

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Tuesday, September 9, 2014**  
**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

Absent: Douglas Shaffer

**Staff:** Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Neal White, Chief of Police

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

**Other:** Ann Phillips, Kevin Rooney

**1. Call to Order:** Wilson Kirby, Mayor

Mayor Kirby called the regular meeting to order at 7:30 p.m.

**2. Pledge of Allegiance**

**3. Approval of Minutes**

August 12, 2014

Upon motion by Council member Tollett, seconded by Recorder Arnold, the minutes of the August 12, 2014 meeting were unanimously approved.

**4. Citizens Forum**

Mayor Kirby recognized Kevin Rooney, 405 Cobbler Drive. Mr. Rooney said that with the recent shooting in Ferguson, Missouri he has researched military purchases from the area including Winchester, Shenandoah County and Clarke County. He asked whether the Town of Berryville had purchased any military items under the 1033 Program. He indicated he was unable to find any reports on towns. Mr. Rooney asked Chief White if his officers were trained to handle suicidal or mentally challenged people such as the incident that occurred in Purcellville.

**5. Report of the Mayor**

Mayor Kirby said that on Saturday, August 30, 2014 he attended a ribbon cutting for Peter Miller's Frame Studio. He added that on Sunday, September 14, 2014 there will be a grand opening at the business from 2:00pm to 4:30pm.

**6. Report of the Town Manager**

Mr. Dalton asked if Council wanted him to respond to Mr. Rooney's questions and they said yes.

Mr. Dalton introduced Ann Phillips as the new Town Clerk. He said Ann will begin on September 15 and has most recently been employed by the Clarke County Schools.

Mr. Dalton updated Council on the paving in Town. He said the engineer's assessment identified priorities for street work with those indicated in red in need of repair first. He said the Streets and Utilities Committee worked to address these and other needs. He said that since that time, Chalmers, Bundy, Willow, Dorsey, Page, Cameron, Moore, portions of Battletown, and Craig's Run have been paved. He added that Mosby from the back of Beauregard to Jackson and Edgar were also paved although not identified as high priority but certainly in need of repair. He said that North Church has just been completed and that Town staff worked with VDOT to extend their project and complete the Town's concurrently. He said Academy from Buckmarsh to Church is scheduled for Columbus Day in order to not disrupt businesses that might otherwise be effected. He said Smith between Main and Academy is also on the paving schedule.

Mr. Dalton said sidewalk repair work has also been identified and will begin in the spring. He said that a large sidewalk project on South Church Street will be scheduled before winter. He said Mosby from Ashby to Buckmarsh will need to be discussed to address striping and that Swan from Church to Buckmarsh will also need repairs.

Mr. Dalton said that utility projects are planned to be completed as road work is identified. He said prior to the paving on Main Street, a larger main was extended to a side street. In anticipation of Buckmarsh being paved next spring or summer, Mr. Dalton said that he wishes to extend either a 6" or 8" water line to Academy which is in need of paving. He added that he is planning to extend a water main on Battletown to Bel Voi and install a new hydrant.

Mr. Dalton identified a significant area on Jack Enders Boulevard was scheduled to be paved, however the County, as the developer of the Business Park, has not completed the work. He said he requested a timeframe from County staff on several occasions and has not received a response. He said he did not want to do work on this road due to the nature of repairs required by the County, as the developer, and the heavy equipment which will be needed to complete the job. He said that in his last request, he asked that the County give him a response by last Friday in order to report to Council but did not receive any. He asked Council if he may ask more directly for a schedule of completing the road and they agreed.

Mr. Dalton continued the discussion about utilities and paving. He said that he would like to reconfigure the main on South Buckmarsh, removing it from the right-of-way and abandoning the existing main. He said he would also like to install a new water main on Ridge and Circle in an existing easement and install a new fire hydrant in this location.

Mr. Dalton added that the work on Buckmarsh previously mentioned is predicated on VDOT's paving schedule and whether they will lessen the cutting and patching requirements. Recorder Arnold asked if the Streets and Utilities Committee and VDOT would review the middle lane on South Buckmarsh in order to remove it due to the truck traffic being pushed to the side of the travel lane. Mr. Dalton recommended having turn lanes at the intersections which Recorder Arnold agreed with. He added that he would

like to schedule a Streets and Utilities meeting in the next few weeks and will contact Mr. Shaffer to schedule it.

Council member Tollett inquired as to the status of the crosswalk at Hermitage and West Main. Council member Daniel said that she had not heard anything recently and said that it was her understanding that site distance and appropriate grade for accessibility were two issues at that intersection.

Mr. Dalton said that Council had discussed parking meters at the July and August meeting. He said he has looked at other communities and discussed the meters or lack thereof with staff. He said that at this time, staff would recommend two hour parking in certain areas such as Crow and North Buckmarsh. He said he will implement whatever Council wishes to do. He said updating and retaining the meters would cost approximately \$7,000. He said using double heads would be more costly but would reduce the number of obstructions. Council member Tollett asked what the signage would cost. Mr. Dalton said that it depended on the style. He said Woodstock had small signs on each space while other localities have several larger ones per block. Mr. Dalton said that a public input session can be scheduled if the Council wishes to move forward. Council member Tollett asked about the cost of enforcement. Mr. Dalton said he would need a bigger commitment from the police department and believes it can be done with current staff.

