

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Work Session
July 5, 2022
4:00 p.m.

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

Staff: Present—Keith Dalton, Town Manager; Paul Culp, Town Clerk; Christy Dunkle, Community Development Director; Ernest Bussert, Chief Water Treatment Plant Operator

Participating Virtually: Matthew Stapleford and Anita Victory, Suez Water Technologies

1. Call to Order

Mayor Arnold called the meeting to order at 4:00 p.m.

2. Approval of Agenda

Mayor Arnold invited a motion to approve the agenda.

Ms. Harrison moved to approve the agenda. The motion passed by unanimous voice vote.

3. Unfinished Business

Wastewater Treatment Plant Membrane Replacement

Mr. Dalton welcomed the Suez personnel and explained that Suez had bought out GE Water & Process Technologies, which had manufactured the membranes that were installed when the treatment plant was completed in 2012. He said the anticipated life span of membranes is eight to twelve years and that the Town had prepared for this via savings and prepayment, with the latter accounting for \$540,000 of the total price of \$963,574. He said an additional \$102,000 would be needed if the Council decided to add a proprietary product called LEAP, which could be expected to reduce expenditure of aeration energy by 30 percent over a lifespan of fourteen years.

Mr. Stapleford said the first five to seven years had been routine for the membranes but that subsequently an undiagnosed problem with the drum screen had necessitated extensive cleaning. Mr. Dalton and Mr. Bussert described the operation of the drum screen.

Mr. Stapleford explained that excessive labor on repair of the old membrane cassettes was not advisable. He showed the Council a photo of the membrane cassette and recommended refurbishment of the frame while the membranes are removed during the replacement process.

Mr. Stapleford described measures to limit expenditure of aeration energy. There was a discussion of how much money might be saved by using LEAP, and the variables affecting this. Mr. Dalton said it would be difficult to isolate from total power usage the power used for aeration. He and the Suez personnel agreed that an immediate decision was not necessary but that a lengthy delay would be inadvisable because of supply chain problems.

Ms. Harrison, after some discussion of problems now affecting the system, said an efficient new technology would be preferable to repair of existing equipment. Mayor Arnold concurred.

Mr. Dalton, Ms. Harrison, and Ms. Victory discussed the process for the project, which Ms. Victory said would take two to three weeks.

Mr. Bussert and Ms. Victory discussed the role of Utilities Department staff in the process.

Ms. Harrison and Ms. Victory discussed the disposal of the old membranes. Ms. Victory said they could be deposited in a landfill.

Mr. Dalton advised that a decision on LEAP be made in September and explained for Ms. Rodriguez the funding available via savings already undertaken by the Town.

Mr. Dalton and Mr. Bussert explained the problems created by debris in the treatment plant apparatus, and Mr. Dalton said the addition of mechanical screening might be fiscally feasible and that he would need to explore the scope and cost of such improvements. Mr. Bussert said pump cleaning is consuming two hours of staff time daily and that mechanical screening would eliminate this and also reduce wear on the pumps.

Mr. Dalton and Mr. Bussert discussed plant maintenance, and Mr. Dalton and Mayor Arnold commended Mr. Bussert for his oversight of the department following the unexpected retirement of Utilities Director David Tyrrell.

Mr. Dalton said the Town had prepaid \$90,000 annually for a total of \$540,000 and had saved \$650,000.

The consensus of the Council was that the members knew enough about LEAP to make a decision immediately or in September.

Ms. McDonald said pre-payment had been wise and should be done again. Mr. Dalton explained its advantages, noting that once the Council decides to use Suez's technology in replacing membranes

again, a pre-purchase plan would be a good idea. He said the capital improvements plan adopted by the Council calls for reserving \$115,000 annually to fund future membrane replacement.

A discussion of when to take action established that the current meeting, as duly convened and advertised and with a quorum present, was suitable in the same manner as a regular monthly meeting of the Council. Mr. Dalton said prompt action would allow for supply chain problems and potentially time-consuming international shipping and hazard-control measures.

Ms. Harrison moved that the Council of the Town of Berryville approve the purchase of the membranes and LEAP upgrade and authorize the town manager to proceed with the project. The motion passed by unanimous voice vote.

4. New Business

None.

5. Other

Mr. Dalton reminded the Council that the July 12 regular meeting would begin at 6:30 p.m. rather than at 7:00 p.m. because of a closed session.

6. Closed Session

There was no closed session.

7. Adjourn

Mayor Arnold requested a motion to adjourn.

Ms. Rodriguez moved to adjourn. The motion passed by consensus at 5:10 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
July 12, 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; 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 6:30 p.m.

2. Closed Session

Ms. Harrison made the attached motion that the Council enter closed session. The motion passed by unanimous voice vote.

The Council entered closed session at 6:31 p.m.

3. Recess Until 7:00 p.m.

4. Convene in Open Session

Ms. McDonald read the attached motion certifying the closed session. The motion passed by unanimous roll-call vote.

The Council returned to open session at 7:00 p.m.

5. Pledge of Allegiance

6. Approval of Agenda

Recorder Gibson moved to approve the agenda. The motion passed by unanimous voice vote.

7. Presentations, Awards, and Recognitions

None.

8. Public Hearings

None.

9. Discussion of Public Hearing Items

None.

10. Citizens' Forum

Donna Richardson, owner of the property at 112 Josephine Street, briefly spoke about the rigors of the process for dealing with properties considered blighted, noting that she has traveled from out of state for the various meetings associated with the matter.

11. Consent Agenda

The consent agenda comprised the minutes of the June 14 Town Council regular meeting and the June 27 meeting of the Streets and Utilities Committee.

Mr. Mazzarino moved to adopt the consent agenda as presented. The motion passed by unanimous voice vote.

12. Unfinished Business

Blight Abatement

Mr. Dalton directed the Council's attention to the portion of the agenda packet containing the **attached** draft spot blight determinations and draft spot blight abatement plans for properties that had been discussed in multiple previous meetings: 12 First Street, 112 Josephine Street, 114 Josephine Street, and 225 Josephine Street. He briefly reviewed the process, which had begun in January of 2021, and the series of meetings and administrative tasks leading up to a determination by Council in the present meeting. Ms. Dunkle shared photos of the properties in question, using the projection screens at the front of the room.

