

**BERRYVILLE TOWN COUNCIL
MEETING AGENDA
Regular Meeting
Berryville-Clarke County Government Center
101 Chalmers Court, Second Floor
Main Meeting Room
Tuesday, September 11, 2018
7:30 p.m.**

<u>Item</u>	<u>Attachment</u>
1. Call to Order – Patricia Dickinson, Mayor	
2. Pledge of Allegiance	
3. Approval of Agenda	
4. Public Hearings	
Jon Erickson, Agent, is requesting amendments to Proffers originally approved on August 9, 2009 as part of a rezoning in order to construct a 120-unit age-restricted apartment complex and associated improvements on 10.98 acres identified as Tax Map Parcel number 14-5-251B and zoned Older Person Residential (OPR).	1 ↓
The Berryville Town Council is proposing a text amendment to Article III, Section 321 Public Tree Ordinance, of the Town of Berryville Zoning Ordinance in order to allow for Town Council appointment of Tree Board members under Section 321.2. TA 04-18	2 ↓
5. Citizens' Forum	
6. Consent Agenda	
Motion	3 ↓
- Minutes of Regular Meeting – 08/14/18	
- Minutes of Work Session – 08/20/18	
- Minutes of Community Development Committee – 08/27/18	
- Minutes of Personnel, Appointments, and Policy Committee – 08/28/18	
- Minutes of Streets and Utilities Committee 08/28/18	
7. Report of Patricia Dickinson, Mayor	
Resolution of Appreciation and Thanks	4

<u>Item</u>	<u>Attachment</u>
8. Report of Harry Lee Arnold, Jr., Recorder	
Town Brochures/Mailers	5↓
9. Report of Christy Dunkle, Asst. Town Manager for Community Development	
Monthly report	6↓
Resolution Requesting Traffic Calming Study	7↓
10. Report of Keith Dalton, Town Manager	
Amendment to Town Charter and Town Code Chapters 1-3	8
Town Council Goals for FY 2020	9↓
Sewer Main Repair and Rehabilitation	10↓
11. Report of Erecka Gibson – Chair, Budget and Finance Committee	
Report of Desiree Moreland, Treasurer	11
12. Report of Kara Rodriguez – Chair, Community Development Committee	
13. Report of Donna McDonald – Chair, Public Safety Committee	
Report of Neal White, Chief of Police	12
14. Report of Diane Harrison – Chair, Streets and Utilities Committee	
Report of David Tyrrell, Public Utilities Director	13
Report of Rick Boor, Public Works Director	14
15. Report of Harry Lee Arnold, Jr. – Chair, Personnel, Appointments and Policy Committee	
16. Other -	
17. Closed Session – No closed session scheduled.	
18. Adjourn -	

Attachment 1

BERRYVILLE TOWN COUNCIL

**Public Hearing - Modifications to Robert Regan Village Proffer Statement
September 11, 2018**

Jon Erickson, Agent, is requesting amendments to Proffers originally approved on August 9, 2009 as part of a rezoning in order to construct a 120-unit age-restricted apartment complex and associated improvements on 10.98 acres identified as Tax Map Parcel number 14-5-251B and zoned Older Person Residential (OPR).

Public hearing notices were published on Tuesday, August 28 and Tuesday, September 4, 2018. Adjacent property owners were notified via first class mail on August 28, 2018.

A rezoning of the property located on Mosby Boulevard (identified as Tax Map Parcel number 14-((5))-251B) occurred in August of 2009. At that time, Proffers were approved by Town Council that included land use restrictions, the payment of real estate taxes, and cash proffers to the Town for fire and rescue purposes. Since that time, the proffers have been modified a number of times. The latest modification was approved in January of 2017.

The proposed version of proffers now references a Site Plan dated August 3, 2018. The payment of real estate taxes and cash proffers in the amount of \$1,250.00 per unit for fire and rescue remain the same as the original.

Mr. Erickson's updated proposed proffer modification and a motion follow this report.

August 14, 2018 Staff Report

An application for a 120-unit age- and income-restricted apartment complex (Robert Regan Village) has been submitted to the Town. The Berryville Area Development Authority will be holding a public hearing on the matter at their September 26, 2018 meeting.

There have been a number of proffer statements and revisions (May, 2009; two in July 2009; August, 2009; January, 2017) since the property was originally rezoned in 2009. The last update, at the January 10, 2017 Town Council meeting, was approved as follows:

1. *Master Development Plan*
 - 1.1 *The development of the Property shall be in substantial conformity with the portion of the Master Development Plan dated September 1, 2015 showing development on the Property, a copy of said Master Development Plan being attached hereto as Exhibit A, subject to revisions which may be approved by the Town in final Site Plan review and approval.*
2. *Land Use Restrictions*

- 2.1 Multi-family residential uses on the Property shall not exceed 120 units and shall be limited to areas containing 11+/- acres subject to revisions which may be approved by the Town in final Site Plan review, as delineated on a Preliminary Site Plan attached hereto as Exhibit B.
3. Real Estate Tax
- 3.1 The Owner, and the Owner's successors and assigns, shall be pay the usual customary real estate tax to the Town and the County based upon the full real estate tax assessment of localities and the prevailing tax rate in each locality.
- 3.2 Neither the Owner nor the Applicant, nor their successors or assigns, shall seek any exemption for the Property from real estate taxation by classification or designation pursuant to Chapter 36 of Title 58.1 (Sec. 58.1-3600, et seq.) of the Code of Virginia, or otherwise, and further, the Owner, and the Owner's successors and assigns, shall pay the annual real estate tax as set forth in 3.1, above, notwithstanding any such exemption which may have been granted or obtained.
4. Cash Proffers
- 4.1 Prior to the issuance of a building permit for multi-family residential units on the property, the Recorded Owner shall pay to the Town, for fire and rescue [purposes], a sum equal to One Thousand Two Hundred Fifty dollars (\$1,250.00) per unit for the total number of multi-family units shown on the applicable approved final site plan.
5. Deed
- 5.1 Any deed conveying the Property, or any portion thereof, from the owner of the Property at the time of final rezoning, shall affix as attachment incorporation into said deed, a full copy of these proffers in order to fully advise any subsequent purchaser of the proffered terms and conditions.

Staff determined that, due to the increase in the building footprint and changes to pedestrian facilities of the Site Plan first referenced in the 2017 proffers, the current submission was not in substantial conformance with the previously referenced plan. The proposed version of proffers now references a Site Plan dated August 3, 2018. The payment of real estate taxes and cash proffers in the amount of \$1,250.00 per unit for fire and rescue remain the same as the original.

Robert Regan Village Proffers, dated August 6, 2018 and the exhibit referenced in the document, are included for review. A memo dated March 23, 2018 to property owner Alton Echols is also included after this report for background information.

Recommendation

Approve as presented.

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Robert Regan Village Proffers

August 6, 2018

1. Master Development Plan
 - 1.1 The development of the Property shall generally conform to the Robert Regan Village Concept Plan dated August 3, 2018 , a copy of said Concept Plan being attached hereto as Exhibit A, subject to revisions which may be approved by the Town in final site plan review and approval.
2. Land Use Restrictions
 - 2.1 Multi-family residential uses on the Property shall not exceed 120 units and shall be limited to areas containing 11 +/- acres subject to revisions which may be approved by the Town in final Site Plan review.
3. Real Estate Tax
 - 3.1 The Owner, the Owner's successors and assigns, shall pay the usual and customary real estate tax to the Town and the County based upon the full real estate tax assessment of the localities and the prevailing tax rate in each locality.
 - 3.2 Neither the Owner nor the Applicant, not their successors or assigns, shall seek any exemption for the Property from real estate taxation by classification or designation pursuant to Chapter 36 of Title 58.1 (Sec. 58.1- 3600, et seq.) of the Code of Virginia, or otherwise, and further, the Owner, and the Owner's successors and assigns, shall pay the annual real estate tax as set forth in 3.1, above, notwithstanding any such exemption which may have been granted or obtained.
4. Cash Proffers
 - 4.1 Prior to the issuance of a building permit for multi-family residential units on the property, the Recorded Owner shall pay to the Town, for fire and rescue [purposes], a sum equal to One Thousand Two Hundred Fifty Dollars (\$1,250.00) per unit for the total number of multi-family units shown on the applicable approved final site plan.
5. Deed
 - 5.1 Any deed conveying the Property, or any portion thereof, shall affix as attachment incorporation into said deed, a full copy of these proffers in order to advise any subsequent purchaser of the proffered terms and conditions.

