

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**May 10, 2022**  
**7:00 p.m.**

**Town Council:** Present—Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Recorder; Donna McDonald; Diane Harrison; Grant Mazzarino; Kara Rodriguez.

**Staff:** Present--Keith Dalton, Town Manager; Christy Dunkle, Community Development Director; Cynthia Poulin, Treasurer; Paul Culp, Town Clerk; Chief Neal White, Berryville Police Department

**Press:** Mickey Powell, *The Winchester Star*

**Also present:** Matt Bass, Clarke County Board of Supervisors.

**1. Call to Order**

Mayor Arnold called the meeting to order at 7:00 p.m.

**2. Pledge of Allegiance**

**3. Approval of Agenda**

Ms. Rodriguez moved to approve the agenda as presented. The motion passed by unanimous voice vote.

**4. Presentations/Awards/Recognitions**

None.

**5. Public Hearings**

**Proposed Budget for Fiscal Year 2023**

Ms. Poulin noted an increase from \$17,500 to \$19,500 in the funds the Town would contribute to economic development with the County, amendment of the capital improvements program to provide \$60,000 for each of the next five years for work on Fairfax Street, and amendment of the reserve specifics providing for the creation of a matching funds reserve for Transportation Alternatives Program projects. She said the budget was otherwise unchanged from the last meeting.

Mr. Dalton explained that funds obtained via the American Rescue Plan Act of 2021 accounted for the preponderance of the budget increase.

Mayor Arnold called the public hearing to order at 7:03 p.m. and in the absence of any comments closed the hearing at 7:03 p.m.

## **6. Discussion of Public Hearing Items**

The Council engaged in no further discussion of the matter.

## **7. Citizens' Forum**

Susan French read a letter from Donna Richardson, owner of the property at 112 Josephine Street, which noted that the Planning Commission had determined that the property should not be considered blighted. It related the early history of Josephine Street and enumerated the aspects of Mr. Dalton's blight findings that the letter described as not relevant for a historical structure. The letter described the measures Ms. Richardson said she intended to take, and asked for a more collaborative relationship with the Town. Ms. French also read a letter from Thomas Brown, owner of the property at 225 Josephine Street, which said he did not intend to demolish the structure and which described the measures Mr. Brown intended to take.

## **8. Consent Agenda**

The consent agenda comprised the minutes of the April 12 Town Council regular meeting, the April 19 Town Council special meeting, the April 13 meeting of the Streets and Utilities Committee, and the April 25 meeting of the Public Safety Committee.

**Ms. Rodriguez moved to adopt the consent agenda as presented. The motion passed by unanimous voice vote.**

## **9. Unfinished Business**

None.

## **10. New Business**

None.

## **11. Council Member Reports**

The Council members had nothing to report.

## **12. Staff Reports**

### **Public Works**

Nothing was added to the written report.

### **Public Utilities**

Nothing was added to the written report.

### **Police**

Nothing was added to the written report.

### **Community Development**

Ms. Dunkle said the McDonald's on McNeil Drive was requesting a release from the erosion and sediment control and public improvement bonds set by the Council in April of 2017. She said McDonald's had replaced the curb and gutter sections on McNeil Drive that had been damaged during construction and had submitted an as-built drawing which had been reviewed, with all comments having been satisfied.

**Recorder Gibson moved that the Council of the Town of Berryville approve the bond release for the McDonald's on McNeil Drive in the amount of \$11,682.00 for erosion and sediment controls and in the amount of \$138,038.12 for public improvements. The motion passed by unanimous voice vote.**

Ms. Rodriguez said the committee for planning the Town's 225<sup>th</sup> birthday celebration, to be observed in 2023, would be dividing into subcommittees for various assignments and was planning a fall benefit concert, with an announcement of additional plans likely in August.

### **Administration and Finance**

Ms. Poulin had nothing to add.

### **Town Manager**

#### **Blight Update**

Mr. Dalton said the Council needed to set a public hearing for a review of proposed blight abatement measures during its June regular meeting.