Mr. Dalton said the owner of 12 First Street would be required to demolish the southern portion of the structure in a safe manner and undertake on the northern portion repairs including repair or replacement of the roof, installation of new siding and fascia, and securing of doors and windows. He said all work, including removal of debris, must be complete by December 15, 2023.

Ms. McDonald asked about the Architectural Review Board's recommendation of a tighter deadline, and Mr. Dalton said the ARB and Planning Commission had recommended that the owners of 12 First Street and 114 Josephine Street be given a shorter timeframe because of the condition of the structures on those properties. Mayor Arnold thanked the ARB and Planning Commission for their role in the process.

Ms. McDonald moved that the Council of the Town of Berryville, after reviewing public comment, the findings of the Architectural Review Board and Planning Commission, and the information provided by Town Staff, find that the property at 12 First Street is blighted, adopt the attached spot blight abatement plan, and direct the Town Manager to enforce the provisions of the adopted spot blight abatement plan; and that if the property owner does not comply with the terms of the adopted spot blight abatement plan, the Town Manager be authorized to cause the remediation work prescribed in the spot blight abatement plan to be completed and the cost of such work recovered as allowed by law. The motion passed by unanimous voice vote.

Mr. Dalton said that at 112 Josephine Street, the owner would be required to demolish the front porch on the southern exposure and the addition to the structure on the northern exposure, install doors and windows to secure those openings, and repair chinking as needed, with all work, including removal of debris, being completed by December 15, 2023.

Ms. Harrison noted the work already performed at 112 Josephine Street and thanked Ms. Richardson for the progress made thus far. She said she would like to see the porch rebuilt and that efforts to provide funding were under way. Mayor Arnold said an extension of deadlines would be reasonable if needed for continuation of work already begun. The Council concurred, and Ms. McDonald ascertained from Ms. Richardson that work on the porch is in progress. The consensus of the Council was that the plan should be amended to permit the front porch and rear addition to be repaired or demolished and to give the Council authority to extend as needed the deadlines established in the plan.

Ms. Rodriguez read from a statement in which she said she understood the sensitivity of the matters under discussion and that she believes the plans take into account both the historical importance of the structures and the need to protect public safety. She said she believed the timetables were reasonable, and urged property owners to communicate freely with the Town during the process. Ms. Harrison concurred.

Mr. Mazzarino moved that the Council of the Town of Berryville, after reviewing public comment, the findings of the Architectural Review Board and Planning Commission, and the information provided by Town Staff, find that the property at 112 Josephine Street is blighted, adopt the attached spot blight abatement plan with amendments permitting the front porch and rear addition to be repaired and giving the Council authority to extend as needed the deadlines established in the plan, and direct the Town Manager to enforce the provisions of the spot blight abatement plan as adopted; and that if the property owner does not comply with the terms of the spot blight abatement plan as adopted, the Town Manager be authorized to cause

the remediation work prescribed in the spot blight abatement plan to be completed and the cost of such work recovered as allowed by law. The motion passed by unanimous voice vote.

Mr. Dalton explained that the plan for 114 Josephine Street required the owner to demolish the main structure, with all work, including removal of debris, being completed by December 15, 2023.

A discussion initiated by Ms. Harrison established that the disconnection of water and sewer hookups during the blight abatement processes would not result in property owners being required to pay availability fees again. Mr. Dalton said that use of any approved connection now in existence would be permissible after the blight abatement processes are complete.

Ms. Rodriguez moved that the Council of the Town of Berryville, after reviewing public comment, the findings of the Architectural Review Board and Planning Commission, and the information provided by Town Staff, find that the property at 114 Josephine Street is blighted, adopt the attached spot blight abatement plan, and direct the Town Manager to enforce the provisions of the adopted spot blight abatement plan; and that if the property owner does not comply with the terms of the adopted spot blight abatement plan, the Town Manager be authorized to cause the remediation work prescribed in the spot blight abatement plan to be completed and the cost of such work recovered as allowed by law. The motion passed by unanimous voice vote.

Mr. Dalton said the plan for 225 Josephine Street would require the owner to render the structure secure and weather-tight with appropriate doors and windows, all work being completed by December 15, 2023.

Ms. McDonald moved that the Council of the Town of Berryville, after reviewing public comment, the findings of the Architectural Review Board and Planning Commission, and the information provided by Town Staff, find that the property at 225 Josephine Street is blighted, adopt the attached spot blight abatement plan, and direct the Town Manager to enforce the provisions of the adopted spot blight abatement plan; and that if the property owner does not comply with the terms of the adopted spot blight abatement plan, the Town Manager be authorized to cause the remediation work prescribed in the spot blight abatement plan to be completed and the cost of such work recovered as allowed by law. The motion passed by unanimous voice vote.

13. New Business

None.

14. Council Member Reports

Mayor Arnold said he had enjoyed speaking at the recent Juneteenth celebration.

Ms. McDonald from Ward 1 said a resident had complained about an expensive water bill and had suggested that water and sewer billing be separated. She said she had also received complaints about speeding on Fairfax Street.

The other members had nothing to report.

15. Staff Reports

Nothing was added to the written reports for Public Works, Utilities, Police, or Administration and Finance.

Community Development

Ms. Dunkle explained that in preparation for its 2022 Smart Scale application, the Town needed to update the Urban Development Area adopted in 2018, in order to take into account recent annexation. She and Ms. McDonald briefly discussed how the annexation might affect the area in question.

Recorder Gibson moved that the Council of the Town of Berryville approve the attached resolution establishing an Urban Development Area for the Town of Berryville in accordance with Code of Virginia requirements. The motion passed by unanimous voice vote.

Ms. Dunkle said the Transportation Alternatives Program grants for sidewalk work on Fairfax Street were both funded. Mr. Dalton reminded the Council that they had discussed the matter during budget deliberations and had decided to include the projects in the Town's capital improvements plan for coming years.

Ms. Dunkle said Town staff and the Town engineer had reviewed and approved a request from the developer of the Fellowship Square subdivision for reduction of bonds for public improvements and erosion and sediment controls.

Ms. McDonald asked Ms. Dunkle to speak with the developer about dead trees and unmown grass on the property behind her residence.

Recorder Gibson moved that the Council of the Town of Berryville reduce the bonds for the Fellowship Square subdivision in the following amounts:

Sediment control bonds: \$65,866, and

Public improvements: \$3,162,890.

The motion passed by unanimous voice vote.

