Serock for appointment to fill the unexpired term of Gene Williamson, who had resigned. He said her background and interests are suitable for the position.

Recorder Arnold moved that the Council of the Town of Berryville appoint Mary Serock to the Berryville Architectural Review Board through June 30, 2021. Council member Gibson seconded the motion.

Roll call vote as follows:

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

The motion passed.

Recorder Arnold said the Personnel Committee had also interviewed Derek Sprincis for a position on the Tree Board. He said Mr. Sprincis is a high school senior who has taken courses in environmental science and agriculture.

Recorder Arnold moved that the Council of the Town of Berryville appoint Derek Sprincis to the Berryville Tree Board for a four-year term ending on December 30, 2023. Council member Rodriguez seconded the motion.

Roll call vote as follows:

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

Arnold: Aye
Dickinson: Aye

The motion passed.

Street Sign Specifications

Ms. Dunkle said that multiple departments had discussed the need for the addition of street sign specifications to the Town's Construction Standards and Specifications Manual and that the timing is favorable for such an addition because several new subdivisions are coming in and developers will be responsible for compliance with regulations established in the manual.

Ms. Dunkle gave a PowerPoint presentation covering variations among signs now in use. She said the plan under discussion calls for replacement of existing signs over a span of several years and that the signage would include public and private street names and signs used for enforcement and warning. She said the new regulations would specify font, size of letters, use of reflective materials, color, mounting requirements, and size.

Mr. Dalton said standards and specifications must be approved and amended by Council but that materials specifications may be amended by staff in order to assure sufficient flexibility. He said budgeting is not complete but that the project will be distributed over several years and that staff will provide more information to Council in the coming months.

Mayor Dickinson asked if there is a compliance timetable for private streets. Ms. Dunkle and Mr. Dalton explained that the Town will provide the signs as a function of emergency services. Mr. Dalton and Council determined that there are very few such streets.

Council member Harrison moved that the Council of the Town of Berryville adopt the attached changes to the Construction Standards and Specifications Manual concerning street signage. Recorder Arnold seconded the motion.

Roll call vote as follows:

McDonald: Aye
Harrison: Aye
Gibson: Aye
Rodríguez: Aye
Arnold: Aye
Dickinson: Aye

The motion passed.

11. Council Member Reports

Ward 1:

Council member McDonald said many people had asked whether Halloween would be canceled because of rain, and expressed a preference for celebrating the occasion on October 31 regardless of weather.

Ward 2

Council member Harrison had nothing to report.

Ward 3

Council member Gibson had nothing to report.

Ward 4

Council member Rodriguez said she was pleased that The Retreat assisted living facility had been heavily visited by trick-or-treaters.

Recorder

Recorder Arnold said the trunk-or-treat at Martin's had been heavily attended, and praised Martin's for its role as a corporate citizen.

Mayor

Mayor Dickinson said the Veterans Day event on Sunday had been a success, mentioning guest speakers Dr. Richard Siemens, chief of staff at the veterans' hospital in Martinsburg, and Medal of Honor recipient Col. Harvey C. Barnum Jr. She mentioned corporate sponsorship provided by Berryville Graphics, AM-Liner East, and the Bank of Clarke County.

Mayor Dickinson said the parking meter contest is now in progress and that the coloring contest associated with the tree-lighting is now under way.

Recorder Arnold said the tree-lighting and parade would be impossible without the participation of Berryville Main Street.

12. Staff Reports

Public Works

Nothing was added to the written report submitted to the Council.

Public Utilities

Nothing was added to the written report submitted to the Council.

Community Development

Ms. Dunkle said the Planning Commission will have a public hearing on November 19 regarding approval of the final plat in the Fellowship Square subdivision.

Returning to public works, Mayor Dickinson asked whether the arrangements could be made at this year's tree-lighting for the gazebo and tree to be on separate circuits in order to avert the necessity of everyone standing in darkness until the lighting of the tree. Mr. Dalton said he would look into the matter.

Returning to utilities, Council member Harrison asked about budgeting provisions for a new computer for the membrane system. Mr. Dalton explained how multiple built-in cabinet computers are arrayed in the plant and said that the units now in use are extremely expensive to replace. He said the department will be putting one expensive computer in the control room and converting to the use of tablets elsewhere in the plant as the current units wear out. He said the department's maintenance budget is sufficient for this.

Police Department

Council member Harrison asked Chief White whether EMS calls are a specific item on his written report. He said they are currently classified as miscellaneous. She asked him whether they could be made a specific item and he said yes. She clarified for the mayor that EMS calls are separate from mental health crises.

Returning to community development, Mayor Dickinson asked Ms. Dunkle when the Berryville Area Development Authority will meet again. Ms. Dunkle said the holidays had created uncertainty on that point.

Mayor Dickinson said she was concerned about the proposed renaming of a portion of Dunlap Drive because of a reconfiguration of Hermitage Phase V. She said she wanted the BADA or Ms. Dunkle to ask the developer to change its plans in order to avert this. She said twelve families would be affected, that she had had many conversations with people on Dunlap, and that one individual had

estimated that an address change would cost \$2,000 because of all the documents that would require alteration. Ms. Dunkle asked whether the mayor had a list of those documents. The mayor said she believed passports would represent the single highest cost. Mr. Dalton said staff would make sure the matter comes before BADA.

Mayor Dickinson said she understood the safety concerns involved but that she hoped the developer could devise an alternative. Ms. Dunkle said the redesign of a subdivision is a large undertaking. She said the proposed name change is in line with what the County has done in similar circumstances and that she had discussed the matter with the County E-911 manager. Recorder Arnold said the County had not provided compensation to residents whose addresses changed and that the proposed changes were simply a matter of public safety. The mayor said she agreed that it is a public safety matter but that the root cause is the developer's layout.