Ms. Harrison and Mr. Dalton briefly discussed whether 225 Josephine Street should be returned to the group of properties to be considered. Mr. Dalton said it had never been removed, that the owner, Mr. Brown, had originally indicated an intention to demolish the structure but had now indicated otherwise.

**Mr. Mazzarino moved that the Council of the Town of Berryville set a public hearing on the matter of blight abatement on 12 First Street, 112 First Street, 114 Josephine Street, and 225 Josephine Street, for the June 14, 2022 meeting, with such hearing to begin at 7:00 p.m. or as soon thereafter as the matter may be heard.**

Ms. Harrison and Mr. Dalton discussed whether 229 Josephine Street should be included. Mr. Dalton said no, that the owners had agreed to a plan for abatement.

Ms. Rodriguez asked for clarification for the record that the setting of a public hearing did not require that the Council take action at that time. Mr. Dalton said it did not.

**The motion passed by unanimous voice vote.**

#### **Update: Projects Funded by American Rescue Plan Act of 2021**

Mr. Dalton directed the Council's attention to the portion of the agenda packet devoted to a presentation on options for a sewer system inflow and infiltration study that had been given to the Streets and Utilities Committed by Duke's Root Control.

Ms. Harrison, chair of the committee, said she was in favor of the most comprehensive of the available options, despite the added expense, because the expected retirement of key Town personnel within the next few years would cause the loss of institutional knowledge and the Town should therefore acquire as much information as possible in the near term.

Ms. Rodriguez said the less expensive options would give an incomplete picture and could thereby possibly lead to greater long-term costs. She asked Mr. Dalton how other projects would be affected if the Town undertook the larger expenditure.

Mr. Dalton said the stormwater reserve fund could be helpful, or the sewer fund reserve, but that less funding would be available for actual repairs that the study determined were needed if the Council chose the more expensive option. Ms. Harrison said the more thorough study could lead to long-term savings by helping the Town keep stormwater out of the sewer system.

Mr. Dalton said the water distribution system leak system study had indicated the existence of few problems, none of them serious. He said the Town needs to evaluate the sewer collection system, and that inflow and infiltration reduce the capacity for treatment, cause stress to infrastructure, and necessitate the use of more treatment chemicals.

Mr. Dalton described the benefits to be derived from the less expensive option. He said he hoped the study could proceed in the fall if the Council took immediate action.

Ms. McDonald asked when the previous study had occurred. Mr. Dalton said approximately fifteen years had elapsed and that the system is working well but that ARPA funding would make possible a study providing a baseline for future reference and for carrying out and prioritizing work in the system.

The consensus of the Streets and Utilities Committee members, Ms. Harrison and Ms. Rodriguez, was that the more comprehensive study should be implemented, though the cost would run \$175,000 over the \$100,000 set aside for it.

Ms. Rodriguez expressed concern about what projects would be displaced if an additional \$175,000 was spent on the study, and said she would like to see projected figures before the Council committed itself.

Ms. Harrison suggested delaying the inflow and infiltration study until other stormwater problems are addressed, determining priorities accordingly.

Mr. Dalton said the inflow and infiltration study should have priority and that it would provide much-needed information for future budgeting. He said the less costly of the two options would provide the information the Town would need for proceeding with work according to its own knowledge and expertise, and that the more comprehensive study would not enhance institutional knowledge beyond that provided by the less expensive study.

Ms. Harrison asked whether the acoustic inspections could be added to the less costly plan, and Mr. Dalton explained that they were the primary difference between the two options.

Mr. Dalton and Mayor Arnold briefly discussed contingencies built into the Town's ARPA allocations. Mayor Arnold said the number of questions outstanding was reason to postpone a decision, pending additional information.

Ms. McDonald and Mr. Dalton briefly discussed the institutional knowledge to be lost via the expected staff retirements and gained from the study.

Mr. Dalton said he would provide additional data for the next meeting.

### **13. Committee Updates**

#### **Budget and Finance**

Mayor Arnold thanked Recorder Gibson for her efforts in the budgetary process. Recorder Gibson in turn thanked Ms. Poulin for hers.