Town Manager

Update on American Rescue Plan Act of 2021 Projects

Recorder Gibson and Mr. Dalton briefly discussed the formatting of treasury reports, and the method of accounting for administrative costs associated with utilities.

Mr. Dalton reported that the Town had received the second tranche of ARPA funds.

Parade Route

Mr. Dalton said the Town does not put on any parades of its own but that it must approve permit applications for the Clarke County High School Homecoming parade and the Christmas parade, both sponsored by Berryville Main Street. He said the current route involves traffic and staging on private property, with lineup on Station Road followed by the parade running along Main Street to Lincoln Avenue. He said concerns had been expressed about trash, safety, liability on private property, increased activity on Station Road, and safety hazards associated with the railroad.

Mr. Dalton used the projector to display a proposed new route that would involve setting up at Johnson-Williams Middle School, starting on Lincoln Avenue, proceeding east along Main Street, and conclusion of the parade at the intersection of Main Street and Chalmers Court, with the availability of the Government Center for unloading. He said staff needed direction from the Council in time for Homecoming parade planning, and that VDOT must also approve.

Ms. Rodriguez said the Streets and Utilities Committee had recommended prohibition of parking on the south side of Main Street from Buckmarsh Street east to the western boundary of Rose Hill Park. She said the new route would condense the viewing public into a smaller area, increasing the hazard of small children entering the street from between parked cars, and that it would exclude what had once been a sizable spectator area at the United Methodist Church. She noted that Mayor Arnold had questioned the advisability of banning parking on both sides of the street.

Ms. Harrison, chair of the committee, said she preferred allowing no parking along the route and that she had spoken with local business owners who agreed. She suggested that Berryville Main Street might provide chairs for elderly people who in the past have watched the parade from parked vehicles.

Mayor Arnold said the suggested parade route was good but that prohibition of parking would necessitate closure of the street two hours ahead of time and the towing of violators, some of whom might have been out of town or otherwise unable to comply, all of which would create burdens for the police. He said the route is short and the parade slow-moving, with few spectator opportunities.

Ms. McDonald said she opposed shortening the parade or prohibiting parking. She asked Mr. Dalton whether he had spoken with the new owner of the property on Station Road. Mr. Dalton said the

previous owner had expressed concerns but no objections and that he had not spoken with the new owner but that the facts of the situation remain. He explained the background of the concerns, noting that time-consuming truck-loading operations on Station Road have increased. He said he would speak with the relevant persons.

Mayor Arnold said safety concerns necessitate changes, especially because of children playing on the railroad tracks. Ms. McDonald concurred.

Recorder Gibson, Chief White, and Mr. Dalton discussed the possibility of starting the parade at the high school.

Mr. Dalton said he had discussed these matters with the schools and with the County and that they had no objection to what had been proposed, but that he needed to know the mind of the Council.

Mayor Arnold said both parades should run in the same direction and that starting at the middle school would be fine. Recorder Gibson said she had no objection to either direction for the parades and that she would defer to Chief White regarding parking.

Ms. Rodriguez asked how much advance notice would be required regarding a parking prohibition. Chief White said the presence of residences upstairs from downtown businesses would pose a problem. He said parking meters must be bagged the night before the parade, with restriction of parking to begin two hours before the parade, and that some towing would be necessary. He said that the compression of the crowd by the new, shorter route would lead to more people being present between parked cars and that the optimal approach from a safety standpoint would be the use of barriers.

Recorder Gibson expressed concern about the towing of cars owned by persons who were out of town and unable to move their cars.

Mayor Arnold asked whether the Council should vote on the matter. Mr. Dalton said he believed he understood the intentions of the Council but that the members appeared to be of two minds regarding parking, concerning which he said he would speak with Chief White and with Berryville Main Street, updating the Council after doing so. He said the Homecoming parade would provide useful information on how to proceed with the Christmas parade.

Mayor Arnold asked Berryville Main Street president Michelle Marino, who was present in the public seating area, whether she wished to comment. Ms. Marino said the use of the Woodmark property creates many opportunities for injury to occur, while the use of the high school as a starting point is problematic because of the Powderpuff game. She said she could speak with business owners about parking, and that clear communication regarding any parking policy would be necessary. She said children are venturing farther into the street than they have in the past. She said parades in Berryville are thriving and that attendance is growing.

16. Committee Updates

Budget and Finance

Recorder Gibson said the committee would next meet on September 27 at 10:00 a.m.

Community Development

Ms. Rodriguez said the committee would next meet on October 24 at 9:00 a.m.

Personnel

Mayor Arnold and Ms. Dunkle noted the need to fill two vacancies on the Tree Board.

Public Safety

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

Streets and Utilities

Ms. Harrison said the committee had met on June 27 and had discussed the parade route and the recently issued request for proposals for wayfinding signage. She said the committee would need to meet again on October 24 at 10:00 a.m. to discuss sidewalks.

17. Other

None.

18. Adjourn

The Council adjourned by consensus on a motion by Recorder Gibson at 8:33 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

Town of Berryville

Town Council

MOTION TO ENTER CLOSED SESSION

Date: July 12, 2022

MOTION BY: *Harrison*

SECOND BY:

I move that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-3 of the Code of Virginia, to discuss the acquisition of real property or disposition of publicly held property, and §2.2-3711-A-8 for consultation with legal counsel and briefings by staff.

VOTE:

Aye: *Unanimous voice vote*

Nay:

Attest: _____

Erecka L. Gibson, Recorder

BERRYVILLE TOWN COUNCIL

MOTION

CLOSED SESSION RESOLUTION

DATE: July 12, 2022

MOTION BY: *Mc Donnell*

SECOND BY:

I move that the Council of the Town of Berryville adopt the following resolution certifying it has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act:

Resolution

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by this Council that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

VOTE:

Aye: *Unanimous roll-call vote*

Nay:

Absent/Abstain:

ATTEST: _____

Erecka L. Gibson, Recorder

BERRYVILLE TOWN COUNCIL SIGN-UP SHEET

Citizens' Forum

Tuesday, July 12, 2022

7:00 p.m.

Name:

Town of Berryville Resident?

Donna Richardson

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

12 First Street

Town of Berryville
Blight Abatement Plan
12 First Street
Berryville, VA

Overview

This Blight Abatement Plan (Plan), prepared in accordance with § 5-5 of the Berryville Code, provides for the demolition of a portion of the structure, repair of a portion of the structure, and the removal of all trash and refuse from the subject property.