Mr. Dalton said it is necessary to take into account the fact that the alteration in the layout was necessitated by changes in state law regulating stormwater management and was not something the developer chose to do.

Mayor Dickinson said there is a fee for obtaining a new passport. Recorder Arnold asked about the cost of a passport. Ms. Dunkle said it is \$85. The mayor said some households comprise four to six people. She said she did not have a list of expenses but that someone had estimated a cost of \$1,000 to \$2,000. Ms. Dunkle asked to be given detailed information so she could discuss it with the County.

Administration/Finance

Mr. Jacobs directed Council's attention to a document pertaining to the purchase of budget software. He said that the Budget and Finance Committee had seen a demonstration by the software provider and that inasmuch as he is new in his position the timing is favorable for the implementation of a new system that would allow for the type of projections now desired by Council. He said the software and a year of support would cost \$7,745, which could be taken out of the contingency fund. He said Council had approved the purchase a year ago but had hesitated because the software was unproven at that time. He noted that budget season is rapidly approaching.

In response to a question from Council member Gibson, Mr. Jacobs clarified that the \$7,745 would be a one-time payment, and that there would be a \$1,250 annual fee for support.

Mayor Dickinson said the software is impressive and would help staff and provide better information to Council. She said the price is reasonable and would be money well spent.

Council member Gibson concurred and said that if the Town wants to be able to forecast for all expenses and not just for capital outlays, it needs the software in order to avoid excess labor by staff.

Mr. Dalton suggested that the motion for adoption include the use of the contingency fund and authorization of the town manager to execute any related documents.

Council member Gibson moved that the Council of the Town of Berryville approve the purchase of FMA Analytics Software from Southern Software Inc. at a total cost of \$7,745, to include the software, training, and installation, and one year of annual support, that the funds would come from the general fund contingency and that the Town Council Authorize the Town Manager to execute any related documents. Council member Rodriguez seconded the motion.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

The motion passed.

Town Manager

Mr. Dalton had nothing further to report.

13. Committee Updates

Budget and Finance

Ms. Gibson said the committee had decided that the Town would implement the new budget software and see that staff are trained on it before pursuing the long-range financial sustainability plan it has been discussing. She said the committee does not plan to meet in November or December.

Community Development

Council member Rodriguez directed Council's attention to a draft scope for the marketing study that the committee has been considering. She said she had hoped for a vote in the present meeting but that this might have to wait because she had introduced the document just before the meeting and the other members had not had time to read it. She said they might read it before the work session scheduled for the following day and vote on it then. She said that if the scope is approved it will be sent back to staff for the drafting of a request for proposal, possibly in time for the December meeting of the Council, at which time Council might vote on the issuance of the RFP. She said the committee had decided to uncouple branding from marketing instead of putting them in the same RFP and possibly receiving proposals beyond the Town's budget. She said the committee had decided to address marketing before branding.

Council member Rodriguez and Mayor Dickinson clarified for Council member McDonald that \$15,000 has already been budgeted and that what is needed now is approval of the actual expenditure. Council member Rodriguez said it will not be possible to know the precise cost until the issuance of the RFP.

Council member Gibson explained that the \$15,000 had been budgeted for both branding and marketing and that the Town does not yet know what it will get for its money.

Mr. Dalton said that after Council approves the RFP, it will also have to approve a contract associated with it before money could be spent. Mayor Dickinson said the sooner the better. Recorder Arnold said as a point of order that Council does not vote in work sessions and that he would rather vote in the present meeting. The mayor said Council in a work session typically could arrive at a consensus about goals. Mr. Dalton asked for and received clarification that approval in the present meeting would mean that staff would prepare the RFP for the December meeting of Council. Council member Rodriguez described this as the first step in a multi-step process.

Council member Rodriguez moved that the Council of the Town of Berryville request that staff draft an RFP based on the scope discussed at this meeting. Council member Harrison seconded the motion.

Roll call vote as follows:

McDonald: No

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

The motion passed.

Council member Rodriguez, Recorder Arnold, and Mr. Dalton discussed whether the Town and County's Joint MOU committee would be meeting soon. Recorder Arnold said the County hoped to wait until its new administrator is in place.

Personnel, Appointments, and Policy

A discussion established that the committee will meet on December 16 at 9:00 a.m.

Public Safety

Council member McDonald said the committee did not meet in October and will meet on November 25 at 12:30 p.m. to discuss trash-disposal matters. She said it works well to meet only every other month. Mayor Dickinson asked about the toy drive, and Chief White explained how it works.

Streets and Utilities

Council member Harrison said the committee had discussed street lighting. Mr. Dalton said the pilot project is on track. Council member Harrison said the committee had asked Mr. Dalton to develop a complaint form. She said the committee had discussed lighting standards as a way to address the subjectivity of complaints, and that it also must address the question of who will pay for the associated costs. She said the committee had discussed the proposed change of the street name in Hermitage subdivision.

Mr. Dalton clarified that the Virginia Avenue stormwater study had not yet begun but that he would be speaking with the engineer on the day following the present meeting. He clarified for Mayor Dickinson that the committee would receive the scope of work for the next phase of the stormwater study in December.

Council member Harrison said the committee will meet again on January 28 at 10:30 a.m.

Other

Council member McDonald said a street-lighting standard is necessary to establish fairness and avoid subjectivity. She asked for clarification about the difference between council member reports and committee reports. Mr. Dalton explained that staff had provided a new agenda template for Council in September in anticipation of the impending implementation of the CivicClerk agenda-creation platform.