43760 Trade Center Place, Suite 110, Sterling, VA 20166 (703) 674-0161 Fax: (703) 478-0137 www.mragta.com

BERRYVILLE TOWN COUNCIL

**MOTION TO APPROVE PROFFER MODIFICATIONS
ROBERT REGAN VILLAGE**

Date: September 11, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville approve modifications to the proffer statement for the property identified as Tax Map Parcel number 14-5-251B located on Mosby Boulevard and zoned OPR Older Person Residential as attached.

VOTE:

Aye:

Nay:

Absent:

Abstain:

ATTEST:

Harry Lee Arnold, Jr., Recorder

Attachment 2

BERRYVILLE TOWN COUNCIL
Text Amendment – Section 321
September 11, 2018

The Berryville Town Council is proposing a text amendment to Article III, Section 321 Public Tree Ordinance, of the Town of Berryville Zoning Ordinance in order to allow for Town Council appointment of Tree Board members under Section 321.2. TA 04-18

Public hearing notices were published on Tuesday, August 28 and Tuesday, September 4, 2018. Adjacent property owners were notified via first class mail on August 28, 2018.

The modifications under consideration were discussed and recommended at the April, 2018 Town Council meeting. Section 321 of the Berryville Zoning Ordinance (with the proposed amendment identified); an ordinance; and a motion follow this report.

May 8, 2018 Staff Report

At the April Town Council meeting, Council members directed staff to draft a text amendment for the Zoning Ordinance that would allow Town Council to appoint members of the Tree Board. It was recommended that the text amendment be available for consideration at a future public hearing that would be advertised simultaneously with other items in order to save money on public hearing notice publications in the Winchester Star.

The draft text amendment is identified under Section 321.2 of the following Article III, Section 321.

Recommendation

Approve as presented.

SECTION 320 – CURB AND GUTTER (09/05)

320.1 RESIDENTIAL SUBDIVISIONS

In residential subdivisions, curb and gutter shall be required on both sides of all public streets within the subdivision and along the side of each public street, except Virginia Route 7 Bypass, which borders the subdivision. (1/06)

320.2 OTHER

In other than residential subdivisions, curb and gutter shall be required as provided in Section 314.7(e) of this Ordinance.

SECTION 321 – PUBLIC TREE ORDINANCE (6/07)

321 Statement of Intent

It is recognized that trees add a great deal to property values by providing shade, erosion control, and general beauty to the Town, making the latter more appealing to visitors and pleasant for the citizenry.

It is further recognized that landscaping on public property also adds to the general beauty and appeal of the Town, thereby enhancing both tourism and the quality of life for the citizenry.

It is, therefore, the purpose of this chapter to set forth a policy which encourages the planting, nurturing, and proper maintenance of all trees on public property. Experience has shown that trees, under some circumstances, can be hazardous to public safety; hence, this chapter also provides for tree pruning or removal when conditions warrant.

321.1 Definitions

Street trees – “Street trees” are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the Town.

Park trees – “Park trees” are herein defined as trees, shrubs and all other woody vegetation in public parks having individual names, and all areas owned by the Town, on to which the public has free access as a park.

Native – A plant that lives or grows naturally in a particular region without direct or indirect human intervention.

Small tree – Small trees shall have a mature height of up to thirty (30) feet and have an equal spread as described in the Manual of Woody Landscape plants.

Medium tree – Medium trees shall have a mature height between thirty (30) and forty-five (45) feet with a spread of at least thirty feet as described in the Manual of Woody Landscape Plants.

Large tree – Large trees shall have a mature height of over forty-five (45) feet and have an equal spread as described in the Manual of Woody Landscape Plants.

Section 321 – Public Tree Ordinance

321.2 Creation and Establishment of a Town Tree Board

There is hereby created and established a Town Tree Board for the Town of Berryville which shall consist of five members, citizens and residents of the Town of Berryville, who shall be appointed by the ~~mayor with the approval of~~ Town Council.

321.3 Term of Office

The term of the five persons to be appointed by the mayor shall be four years except that the term of two of the members appointed to the first board shall be for only two years. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

321.4 Compensation

Members of the Board shall serve without compensation.

321.5 Duties and Responsibilities

- (a) Serve to enhance the public participation in the beautification of the Town through landscaped improvements by using, whenever possible, native plant species;
- (b) Act as an advocate for both public and private landscaping, assisting in the coordination of both;
- (c) Provide advisory oversight to the amendment and implementation of the comprehensive landscape master plan;
- (d) Assist with the education of the public on matters of public landscaping through materials, public appearances and media exposure as appropriate; and
- (e) Act in an advisory and advocacy role to the Town Council and Town Manager.

321.6 Operation

The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall constitute a quorum to the transaction of business.

321.7 Street Tree Planting

- (a) Every effort should be made to plant native tree species.
- (b) The spacing of street trees will be in accordance with the three species size classes listed under Section 321.1. Spacing shall be 30 feet for small trees; 40 feet for medium trees and 50 feet for large trees, except in special plantings designed or approved by a landscape architect.
- (c) No trees shall be planted closer to any curb or sidewalk than the following: small trees – 2 feet; medium trees – 3 feet; and large trees – 4 feet.
- (d) No street tree shall be planted closer than 35 feet from any street corner, measured from the point of nearest intersecting curbs or curb lines.
- (e) No street tree shall be closer than 10 feet from a fire hydrant.
- (f) No street trees shall be planted under or within 15 feet of any overhead wire or over or within ten (10) lateral feet of any underground water line, sewer line, transmission line, or any other utility.

Section 321 – Public Tree Ordinance

321.8 Public Tree Care

- (a) The Town shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
- (b) Before the removal of any street tree or park tree, or any part thereof, by the Town, or before the Town issues an order directing said removal, the Town shall advise the Tree Advisory Board in writing of its intention and the reasons thereof. The Tree Advisory Board shall have 30 days after receipt of such notice to make its recommendation to the Town with respect thereto, suggesting, if possible, any alternative to the proposed removal. Such alternatives are advisory only, the decision to remove hereunder being at the discretion of the Town Manager.
- (c) The Town shall not remove a street tree of significant size, or permit removal by others, unless notice of the intended removal or destruction is given. The notice shall consist of a durable and legible statement of the Town's intent, affixed to and easily visible on the tree for not less than five days immediately preceding the contemplated removal or destruction; and the notice shall state the reason for the intended removal or destruction of the tree and the person or persons to whom inquiries or protests thereon may be directed.
- (d) In the event of an emergency situation, such as a fallen tree or some other condition or occurrence requiring an immediate removal or destruction of a tree along one of these public ways, the Town may remove or destroy the tree without complying with the foregoing provisions of this section. "Emergency situation" shall include, but is not limited to, trees posing an immediate danger to public safety and trees causing stoppage of utility services such as water lines, sewer lines, electric or power lines or other public or private improvements; all as determined by the Director of Public Works for the Town.
- (e) When a tree is removed it shall be Town policy to plant a replacement in the general area to include planting on private property, with the consent of the owner.

321.9 Review by Town Council

The Town Council shall have the right to review the conduct, acts, and decisions of the Town Tree Board. Any person may appeal from any ruling or order of the Town Tree Board to the Town Council who may hear the matter and make final decision.

321.10 Penalty

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$500.

**AN ORDINANCE AMENDING
ARTICLE III, SECTION 321 PUBLIC TREE ORDINANCE, OF THE
TOWN OF BERRYVILLE ZONING ORDINANCE**

BE IT ORDAINED, by the Council of the Town of Berryville, that Article III, Supplementary Regulations, of the Town of Berryville Zoning Ordinance shall be amended as follows:

SECTION 321 Public Tree Ordinance

321.2 Creation and Establishment of a Town Tree Board

There is hereby created and established a Town Tree Board for the Town of Berryville which shall consist of five members, citizens, and residents of the Town of Berryville, who shall be appointed by the Town Council.

SIGNED: _____
Patricia Dickinson, Mayor

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

**BERRYVILLE TOWN COUNCIL
MOTION TO ADOPT A TEXT AMENDMENT TO
ARTICLE III, SECTION 321, PUBLIC TREE ORDINANCE,
OF THE BERRYVILLE ZONING ORDINANCE**

Date: September 11, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the attached ordinance amending Article III, Section 321 of the Berryville Zoning Ordinance, modifying the appointment process for Tree Board members.

VOTE:

Aye:

Nay:

Absent:

Abstain:

Attest: _____
Harry Lee Arnold, Jr., Recorder

Attachment 3

BERRYVILLE TOWN COUNCIL
MOTION TO APPROVE CONSENT AGENDA

Date: September 11, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville approve the consent agenda.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Harry Lee Arnold, Jr., Recorder

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
August 14, 2018
7:30 p.m.