Permitting

Owner will obtain all necessary permits (including building, demolition, and erosion and sedimentation control).

Utilities

As applicable owner will:

Request disconnection of all non-Town utilities and verify the work has been completed.

Disconnect sewer service by cutting and capping lateral near the property line at the front of the property.

Disconnect water service by cutting lateral on house side of meter cock. Provide protection for existing water meter cock.

Erosion and Sedimentation Control

As applicable, owner will have all required erosion and sedimentation controls installed on the property. All such controls will be maintained during the project and removed after site is stabilized.

Repair of a Portion of the Structure/Demolition of a Portion of the Structure/Removal of Debris

Owner will cause the southern portion of the structure (approximately 55' x 27' in size) to be demolished. All work must be completed in accordance with provisions of the demolition permit. All work must be completed in a manner that does not endanger the public that is utilizing First Street. First Street may not be blocked at any time unless a Town of Berryville Land Use Permit has been Issued for such activity.

Owner will cause the northern portion of the structure (approximately 42' x 24' in size) to be repaired (rendered secure and weather-tight) in accordance with applicable building code and zoning requirements. Owner will:

- repair or replace the structure's roof,
- Install new siding, fascia, and the like on all exposures, and
- cause the structure's door and window openings to be secured, utilizing windows and doors (structure's windows and doors may not be boarded up after project is completed).

Owner will cause all material left over from the repair of the structure, as well as other trash and refuse collected from the site, to be removed from the site and landfilled in accordance with applicable regulations and laws.

Abandonment of On-Site Sewer Treatment System and/or Well or Cistern

Owner will properly abandon any on-site sewer treatment system discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

Owner will properly abandon any well or cistern discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

Clearing and Removal of Plant Material

Owner will cause the site will be cleared of brush, weeds, and trees as needed to access the site and complete work. Owner will cause any trees that the Town Manager determines to be hazardous to adjoining properties to be removed.

Owner will cause all material from clearing and plant material to be removed from the site and disposed of in accordance with applicable regulations and laws.

Stabilization

Owner will cause all disturbed areas to be stabilized in accordance with the Virginia Erosion and Sediment Control Handbook.

Unforeseen Hazards

If other health hazards are discovered during blight abatement work, then the owner will take action to abate those hazards. Unless an extension is granted in writing by the Town Manager, all such hazard abatement will be completed by the deadline for completion of all work on the site as provided herein.

Required Milestones / Schedule

Owner secures demolition permit for southern portion of structure by	9/15/22
List of repairs to be completed on the northern portion of the structure and a schedule for completion of that work provided to the Town Manager by	9/15/22*
All required permits issued for work on northern portion of structure by	12/1/22
Demolition of southern portion of structure commences by	2/1/23
Demolition of southern portion of structure completed by	3/15/23
Debris and trash removed from property and site stabilized by	3/15/23
All work completed (and required inspections passed) on	

northern portion of structure and site by

12/15/23

* If Town Manager does not approve the repairs and schedule, then the owner must resubmit information to secure approval. Owner remains responsible for meeting all deadlines beyond this milestone.

Costs Incurred Abating Blight

The property owner is responsible for all costs incurred during blight abatement work.

Town Action if Owner Fails to Meet Deadlines

Unless an extension is approved in writing by the Town Manager, if the owner fails to meet all deadlines enumerated above, then the Town will proceed with demolition of the entire structure and cleaning of the site. If the Town completes work to abate blight, then it will file a lien on the subject property in accordance with the provisions of Chapter 5 of the Berryville Code.

APPROVED:

ATTEST:

Harry Lee Arnold, Jr. Mayor

Date

Erecka L. Gibson, Recorder

Date

12 First Street

I move that the Council of the Town of Berryville, after reviewing public comment, the findings of the Architectural Review Board and Planning Commission, and the information provided by Town staff, find that the property at 12 First Street is blighted, adopt the attached spot blight abatement plan, and direct the Town Manager to enforce the provisions of the adopted spot blight abatement plan. I further move that if the property owner does not comply with the terms of the adopted spot blight abatement plan that the Town Manager be authorized to cause the remediation work prescribed in the spot blight abatement plan to be completed and that the cost of such work be recovered as allowed by law.

112 Josephine Street

Plan Approved by Town Council On 7/12/22

Town of Berryville
Blight Abatement Plan
112 Josephine Street
Berryville, VA

Overview

This Blight Abatement Plan (Plan), prepared in accordance with § 5-5 of the Berryville Code, provides for the repair or demolition of a portion of the structure, repair of a portion of the structure, and the removal of all trash and refuse from the subject property.

Permitting

Owner will obtain all necessary permits (including building, demolition, and erosion and sedimentation control).

Utilities

As applicable owner will:

Request disconnection of all non-Town utilities and verify the work has been completed.

Disconnect sewer service by cutting and capping lateral near the property line at the front of the property.

Disconnect water service by cutting lateral on house side of meter cock. Provide protection for existing water meter cock.

Erosion and Sedimentation Control

As applicable, owner will have all required erosion and sedimentation controls installed on the property. All such controls will be maintained during the project and removed after site is stabilized.

Repair of a Portion of the Structure/Demolition of a Portion of the Structure/Removal of Debris

Owner will cause the front porch of (on southern exposure) and the addition to (northern exposure) the structure to be repaired or demolished. All work must be completed in accordance with provisions of the demolition/building permit.

Owner will cause the main part of the structure to be repaired (rendered secure and weather-tight) in accordance with applicable building code and zoning requirements. Owner will:

- cause the structure's door and window openings to be secured, utilizing windows and doors (structure's windows and doors may not be boarded up after project is completed) and repair chinking as needed.

Owner will cause all material left over from the repair of the structure, as well as other trash and refuse collected from the site, to be removed from the site and landfilled in accordance with applicable regulations and laws.

All work must be completed in a manner that does not endanger the public that is utilizing Josephine Street. Josephine Street may not be blocked at any time unless a Town of Berryville Land Use Permit has been issued for such activity.

Abandonment of On-Site Sewer Treatment System and/or Well or Cistern

Owner will properly abandon any on-site sewer treatment system discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

Owner will properly abandon any well or cistern discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

Clearing and Removal of Plant Material

Owner will cause the site will be cleared of brush, weeds, and trees as needed to access the site and complete work. Owner will cause any trees that the Town Manager determines to be hazardous to adjoining properties to be removed.