## **Community Development**

Ms. Rodriguez, Ms. Harrison, and staff determined that the committee would meet on May 23 at 9:00 a.m. to discuss wayfinding signs, the livery stable, Christmas lights, and street trees.

## **Personnel**

Mayor Arnold had nothing to add.

## **Public Safety**

Ms. McDonald said the committee would meet on July 18 at 3:00 p.m.

## **Streets and Utilities**

Ms. Harrison had nothing to add.

## **14. Closed Session**

No closed session occurred.

## **15. Other**

Ms. McDonald expressed concern about stagnation and undesirable waterfowl activity at two detention ponds on Fairfax Street. Ms. Dunkle said she would look into the matter.

## **16. Adjourn**

The Council adjourned by consensus on a motion by Ms. Rodriguez at 7:49 p.m.

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Erecka L. Gibson, Recorder

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Paul Culp, Town Clerk

**BERRYVILLE TOWN COUNCIL SIGN-UP SHEET**

**Citizens' Forum**

Tuesday, May 10, 2022

7:00 p.m.

**Name:** \_\_\_\_\_ **Town of Berryville Resident?**

Susan French \_\_\_\_\_ Yes  No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

\_\_\_\_\_ Yes No

**BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**May 23, 2022**

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A meeting of the Berryville Town Council Community Development Committee was held on Monday, May 23, 2022 at 9:00 a.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:**

Members of the committee present: Kara Rodriguez, chair; Diane Harrison

Staff participating: Keith Dalton, Town Manager; Christy Dunkle, Community Development Director; Paul Culp, Town Clerk

**1. Call to Order**

Ms. Rodriguez called the meeting to order at 9:01.

**2. Approval of Agenda**

The agenda was approved by consensus on a motion by Ms. Harrison.

**3. Unfinished Business**

**Livery Stable Update**

Mr. Dalton said he would be meeting with the design engineer later in the week to discuss how to proceed with work already discussed by the Town Council. The consensus of staff and committee was that he should proceed on the assumption that the Council approved of the plan, and obtain updated cost figures on that basis.

**Christmas Tree and Decorations**

Mr. Dalton said the committee should decide in the coming fiscal year how to proceed and which decorations to purchase. Ms. Rodriguez and Ms. Harrison said they had already decided on a particular snowflake motif that would be suitable for display during a larger portion of the year.

Mr. Dalton noted several logistical considerations that would be involved in the overall cost.

There was a brief discussion of where to place the decorations and when.

Ms. Rodriguez asked whether the full Council must approve the committee's choice. Mr. Dalton said he would notify the Council members and see whether there were any objections.

Mr. Dalton said there had been complaints about the Town Christmas tree being insufficiently illuminated. There was a brief discussion of cumulative damage to the tree and of whether a new tree would be ready within a few years, possibly via a new planting. Mr. Dalton said he intended to double the number of lights.

### **Street Trees**

Ms. Dunkle noted that the Tree Board had discussed the matter in August and had made recommendations concerning additional trees in some locations, retention of some trees currently in place, removal of some, and retention or removal of planting areas. She said staff needed for the committee to make determinations, and that if trees were deemed no longer viable, the pits for them would be replaced with concrete.

Ms. Harrison said she was fond of trees but concerned with them blocking signage, interfering with utility wires, and impeding delivery trucks. She recommended against replacement, and said she would prefer removal of all street trees except the two in front of the Bank of Clarke County. There was a discussion of whether to retain or remove healthy trees in some areas, and the consensus of the committee was to follow Ms. Harrison's suggestion, with the matter to be discussed by the full Council in its June meeting.

## **4. New Business**

### **Wayfinding Signs**

The consensus of the committee was that the wayfinding sign project agreed upon in previous meetings would require expertise beyond that of Town staff and that a design professional should be engaged to carry out project management. Mr. Dalton agreed to create a request for proposals.

## **5. Closed Session**

None.

## **6. Other**

The committee agreed to meet again on July 25 at 9:00 a.m. Ms. Harrison also noted that the Streets and Utilities Committee would meet on June 27 at 10:00 a.m.

## **7. Adjournment**

The committee adjourned by consensus at 9:32 a.m. on a motion by Ms. Harrison.