Mr. Dalton said that his recommendation for snow emergency routes includes Buckmarsh, Hermitage, Mosby, Tyson between Hermitage and Lincoln, and the east side of Lincoln. He said that he would recommend identifying the south side of Main Street for no parking in a snow emergency due to the lack of sun on that side of the street and the dangerous conditions that creates. He said he would like to get further input from businesses and property owners on Main Street. He added that expectations for clearing snow on sidewalks should be identified. He said he felt that a minimum of three feet should be cleared in front of residential properties and three feet plus access to the street in the downtown area. There was a general discussion and it was determined that the Streets and Utilities committee would address these issues. Council member Tollett asked whether the finance would consider the parking meters too. Mr. Dalton said the Streets and Utilities Committee could make an initial recommendation and the finance committee could review it after that. Mayor Kirby asked whether there were funds available for this fiscal year and Mr. Dalton said there were not however funds could come from the contingency fund if Council wanted to expedite the effort.

## **7. Planner's Report**

### Memorandum of Understanding

Ms. Dunkle said that the final draft of the MOU is included in this packet. She said she and Recorder Arnold represented the Town in this effort. She said that final comments have been vetted by staff and elected officials. She added that the Board of Supervisors are reviewing the document at their September 16, 2014 meeting and she anticipates their approval at that time. Ms. Dunkle said there is a motion following this staff report.

It was moved by Recorder Arnold, seconded by Council member Kitselman that the Council of the Town of Berryville approve the Memorandum of Understanding for Economic Development and Tourism Between the Town of Berryville and Clarke County authorizing the Mayor to sign the document and make any minor modifications if needed to conform to that which is adopted by the Clarke County Board of Supervisors. Mr. Arnold said that there was an annual renewal option in the document.

VOTE:

Recorded Vote:

Ayes:

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

Nays: None

Absent: None

Abstain: None

Council member Tollett commended staff for their work on the MOU.

#### Berryville – Clarke County Bicycle and Pedestrian Plan

Ms. Dunkle said that the final draft of the bicycle/pedestrian plan is included for review and comment. The Clarke County Board of Supervisors voted to accept the Plan and forwarded it on to the Clarke County Planning Commission for inclusion in the Recreation Plan, Transportation Plan, and Comprehensive Plan. She requested that Council review the document and move forward with adoption at the October meeting. She added that having a plan such as this on the books will help with future grant funding for transportation and safety infrastructure projects such as the Safe Routes to School program. The Mayor asked Council members if they were fine with action at the October meeting and they agreed to that timeframe.

### **8. Standing Committee Reports**

#### a) BADA Liaison – Allen Kitselman

Council member Kitselman said the BADA did not meet in August but will be meeting on September 24 to continue work on the Berryville Area Plan.

#### b) Budget Finance / CIP – Jay Arnold – nothing to add.

#### c) Community Improvements – Allen Kitselman

Council member Kitselman said the Tourism Initiative adopted by-laws today and will now be able to choose officers and define their mission. He said that he hopes to get buy-in from the County and local businesses and non-profits. He added that the organization is looking for a president to lead the committee. Council member Kitselman added that

the CDBG project is moving along well. He said that a Request for Proposals has been issued for a Preliminary Engineering Report for costs to implement items that were identified at the neighborhood meeting. He added that conservation district guidelines were discussed.

d) Planning Commission – Doug Shaffer  
Council member Shaffer was not at the meeting.

e) Police and Security – Mary Daniel  
Council member Daniel said they did not hold a meeting as they were awaiting legal review of proposed code amendments.

f) Streets and Utilities – Wilson Kirby  
Mayor Kirby said he had no report.

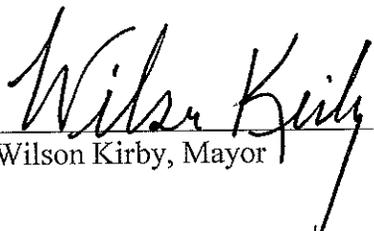
g) Personnel / Appointments – Jay Arnold  
Recorder Arnold said he had no report.

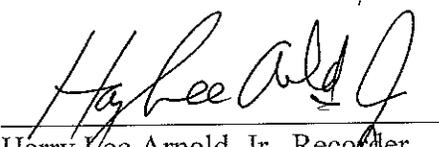
**9. Other**

Mayor Kirby asked if there was any other business.

**10. Adjourn**

There being no further business, upon motion by Council member Tollett, seconded by Council member Kitselman and passed, the Council meeting was adjourned at 8:05 p.m.

  
Wilson Kirby, Mayor

  
Harry Lee Arnold, Jr., Recorder