Council member McDonald said that with a work session scheduled for the next day for the discussion of goals for fiscal year 2021, she was concerned about the addition of new goals on top of matters that remain unfinished. Mayor Dickinson said the purpose of the work session is to help Council get its bearings regarding fiscal year 2020 goals and approach the FY2021 budget process in an informed manner.

Council member McDonald said she is concerned that Council spends money on studies but does not bring goals to fulfillment. She said she would like to see Council finish outstanding business. Mayor Dickinson said the upcoming work session was for clarification.

Council member McDonald said it is a disservice to the community for Council to take on more tasks than it can perform, and said Council is not making significant progress because it has too many goals already. She said the addition of more goals would not be fair to staff or the citizenry and would be fiscally irresponsible.

14. Closed Session

There was no closed session.

15. Adjourn

Mayor Dickinson requested a motion to adjourn.

Council member Harrison moved to adjourn, seconded by Council member Rodriguez. The motion passed by consensus at 8:43 p.m.

Harry Lee Arnold, Jr., Recorder

Paul Culp, Town Clerk

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
WORK SESSION
November 13, 2019
1:00 p.m.

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; Greg Jacobs, Assistant Town Manager/Treasurer; Christy Dunkle, Assistant Town Manager/Planner; Paul Culp, Town Clerk; Chief Neal White, Berryville Police Department

Press: Mickey Powell, The Winchester Star

1. Call to Order

Mayor Dickinson called the meeting to order at 1:00 p.m.

2. Approval of Agenda

Mayor Dickinson invited a motion to approve the agenda.

Council member Rodriguez moved to approve the agenda, seconded by Council member McDonald. The motion passed unanimously by voice vote.

3. Unfinished Business

Update/Discussion—Town Council Goals for FY2020

Mr. Dalton said that on November 13, 2018, Council had adopted three goals for fiscal year 2020: 1) Completion of the Police Department's accreditation by the Virginia Department of Criminal Justice, 2) Completion of a traffic analysis for the planned southeast collector in partnership with Clarke County, and 3) Development of a branding and marketing strategy, enhancement of the Town website, and creation of an effective communications strategy including social media.

Mr. Dalton said staff recommends three goals for FY2021: 1) Completion, in partnership with the County, of the work necessary to create Annexation Area C to facilitate expansion of the Clarke County Business Park, 2) Completion of a compensation and classification study, and 3) Provision of funds necessary to complete Town Run/stormwater control work as identified by the Town engineer in preliminary reports. He said no cost estimates have been developed for goals one and three.

Mr. Dalton said he hoped that a commitment by Council to the compensation and classification study would result in implementation of its recommendations, as failure to do so could damage employee retention and morale.

Police Accreditation

Mayor Dickinson asked Chief White about the progress of the Police Department's accreditation. Chief White said there are four sections and that the department has completed the administration section, which is the largest, and is halfway through the operations section, with the training and personnel sections still to be addressed. Chief White said the process is behind schedule by approximately six months because of other projects that have taken precedence. He said the department will be in good condition to move forward with the assessment once the review is complete, and that the department has up to three years to deal with the assessment. He said that in terms of budgeting, the department had been trying to complete the process in one year but that the allotted \$1,700 for the assessment will not be spent in the current fiscal year and he will move the line item for it forward one year.

Mr. Dalton said that since the funds allotted for the current fiscal year remain unspent, he and Mr. Jacobs would recommend escrowing them.

Mayor Dickinson asked Chief White what projects had made him unable to focus on accreditation. Chief White said numerous matters had intervened, including changes to the employee handbook, policy issues, and the daily demands that arise. Mr. Dalton said the department's responsibility for mental health incidents, and the training necessary for them, had placed a large burden on Chief White's time. Recorder Arnold said he had seen records indicating that the department had handled 70 mental health calls thus far in 2019. Chief White said these had occurred since May, when the department had begun tracking them. Mr. Dalton said he keeps up with dispatches on weekends and usually sees two or three mental health calls each weekend, and that the upcoming holidays likely will cause an increase.

Mr. Dalton said that Chief White and the Town's other department heads are not desk-bound but instead spend a large amount of time in the field in addition to their attention to administrative matters in the office. He gave examples of the duties of each department head, with emphasis on the time-consuming non-administrative responsibilities that arise for Chief White.

Mayor Dickinson asked what timetable is reasonable for completion of the accreditation process. Chief White said his work requires interaction with the public and that he anticipates this, but that other projects such as handbook revision, trash disposal matters, and the Town's proposed street sign replacement project encroach on his time. The mayor said these matters that involve supporting other staff members are part of the normal course of business, and asked whether Chief White had fully accounted for them in his estimates of the timetable for accreditation. Chief White and Mr. Dalton said that Chief White does this as well as possible. Mr. Dalton cited turnover and officer injury as other factors that can arise and alter Chief White's working environment.

Council member McDonald thanked Chief White for his diligence and promptness in the performance of his duties, noting his presence on the streets and his timely response to a particular emergency. She said she realized that the department heads have hands-on responsibilities and are generous with their time despite the pressure on their schedules.

Mr. Dalton said the Police Department performs at an extraordinarily high level in dealing with mental health crises and EMS calls without a great deal of recognition for this. He reiterated his point about the activities of Town department heads in the field. Council member McDonald said they are highly visible in the community. She said that the past does not enable Chief White to project the future with precision.

Southeast Collector Study

Ms. Dunkle said the Town had entered into a memorandum of understanding with the County to conduct a transportation study for a southeast collector. She said Jack Enders Boulevard had been slated to cross the Norfolk-Southern tracks west of its current terminus with an at-grade crossing to connect to US 340 but that this appears to be unworkable because of stacking on Josephine Street if a spur or freight facility is constructed, sight-distance concerns, and the requirement to give up at least one existing crossing. She said the second option recommended by the consultant would be to connect with 340 at Smallwood Lane. She said the community and the railroad will each pay part of the cost for crossing improvement and that she and Mr. Dalton will meet with the consultant within a few days.

