

**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting Minutes**  
**April 9, 2024**

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A meeting of the Berryville Town Council was held on Tuesday, April 9, 2024 at 7:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

**Attendance:** Members of the Town Council present: Harry Lee Arnold, Jr., Mayor; Erecka Gibson, Vice Mayor; Diane Harrison, Grant Mazzarino, Ryan Tibbens

**Absent:** William Steinmetz

**Staff present:** Keith Dalton, Town Manager; Neal White, Chief of Police; Jean Petti, Deputy Town Manager; Cindy Poulin, Director of Finance and Administration/Treasurer; Christy Dunkle, Community Development Director

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

**1. Call to Order**

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

**2. Pledge of Allegiance**

Mayor Arnold requested attendees stand for the pledge of allegiance.

**3. Approval of Agenda**

**Vice Mayor Gibson made the motion to approve the agenda as presented. The motion passed by voice vote.**

**4. Presentations/Awards and Recognitions**

There were none.

**5. Public Hearings**

**Proposed Tax Rates for Tax Year 2024**

Listed below are the proposed tax rates for the tax year beginning January 1, 2024, on all real property, including real property and tangible personal property of public service corporations, and on all other tangible personal property, including machinery and tools.

- A. \$.20 per \$100 assessed valuation on real estate, including real estate of public service corporations;**

B. **\$1.25 per \$100 assessed valuation on tangible personal property except machinery and tools;**

C. **\$1.30 per \$100 assessed valuation on tangible machinery and tools.**

**The proposed real estate tax rate reflects no increase in the real estate rate that was adopted for the year 2023.**

**The proposed personal property tax rate reflects no increase in the personal property rate that was adopted for the year 2023. It is proposed that for tax year 2024 the personal property tax relief discount be set at 35%. The proposed relief discount is unchanged from the discount adopted for the year 2023.**

**The proposed machinery and tools tax rate reflects no increase in the machinery and tools rate that was adopted for the year 2023.**

Mayor Arnold asked Ms. Poulin to read the public hearing notice. He asked Council members if they had any questions of staff. There were none. Mayor Arnold opened the public hearing.

Mayor Arnold recognized Craig Mattice, Town resident. Mr. Mattice said that he realized that this public hearing was about property tax rates, not the budget. He said he would not be available for the budget public hearing adding that the budget and tax rates are interwoven. He discussed the general fund and personal property taxes, and real estates taxes. He recommended using the budget surplus in the reserve fund for the water treatment plant upgrade. Mr. Mattice discussed cutting expenses that aren't necessary, cutting the tax rate, and applying the savings to reduce the loan amount. He said that the water and sewer administrative fees are a burden to low-income residents. He said that the tax rates have never been explained to him and that there is no information supporting the numbers calculated. He said that tax rates are unchanged and recommended reducing expenses and reducing the loan amount which would limit the debt service burden.

There were no other speakers. Mayor Arnold closed the public hearing.

#### **Special Use Permit – Short-Term Rental**

**Paul Perez and Gail Gallagher, Owners, are requesting a special use permit in order to operate a short-term rental at the property located at 116A South Church Street, identified as Tax Map Parcel number 14A5-((A))-69, zoned R-2 Residential. SUP 01-24**

Ms. Dunkle read the public hearing notice. She said that the Planning Commission made the recommendation to approve the request as presented. Mayor Arnold asked if any Council members had any questions. There were none.

Mayor Arnold opened the public hearing. There were no speakers. Mayor Arnold closed the public hearing.

## **6. Discussion of Public Hearings**

### **Proposed Tax Rates for Tax Year 2024**

Mayor Arnold asked if Council members had any questions or comments. There were none.

**Council member Mazzarino moved that the Council of the Town of Berryville adopt the attached ordinance setting the tax levies for the tax year 2024 per the Code of the Town of Berryville, Chapter 16-Taxation, Article I – In General, Section 16-1 Annual Tax Assessments; valuation of property.**

**And**

**I hereby move that the Council of the Town of Berryville adopt the attached Resolution providing for the implementation of the 2004-2005 changes to the Personal Property Tax Relief Act of 1998 for the tax year 2024. The motion passed by voice vote.**

### **Special Use Permit – Short-Term Rental**

Mayor Arnold asked if Council members had any questions or comments. There were none.