Owner will cause all material from clearing and plant material to be removed from the site and disposed of in accordance with applicable regulations and laws.

Stabilization

Owner will cause all disturbed areas to be stabilized in accordance with the Virginia Erosion and Sediment Control Handbook.

Unforeseen Hazards

If other health hazards are discovered during blight abatement work, then the owner will take action to abate those hazards. Unless an extension is granted in writing by the Town Manager, all such hazard abatement will be completed by the deadline for completion of all work on the site as provided herein.

Required Milestones / Schedule

List of repairs to be completed on the structure and a schedule for completion of that work provided to the Town Manager by	9/15/22*
All required permits issued for work on structure by	12/1/22
Debris and trash removed from property and site stabilized by	3/15/23
All work completed (and required inspections passed) on structure and site (including removal of debris and trash and stabilization of site) by	12/15/23

* If Town Manager does not approve the repairs and schedule, then the owner must resubmit information to secure approval. Owner remains responsible for meeting all deadlines beyond this milestone.

Plan Approved by Town Council On 7/12/22

Costs Incurred Abating Blight

The property owner is responsible for all costs incurred during blight abatement work.

Town Action if Owner Fails to Meet Deadlines

Unless an extension is approved in writing by the Town Council, if the owner fails to meet all deadlines enumerated above, then the Town will proceed with demolition of the entire structure and cleaning of the site. If the Town completes work to abate blight, then it will file a lien on the subject property in accordance with the provisions of Chapter 5 of the Berryville Code.

APPROVED:

ATTEST:

Harry Lee Arnold, Jr. Mayor

Date

Erecka L. Gibson, Recorder

Date

112 Josephine Street

I move that the Council of the Town of Berryville, after reviewing public comment, the findings of the Architectural Review Board and Planning Commission, and the information provided by Town staff, find that the property at 112 Josephine Street is blighted, adopt the attached spot blight abatement plan, and direct the Town Manager to enforce the provisions of the adopted spot blight abatement plan. I further move that if the property owner does not comply with the terms of the adopted spot blight abatement plan that the Town Manager be authorized to cause the remediation work prescribed in the spot blight abatement plan to be completed and that the cost of such work be recovered as allowed by law.

114 Josephine Street

Town of Berryville
Blight Abatement Plan
114 Josephine Street
Berryville, VA

Overview

This Blight Abatement Plan (Plan), prepared in accordance with § 5-5 of the Berryville Code, provides for the demolition of the main structure and the removal of all trash and refuse from the subject property.

Permitting

Owner will obtain all necessary permits (including demolition and erosion and sedimentation control).

Utilities

As applicable owner will:

Request disconnection of all non-Town utilities and verify the work has been completed.

Disconnect sewer service by cutting and capping lateral near the property line at the front of the property.

Disconnect water service by cutting lateral on house side of meter cock. Provide protection for existing water meter cock.

Erosion and Sedimentation Control

As applicable, owner will have all required erosion and sedimentation controls installed on the property. All such controls will be maintained during the project and removed after site is stabilized.

Demolition of the Main Structure/Removal of Debris

Owner will cause the main structure to be demolished. All work must be completed in accordance with provisions of the demolition permit. All work must be completed in a manner that does not endanger the public that is utilizing Josephine Street. Josephine Street may not be blocked at any time unless a Town of Berryville Land Use Permit has been issued for such activity.

Owner will cause all material left over from the demolition of the main structure, as well as other trash and refuse collected from the site, to be removed from the site and landfilled in accordance with applicable regulations and laws.

Abandonment of On-Site Sewer Treatment System and/or Well or Cistern

Owner will properly abandon any on-site sewer treatment system discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

Owner will properly abandon any well or cistern discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

Clearing and Removal of Plant Material

Owner will cause the site will be cleared of brush, weeds, and trees as needed to access the site and complete work. Owner will cause any trees that the Town Manager determines to be hazardous to adjoining properties to be removed.

Owner will cause all material from clearing and plant material to be removed from the site and disposed of in accordance with applicable regulations and laws.

Stabilization

Owner will cause all disturbed areas to be stabilized in accordance with the Virginia Erosion and Sediment Control Handbook.

Unforeseen Hazards

If other health hazards are discovered during blight abatement work, then the owner will take action to abate those hazards. Unless an extension is granted in writing by the Town Manager, all such hazard abatement will be completed by the deadline for completion of all work on the site as provided herein.

Required Milestones / Schedule

Owner secures demolition permit for main structure by	9/15/22
Demolition of main structure commences by	2/1/23
Demolition of main structure completed by	3/15/23
Debris and trash removed from property and site stabilized by	3/15/23

Costs Incurred Abating Blight

The property owner is responsible for all costs incurred during blight abatement work.

Town Action if Owner Falls to Meet Deadlines

Unless an extension is approved in writing by the Town Manager, if the owner fails to meet all deadlines enumerated above, then the Town will proceed with demolition of the main structure and cleaning of the site. If the Town completes work to abate blight, then it will file a lien on the subject property in accordance with the provisions of Chapter 5 of the Berryville Code.

APPROVED:

ATTEST:

Harry Lee Arnold, Jr. Mayor

Date

Erecka L. Gibson, Recorder

Date

114 Josephine Street

I move that the Council of the Town of Berryville, after reviewing public comment, the findings of the Architectural Review Board and Planning Commission, and the information provided by Town staff, find that the property at 114 Josephine Street is blighted, adopt the attached spot blight abatement plan, and direct the Town Manager to enforce the provisions of the adopted spot blight abatement plan. I further move that if the property owner does not comply with the terms of the adopted spot blight abatement plan that the Town Manager be authorized to cause the remediation work prescribed in the spot blight abatement plan to be completed and that the cost of such work be recovered as allowed by law.

225 Josephine Street

Town of Berryville
Blight Abatement Plan
225 Josephine Street
Berryville, VA

Overview

This Blight Abatement Plan (Plan), prepared in accordance with § 5-5 of the Berryville Code, provides for the repair of the structure and the removal of all trash and refuse from the subject property.

Permitting

Owner will obtain all necessary permits (including building and erosion and sedimentation control).

Utilities

As applicable owner will:

Request disconnection of all non-Town utilities and verify the work has been completed.

Disconnect sewer service by cutting and capping lateral near the property line at the front of the property.