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

Staff: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Desiree Moreland, Assistant Town Manager/Treasurer; Neal White, Chief of Police; Dave Tyrrell, Director of Public Utilities; Karen Johnson, Town Clerk

Legal Council: Robert T. Mitchell

Press: Mickey Powell, The Winchester Star

1. Call to Order

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

2. Pledge of Allegiance

3. Approval of Agenda

On motion of Council member McDonald, seconded by Council member Harrison, the agenda was approved as amended.

Aye: McDonald, Harrison, Gibson, Rodriguez, Arnold

Nay: None

Abstain: Dickinson

4. Closed Session

On motion of Recorder Arnold, the Berryville Town Council entered closed session in accordance with §2.2-3711-A-7, Code of Virginia, for consultation with legal counsel and briefings by staff members pertaining to litigation. Council member McDonald seconded the motion.

Aye: McDonald, Harrison, Gibson, Rodriguez, Arnold, Dickinson

Nay: None

Abstain: None

Reconvene

At 7:45 p.m., the members of the Town Council being assembled within the designated meeting place in the presence of members of the public and the media desiring to attend, the meeting was reconvened. **On motion of Council member McDonald, the Council of the Town of Berryville adopted the following resolution certifying it convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with provision of The**

Virginia Freedom of Information Act. Council Member Harrison seconded the motion with a roll call vote as follows:

McDonald – Aye
Harrison – Aye
Gibson – Aye
Rodriguez – Aye
Arnold – Aye
Dickinson – Aye
Nay: None
Abstain: None

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Council of the Town of Berryville, Virginia, 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; and

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.

Harry Lee Arnold, Jr., Recorder

5. Public Hearing
No hearings scheduled

6. Citizens' Forum
Mayor Dickinson recognized Mary Ivie, Berryville resident. Ms. Ivie said she is a resident of Dorsey Street and would like to make the Town aware of pooling storm water on the streets of Dorsey and Academy extended.

Mayor Dickinson recognized Nathan Stalvey, representing Berryville Main Street. Mr. Stalvey reviewed the most recent activities from Berryville Main Street. Mr. Stalvey recognized new business openings and potential new businesses openings. Mr. Stalvey also recognized upcoming events associated with the Town. Mr. Stalvey thanked Recorder Arnold for his support and hard work with the upcoming Berryville Yard Sales event and the Cruise-In event. Mr. Stalvey thanked the Town for its continued support.

Mayor Dickinson recognized Ms. Cindy Hoffman who witnessed a pedestrian hit by a car on Main Street in Berryville. Ms. Hoffman stated that she has conferenced with Chief White and discussed preventive education for driving safely and slowly in downtown Berryville. Ms. Hoffman thanked the Town for recognizing the need for further citizen education.

Mayor Dickinson recognized Ms. Sharon Strickland, town resident, who thanked Chief White and crew for a wonderful National Night Out and thanked everyone for participating. Ms. Strickland also thanked David Tollett for eight years as Town Councilor.

Mayor Dickinson recognized Mr. Wayne Webb, town resident, who thanked and is proud of Mr. Echols for building the Robert Regan Village. Mr. Webb stated that the water table is very high and drainage is tough with this much rain water. Mr. Webb said that the Town staff and Council has been more helpful than in the past.

Mayor Dickinson asked if there were any other speakers for the Citizens' Forum.

Mr. Rob Pitts, town resident, introduced himself. Mr. Pitts said he recently filled his swimming pool and has a concern that he is being charged for high sewage usage and has asked for a one-time adjustment on his water/sewer bill.

7. Consent Agenda

The Consent Agenda was approved on motion of Council member Harrison, seconded by Council member Rodriguez. The items on the Consent Agenda were:

Minutes of Regular Meeting – 07/10/18

Minutes of Personnel, Appointments, and Policy Committee – 07/11/2018 & 7/17/18

Minutes of Streets and Utilities Committee – 07/17/18

Minutes of Community Development Committee – 7/23/18

Minutes of Public Safety Committee – 7/25/18

Aye: McDonald, Harrison, Gibson, Rodriguez, Arnold

Nay: None

Abstain: Dickinson

8. Report of Patricia Dickinson, Mayor

The attached Resolution of Appreciation of Thanks was presented to former Council member David Tollett. Mr. Tollett was congratulated and thanked for his service by Mayor Dickinson and the current members of Town Council.

Mayor Dickinson said that Mr. Garrett will be giving an update on the Robert Regan Village project under her report. Reverend Dr. Garrett highlighted the benefits of the project to senior residents, Berryville, and Clarke County.

Mayor Dickinson thanked Reverend Dr. Garrett for his advocacy and championing for seniors and senior living housing.

9. Report of Harry Lee Arnold, Jr, Recorder

Recorder Arnold said in July he expressed the need to better communicate and provide information to the citizens regarding water and sewer, specifically how it's billed and how meters

are read. He said the Welcome to Berryville and Town of Berryville Water and Sewer brochures were created. He asked for final comments from Council to be given to staff so a final product can be established by the next Town Council meeting.

10. Report of Christy Dunkle, Assistant Town Manager/Planner

Ms. Dunkle updated the Town Council on the Robert Regan Village project. She said the Berryville Area Development Authority will hold a public hearing for the site plan on September 26, 2018. She said a public hearing needs to be set for the September 11, 2018 meeting for the proffer modifications set forth in the staff report. No objections were made by Town Council. Ms. Dunkle noted there have been several renditions with modifications to the proffers for rezoning originally done in 2009.

11. Report of Keith Dalton, Town Manager

Mr. Dalton noted that a review of amendments were included for the Town Charter and the Town Code, Chapters 1-3. Mr. Dalton requested and received comments from Town Council members and noted there will be a meeting between Mr. Dalton and Mr. Mitchell, the Town attorney, between now and the scheduled Town Council Work Session set for August 20, 2018. Mr. Dalton requested that Town Council provide guidance to assist both he and Mr. Mitchell in preparation for the meeting. Mr. Dalton stated there will be a fair amount of work needed to the documents if the suggestions concerning a restructuring of the Town Council are to be considered.

Mayor Dickinson requested a review of the document since all Town Council members were present. Mayor Dickinson stated that her concern is that if comments are received from the public hearing on the same date as the scheduled vote there will not be adequate time to incorporate those comments into the Charter.

Mayor Dickinson brought to the attention of Town Council, the Charter, Chapter 1 – 1.3. Mayor Dickinson stated that in the past two years we have had challenges finding enough people to serve on committees and one way to alleviate that would be to add another Town Council member. Mayor Dickinson proposed to increase Town Council to five Council Members, a Vice Mayor and a Mayor.

Recorder Arnold stated he would not be in favor of such a change as the current system has worked and that six people and the existing four wards works well. He said he doesn't see establishing an additional ward and splitting up the town again.

Mayor Dickinson stated she has examined other communities including Leesburg, Purcellville, and Edinburg and their Council members serve at large and they do not have wards. She stated that typically a town the size of Berryville is not carved up into wards and everyone is elected at large.

Council member Harrison stated there may be representation from too many people from one side of town if officials were elected at large. She stated she is in favor of retaining the ward system.

Council member Gibson questioned the Mayor's written comment suggesting that the Mayor stay out of the voting process unless there is a tied vote. She stated she doesn't understand why any member of Council would not vote if you are representing the community on decisions being made.

Recorder Arnold stated that Council members are elected by everybody in town and the people would expect all members to vote and be active in voting whether for or against.

Council member Rodriguez stated that she is not in favor of eliminating wards as you often see a high concentration of representation of a particular sector of one community. She said she likes the equal representation of the Town and would not like to see a change in the ward structure at this time.

Council member McDonald stated that she is neither in favor of changing the number of Council members nor modifying the ward structure.

Mayor Dickinson brought to the attention of Town Council, the Charter, Chapter 5 - 5.3. She stated she would like to keep the appointed 2 year term for town officers and not change the term to indefinite. Mayor Dickinson said she would like to see something in the Charter that requires Town Council to perform assessments every two years. She stated she would like the assessments completed on odd number years as oppose to even number of years so that each Council member can take part based on their term.

Mr. Dalton referenced section 4.1 where the Town Manager is appointed for an indefinite term. He noted that amended section 5.3 incorporates the two Assistant Town Managers and makes their terms consistent with the Town Manager's. Mr. Dalton said that all three positions serve at the pleasure of Town Council and can be released at any time.

Council member Harrison said it is important to perform evaluations.

Recorder Arnold stated he was fine with evaluations but not sure it should be added to the Charter.

Council member McDonald stated that she is fine with evaluations but thinks it might be better suited to start with the Personnel Committee and then the matter presented to Town Council.

Council member Rodriguez said her preference is that the Town Manager's evaluation take place by the whole body of Council but some of the other positions can be evaluated by the Personnel Committee.

