

**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting Minutes**  
**June 11, 2024**

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A meeting of the Berryville Town Council was held on Tuesday, June 11, 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; William Steinmetz, Diane Harrison, Grant Mazzarino, Ryan Tibbens

**Absent:** no one

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

No items were discussed.

**5. Public Hearings**

**Special Use Permit – Home Occupation**

**Rebekah Fowlds, Owner, is requesting a special use permit per Section 201.2(a) of the Berryville Zoning Ordinance in order to operate a home occupation (hair salon/personal services) at the property located at 108 Isaac Court, identified as Tax Map Parcel number 14A8-((4))-149, zoned R-1 Residential. SUP 02-24**

Ms. Dunkle read the public hearing notice. Mayor Arnold asked Council members if they had any questions of staff. Council member Mazzarino asked if Ms. Fowlds would have additional employees. She said she would not. Mayor Arnold opened the public hearing.

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

**Repeal and Readopt Section 322 Erosion & Sediment Control of the Berryville Zoning Ordinance**

**The Berryville Planning Commission is sponsoring text amendments to the Berryville Zoning Ordinance in order to repeal and readopt Section 322 Erosion and Sediment Control updating the ordinance to align with updated laws and regulations of the Commonwealth of Virginia Department of Environmental Quality. TA 01-24**

Ms. Dunkle read the public hearing notice. Mayor Arnold asked Council members if they had any questions of staff. There were no questions. Mayor Arnold opened the public hearing.

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

**Text Amendments establishing secondary public street widths and street light standards**

**The Berryville Planning Commission is sponsoring text amendments establishing street right-of-way widths and street light standards to Section 314.7(a) of the Berryville Zoning Ordinance and to Article IV, Section B of the Berryville Subdivision Ordinance. TA 02-24**

Ms. Dunkle read the public hearing notice. Mayor Arnold asked Council members if they had any questions of staff. There were no questions. Mayor Arnold opened the public hearing.

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

**6. Discussion of public hearings**

*Special Use Permit*

Mayor Arnold asked if there were any additional discussions on the matter. Council member Steinmetz said the Planning Commission recommended that the matter be approved with the conditions identified in the motion and that they had very little public feedback on the request.

**Council member Steinmetz made the motion to approve Special Use Permit 02-24 in order to operate a hair salon as a home occupation at 108 Isaac Court with the following conditions:**

- 1. Hours of operation Monday through Friday from 7:00 a.m. until 5:00 p.m.;**
- 2. A maximum of two (2) square feet of signage in the form of a nameplate per Section 315.5(a) of the Berryville Zoning Ordinance; and**

**3. At least one off-street parking space is available for clients.**

**The motion passed by voice vote.**

*Repeal and readopt Section 322 Erosion and Sediment Control of the Berryville Zoning Ordinance*

Mayor Arnold asked for any discussion from Council members on the matter. There were none.

**Council member Tibbens made the motion to adopt the attached ordinance to repeal and readopt Section 322 Erosion and Sediment Control, of the Town of Berryville Zoning Ordinance in order to update laws and regulations of the Commonwealth of Virginia Department of Environmental Quality.**

**The motion passed by voice vote.**

*Proposed Text Amendments establishing street width and streetlight standards*

Mayor Arnold asked if there was any additional discussion on the matter. There was none.

**Council member Harrison made the motion to adopt the attached ordinance for text amendments establishing requirements for street rights-of-way and street lighting standards in the Berryville Zoning Ordinance.**

**The motion passed by voice vote.**

**Council member Harrison made the motion to adopt the attached ordinance for text amendments establishing requirements for street rights-of-way and street lighting standards in the Subdivision Zoning Ordinance.**

**The motion passed by voice vote.**

**Council member Harrison made the motion to adopt text amendments establishing requirements for street rights-of-way and street lighting standards in the Construction Standards and Specifications Manual.**

**The motion passed by voice vote.**

## **7. Citizens' Forum**

Mayor Arnold recognized Carl Maples, Town resident. Mr. Maples requested that the Town remove a hazardous tree in the right-of-way of Wheeler Lane. He distributed a document (attached) concerning dedication of Wheeler Lane and the location of the hazardous tree. He said that he did not wish to speak and requested that Town staff take a look at the hazardous tree.