Disconnect water service by cutting lateral on house side of meter cock. Provide protection for existing water meter cock.

Erosion and Sedimentation Control

As applicable, owner will have all required erosion and sedimentation controls installed on the property. All such controls will be maintained during the project and removed after site is stabilized.

Repair of the Structure/Removal of Debris

Owner will cause the structure to be repaired (rendered secure and weather-tight) in accordance with applicable building code and zoning requirements. Owner will:

- cause the structure's door and window openings to be secured, utilizing windows and doors (structure's windows and doors may not be boarded up after project is completed).

Owner will cause all material left over from the repair of the structure, as well as other trash and refuse collected from the site, to be removed from the site and landfilled in accordance with applicable regulations and laws.

Abandonment of On-Site Sewer Treatment System and/or Well or Cistern

Owner will properly abandon any on-site sewer treatment system discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

Owner will properly abandon any well or cistern discovered on the site. Said improvements will be abandoned in accordance with Virginia Department of Health regulations and recommended best practices.

Clearing and Removal of Plant Material

Owner will cause the site will be cleared of brush, weeds, and trees as needed to access the site and complete work. Owner will cause any trees that the Town Manager determines to be hazardous to adjoining properties to be removed.

Owner will cause all material from clearing and plant material to be removed from the site and disposed of in accordance with applicable regulations and laws.

Stabilization

Owner will cause all disturbed areas to be stabilized in accordance with the Virginia Erosion and Sediment Control Handbook.

Unforeseen Hazards

If other health hazards are discovered during blight abatement work, then the owner will take action to abate those hazards. Unless an extension is granted in writing by the Town Manager, all such hazard abatement will be completed by the deadline for completion of all work on the site as provided herein.

Required Milestones / Schedule

List of repairs to be completed on the structure and a schedule for completion of that work provided to the Town Manager by	9/15/22*
All required permits issued for work on structure by	12/1/22
All work completed (and required inspections passed) on structure and site by	12/15/23

* If Town Manager does not approve the repairs and schedule, then the owner must resubmit information to secure approval. Owner remains responsible for meeting all deadlines beyond this milestone.

Costs Incurred Abating Blight

The property owner is responsible for all costs incurred during blight abatement work.

Town Action if Owner Fails to Meet Deadlines

Unless an extension is approved in writing by the Town Manager, if the owner fails to meet all deadlines enumerated above, then the Town will proceed with demolition of the structure and cleaning of the site. If the Town completes work to abate blight, then it will file a lien on the subject property in accordance with the provisions of Chapter 5 of the Berryville Code.

Plan for Town Council Review 7/12/22

APPROVED:

ATTEST:

Harry Lee Arnold, Jr. Mayor

Date

Erecka L. Gibson, Recorder

Date

225 Josephine Street

I move that the Council of the Town of Berryville, after reviewing public comment, the findings of the Architectural Review Board and Planning Commission, and the information provided by Town staff, find that the property at 225 Josephine Street is blighted, adopt the attached spot blight abatement plan, and direct the Town Manager to enforce the provisions of the adopted spot blight abatement plan. I further move that if the property owner does not comply with the terms of the adopted spot blight abatement plan that the Town Manager be authorized to cause the remediation work prescribed in the spot blight abatement plan to be completed and that the cost of such work be recovered as allowed by law.

Report of the Department of Public Works

July 6, 2022

General Information

Public Works personnel have been busy keeping up with mowing and weeding Town property and rights-of-way. The number of stops and the overall volume of material collected during weekly brush collection has increased because of storms that have moved through the area.

We received the mini backhoe diggers for the playground area of Rose Hill Park and have installed them.

Sewer

The upgrade of South Buckmarsh Street Pump Station has been completed. This upgrade consisted of installing two new sewer pumps, two vacuum assist pumps, and two check valves. This upgrade will enable this pump station to run in an efficient manner for years to come.

We had no sewer blockages or pump station failures this past month.

Water

We are still in the process of replacing meters and upgrading meter setters. We encountered a problem with our line freeze machine and had to send it off for some repairs. We should have it back this week. Once we receive it, we will continue replacing defective meter setters.



RESOLUTION
URBAN DEVELOPMENT AREAS (UDAs)

- WHEREAS, §15.2-2223.1 of the Code of Virginia, referred to herein as the Urban Development Areas (UDA) law, states that any locality may amend its comprehensive plan to incorporate one or more UDA; and
- WHEREAS, “urban development areas” are defined as areas that are appropriate for higher density development as defined in the statute and incorporate principles of traditional neighborhood development (TND), which may include, but are not limited to, mixed-use neighborhoods, mixed housing types, pedestrian-friendly road design, street connectivity, reduction of subdivision street widths and turning radii at subdivision street intersections, reduction of front and side yard building setbacks, and preservation of natural areas; and
- WHEREAS, In order to fulfill this requirement, localities that meet the criteria must either amend their comprehensive plans to incorporate urban development areas or adopt a resolution certifying that the comprehensive plan accommodates growth in a manner consistent with the UDA law; and
- WHEREAS, the proposed UDA designated boundary for the Town of Berryville, as illustrated in Exhibit 1, is consistent with the intent of Virginia Code §15.2-2223.1; and
- WHEREAS, the Town of Berryville’s approved 2005 Comprehensive Plan is also consistent with the intent of Virginia Code §15.2-2223.1, by promoting the concepts and ideas of traditional neighborhood development (TND) and design principles set forth in the UDA law and referenced above; and
- WHEREAS, the approved 2005 Comprehensive Plan specifically references in its goals and objectives under land use, transportation, environment, economic development, and urban design, as included in Exhibit 2, illustrate that the Town currently meets the intent of Virginia Code §15.2-2223.1; and
- NOW, THEREFORE, BE IT RESOLVED that the Town Council of Berryville, Virginia, hereby certifies that the approved 2005 Comprehensive Plan, accommodates growth in a manner consistent with the provisions set forth in Section 15.2-2223.1 of the Code of Virginia and meets the requirements of traditional neighborhood development (TND) through the proposed UDA boundary.

Exhibit 1: Proposed Town of Berryville UDA Boundary

Exhibit 2: Examples of 2005 Comprehensive Plan Consistency with the Intent of UDAs

By Order of the Council of the Town of Berryville on this the twelfth day of July, 2022.