Council member Gibson said performance evaluations are important and necessary but is unsure that the term is something specifically tied to performance evaluations. She suggested that there be a policy developed that states, aside from the Charter, how performance evaluations are conducted. She said her thought was that Town Council evaluate the Town Manager annually and then the Town Manager be responsible for evaluating direct reports.

Mayor Dickinson proposed a number of changes to the Town Code.

Mayor Dickinson brought to the attention of Town Council, the Charter, Chapter 4 - 4.1. She said she has received a lot of comments from citizens who have expressed concern that the Town Manager did not live within the town limits.

There was further discussion on this matter by Town Council.

Council member McDonald asked Mayor Dickinson for examples of comments by the community regarding the Town Manager’s residency. Mayor Dickinson stated that a comment was made by a citizen about how bright the street lights were and that if the Town Manager lived in town he would understand that.

Mr. Dalton said he would further discuss with Mr. Mitchell the restrictions on residency for the Town Manager and whether a contract could be more restrictive than the Charter.

A Town Council Work Session was set for September 5, 2018 at 3:00 p.m. to discuss the process by which goals and objectives will be communicated to staff based on prior Committee meeting discussions. He said all information from Committee meetings will be given to staff by August 28, 2018. Scheduled adoption notice date was set on September 11, 2018.

12. Report of Erecka Gibson - Chair, Budget and Finance Committee
Council member Gibson noted the next Budget and Finance Committee meeting is scheduled for August 23, 2018 at 10:30 a.m.

13. Report of Kara Rodriguez - Chair, Community Development Committee
Council member Rodriguez noted the next Community Development Committee meeting is scheduled for August 27 at 4:30 p.m. She stated there will be an additional section added to the agenda titled Business Introductions.

14. Report of Donna McDonald – Chair Public Safety Committee
Council member McDonald said there will be a committee meeting on August 22, 2018 at 4:30 p.m. She stated the committee continues to work on garbage and accreditation processes.

Chief White requested input on placement of newly purchased Radar Feedback Signs and data relative to the potential locations.

Town Council discussed the matter and the majority determined that the signs should be located at each entrance coming into the Town.

On motion of Recorder Arnold, the Council of the Town of Berryville, approved the following locations for the installation of radar feedback signs: (All entrances entering into the Town)

- 1. South Bound on North Buckmarsh**
- 2. North Bound on South Buckmarsh**
- 3. West Bound on East Main**
- 4. East Bound on West Main**

Council member Rodriguez seconded the motion which carried as follows:

Aye: Harrison, McDonald, Rodriguez, Gibson, Arnold
Nay: None
Abstain: Dickinson

+++++

Recorder Arnold suggested, based on citizens' concerns, starting a conversation with the Streets and Utilities Committee, VDOT and Chief White about reducing the speed zones to 25 mph or 35 mph going westbound after the traffic circle on West Main and going east bound before traffic circle on West Main.

15. Report of Diane Harrison – Chair, Streets and Utilities Committee
Mr. Dalton discussed two Water and Sewer adjustment request appeals that were denied by staff.

Appeal 1: Mr. Rob Pitts
Appeal 2: Ms. Susan Allen

Mayor Dickinson said there was a process established where these types of requests would be presented to the Streets and Utilities Committee and then would review the documentation and make a recommendation to Town Council.

Council member Gibson requested more information on Ms. Allen's situation. Mr. Dalton said Ms. Allen still had a concern about usage based on the initial reading and two rereads of the meter. Mr. Dalton said that Ms. Allen has requested a test of the water meter.

Recorder Arnold said the policy is very clear with regards to filling swimming pools and undetermined water/sewer consumption usage.

On motion of Council member Harrison, the Council of the Town of Berryville, denied the adjustment of the June water/sewer bill for Rob Pitts. Council member McDonald seconded the motion which carried as follows:

Aye: Harrison, McDonald, Rodriguez, Gibson, Arnold
Nay: None
Abstain: Dickinson

+++++

On motion of Council member McDonald, the Council of the Town of Berryville, denied the adjustment of the July water/sewer bill for Susan Allen. Council member Harrison seconded the motion which carried as follows:

Aye: Harrison, McDonald, Gibson, Arnold
Nay: Rodriguez, Dickinson
Abstain: None

+++++

Recorder Arnold questioned Mayor Dickinson about her voting process. Mayor Dickinson stated that the reason she does not vote is that she chooses not to. She stated that if her vote doesn't make a difference then she won't cast a vote. Council member McDonald stated that the voting procedure needs to be addressed soon. Mayor Dickinson said according to Roberts Rules of Order, if you choose not to vote then silence means you agree with the majority. She has asked Mr. Dalton to contact a Parliamentarian to get clarification. Council member McDonald stated that this is blatantly unfair to the other Council members that have to vote. Council member Harrison

stated that it is unfair to the people who vote for elected officials if those officials in turn do not vote.

Mr. Dalton discussed the need to complete Jack Enders Boulevard as a collector road. He stated the estimate for a transportation study is \$40,000. Mr. Dalton said that discussions between Clarke County and the Town are essential to move this matter forward. Recorder Arnold said we need to discuss annexation at the same time. Council member Gibson said that we should be able to find the funding for the transportation study in next year's budget. Town Council agreed that Mr. Dalton should start a conversation with Mr. Ash, Clarke County Administrator.

Mr. Dalton requested approval of a Change Order that would add to the existing contract with W-L Construction and Paving for milling, curb, and paving of Henderson Court for an additional cost of \$37,975. **On motion of Council member Rodriguez, the Council of the Town of Berryville, authorized the issuance of the attached Change Order and authorized the Town Manager to execute any documents related to this action. Council member Harrison seconded the motion which carried as follows:**

Aye: Harrison, McDonald, Rodriguez, Gibson, Arnold
Nay: None
Abstain: Dickinson

+++++

Council member Gibson requested more information on the Streets and Utilities minutes regarding radio read versus touch read meters. Mayor Dickinson said that a fully automated program exists. She stated that step one would be to replace all touch read meters with radio read meters, step 2 would be to place collection and transmission towers in one or two places in the Town where data is electronically transmitted to the billing office and the water treatment plant and step 3 would be to add a module allowing homeowners to have access to the data. Mayor Dickinson said she is continuing to research this project to see if it is a good return on the investment.

16. Report of Harry Lee Arnold, Jr. – Chair, Personnel, Appointment and Policy Committee
Recorder Arnold discussed the following appointment and reappointments:

On motion of Recorder Arnold, the Council of the Town of Berryville, recommended that the Clarke County Circuit Court appoint Ryan Tibbens to the Berryville Board of Zoning Appeals to fill the unexpired term of Kara Rodriguez to begin August 14, 2018 and end on December 31, 2020. Council member Rodriguez seconded the motion which carried as follows:

Aye: Harrison, McDonald, Rodriguez, Gibson, Arnold
Nay: None
Abstain: Dickinson

+++++

On motion of Recorder Arnold, the Council of the Town of Berryville, reappointed Gwen Malone to the Berryville Planning Commission for a four year term to begin September 1, 2018 and end on August 31, 2022. Council member Rodriguez seconded the motion which carried as follows:

Aye: Harrison, McDonald, Rodriguez, Gibson, Arnold

Nay: None

Abstain: Dickinson

+++++

On motion of Recorder Arnold, the Council of the Town of Berryville, reappointed Kim Kemp to the Berryville Planning Commission for a four year term to begin August 15, 2018 and end on August 31, 2022. Council member Harrison seconded the motion which carried as follows:

Aye: Harrison, McDonald, Rodriguez, Gibson, Arnold

Nay: None

Abstain: Dickinson

+++++

On motion of Recorder Arnold, the Council of the Town of Berryville, reappointed Susan Godfrey to the Berryville Architectural Review Board for a four year term to begin August 15, 2018 and end on August 31, 2022. Council member Harrison seconded the motion which carried as follows:

Aye: Harrison, McDonald, Rodriguez, Gibson, Arnold

Nay: None

Abstain: Dickinson

Mr. Dalton confirmed the Committee meeting schedule as follows:

Budget and Finance: August 23, 2018 @10:30 a.m.

Community Development: August 27, 2018 @ 4:30 p.m.

Public Safety: August 22, 2018 @ 4:30 p.m.

Streets and Utilities: August 28, 2018 @ 10:30 a.m.

Mr. Dalton confirmed the Town Council Work Session as follows:

Town Council Work Session: August 20, 2018 @ 5:00 p.m.

17. Adjourn

There being no other business, upon motion of Council member McDonald, seconded by Council member Rodriguez, the meeting was adjourned at 11:08 p.m.

