

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Tuesday, May 12, 2015**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**7:30 p.m.**

**Town Council:**

Present: Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitselman; Mary Daniel; David Tollett; Douglas Shaffer

**Staff:** Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Desiree Moreland, Assistant Town Manager/Treasurer; Neal White, Chief of Police; Ann Phillips, Town Clerk

**Press:** Val Van Meter, Winchester Star

1. Call to Order

Mayor Kirby called the meeting to order at 7:31 p.m.

2. Pledge of Allegiance

3. Report of the Mayor

Mayor Kirby recognized Officer Greg Frenzel of the Berryville Police Department, and presented the resolution passed by the Council at the April meeting thanking him for his service during the investigation of the murder of Council member Gail Smith. The Mayor also presented letters of commendation to Clarke County Sheriff Tony Roper in recognition of the contributions of Chief Deputy Travis Sumption and Sergeant Patricia Putnam during the same investigation.

4. Public Hearing - ***Proposed FY 2016 Budget***

The Mayor opened the public hearing and stated that no one had signed up to speak. After asking if anyone wished to speak, the Mayor asked for a motion to close the hearing. **Council member Shaffer moved that the public hearing be closed. Council member Daniel seconded the motion which carried unanimously.**

5. Approval of Minutes

**Upon motion by Recorder Arnold, and seconded by Council member Kitselman, the minutes of the April 14, 2015 / April 21, 2015 meeting were approved by the following vote:**

|                       |       |
|-----------------------|-------|
| Wilson Kirby          | - Aye |
| Harry Lee Arnold, Jr. | - Aye |

|                 |       |
|-----------------|-------|
| Mary Daniel     | - Aye |
| Allen Kitselman | - Aye |
| Douglas Shaffer | - Aye |
| David Tollett   | - Aye |

6. Citizens' Forum

Mayor Kirby recognized Barbara Byrd of 3836 Lord Fairfax Highway. Mrs. Byrd, as a member of the Clarke County Board of Supervisors, announced that the County is hosting a Tick Awareness Program on June 4 at 7:30 p.m. in the Main Meeting Room of the Berryville-Clarke County Government Center. She said that there are four types of ticks in the area and tick borne diseases are becoming more prevalent. Mrs. Byrd said there will be speakers from the National Capital Lyme and Tick-borne Disease Program as well as from the local hospital and health department. She added that tick-borne diseases are especially dangerous to the elderly and young children.

7. Planning and Zoning Matters

a) Ms. Dunkle said that per Council's request, the Planning Commission approved a motion recommending that the Berryville Area Plan update be completed prior to making any modifications to the Berryville Zoning Ordinance concerning the number of multi-family units in the Older Person Residential Zoning District.

b) Ms. Dunkle reviewed the Clarke County High School site plan amendment proposal. One portion of the proposal is for a marching band tower. Mayor Kirby recognized Dennis Graham of 308 Taylor Street whose son designed the tower as an Eagle Scout project. Mr. Graham answered the Council's question regarding the length of the marching band season, saying it runs from July through November. Chief White said that the tower had been reviewed for security concerns and the current design is satisfactory. **Council member Daniel moved that the Council of the Town of Berryville approve the site plan amendment as part of the special use permit with the following conditions:**

**-all band related vehicles and storage units currently parked in the high school parking lot shall be removed once the band tower and storage building are complete;**

**-all outdoor storage appearing on the site plan, excluding the band tower, shall be screened and maintained, and no other outdoor storage is permitted;**

**-noise and dust shall be kept to a minimum outside of any structure;**

**-engineering shall be submitted to the Town of Berryville for review and approval prior to construction of the Career and Technical Education (CTE) Facility;**

-the band tower shall be removed should it remain unused by the marching band for 18 consecutive calendar months, and

-the overflow parking area as shown on the original site plan shall remain accessible and designated for such use.

Council member Kitselman seconded the motion which carried as follows:

|                       |       |
|-----------------------|-------|
| Wilson Kirby          | - Aye |
| Harry Lee Arnold, Jr. | - Aye |
| Mary Daniel           | - Aye |
| Allen Kitselman       | - Aye |
| Douglas Shaffer       | - Aye |
| David Tollett         | - Aye |

Council member Daniel asked about progress on the Berryville Area plan update. Ms. Dunkle and Council member Kitselman said good progress is being made. Ms. Dunkle added that some sub-areas are being consolidated, and discussions regarding polices for plan amendments are on-going.