Harry Lee Arnold, Jr., Mayor

Erecka L. Gibson, Recorder

BERRYVILLE TOWN COUNCIL PUBLIC SAFETY COMMITTEE
Berryville-Clarke County Government Center
MINUTES
July 18, 2022

A meeting of the Berryville Town Council Public Safety Committee was held on Monday, July 18, 2022 at 3:00 p.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

Attendance:

Members of the Committee: Chair Donna McDonald; Grant Mazzarino. Staff: Chief Neal White, Berryville Police Department

1. Call to Order

Ms. McDonald called the meeting to order at 3:00 p.m.

2. Approval of Agenda

The agenda was approved by consensus.

3. Unfinished Business

None.

4. New Business

Chief White and the committee discussed the items in the attached memorandum. Ms. McDonald asked whether any sections of the Town Code needed updating. Chief White said the ordinances were in good order and should be comprehensively reviewed next year.

5. Other

None.

6. Closed Session

None.

7. Adjourn

The meeting adjourned by consensus at 3:27 p.m.



BERRYVILLE POLICE DEPARTMENT

Commitment – Service – Integrity - Excellence

Public Safety Committee

07/19/2022

Staffing Update

The department is currently advertising for a vacancy left when Officer Voorhees resigned to take a position with another law enforcement agency. If the candidate selected does not have their Virginia law enforcement certification, they would not be able to attend the academy until January 2023.

Vehicle Fleet

We are still awaiting delivery of the fleet vehicle ordered with funds from the FY2021-22 budget. As a result of supply chain issues and labor shortages, fleet vehicle orders have been taking extremely long times. At this time all equipment for the vehicle has been delivered and we are just awaiting assembly of the vehicle. The vehicle scheduled for replacement has been placed out of service at this time for maintenance issues that would be cost prohibitive based on investment return.

Training

All department members are up to date with mandatory training requirements and certifications.

Mental Health Calls

The mental health crisis remains a strain on resources in the Commonwealth of Virginia. Behavioral health facility bed shortages have not improved, but efforts are underway on a state level to increase funding to combat staffing shortages at state operated behavioral health facilities. It will take time for these staffing shortages to be rectified, thus law enforcement will continue to bear a burden associated with the lack of bed capacity.

The mission of the Berryville Police Department is to enhance the quality of life for the citizens of Berryville through a true partnership with the community; provide quality law enforcement service to all without prejudice or bias, and increase public safety through visibility and vigilant enforcement of law thereby reducing the fear and incidence of crime

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Work Session
August 1, 2022
5:00 p.m.

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

Staff: Present—Keith Dalton, Town Manager; Paul Culp, Town Clerk; Christy Dunkle, Community Development Director; Sgt. Tim Bristol, Berryville Police Department

Also present: Dennis Kesecker, operations manager for Trowbridge Steel, and Chris McInturff, property manager for 351 Station Road

Media: Mickey Powell, *The Winchester Star*

1. Call to Order

Mayor Arnold called the meeting to order at 5:00 p.m.

2. Approval of Agenda

Mayor Arnold invited a motion to approve the agenda.

Recorder Gibson moved to approve the agenda. The motion passed by unanimous voice vote.

3. Unfinished Business

None.

4. New Business

Discussion: Use of Byrd Avenue by Vehicles Entering and Leaving 351 Station Road

Mr. Dalton presented the following report from the agenda packet:

August 1, 2022
Discussion

Use of Byrd Avenue by vehicles entering and leaving 351 Station Road

History

Station Road, which was once used to access the Norfolk and Western Railroad's passenger station, is owned by Norfolk and Western's successor, Norfolk Southern. In 1976 the Town of Berryville entered into an agreement with Norfolk and Western that permits the Town to maintain Station Road as a public street.

At one time Byrd Avenue extended from South Church Street to Station Road, thereby bisecting industrially zoned property owned by American Woodmark. In the early 1990's American Woodmark requested that the portion of Byrd Avenue that bisected its property be abandoned/vacated. This request was made because American Woodmark wanted to expand the use of its property, and it determined that having a public street in the middle of its site was ill-advised. On February 18, 1992 the Clarke County Board of Supervisors approved abandonment of a portion of Byrd Avenue. After the action by the Clarke County Board of Supervisors, the owner erected a gate to prevent the public from accessing its site at all hours. At present, traffic entering and leaving the site utilizes Station Road.

Recent Developments

Since American Woodmark sold its Berryville facility, subsequent owners have placed multiple tenants on the property. Therefore the nature of the traffic generated by the site has changed over time.

A Norfolk Southern tenant, Trowbridge Steel currently utilizes the property along the west side of Station Road to store steel. Steel loading and unloading operations often block Station Road for a half-hour at a time. At present, up to six such loading and unloading operations occur each weekday. As a result, traffic to and from 351 Station Road is often delayed and Trowbridge operations are extended as they work to accommodate traffic.

Town staff has met with officials from Trowbridge Steel, 351 Station Road, and Norfolk Southern and wants to discuss the matter with the Town Council. Staff is of the opinion that the best way to address the conflicts addressed above is to have 351 Station Road utilize Byrd Avenue for its passenger vehicle traffic. Staff requests that the Town Council authorize the Town Manager to work with the owner of 351 Station Road to provide for use of Byrd Avenue by passenger vehicles, limit the hours during which the gate to the facility from Byrd Avenue is open, and employ measures to dissuade trucks from entering or exiting 351 Station Road via Byrd Avenue.

The Town Council agreed to meet on this matter and asked Town staff to provide Byrd Avenue property owners with notice of this meeting and inform them that the Council will receive public comment in this matter.

Recorder Gibson asked what measures might be taken to control truck traffic. Mr. Dalton said internal signage had been effective on Josephine Street, and that a bar at the entrance limiting vehicle height would be a possibility, as would a limit on the hours the gate would be open. He said the Streets and Utilities Committee had discussed placement on Route 340 of an advisory sign warning tractor-trailer drivers that Church Street is unsuitable for such traffic.

Ms. McDonald asked how much personal traffic could be expected on a re-opened Byrd Avenue, and Mr. Dalton said he did not have a traffic count.

Ms. Dunkle used the projection equipment to display maps, and Mr. Dalton commented on steel storage areas and sites of potential traffic conflicts.

Mayor Arnold then invited comment from members of the public.

Cherlynn Porter expressed concerns about the potential for speeding and racing on Byrd Avenue, its use as a shortcut, and truck traffic. She suggested the use of speed bumps.