**Council member Harrison moved that the Council of the Town of Berryville approve a special use permit in order to operate a short-term rental at 116 A South Church Street. The motion passed by voice vote.**

## **7. Citizens' Forum**

Mayor Arnold recognized Craig Mattice, Town resident. Mr. Mattice thanked Council member Tibbens for his willingness to look at the information he submitted to Town Council. He discussed the water treatment plant upgrade and offered information about the number of users and associated costs. He discussed reducing the debt for the upgrade and recommended not rolling over previous funds that have been spent into the loan. He said he identified some discrepancies in the reserve report and that he was unable to reconcile the numbers.

## **8. Consent Agenda**

Mayor Arnold asked for a motion to approve the consent agenda (minutes attached).

**Vice Mayor Gibson made the motion to approve the consent agenda as presented. The motion passed by voice vote.**

## **9. Unfinished Business**

There was no unfinished business.

## 10. New Business

Proposed Issuance of IFB #2024-01 – Paving, Milling, and Line Striping

Mr. Dalton identified nine streets that are slated for paving. He said that if Council approves the invitation for bid, he would issue the document on Wednesday and would like to have the work completed this fiscal year.

**Council member Harrison made the motion that the Council of the Town of Berryville approve the issuance of IFB#2024-01 and authorize the Town Manager to:**

- **Award the IFB if the lowest responsible bidder's total price does not exceed funds available for this purpose.**
- **Execute any documents related to this matter.**

**The motion passed by voice vote.**

## 11. Council Member Reports

Mayor Arold said that he and Ms. Petti attended a career expo at Laurel Ridge Community College. He added that Berryville Main Street will be holding The Big Flea on Saturday in downtown Berryville.

There were no other reports.

## 12. Staff Reports

Nothing was added to the written reports for Public Works, Utilities, Police, or Deputy Town Manager.

### *Community Development*

Ms. Dunkle requested that Town Council adopt the annual Arbor Day resolution that will be held at the opening day of the farmers' market scheduled for Saturday, May 4, 2024.

**Vice Chair Gibson made the motion that the Council of the Town of Berryville adopt the attached proclamation for Arbor Day 2024. The motion passed by voice vote.**

### *Administration and Finance*

Ms. Poulin discussed the ARPA report that was distributed to Council members at the meeting.

### *Town Manager*

Mr. Dalton updated Council members on the spot blight abatement. He said that Ms. French had contacted him about 229 Josephine Street. He said that the other two properties, 114 and 225 Josephine Street, are likely not going to comply by the May 1 deadline.

## 13. Committee Updates

### *Budget and Finance*

**Council member Tibbens made the motion that the Council of the Town of Berryville set a public hearing for the FY25 Budget for the May regular meeting which will be held on May 14, 2024.**

Mr. Dalton discussed stormwater reserves and cost estimate revisions for the Walnut Street – Buckmarsh Street project. Vice Mayor Gibson confirmed that the reserves have been approved by Council.

*Community Development*

Council member Tibbens said the committee has been discussing the park rules and graffiti ordinances proposed for the Town Code. Mr. Dalton said he would like to review the temporary storage containers code section prior to approval.

*Personnel, Appointments, and Policy*

Mayor Arnold said there will soon be two Planning Commission openings and one on the Tree Board.

*Public Safety*

Council member Mazzarino asked Sergeant Bristol if he had any additional discussion items. He did not.

*Streets and Utilities*

There was no discussion.

**14. Closed Session**

There was no closed session.

**15. Adjourned**

Vice Mayor Gibson made the motion to adjourn the meeting. The meeting was adjourned at 7:39 p.m.

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Erecka L. Gibson, Vice Mayor

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Keith Dalton, Town Manager