Harry Lee Arnold, Jr., Recorder

Karen Johnson, Town Clerk

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Work Session
August 20, 2018
5:00 p.m.

Town Council: Present-Patricia Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Donna Marie McDonald; Diane Harrison; Erecka Gibson; Kara C. Rodriguez

Staff: Keith Dalton, Town Manager; Karen Johnson

Legal Council: Robert T. Mitchell

Press: Mickey Powell, The Winchester Star

1. Call to Order

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

2. Approval of Agenda

On motion of Council member Harrison, seconded by Council member Rodriguez the agenda was approved unanimously with one addition.

Aye: Harrison, McDonald, Gibson, Rodriguez, Arnold

Nay: None

Abstain: Dickinson

3. Discussion – Amendments to Town Charter and Town Code Chapters 1-3

Mr. Mitchell stated that the draft Town Charter being reviewed at this time includes many updates and amendments including; updating Code of Virginia references, introducing gender neutral language where appropriate, and changing the title of the recorder position to that of vice mayor.

Mr. Mitchell stated that provisions in the Charter and the Code should be consistent with current practices and current administrative structure.

Mr. Mitchell, Mr. Dalton and Town Council discussed the following updates to the Town Charter:

Chapter 1

1.2 - inserting boundaries of the Town that were changed and updated since 1972. Staff is researching whether there were any additions other than Annexation Areas A and B.

Chapter 2

2.2 - changing the Code of Virginia references from 15.1 to 15.2 and updating proposed amendments to the Charter that will take effect January 1, 2019

Chapter 3

3.1 – updating title of recorder to vice mayor and updating language to gender neutral

3.2 – updating date to July 1, 2022 to cover transition date of vice mayor and office of recorder

3.3 – updating terms of office of mayor, vice mayor and council members

3.4, 3.5, 3.6, 3.7 – updating title from recorder to vice mayor and updating language to gender neutral

3.9 – consolidating language on mayor having the right to speak and vote therein as other members of the town council, including which administrative position is responsible for journaling and preserving records, and updating current signing process

3.10 – updating title of recorder to vice mayor

3.13 – setting town council meeting to a fixed time for the regular meeting

Chapter 4

4.1 – updating language to gender neutral

Council member Rodriguez asked if the Charter would have to change if at any point a decision was made that the requirement of the residency of the town manager changes. Mr. Mitchell stated the Charter would not have to change, the town manager would have to live in Clarke County but the Council could be more restrictive in a hiring agreement if it chose.

4.2 – updating language to gender neutral and including (f) that the town manager be responsible for supervision of all town employees

4.3 – changing language to advising town council promptly versus advising town council at the next meeting for removing appointments of officers or employees of the town

4.5 – updating language to gender neutral and updating the change of title from recorder to vice mayor

4.7 – updating language to gender neutral

Chapter 5

5.1 – updating the wording to reflect that appointed officers are being appointed for an indefinite term removable at any time of the pleasure of the town council

5.2 – updating language for town council to establish deputy positions

5.3 – deleting 5.3 and incorporating into 5.1

Chapter 6 - Eliminating old Chapter 6

6.2 (a) eliminating old language and including that a written notice shall be given to the town in accordance to VA code 15.2-209

6.3 (b) including stormwater system and a phrase to include other town facilities

Chapter 7

7.2 – deleting section

7.3 – deleting section

Mr. Mitchell stated that the draft of the Town Code being reviewed at this time includes updates to the language and catchlines to resemble the Code of Virginia.

Mr. Mitchell, Mr. Dalton and Town Council discussed the following updates to the Town Code:

Chapter 1

1-3. – including state code references

1-10. – housing a copy of the town code in town clerk's office as well as the website

Chapter 2

2-1.1 – consolidating (a) and (b) and requiring the town manager to conduct criminal background checks on all town employees

2-6. – updating language to disbursement of town funds which includes electronic transfers

2-7. – eliminating the reference to a specific bad check fee and providing that town council will establish such a fee

2-9. – deleting entire section from charter

2-20. – updating language regarding regular and special meetings

2-30.–adding new article establishing administration department and setting forth responsibilities of that department and deleting council from the responsibility of assigning duties

2-33. - updating title of assistant town manager

2-34. – eliminating the reference to a specific bond amount and providing that the town council will establish the level of bonding required

2-35. – having the Budget and Finance Committee establish a policy and procedure with regards to changing banks and establishing, closing, and maintaining the number of accounts within a bank set forth by the treasurer and with approval of town council

2-40. – adding language regarding audit of books by certified public accountant

2-53. – deleting council from the responsibility of assigning duties

2-63. - deleting council from the responsibility of assigning duties

2-67. – updating language to law and department regulations from rules and regulations and deleting council from the responsibility of assigning duties

2-68. – adding language from code section for unclaimed property

2-69. – (a) deleting language regarding not to exceed four (4)

2-76. - adding additional descriptive language for responsibilities of the planning department, that the town manager shall act as zoning administrator in the absence of the assistant town manager and deleting council from the responsibility of assigning duties

2-79. – updating language to nine members versus fifteen

Chapter 3

3-4. – deleting section

Mr. Dalton said the plan was to review changes and updates at the Town Council meeting scheduled for September 11, 2018. He said at that time a public hearing would be set for the Town Council meeting in October. He said action would be taken at that meeting and at the November Town Council meeting final minutes would likely be approved from the October meeting and the final package would be sent out to the state elected officials.

4. Other

Mr. Dalton, Mr. Mitchell and Town Council discussed voting procedures and the use of Roberts Rules of Order at Council meetings.

5. Closed Session – No closed session scheduled

6. Adjourn

There being no other business the meeting was adjourned at 7:12 p.m.

Harry Lee Arnold, Jr., Recorder

Karen Johnson

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
MINUTES
Monday, August 27, 2018

A meeting of the Berryville Town Council Community Development Committee was held on Monday, August 27, 2018 at 4:30pm in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Attendance: Members of the Committee present: Kara Rodriguez, Chair; Diane Harrison

Member absent: Donna McDonald

Staff present: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner

Press present: Mickey Powell, Winchester Star

Others present: Lizzie Ryan, Berryville Main Street

Chair Rodriguez called the meeting to order at 4:30pm.

Approval of Agenda

The agenda was approved by consensus.

Updates

Hogan's Alley

Chair Rodriguez recognized Lizzie Ryan, director of Berryville Main Street (BMS). Ms. Ryan updated the Committee on the design of Hogan's Alley and presented drawings and photographs of the concept. She said the Board was hoping to have an event in the alley in October. She presented drawings of the planters and gates which were from the Berryville Train Station and cost estimates for the project. She said BMS has allocated \$3,000 for the project. There was a discussion about lighting, future phasing, signage, maintenance, and trash totes which are currently placed in the alley.

Chair Rodriguez asked how much funding was expected from the Town. Ms. Ryan said the benches were not identified in the current budget and would be an amenity that should be included in the project. Mr. Dalton suggested Town and BMS staff meet with the County Building Official to discuss proposed uses in the alley.

Mr. Dalton said the request to use the alley will need to be included on the September 11 agenda in order to meet the estimated timelines for use.

Livery Stable

Ms. Harrison said she had spoken with Virginia Main Street staff about a financial feasibility study grant available through the organization. She said that BMS would be the grant applicant and that funding of up to \$25,000 is available through May of 2019. Mr. Dalton recommended that Council formally request BMS apply for the grant that would include a resolution of support and agree, as the property owner, to the effort.

Discussion - Committee Charge

Chair Rodriguez said she would like to begin the discussion with a new focus as the committee's parameters have changed. She discussed sharing efforts without overlapping with other Town Council committees. Ms. Harrison suggested Hogan's Alley; Rose Hill Park storm water management; and the Page Street median be considered as priorities.

Chair Rodriguez said the discussions should begin with the Community Development Committee and then shift to Streets and Utilities for implementation. She added that beautification enhancements can lead to economic development benefits.

Ms. Harrison said developing a social media presence and updating the web site are priorities adding that branding should be part of this effort. There was a discussion about standing committees of Council and their respective tasks.

Discussion – FY 2020 Budget Goals

There was a discussion about establishing two or three goals based on economic development efforts and including Clarke County and Berryville Main Street in the effort. Chair Rodriguez reiterated that a social media presence and updating the web site were important and Ms. Harrison said that hiring a consultant for branding should be considered. Ms. Harrison added that hiring a part-time position by the Town and County to take on these tasks should also be discussed.

Ms. Rodriguez said that with consumer taxes increasing, earmarking these funds for tourism and economic development should be considered. She said creating a reserve of specific fund should be discussed. There was a discussion about future funding for economic development.