Mr. Jacobs said the Northern Shenandoah Valley Regional Commission (NSVRC) had billed the Town for \$19,000 in August and that the bill had been forwarded to the County. Mr. Dalton said the Town will pay the County, which is the fiscal agent, and would liable for approximately \$10,000 to date.

Mayor Dickinson asked for clarification about the recipient of the expected report, whether it would Town or County. Ms. Dunkle said the report will be presented to administrative and governing bodies including the Berryville Area Development Authority, the Board of Supervisors, Town Council, and Planning Commission. Mr. Dalton recommended that all relevant bodies be involved and expressed a preference for a joint session. Mayor Dickinson said that such a meeting should if possible include a discussion of who will pay for what. Mr. Dalton concurred.

Mayor Dickinson asked whether the January meeting of the Town Council would be workable for budgeting. Mr. Dalton said it would be difficult to achieve complete precision by then but that Town staff would confer with County staff and try to determine a reasonable budget for large items like water, sewer, transportation, and stormwater.

Marketing Study

Ms. Dunkle said she had met earlier in the day with Finance Clerk Heather Halterman, had obtained a template, and would begin work on a first draft of a request for proposal. She said the County plays an important role that must be more clearly defined in developing the scope of work and request for proposal.

Mayor Dickinson said the revitalization of First Street should be higher priority than the siting of a hotel in Berryville. Mr. Dalton said this could be added to the draft submitted to Council.

4. New Business

Discussion—Town Council Goals for FY2021

Mayor Dickinson said inventory and asset management was one of the items considered important by Council but not included in FY2020 goals. She said Council should also consider whether additional funding will be needed for studies already approved, such as branding and marketing, stormwater, the upgrade to the water treatment plant, and maintenance for the sewer plant.

Council member Harrison said the last two are not goals but are separate entities to be budgeted accordingly. Council member Gibson said the budgeting still must be done. The mayor said they should be included in the goals discussion as they factor into the Town's overall priorities.

Council member Rodriguez asked how much funding is available for stormwater and said her understanding is that there is a separate stormwater reserve fund. Mr. Dalton said that after the preliminary engineering reports (PER) along Town Run about \$250,000 would be available, with \$75,000 earmarked for work east of the railroad tracks. He said the County had committed those funds to the Town during the 1989 annexation process. He said the money has been set aside as an opportunity fund for matters such as the study and that he would recommend not depleting it by using it as a source for funding projects.

Council member Harrison asked how Council could budget without having seen the study that is now in progress. Mr. Dalton said staff would provide an estimate, which could necessitate a budget amendment later, and that Council must decide on a revenue source. Council member Gibson concurred and said she anticipated that such funding would involve debt and that the budget would be for debt service. Mayor Dickinson said the Town should also vigorously pursue grants. Council member Gibson said she did not disagree about the desirability of a grant but that grant applications take time and the Town has a small staff. She said prompt action would require debt unless the Town budgets for someone to do nothing but work on grants. The mayor suggested hiring a consultant to do so. Council member Gibson said a grant could take years anyway and reiterated that immediate action would require indebtedness.

Council member McDonald said there is a strong possibility of not being able to obtain a grant. Council member Gibson said she had heard of a grant taking ten years. The mayor said that particular grant was very lucrative. Council member Gibson reiterated that ten years had elapsed and asked if Council intended to wait ten years on the projects under discussion.

Mr. Dalton said Council would have to begin with a PER and a general idea about costs, after which engineering and acquisition of easements would be needed. He said grant applications often require specific information about how much funding is needed. He said he and Mr. Jacobs had recently spoken with Virginia Resources Authority about its pool and how costs are distributed over time, and that under some conditions forgiveness of principle can occur on projects related to water, but it is impossible to know what is possible without some degree of commitment by the entity seeking assistance. He said it is necessary to spend money even to become involved in the process. He said the Town should be prepared to commit itself to the full amount lest it invest itself in the preliminaries and then be unable to finish the task because aid does not come through.

Council member McDonald said she was concerned about the uncertainty of grants and the time involved, and said a consultant would not provide any advantage beyond what staff is already doing. Mr. Dalton said such a person would relieve a great deal of the burden on staff but would still have to be managed. He said the requirements involved in obtaining grants can also greatly increase the cost of a project.

Mr. Dalton and Council member McDonald agreed that the Town must have much more specific information about its intentions before it can begin applying for grants. He said grants often are based on income levels and economic distress. He said the median household income for Berryville as a whole is high enough to preclude assistance in many cases and that aid might not be available unless the Town can isolate particular areas as being in need. Ms. Dunkle said residents in depressed areas often do not wish to share information about their financial condition.

Mayor Dickinson said debt service for stormwater tends to come from property taxes or a stormwater tax. She said Roanoke had been able to tax entities such as railroads that normally would not pay taxes there and that a stormwater tax is more equitable and would be worthy of consideration. She said action on stormwater is necessary.

Council member McDonald asked how many people have been affected by stormwater. Mr. Dalton said it would be necessary to specify what problem the Town is trying to solve: ponding, basement flooding, flow into buildings, etc. He said he thinks it advisable to begin with Town Run and work from east to west as the budget permits. Council member McDonald said it is necessary to perform work that benefits the entire town and not just one portion of it. Recorder Arnold said that what helps one part of town might not help others, and that not all problems can be solved. Council member McDonald said it is important not to be arbitrary.