Gwen Malone said no one had received the written notices of the meeting until Saturday. She asked about the hours the gate would be left open.

Lou Ann Roark also asked about gate hours and expressed concern about excessive speeds, the safety of children and dogs, and noise during hours when residents are trying to sleep.

Mike Roark asked what would happen if trucks arrived when the gate was closed and had to back out of the street. He said a residential street becoming commercial was not desirable.

Callie Mueller said she had recently moved to Byrd Avenue because it is quiet. She cited safety concerns and the undesirability of a gate being open during times when suspicious nocturnal activity is occurring.

Chuck Porter complained of headlights at all hours; trucks sitting for long periods, honking their horns and blocking driveways because of the closed gate; early-morning noise from backup beepers; and trees covering signage.

Alvin Poe said he was a longtime resident and that reopening Byrd Avenue would be a bad idea. He suggested having the property access on Josephine Street.

Ron Baker said that when Byrd Avenue had been open before, there had been problems with traffic, speeding, and loading of trucks, that a speed limit sign had been removed during gas-line work and never replaced, and that the closed cul-de-sac had made the area safe. He said reopening the street would lead to its use as a cut-through, that noise is a problem early every morning, and that in the last year thirty-eight tractor-trailers had had to back out of the street after trying unsuccessfully to use it.

Joanne Baker said the street as it is now is safe for pedestrians and dog-walking. She and Mayor Arnold briefly discussed truck traffic.

Mr. Dalton said keeping the gate open from 6:00 a.m. to 6:00 p.m. was under consideration and that enforcement and signage were the best antidote to speeding.

Addressing other concerns expressed by the members of the public, Mr. Dalton said notices had been mailed on the previous Wednesday, as soon as the meeting date and time had been determined; that he is working with the property owner so that only passenger vehicles would be permitted on Byrd Avenue; that the property under discussion was zoned industrial; and that cut-through traffic would be a concern and that limiting times when the gate is open would be intended to address this to some extent.

Mayor Arnold said thirty-eight trucks turning around in one year was a large number, and asked whether it would be preferable to allow through-traffic. There was a discussion of signage.

Recorder Gibson asked whether it would be possible to trim foliage away from signs. Mr. Dalton said this would depend on position relative to the right of way and that the signage was near the street entrances, before the point at which drivers commit themselves to a particular course.

Ms. Harrison said the Town has signs downtown forbidding through-traffic by trucks, but that drivers defy them. She said opening Byrd Avenue would increase traffic on South Church and that she did not know a solution.

Mr. Dalton said that anything on the near side of the railroad tracks is considered a destination, and that through-truck restriction is difficult.

Ms. McDonald asked why Station Road can't be used. Mr. Dalton said its use will continue but that a resolution of conflicts between vehicles and cranes is needed.

Mr. Kesecker said the volume of steel handled by Trowbridge has increased and will continue to do so, and that car traffic increases loading time to the point that remaining in Berryville could become cost-ineffective. He and Mr. Dalton and Mayor Arnold discussed the times at which blocking occurs.

Mr. McInturff said it is desirable to keep non-commercial traffic off the street and that a 6:00 a.m.-to-6:00 p.m. span would be greater than what is necessary, but that delay of emergency services could present a problem, and that his primary concern was emergency access to the site. He said tenants have also been concerned about people who are late to work being impeded by cranes. He said signage and bars on his side would prevent commercial vehicles from exiting. Mr. McInturff and Mayor Arnold discussed a timed gate and keys for early arrivals. Mr. McInturff and Mr. Mazzarino discussed lighting. They also established that 7:00 a.m. to 3:00 p.m. for the gate would suffice.

Ms. Harrison suggested that the gate be left unlocked because it is not a security measure. There was a discussion of locked versus unlocked gates.

Ms. McDonald asked whether Trowbridge had ever delayed an emergency vehicle. Mr. Kesecker said no. Ms. McDonald asked whether people who are late to work can be accommodated. Mr. McInturff said he had explained the situation but that frustration remains. Ms. McDonald asked how many times per day traffic is blocked for loading or unloading, and Mr. Kesecker said six to eight times per day, for approximately twenty minutes at a time. Mr. McInturff said there are nine different tenants, with varying hours of business.

Ms. McDonald suggested that Trowbridge and the owner of 351 Station Road work things out between themselves.

Mr. Mazzarino asked the possibility of controlled access for tenants only. Mr. McInturff said this would become a matter of expensive infrastructure and that not everyone could be depended on to close the gate behind themselves. Mayor Arnold suggested using codes for certain personnel and emergency workers, or installation of a Knox box.

Ms. Harrison said a traffic study would be desirable before arrival at a decision. Ms. Rodriguez concurred and said she was in favor of opening Byrd Avenue only for emergency services, that access for some employees but not others would foster complications.

Mayor Arnold said the Town had considered ways of widening the travel way of Station Road in order to enable trucks to maneuver but that none of them had proven tenable.

Mr. Dalton said he understood the remarks made thus far to be in support of advisory signs on Route 340 informing drivers that South Church Street is not suitable for tractor-trailer traffic, a topic that had also been on the agenda.

Ms. McDonald suggested a speed limit of 15 m.p.h. if Byrd Avenue is reopened. Mr. Dalton said the Commonwealth Transportation Board would have to address that. Ms. McDonald said speeding in such a case should carry an additional fine of \$200. Mayor Arnold said he doubted that the site would meet the necessary criteria.

Mr. Dalton said the Council appeared to have taken a middle-ground position, and that he would have a Knox box installed and would work with the property owners in the matter.

A discussion of speed bumps determined that they would cause problems for emergency vehicles, generate noise, and lead to motorists driving too fast between the bumps.

Mayor Arnold said he would look into the matters discussed, including lighting at the gate.

5. Other

Mr. Dalton explained the need for an offering to secure engineering services for the improvement of the water treatment plant. He said the preliminary schedule called for engagement of an engineering firm to shepherd the approval process through the state approval process and provide constant support services.

Recorder Gibson moved that the Council of the Town of Berryville direct the Town Manager to issue an offering for engineering services for the improvement of the Town's water treatment plant and related improvements. The motion passed by unanimous voice vote.

6. Closed Session

There was no closed session.

7. Adjourn

Mayor Arnold requested a motion to adjourn.

Recorder Gibson moved to adjourn. The motion passed by consensus at 6:25 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