There was a discussion about hiring a part-time position for branding and marketing versus contracting with a consultant. Committee members determined that the priorities would be to inventory other jurisdictions to see how they earmark tax revenues for economic development; create a social media presence and enhance the existing web site; and consider creating a part-time position or hiring a consultant for marketing and branding. Mr. Dalton reiterated that partnering with the County and Berryville Main Street should be considered during this process.

Other

There was a discussion about the budget goals meeting set for Wednesday, September 5 at 3:00pm. Chair Rodriguez said the next Community Development meeting was scheduled for Monday, September 24 at 4:30pm.

Chair Rodriguez suggested that BMS and the Town create a Memorandum of Understanding. There was a discussion about the Berryville Main Street director position becoming a Town employee. Mr. Dalton suggested discussing the matter with the BMS Board and letting the Board approach the Town on the matter.

There being no further discussion, the meeting was adjourned at 5:22pm.

BERRYVILLE TOWN COUNCIL PERSONNEL COMMITTEE
Berryville-Clarke County Government Center
MINUTES
August 28, 2018

A meeting of the Berryville Town Council Personnel Committee was held on Tuesday, August 28, 2018 at 9:00am in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Attendance: Members of the Committee present: Jay Arnold, Chair; Pat Dickinson; Erecka Gibson

Staff present: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner

Chair Arnold called the meeting to order at 9:00am.

Approval of Agenda

Ms. Gibson made the motion to approve the agenda as presented, seconded by Ms. Dickinson, the motion was approved by voice vote.

Discussion – Social Media Policy

Mr. Dalton described the updated Policy. He said he also included the County's recently adopted policy for review adding that he thought there were good aspects of both. Ms. Gibson recommended modifying the order of several items. There was a discussion about having separate policies for staff and elected and appointed officials. Chair Arnold and Ms. Gibson said they felt like one document would suffice.

Mr. Dalton said he would like to define certain terms to clarify requirements. Ms. Dickinson liked the layout of the County's policy. Ms. Dickinson made specific requests including clarification of terminology and that no sharing of passwords occur when archiving and FOIA officers are retrieving postings.

Discussion – Job Descriptions

Mr. Dalton provided job descriptions for the Town Manager and two Assistant Town Manager positions. Committee members made comments on the documents. Mr. Dalton said that he would reformat the job descriptions to be consistent. There was a discussion about evaluations that were sent by Council member Harrison.

Discussion – Meeting Procedures

Ms. Dickinson was unsure what this discussion entailed. Mr. Dalton said he was directed to add this item to the agenda concerning the adoption of voting procedures or the use of Roberts Rules of Order at Council meetings. Ms. Dickinson said she was concerned about the cost and staff workload and said there were higher priorities than this. Chair Arnold said this should be discussed. Ms. Gibson

said that not having procedures in place has been disruptive at meetings and she felt this should continue to be discussed.

Discussion – FY 2020 Budget Goals

Ms. Gibson said she would like to see the salary studies be completed within this timeframe.

Other

Ms. Dickinson said she would like to appoint Mr. Bigelow to the Tree Board. The Committee said they were fine moving that ahead. She said the Procurement Policy published on the web site is not the correct version. Staff said they would post the correct document on the web site.

Adjourn

There being no further business, the meeting was adjourned at 10:43am.

BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE
Berryville-Clarke County Government Center
MINUTES
August 28, 2018

A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, August 28, 2018 at 10:30am in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Attendance: Members of the Committee present: Diane Harrison, Chair; Pat Dickinson

Staff present: Christy Dunkle, Assistant Town Manager/Planner; Rick Boor, Director of Public Works; David Tyrrell, Director of Utilities

Press present: Mickey Powell, Winchester Star

Chair Harrison called the meeting to order at 10:48am.

Approval of Agenda

The agenda was approved by consent.

Project Updates – Paving

Mr. Boor updated the Committee on paving projects stating that W-L Construction has completed work on Swan Avenue and Rosemont Circle.

Project Updates – Water Tank Maintenance

Mr. Dalton said the final phase on the exterior blasting and coating is underway on the three million gallon tank. He added that the welding had been completed and said that the northwest tank work will likely be in the spring.

Project Updates - I & I

Mr. Dalton said that he would like to move forward with an IFB for trenchless technology for infiltration and inflow projects. He said that a budget amendment would be required and identified East Main Street and Church Street as locations for this work to occur. Ms. Dickinson asked for an explanation of infiltration and inflow which he described. Mr. Dalton added that the trenchless work would be done at night and spot repairs during the day. The Committee agreed to request the budget amendment to full Council for approval.

Discussion – FY 2020 Budget Goals

Chair Harrison discussed the installation of water meters. Ms. Dickinson said she needed to see a full cost of the installation. Mr. Dalton said he is requesting a plan for meter replacement by 2022 in which the project is defined and cost estimates are refined. He added that water rates need to be discussed now in order to avoid increasing the rates significantly in 2022.

Mr. Dalton said he has been in contact with the consulting engineers to confirm the cost of the utility rate study and will let the Committee know when he hears from them. He added that the rate study will also include an asset inventory and create a new hydraulic model.

Ms. Dickinson discussed looking at storm water management to review the current state of the Town's system and develop a strategy. She said it was not just engineering but wanted to look at the granular concerns on individual lots. She discussed the investments at the Port of Virginia in Norfolk and that the railroad will be adding more cars to the trains which are causing 20-minute delays at crossings. She said there will also be additional truck traffic due to this effort.

Speeding Concerns

Water and Sewer Bill Adjustment Policy

Ms. Dickinson suggested that staff recommend paving and utility projects and present costs to the

Storm Water Concerns

Future Capital Projects

Adjourn

There being no further business, the meeting was adjourned at 11:33am.

Attachment 4

September 11, 2018 Report

Mr. Kitselman will be present at the Town Council meeting. The resolution passed in his honor on July 10 will be read and presented to him.

Attachments

- Resolution of Appreciation and Thanks honoring the service of Allen Kitselman

Action

Presentation of resolution

August 14, 2018 Report

Mr. Tollett will be present at the Town Council meeting. The resolution passed in his honor on July 10 will be read and presented to him.

It is expected that Mr. Kitselman will be able to attend the September Town Council meeting.

Attachments

- Resolution of Appreciation and Thanks honoring the service of David Tollett

Action

Presentation of resolution

July 10, 2018 Report

Please find attached:

- Resolution honoring the service of H. Allen Kitselman, III
- Resolution honoring the service of Dave Tollett

Once resolutions are adopted they would be signed and prepared for presentation. It would be expected that both Messrs. Kitselman and Tollett would be invited to the August Town Council meeting where the resolutions would be presented.



**COUNCIL OF THE TOWN OF BERRYVILLE
RESOLUTION OF APPRECIATION AND THANKS**

WHEREAS, H. Allen Kitselman, III was first appointed to the Berryville Town Council on May 8, 2001; and

WHEREAS, Mr. Kitselman was subsequently elected for four additional terms serving on the Council for 17 years; and

WHEREAS, Mr. Kitselman continues to serve on the Berryville Area Development Authority where he has served since 1999; and

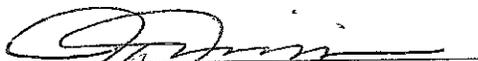
WHEREAS, During his tenure on Council, Mr. Kitselman has faithfully served the citizens of the Town of Berryville, utilizing his expertise to guide and manage many projects including the construction of the Berryville – Clarke County Government Center and serving as a member of the Community Improvements Committee and the Building Committee; and

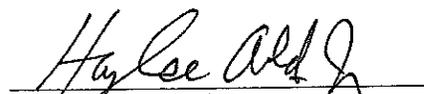
WHEREAS, Without fail, in all of his dealings with the public and other public officials, Mr. Kitselman executed the duties of his office in a fair, thoughtful, and just manner; and

WHEREAS, Through his dedication to the Berryville Town Council, Mr. Kitselman has served as an exceptional example of a citizen's concern for his community and has positively affected the lives of Berryville's residents;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Berryville, that H. Allen Kitselman, III's extensive and distinguished service to this community is recognized and that he is thanked for his hard work and dedication.

By Order of the Council of the Town of Berryville on this the tenth day of July, 2018.


Patricia Dickinson,
Mayor


Harry Lee Arnold, Jr.,
Recorder

Attachment 5

September 11, 2018

At the August 14, 2018 meeting, the Town Council discussed the 2 draft brochures. The Council determined that it would provide comments on the brochures to staff. No additional changes were suggested by the Council.

With that said, staff continued to work on both the structure and flow of the documents as well as content. New versions of the brochures have been placed in the Council's front binder pocket.

Staff requests that the Council release this matter for final review by staff and then printing.