## 8. Consent Agenda

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

**Council member Steinmetz made the motion to approve the consent agenda as presented.  
The motion passed by voice vote.**

## 9. Unfinished Business

*Update of proposed reserve specifics*

Mayor Arnold asked Council members if they had any questions for staff. Vice Mayor Gibson discussed the adoption of the proposed reserve specifics and conformation that the reserve document was in agreement with the general ledger and in sync with the Bank of Clarke account. Ms. Poulin said it will be. Mr. Dalton drew Council members' attention to the document and discussed the use of reserve funds in the FY 25 budget.

**Vice Mayor Gibson made the motion to adopt the attached reserve specifics, an approved copy of which shall be incorporated into and made a part of the official minutes of this meeting.**

**The motion passed by voice vote.**

## 10. New Business

There was no new business.

## 11. Council Member Reports

Mayor Arnold said that former Council member Bugs McWilliams complimented the Public Works Department on the maintenance of the Town leading up to the Memorial Day holiday.

Mayor Arnold said that the Juneteenth event will be held at the Fairgrounds on June 15, 2024.

Council member Tibbens thanked Public Works staff for picking up yard debris in a timely manner.

There were no other reports.

## 12. Staff Reports

Nothing was added to the written reports for Public Works, Utility, and Community Development departments.

*Police Department*

Chief White and Mr. Dalton discussed the recent railroad track blockage on East Main Street which lasted approximately five hours and was similar to previous events. There was a discussion about contacting Norfolk Southern representatives to meet and discuss the matter.

Chief White discussed track blockages in 2019 and 2021, stating that Town Council had addressed them previously. He said the duration of the blockages were approximately 1 hour and 2.5 hours. Council member Mazzarino asked if the Town had ever received a response. Chief White said that Norfolk Southern's community liaison responded that they were here to help, however there was no other response. Council member Mazzarino recommended that federal elected officials should be copied on the Town's correspondence because there is only so much a town can do.

Council member Steinmetz asked if other localities had been dealing with similar issues. Chief White said Warren County has had blockages. Council member Harrison added that similar issues are happening nationally. Mr. Dalton suggested that the siding north of Town needs to be lengthened. Chief White said that the length of trains will continue to get longer. Council member Tibbens said that he is fine with escalating the request to meet with Norfolk Southern officials as it is necessary for convenience and public safety.

It was determined that federal representatives should be copied on the correspondence to Norfolk Southern. Chief White added that crossing railroad tracks when the arms are down is prohibited and should not be attempted.

#### *Deputy Town Manager*

Ms. Petti discussed the proposed sign package designed by VDOT in order to identify the truck route through the Town after discussions at the Streets and Utilities Committee meetings. She said the additional signage will identify the location of industrial areas. Mr. Dalton said the existing GPS routing signs would remain in place. He asked whether Town Council was okay with the plan and they agreed to the proposed sign placement.

#### *Town Manager*

Mr. Dalton said he would address blight at the next meeting.

### **13. Committee Updates**

#### *Budget and Finance*

No report, no meeting was set.

#### *Community Development*

Council member Tibbens referenced the proposed Town Code language for portable storage container regulations included in the packet. He said that committee members discussed the timeframe for placement and have adjusted the draft text to reflect Vice Mayor Gibson's previous concern about the 60-day limit. He added that the regulation is focused on residential properties. There was a discussion about the extension of timeframes permitted.

There was a discussion about contacting residents who have portable storage containers on their property. Mr. Dalton said that Ms. Dunkle will send notice to those who have the containers on their property and give them 45 days to conform to the regulation.

*Personnel, Appointments, and Policy*

Mr. Dalton requested input on the committee members' availability in July. He said that Ms. Petti has changes to the personnel policy that she would like to discuss. Vice Mayor Gibson requested a plan for filling staff positions for those who are retiring. It was determined that the committee would hold a meeting in September.

*Public Safety*

Council member Mazzarino asked staff to update Council members on correspondence with the railroad. No meeting was set.

*Streets and Utilities*

There was a discussion of meeting dates and times. It was determined that the Streets and Utilities and Community Development committees will be advertised as a joint committee meeting. A meeting was set for Tuesday, July 9, 2024 at 5:30 p.m. for a joint committee meeting.

**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 7:48 p.m.

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Erecka L. Gibson, Vice Mayor

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Keith Dalton, Town Manager