Council member Harrison asked how Council can arrive at a budget figure without a complete study. She said she also is concerned about taxing people who live in parts of town unaffected by

stormwater. She said homeowners must bear some responsibility for consequences of decisions they make about where to live. She said it would be irresponsible to proceed with a budget without the information provided in a complete study.

Council member Gibson said the Town could increase reserves in the short term and begin planning in order to arrive at an estimate for the FY2021 budget. Council member Harrison concurred. Mr. Dalton also concurred and said the PER on Town Run would provide guidance and help Council decide which problem to address and how to fund it.

Council member Gibson said Fairfax has a program requiring every household to pay into a fund to replace laterals. She said homeowners who chose to be proactive rather than waiting for an actual problem would have to pay only 50 percent. She said such an idea likely would not work in Berryville because of the disparity in the age of various neighborhoods, which would make residents of new neighborhoods reluctant to pay. Ms. Dunkle said Berryville's smaller population would place a heavier burden on each payer.

Mayor Dickinson said people in new houses would benefit from the historic part of town not deteriorating. She said members of the community must help each other.

Council member Rodriguez said the stormwater issue attracts the largest attendance to Council meetings and that it is the largest issue for Ward 4. She said most people understand that addressing the problem will take time, but that Council must proceed with what comes next.

Mayor Dickinson concurred with Mr. Dalton about building reserves and then determining how to pay. Council member Gibson said the engineering studies would help Council decide what problem to address, and said an increase in reserves would be a minimum step forward. The mayor said this should be among the most important goals for FY2021. Recorder Arnold said it need not be treated as a goal but that budgeting for it is what is needed. Mayor Dickinson said all departments involved must be advised of priorities and of their roles. There was a consensus that FY2021 should address what problem to solve and how to approach it.

Southeast Collector

Mayor Dickinson asked if there would be another phase of the traffic analysis to account for in FY 2021. Mr. Dalton yes but that no discussions had yet occurred with the County. He said the business park is full and that expansion of it would be good for economic diversification and for the distribution of tax burdens. He said expansion of the commercial base should accompany the Town's residential expansion. He said the area south of the current business park had been determined to be the most promising and that broad analyses of transportation, water and sewer, and stormwater must be undertaken to set performance standards for the developer. He said the biggest problems lie with transportation, which should be addressed first. He said it appears that a new collector road connecting Jack Enders Boulevard with Smallwood Lane is not out of the question and needs further study. He said that if Council is so inclined, staff can confer with County staff to gauge the County's

level of interest and arrive at a realistic budget estimate. Mr. Dalton said any opportunity to work with the County is to be welcomed and is more efficient and less wasteful than a solo effort by the Town. He said his intention would be to produce a budget estimate and have Council budget for half that amount. He said the project is a top priority for him because of the opportunity to expand the Town's tax base, and that the process would be a lengthy one and therefore should be given prompt attention.

Mayor Dickinson asked whether the study would be performed by consultants rather than being a burden to staff. Mr. Dalton said consultants would require management by staff but the work would not be done in-house. He said Council will need full information to decide whether to adopt a new annexation area and how to handle land use and zoning. In response to a question from Council member Rodriguez, he said he did not know what fee a consultant would charge.

Mayor Dickinson asked whether the project would be in association with NSVRC, and Mr. Dalton and Ms. Dunkle said they believed so. Council member Harrison and Mr. Dalton discussed the importance of cooperation with the County. Mr. Dalton said the business park has been an excellent addition to the Town.

Employee Compensation Study

Mayor Dickinson, referencing Mr. Dalton's memorandum in the agenda packet, asked why staff wishes to give priority to a compensation and classification study over a fixed assets inventory and a payroll system audit. Mr. Dalton said the Town is in a competitive market for acquisition and retention of employees and that the need for a study is urgent in order to help the Town remain competitive as an employer, but that a study should not occur unless the Town acts on it, as failure to do so could damage morale. He said a full study conducted in-house is not possible because it would create an inordinate burden on staff time. He said the Town could perform an internal survey but that a full study would require a consultant.

Council member Harrison asked whether the County has done a study, and Mr. Dalton said it had done so. He said he would be willing to apply to employee compensation the funding that might otherwise be spent out of pocket on a consultant. Mr. Dalton and Council member Harrison established that Council last year had discussed a cost estimate of \$30,000 to \$35,000, as opposed to \$5,800 in internal costs. He said his preference would be to apply most of the \$30,000-\$35,000 to salaries instead. Mayor Dickinson noted that salaries represent year-over-year expenses while a study would be a one-time expense.

Council member Gibson asked whether implementation of the study would be factored into the FY 2021 budget or if the budget could include only the cost of the study itself. Mr. Dalton said it might be possible to include some of the implementation cost. Council member Harrison said the County's experience might provide guidance in arriving at an estimate. Mr. Dalton said it likely would be of limited value but he would look into it.

Council member Harrison said employee satisfaction for the Town is important in the current employment market. Recorder Arnold expressed a preference for expending funds on salaries rather than on surveys. Mr. Dalton said it might be helpful to use salary surveys already in existence. He said the Town must decide whether to spend money locally on salaries or on a consultant from out of town. Council member Harrison said she also preferred to use existing surveys and spend the money on salaries. Council member McDonald concurred.

Recorder Arnold referred to studies the Town has conducted in other areas and said it must set priorities and finish what it starts. He suggested limiting Council's review of the Town Code until other matters are completed. Mr. Dalton, reiterating his earlier point about the activities of department heads, concurred. Recorder Arnold suggested that monthly committee meetings are unnecessary and are characterized by repeated discussion of the same issues. There was a discussion of the need to replace the transmission line, and also a discussion about the status of the process for hiring a deputy town manager. Mr. Dalton said he would have more information on that for the December 16 meeting of the Personnel Committee.