August 14, 2018 Report

Since the last Town Council meeting:

- draft versions of both brochures were provided to the Town Council and
- Town Council members provided comments on the drafts.

Staff has reviewed the comments and has worked to incorporate them as best as possible. New drafts are attached to this report. Comments regarding the chart in the Water and Sewer brochure have been noted and staff is working to address those concerns.

It is important to note that several suggestions, including the addition Town Council member pictures and the like have not been incorporated into the drafts. Staff suggests that a separate Meet The Berryville Town Council brochure be developed if the Town Council desires having photo and biographical information to be distributed to citizens.

Staff requests that the Town Council provide additional suggestions on the attached drafts and authorize the staff to complete the brochures and have them printed.

Attachments

- Draft Welcome to Berryville brochure
- Draft Town of Berryville Water and Sewer Brochure
- Motion

Action

Identify the process by which the brochures can be finalized and made ready for printing.

July 10, 2018 Report

At the May Town Council meeting, the Council discussed the need to provide more detailed information to utility customers. The discussions centered on information regarding enterprise fund operation and meter reading. The Council directed staff to provide them with additional information that could be provided to the public through utility bills, the town's website, and the packet provided to new residents.

Staff reviewed the current Welcome to Berryville brochure and recommends significant changes to it as well as the development of a separate Town of Berryville Water and Sewer brochure.

Please find attached (in front pocket of agenda binder):

- Draft Welcome to Berryville brochure
- Draft Town of Berryville Water and Sewer brochure

Staff requests comment and guidance from the Council on both the approach and the brochures themselves. With that guidance, staff would like to finalize the brochures and website revisions by August 31.

Per direction it has received from Council, staff intends to include a version of the Water and Sewer brochure with the November water/sewer bills.

TOWN OF BERRYVILLE

WATER AND SEWER



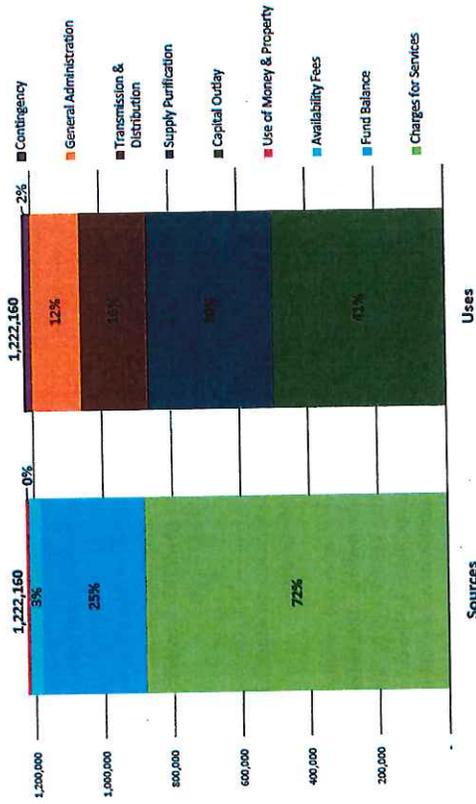
Berryville Sewer Plant

The Town of Berryville is committed to providing its customers with a safe and dependable supply of drinking water and with being a good steward of the Shenandoah River and the Chesapeake Bay when treating wastewater. This brochure provides our customers with information regarding water and sewer utilities and billing.

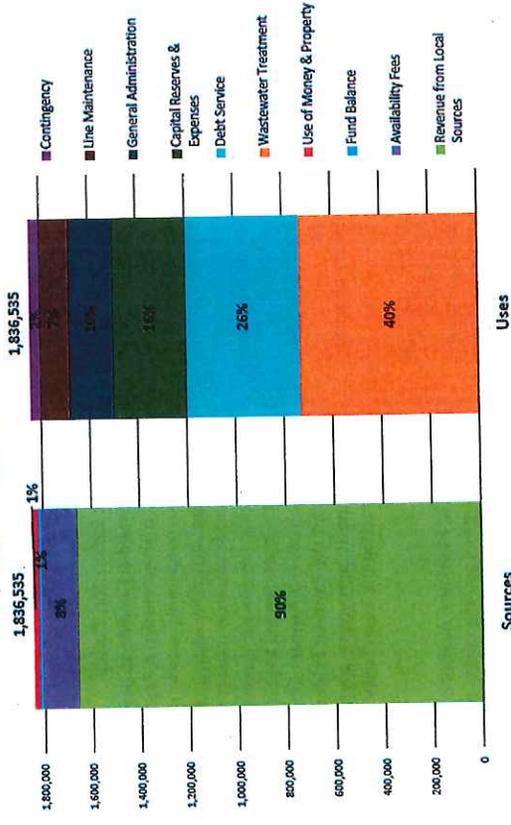
Additional information can be found at www.berryvilleva.gov

Berryville-Clarke County Government Center
101 Chalmers Court, Suite A
Berryville, VA 22611
540-955-1099

FISCAL 2019 WATER FUND - SOURCES AND USES



FISCAL 2019 SEWER FUND - SOURCES AND USES



Water Leaks and Sewer Blockages
Water: If you have or suspect that you have a water leak in your home or in the water lateral between your building and the water meter, then you should contact a plumber to correct the problem. The Town will assist residents with leak detection. If such detection assistance is needed, then please call the Town Business Office at 540-955-1099 to schedule this service.

Sewer: If you have a sewer blockage in your home or in the sewer lateral between your building and the sewer main, then you should contact a plumber to correct the problem. The Town will assist residents with determining whether a blockage is the Town's sewer main or not. If such assistance is needed, then please call the Town Business Office at 540-955-1099.

Water and Sewer Emergencies Occurring After Regular Work Hours or on Holidays: For water and sewer emergencies occurring outside of work hours or on holidays, call Clarke County Communications at 540-955-1234, and they will contact Town personnel.

Disclaimer
This brochure contains general information on various laws and regulations and should only be used as a guide. As this document is general in nature it cannot fully explain how laws and regulations are applied to specific situations and invariably such guides contain some errors. Further, laws and regulations are added or changed periodically and may not be immediately amended in this brochure. Please contact the appropriate agency to obtain specific information on a given law or regulation.

Treatment of Your Drinking Water

The Town of Berryville obtains its water from the Shenandoah River. This water is treated at the Roy E. Potts Water Treatment Plant by means of mixed-media filters. Once treated, the water is pumped into the Town's water distribution system which provides water service to over 1,800 service connections.

Annual Drinking Water Quality Report

Each year a Water Quality Report is published. The report includes detailed information about the Town's water. The Town's water meets or exceeds all state and federal requirements. The most current report can be found on the Town's website at berryvilleva.gov/2160/Water-Sewer.

Water Conservation

To find out more about water conservation, read the Water Saving Tips (PDF) document found online at berryvilleva.gov/2160/Water-Sewer. It is in everyone's best interest to conserve water.

Wastewater

The Town of Berryville owns and operates a 700,000 gallon per day Advanced Membrane Bioreactor Wastewater Treatment and Nutrient Reduction Facility. The treatment process is a four-stage activated sludge system which biologically removes organic waste and nitrogen and chemically precipitates phosphorus from the Town's wastewater. After biological treatment, all water must pass through a membrane microfiltration unit. Water is disinfected with ultraviolet light prior to returning to the Shenandoah River. The Town's wastewater treatment plant treats wastewater to a level that exceeds permit requirements.

Meter Reading

Meters are read monthly, usually the last week of the month, although snow and ice may cause a delay. Meter readings are recorded to the lowest thousand gallons of usage. For example, 1,999 gallons of usage will be billed as 1,000 gallons in the current period. The 999 gallons not billed in the current month will be included in the next billing period. As a result of this usage carry over, you may notice fluctuations in your bills.

Billing

Water and sewer bills are due the 15th of each month. In the event meter reading is delayed, bill due dates may be modified. Wastewater (sewer) usage is determined and billed based on the water meter reading.

Billing Questions and Concerns: Questions or concerns about your bill should be directed to the Town Business Office at 540-955-1099 immediately. Applications for water and sewer bill adjustments must be filed with the Town Business Office no more than 10 days after the date of billing. For more information regarding water and sewer bill adjustments, please see the Water and Sewer Billing Adjustment Policy (PDF) and Water and Sewer Adjustment Request Form (PDF) at berryvilleva.gov/2160/Water-Sewer.