#### 8. Report of the Town Manager

Mr. Dalton noted that VDOT will be paving Rt. 340 through Town sometime after the July 4 holiday. He said that street cleaning throughout Town is nearly complete, and once it is finished Public Works crews will be doing the water main project on Battletown Drive. Mr. Dalton noted that the Streets and Utilities Committee will be meeting immediately following this meeting.

#### 10. Standing Committee Reports

##### a) BADA Liaison

Council member Kitselman said he had nothing to add to the earlier discussion of the Berryville Area Plan update.

##### b) Budget and Finance

Recorder Arnold said the budget will need to be approved at the June meeting.

##### c) Community Improvements

Council member Kitselman had nothing to report.

##### d) Planning Commission Liaison

Council member Shaffer said he had nothing to add to the earlier discussion of the Planning Commission meeting.

e) Police and Security

Council member Daniel recognized Chief White and asked him to elaborate on his memo regarding the increase in man hours for civil custodial transports. Chief White said with a legislative change last year, the Town is now responsible for these transports. He said the County has been helping when possible, but the increased demand has resulted in staffing and coverage issues for the Department.

Mr. Dalton added thanks to the County for hiring Frank Davis saying that a recent fire showed an example of good inter-jurisdictional cooperation. He said Chief White and Officer Shoremount were first on the scene providing help, and Public Works Director Rick Boor and Public Works Foreman Ralph Elliott were also there to assist. Mr. Dalton added that a water main project completed about eight years ago ensured there was enough water to fight the fire effectively.

f) Streets and Utilities

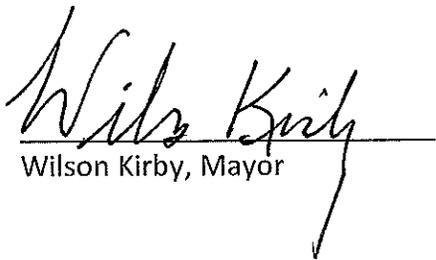
Upon motion by Council member Shaffer, seconded by Mayor Kirby, the minutes of the Streets and Utilities Committee meeting of April 30, 2015, were approved.

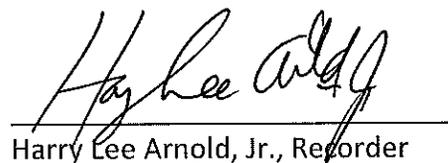
Mayor Kirby noted the monthly reports for Public Works and Public Utilities were included in the agenda packet.

g) Personnel / Appointments

Recorder Arnold had nothing to report.

**There being no further business, upon motion by Council member Kitselman, seconded by Council member Daniel and passed unanimously, the meeting was adjourned at 8:15 p.m.**

  
Wilson Kirby, Mayor

  
Harry Lee Arnold, Jr., Recorder

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**STREETS AND UTILITIES COMMITTEE**  
**Tuesday, May 12, 2015**  
**Berryville-Clarke County Government Center**  
**Called Meeting immediately after regular meeting of Town Council is adjourned**

**Town Council:**

**Present:** Wilson Kirby, Mayor; Douglas Shaffer

**Staff:** Keith Dalton, Town Manager

**Press:** None

**Other:** Kenneth Butler, 305 South Church, and Mary Serock, 301 South Church Street

1. Call to Order

Mayor Kirby called the meeting to order at 8:21 p.m.

2. Discussion- ***Condition of street shoulder in front of 301, 305, 311, and 315 Church Street***

Mr. Dalton introduced the topic regarding sidewalk work last fall and concerns that have been expressed about the condition of the utility strip. The Committee, Mr. Butler, and Ms. Serock discussed conditions. Mr. Butler and Ms. Serock stated that they would mow the strip in question if grass was re-established.

The Committee directed staff to place topsoil and plant grass in the utility strip in front of 301 and 305 South Church Street leaving an 18" wide strip of gravel along the edge of the street. The Committee directed staff to contact the owners of 311 and 315 South Church Street and ask them if they too would want the utility strip in front of their properties top soiled and planted with grass. If they want it, then staff would address those areas as well.

Mr. Butler asked the Committee about having bricks at the landing of his walk. The Committee stated that such a matter would have to be discussed at a later date and that should Mr. Butler want to place this matter before the Committee, he should forward any information on the matter to Mr. Dalton.

3. Other

Mr. Dalton briefed the Committee on a sewer issue at 113 East Main Street.

4.

There being no further business, the meeting was adjourned at 8:59 p.m.