Council member Gibson asked whether the Town has ever conducted a full compensation and classification study. Mr. Dalton said it had not done so during his employ with the Town. She asked what advantage a study would confer other than providing information about salary adjustment. Mr. Dalton said information on employee benefits and the opportunity to expand the employee pay-grade system and be more specific about pay trajectory would be helpful. Mayor Dickinson said classification and promotion progression are not the same. Mr. Dalton said he was referring to pay trajectory within a particular grade. He said that if the Town performs an in-house study, it will look at how people in comparable positions elsewhere are compensated. He said insurance benefits for Town employees are good while insurance for their dependents is rather expensive. Council member McDonald said this is a nationwide phenomenon, and Mr. Dalton said the size of the pool is crucial.

Council member Gibson asked whether with an in-house study the Council could see what resources are used. Ms. Dunkle said NSVRC could assist with a salary survey. Council member Harrison said that if assistance is available an in-house study is preferable.

Mayor Dickinson recommended engaging a professional to get an objective point of view. Council member Gibson said objectivity would come into play after the data is collected. Mr. Jacobs said staff would be gathering the data, while Council would then be making decisions on it. Council member McDonald recommended an internal study on the grounds that an external study would be costly in itself and then would lead to the costs of implementation. Council member Gibson said the Town would need to know the methods an external entity would use to determine how to act on the data. She said the committee might be able to leverage this in order to determine how to act on the data.

Mayor Dickinson asked whether, if the compensation study is done in-house, the fixed asset inventory would be also. Council member Gibson said Mr. Jacobs is new in his position and the Town has already budgeted for analytics software that he will be learning to implement. She recommended not pursuing the fixed asset inventory in FY2021. Mayor Dickinson noted that the new fiscal year

does not begin until July, but Council member Gibson said that at that point the Town would not yet have completed a full cycle in which all department heads and the Council are fully conversant with the new system. She said full utilization of the software would take time and that Mr. Jacobs would not be the only new staff member involved. She said she preferred to be sure everything is done well rather than emphasizing speed, but that Mr. Jacobs can begin laying the foundation for the inventory between now and July. Council member Gibson said the water and sewer study will still be in progress also. Mr. Dalton noted that the compensation study would also contribute to Mr. Jacobs' work load.

Mayor Dickinson said she would like to defer the compensation study for another year and proceed with the inventory in FY2021. Council members Gibson and McDonald said they concurred with the priorities set forth by Mr. Dalton's memorandum. Council member Rodriguez said her inclination would have been to give the fixed asset inventory and payroll audit priority over the compensation and classification study but that the points made about a stable establishment of policy and procedure were good ones and she would be comfortable with addressing compensation and classification first. She said she approves of keeping the number of goals limited.

Mr. Jacobs asked for clarification about what Council is seeking from a payroll audit. Mayor Dickinson and Council member Gibson said the Town had engaged an external auditor to perform a study on procurement a year and a half or two years ago and that the auditor had recommended a similar study of payroll. Council member Gibson said the auditor had not expressed a particular concern but had only suggested that if the Town wished to proceed with further examination it should look at payroll. Mr. Jacobs said he had read the auditor's recommendations, and Council member Gibson said the Town had acted upon those recommendations by adding new staff. The mayor said the goal of a payroll audit dates from that time but is only now reaching high-priority status. She clarified that the audit would be external.

Council member Rodriguez reiterated that she has no objection to proceeding with the compensation study as long as work begins on establishing policies and procedures for the fixed asset inventory.

Mr. Dalton ascertained from Council that it would formally adopt the above goals in its December 10 meeting.

Council member McDonald said she was pleased that Council would not be adding any more goals for FY2021 and would be concentrating on matters it had already considered.

5. Other

Council member McDonald thanked staff for their efforts and said trash-disposal matters would present a challenge in the months to come.

Council member Gibson thanked staff for their work on the water and sewer study.

Mr. Dalton noted that the Town intends to implement the CivicClerk agenda-creation platform in time the Council's January regular meeting. He said agenda preparation for regular Council meetings depends on what occurs in committee meetings, and asked whether those meetings could be completed earlier in the week than has been customary. Council member McDonald suggested that monthly meetings of all committees are unnecessary. Recorder Arnold said less printing would be required if meetings were held less often. Council member McDonald said meetings consume excessive staff time and that a reduction of this obligation would be one of the best forms of compensation the Town could offer.

Mr. Dalton said he would confer with staff and send Council a revised meeting schedule. He endorsed the idea of having fewer meetings, which he said are expensive in terms of staff time.

6. Closed Session

There was no closed session.

7. Adjourn

Mayor Dickinson requested a motion to adjourn.

Council member Rodriguez moved to adjourn, seconded by Council member Harrison. The motion passed by consensus at 2:58.

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
MINUTES
November 25, 2019

A meeting of the Berryville Town Council Community Development Committee was held on Monday, November 25, 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: Diane Harrison, Donna McDonald

Member of the committee participating via telephone: Chair Kara Rodriguez

Town Council member also present: Recorder Jay Arnold

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

Press present: none

1. Call to Order

Mr. Dalton called the meeting to order at 2:00 p.m. and explained that Chair Rodriguez was absent because of a child-care emergency but able to participate via telephone if the committee agreed to such an arrangement.

Mr. Dalton suggested that the committee elect a presiding officer for the present meeting. Ms. Harrison volunteered for that position.

Ms. McDonald moved that Ms. Harrison serve as presiding officer for this meeting of the Community Development Committee. Ms. Harrison seconded the motion, which passed by consensus.

Mr. Dalton invited a motion to approve Chair Rodriguez's remote participation.

Ms. McDonald moved that, in accordance with the Town of Berryville Policy Regarding Electronic Participation in Meetings from Remote Locations, Kara Rodriguez be permitted to participate in this meeting of the Community Development Committee. She further moved that the following be placed on the record:

- A quorum of the Community Development Committee is assembled in the Berryville-Clarke County Government Center.
- Kara Rodriguez is unable to attend this meeting because of a child-care emergency.
- Kara Rodriguez will participate in the meeting by telephone from her home at 309 Walnut Street, Berryville, VA.

Ms. McDonald seconded the motion, which passed by consensus.

2. Approval of Agenda

Ms. McDonald moved for approval of the agenda as submitted, seconded by Chair Rodriguez. The motion passed by consensus.

3. Unfinished Business:

A. John Rixey Moore Playground / Rose Hill Park Improvements--Update

Mr. Dalton said that he had discovered in the plan for improvements an error regarding a fall zone and that some adjustments must be made to the intended location of equipment. He said the work order has been signed and that he expects blueprints to be available by the week of December 1, with work beginning on or after January 6. He said the Town would remove the playset, excavate the expanded fall zone, and smooth the Fibar, and that closure of the entire playground might be necessary. He said the vendor expects to require a week to perform the work and that the parking lot behind 23 Main Street has been secured for the entirety of January.

Chair Rodriguez asked whether the playset would be removed in January or before. Mr. Dalton said December. She asked if this could be delayed until after the lighting of the Christmas tree. Mr. Dalton said he had told Public Works Director Rick Boor to remove the playset as soon as possible but that much of the other equipment would still be present at the time of the tree-lighting. He said no excavation would occur before then.

B. Economic Development Memorandum of Understanding--Update

Chair Rodriguez directed the meeting's attention to a document she had provided to staff, outlining proposed changes to the Town's memorandum of understanding with the County. She said another meeting of the MOU committee is unlikely before the new year and that the timetable is uncertain because of the departure of the County economic development coordinator and the County having a new administrator in the process of taking office. She said Mr. Dalton had recommended that the committee finish its recommendations.

There was a discussion of the County's website redesign and whether the Town and County would participate jointly in social media activity.

Mr. Dalton said that Recorder Arnold, as a member of the MOU committee, must know the Town Council's specific direction as soon as possible.

Mr. Dalton and Ms. Dunkle said cooperation with the County is cost-effective and would keep the Town from being stagnant on social media. Ms. Harrison agreed on the desirability of regular meetings and recommended clear communication about areas of potential cooperation with the County.

Mr. Dalton asked what ideas the Council might have about a draft budget. Ms. Harrison said it could be more substantial than in the past but that this would depend in part on the County's view of whether to hire someone as economic developer.

Ms. Dunkle said the Town will gain some flexibility regarding staff duties after it hires a new deputy manager.

Mr. Dalton recommended starting with a figure of \$15,000 for economic development and \$5,000 for social media and having the discussion proceed from there. The committee assented to this.

Ms. McDonald asked about the parameters of social media use by Town officials. Mr. Dalton said he understood the majority of the Council to be opposed to individual social media accounts if the Town itself has an official social media presence. Ms. McDonald said she wishes for the Town to avoid legal costs associated with indiscretions on social media.

Mr. Dalton asked what should happen next regarding the MOU and whether the committee should arrive at something to provide to the Council. Ms. Harrison recommended keeping the recommendations broad and giving Recorder Arnold something to take to the meeting of the MOU committee.

Recorder Arnold said the County has allowed the Town to participate in the process of the new hire and that the Town must have the budget to do so. Chair Rodriguez said the full approval of the Council would be needed before giving any figures to the MOU committee and Board of Supervisors.

There was a discussion of how a tourism website might work.

Ms. Harrison said she agreed with the recommendation for a full-time position to oversee economic development and tourism. Ms. McDonald said it would be necessary to be specific about expectations for that position. Ms. Harrison said the Town does not know enough at present about the desires of the County and must keep its recommendations broad while developing points of discussion. She said the County is already considering technological challenges such as lack of internet service.

Ms. Dunkle said new leadership in the County will result in new approaches.

C. Branding and Marketing

Ms. Dunkle said she has nothing new to report but that work previously discussed is progressing. She said she would like more input from the committee before proceeding with the request for proposal. Chair Rodriguez said the January regular meeting of the Town Council would be suitable. Ms. McDonald counseled being considerate of staff time during the holiday season.

There was a discussion of when the committee should next meet. Recorder Arnold suggested that the committee review the draft RFP in its January meeting and present its findings to the full Council in February. The committee agreed to meet again on January 27 at 3:00 p.m.

4. New Business

There was no new business.

5. Other

There was no other business.

6. Closed Session

There was no closed session.

7. Adjourn

Ms. Harrison invited a motion to adjourn. Ms. McDonald so moved, with the meeting adjourning by consensus at 2:46 p.m.

BERRYVILLE TOWN COUNCIL PUBLIC SAFETY COMMITTEE
Berryville-Clarke County Government Center
MINUTES
November 25, 2019

A meeting of the Berryville Town Council Public Safety Committee was held on Monday, November 25, 2019 at 12:30 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; Mayor Pat Dickinson

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 12:30 p.m.

2. Approval of Agenda

Mayor Dickinson moved to approve the agenda, seconded by Ms. Harrison. The motion passed by consensus.

3. Unfinished Business

Review of Chapter 8 of the Berryville Code

Chair McDonald asked Mr. Dalton about the status of work on dumpster use. Mr. Dalton said staff is working with the collection contractor to send notices to businesses that are cause for concern. Chair McDonald said the committee had previously discussed how to notify businesses of the upcoming change in Town policy, and Mr. Dalton said it had discussed a broad-based approach applicable to all businesses and residences, beginning with dumpsters that presented problems. He said the ordinance has never been updated for automated service and that the time is approaching for an invitation for bid for garbage and recyclables collection.

Mayor Dickinson said the committee had tried to reduce the specificity of the code while creating a detailed policy, as this is more conducive to flexibility. The committee and staff concurred with this.

Mr. Dalton said there is need for an ordinance to repeal and re-adopt Chapter 8 of the Town Code, and directed the committee's attention to a list of definitions to be included. He said screening of both cans and dumpsters for businesses would be required, that the town manager would have more authority to address problems, that zoning permits would become necessary for siting dumpsters,

and that more rigorous standards for dumpster screening would be imposed, including mandatory screening for any permanent dumpster.

There was a discussion of hazardous waste. Mr. Dalton said he would add specificity to the verbiage related to different types of paint. There was a brief discussion of yard waste.

Mr. Dalton said the Council must decide whether to limit the number of toters permissible at a given occupancy. He directed the committee's attention to language specifying that toters must be placed along the frontage of an occupancy. Chair McDonald said this is not always possible. Mr. Dalton said the language of the proposed ordinance would give him authority to address variations, with complaints being the likely impetus for such decisions. Mayor Dickinson said complaints are not likely. There was a discussion of complaints and what prompts them.

Ms. Harrison asked whether it would be possible to add verbiage prohibiting placement of toters on the sidewalk. Mr. Dalton said there are areas with no utility strip or parking space. Chair McDonald asked whether placement of toters on sidewalks is actually so problematic. Ms. Harrison said some people leave the toters there all day. Mayor Dickinson said placement of toters in the street would necessitate the addition of reflector strips. Ms. McDonald said the need to walk past toters on the sidewalk creates neither hazard nor hardship. Mr. Dalton said he and Chief White would consider problem areas and explore solutions involving voluntary compliance. Chief White said placement of toters in the street contravenes state and local ordinances and that there is also an ordinance prohibiting obstruction of sidewalks.

There was a brief discussion of residents with businesses in their homes.

Mr. Dalton said the new policy governing the permissible number of toters at a given location would exclude industrial entities but include residences and businesses. He said collection of bulk refuse and appliances would be for households only.

There was a brief discussion of recycling.

Ms. Harrison asked what would be done in the case of people who used toters not issued by the Town, and Mr. Dalton said those would not be picked up.

Mr. Dalton directed the committee's attention to verbiage on site development plans and said language should be added requiring that development plans provide for private servicing of dumpsters.

The committee discussed specific provisions of the proposed ordinance, including definitions of key terms, how occupancies are categorized, dumpster screening, and toter screening.

Mayor Dickinson said the Town should provide toters to residents and only those business/commercial entities that cannot accommodate dumpsters. Mr. Dalton said this has been in the Town

policy and that special-service areas accommodate them. He said inclusion of this provision in the Town Code would necessitate regulations regarding where totes are placed and how long they may be left out.

There was a discussion of how tote use by entities that contract independently for waste collection can be kept in line with what is required when the Town collects trash. Mayor Dickinson said the rules should be the same for everyone. Mr. Dalton concurred. Chair McDonald asked what would occur if someone contracted with a collector that operates at times outside the parameters set by the Town, and Mr. Dalton said this is not permitted and therefore does not constitute a problem. The mayor reiterated the need for uniformity in the rules.

Chair McDonald noted that some people will object to the Town collecting only residential refuse, on the grounds that their taxes pay for collection. Mayor Dickinson said only residents should receive Town trash-collection service, as trash removal is a business expense for other entities. She said some non-residential entities receive free dumpsters while others don't, and that the inequity is wrong and undermines confidence in the Town's governance. Chair McDonald said complaints about taxes will proliferate.

Mr. Dalton asked whether the time has come for a discussion by the full Council. Mayor Dickinson said Council needs a draft policy first but that its basic position should be that Town trash-collection service should be residential only. Ms. Harrison asked that Mr. Dalton assemble highlights and basics. He said an overarching statement is needed. The mayor said it is necessary to have clear wording on the Town Council's responsibility for policy and the town manager's responsibility for procedures. She said the verbiage should allow for the possibility that some people might dispose of their trash themselves instead of engaging professional assistance with it.

There was a brief discussion of minor changes to the wording of the documents submitted by Mr. Dalton.

Chair McDonald said the committee was covering old topics and not progressing. Mayor Dickinson said the committee was not stagnant and had made progress in the present meeting.

Mr. Dalton asked for guidance regarding future action. He suggested a work session in which the Council would discuss an overarching statement to the effect that only single-family residences and special districts would receive Town trash pickup. Chair McDonald said this would provide the desirable level of detail. Mayor Dickinson asked that Mr. Dalton provide background and lay out a progressive path, providing a perspective on cost. Chair McDonald said the imposition of a new policy on everyone at once would be excessive. Mr. Dalton said the upcoming invitation for bid must be borne in mind and that the revised ordinance and policy should be included.

There was a discussion of a proposed new schedule for committee meetings. The committee agreed to meet again on January 27 at 1:00 p.m. There was a discussion of holding a work session for the full Council on February 3 at 3:00 p.m.

Mr. Dalton said trash collection must be treated as a front-burner issue.

4. New Business

Report of Chief White

Chief White had nothing to add.

5. Other

There was no other business.

6. Closed Session

There was no closed session.

7. Adjourn

Chair McDonald requested a motion to adjourn. Ms. Harrison so moved. The motion passed by consensus and the meeting adjourned at 1:53 p.m.