Rates

Rate Type	Rate Per 1,000 Gallons of Usage	Minimum Monthly Charge
Water	\$ 8.40	\$ 5.00
Sewer	\$ 17.00	\$ 15.00
Total	\$ 25.40	\$ 20.00

Water Rates: The Town Council sets water rates at a level that provides for payment of expenses related to water treatment, water distribution, and administration. The Water Fund receives all of its revenues from user fees (water bills), availability fees (fees charged to connect to the Town's water system), or borrowing. This income from fees must pay for all water system expenses, including debt service. Sources (revenues) and Uses (expenses) for the water fund are illustrated in the graph on the reverse of this brochure. More details about the Water Fund revenues and expenses can be found in the FY 19 Operating Budget and CIP for 2019-2023 on our website at berryvilleva.gov/2175/Treasurer (Specifically pages 81, 89-91, 107-109)

Sewer Rates: The Town Council sets rates at a level that provides for payment of expenses related to sewer collection, treatment, and discharge. The Sewer Fund receives all of its revenues from either user fees (sewer bills), availability fees (fees charged to connect to the Town's sewer system), or borrowing. This income from

fees must pay for all sewer system expenses, including debt service. Sources (revenues) and Uses (expenses) for the sewer fund are illustrated in the graph on the reverse of this brochure. More details about the Sewer Fund revenues and expenses can be found in the FY 19 Operating Budget and CIP for 2019-2023 on our website at berryvilleva.gov/2175/Treasurer (Specifically pages 81-82, 91-93, 111-113)

Penalty/Late Fees: A 10% late payment penalty is assessed to accounts on which full payment is not made by the due date.

Second Notice: After the penalty is assessed a second notice will be mailed. This notice will inform the customer that service will be disconnected if payment is not made by the cut-off date. PLEASE NOTE: No additional notice will be provided.

Service Disconnection: If service is disconnected, it will be restored only when the account and service charges, including a \$40 administrative fee, have been paid.

The Town strictly enforces this policy. Please refer to the back of your bill for additional information.

Payment Extension Policy

Customers who are unable to pay their bill on time may request an extension. A Payment Extension is provided to temporarily extend the due date of the bill for those situations when a customer is in need. The account holder may request this service provided that the request is made prior to the scheduled cut-off day and they meet all requirements of the Payment Extension Policy. More details about the Payment Extension Policy can be found online at berryvilleva.gov/2160/Water-Sewer or by contacting the Town Business Office at 540-955-1099.

Automatic Payment Authorization

The Town offers you the option to pay your utility bill through automatic monthly debits from your bank account. These automatic debits are a safe and convenient method of paying your utility bill. To

enroll, complete the Automatic Payment Sign-Up Form found online at berryvilleva.gov/2160/Water-Sewer. Once you are set up, your payment will be drafted automatically on the 15th of each month. If the 15th falls on a weekend or holiday, your payment will be made the next business day.

Water and Sewer Accounts

New Accounts: To set up a new account, please call the Town Business Office at 540-955-1099.

Customer Responsibilities: Customers are responsible for contacting the Town Business Office to ensure the account for a new residence is properly placed in their name, when contact information changes, and to notify the Town Business Office when they plan to vacate a property.

Security Deposit: A refundable security deposit is required for all customers who are renting their occupancy. The amount of the required deposit varies depending on the use of the space. Required deposits:

- Residence - \$225
- Business / Commercial - \$860
- Laundry - \$2,450
- Restaurant - \$785

Landlord Responsibilities: The Owner and/or Landlord must complete the *Owner Authorization for Tenant Utility Service Form*, authorizing renters to have water and sewer service placed in their name at the rental property. This form can be found online at berryvilleva.gov/2160/Water-Sewer.

Availability Fees

Availability fees are charged for new connections to the water distribution and/or sewer collection systems. Such fees are also charged when an existing connection is increased in size. Please contact the Town Manager at either townmanager@berryvilleva.gov or 540-955-1099 for more information.

WELCOME TO BERRYVILLE



Rose Hill Park

Town Staff

Keith R. Dalton
Town Manager

Desirée A. Moreland
Treasurer / Assistant Manager

Christina N. Dunkle
Town Planner / Assistant Manager

W. Neal White
Chief of Police

David Tyrrell
Director of Utilities

Richard Boor
Director of Public Works

Contact Information

Town of Berryville
Town Business Office
540-955-1099
www.berryvilleva.gov

website
540-955-4524
fax
540-955-4081

Planning and Zoning
540-955-3863
Police (non-emergency)
540-955-1099
Water and Sewer
540-955-1099
Refuse and Recycling
540-955-1099

County of Clarke
Administration
540-955-5100

Berryville Main Street
540-955-4001
Frederick County Landfill
540-665-5658
Rappahannock Electric
800-552-3904
Washington Gas
540-869-1111
Comcast/Xfinity
800-266-2278
Post Office
540-955-2667
Clarke County Library
540-955-5144

Disclaimer
This brochure contains general information on various laws and regulations and should only be used as a guide. As this document is general in nature it cannot fully explain how laws and regulations are applied to specific situations and invariably such guides contain some errors. Further, laws and regulations are added or changed periodically and may not be immediately amended in this brochure. Please contact the appropriate agency to obtain specific information on a given law or regulation.

can be handled by one collector. No such bundle shall exceed four (4) feet in length, twelve (12) inches in diameter and fifty (50) pounds in weight. No single collection may exceed one hundred pounds of waste. Do not block sidewalks or storm drains. Neither the Town nor its contractors will collect grass clippings or ashes. Yard waste must be placed out for collection no earlier than the Saturday prior to the collection day and no later than 7:00 a.m. on collection day.

Fire and Rescue Services

The Town is served by several local volunteer fire and rescue companies. The company with primary responsibility for the Town is the John H. Enders Volunteer Fire Company and Rescue Squad. Volunteer efforts are supplemented by professional fire and EMS personnel who are funded and managed by the County of Clarke. If you would like to volunteer to assist John H. Enders Volunteer Fire Company and Rescue Squad, then please call 540-955-1110.

Schools

Area schools are funded by the County of Clarke and are administered by the Clarke County School Board, 317 W. Main St., 540-955-6100, www.clarke.k12.va.us.

Parks and Recreation

Berryville owns and maintains the beautiful three-acre Rose Hill Park in the heart of downtown. Rose Hill Park provides a great place for families to relax and enjoy a peaceful outing. Park facilities include a playground designed for our younger citizens, a basketball court and a gazebo. Throughout the course of the year, Rose Hill Park hosts numerous concerts, festivals and other events.

A variety of youth and adult recreational services and programs are provided through the Clarke County Parks and Recreation Department located at the Chet Hobert Park (225 Al Smith Circle, Berryville, VA). Facilities include a community building with an indoor gymnasium, exercise room and several meeting rooms; the community swimming pool; picnic shelters; outdoor playing fields for soccer, baseball and football; outdoor tennis courts and playground equipment. For more information about County facilities and programs, please call 540-955-5140 or visit www.clarkecounty.gov.

Water and Sewer (see Water and Sewer brochure)

Refuse and Recycling

Weekly residential curbside refuse and recyclables collection occurs on the following schedule:

East of Buckmarsh Street (Route 340) - Thursday

West of Buckmarsh Street (Route 340) - Friday

The Town has contracted with a private company to provide this service. One recycling bin is provided to each residence at no cost. The bins are the property of the Town and should remain with the residence. All trash and recycling containers should be placed on the curb by 7:00 a.m. on collection day. In the interest of litter control and consideration for your neighbors, trash placed at the curb on the evening prior to collection day should be in approved covered containers. In the unusual event your trash was placed at the curb by 7:00 a.m. but is missed for some reason, if possible please contact the Town Business Office by 1:00 p.m. on collection day (540-955-1099). On certain holidays curbside collection will be delayed by one day. The Town's website will have News Flash updates to identify the specific holiday(s) that will affect the collection schedule.

Bulk and Appliance Collection

Bulk item and appliance collection service, which is provided each Wednesday, must be scheduled in advance with the Town Business Office. With regard to appliance collection, the following fees apply: \$25.00 for appliances such as stoves, washers, dryers, or water heaters and \$40.00 for items such as refrigerators, air conditioners, televisions, and computer screens. Prior to appliance collection an appliance collection sticker must be purchased from the Town Business Office and affixed to the appliance to be collected. All hazardous waste (e.g. paints, pesticides, anti-freeze, used oil, tires and the like) must be disposed of in a certified waste acceptance facility. Most of these materials can be disposed of at the Frederick County Landfill. The Frederick County Landfill can be reached at 540-665-5658 or through www.fcva.us.

Yard Waste Collection

The Town collects yard waste each Monday, weather permitting. Loose yard waste must be contained in paper yard waste bags and may not exceed fifty pounds in weight. Brush must be tied into compact bundles that

We hope this guide will be of help to you as you settle into your new home and community. Please do not hesitate to call or stop by the Town Office if you have any questions or need additional information, local street maps or any other assistance we may be able to provide or just to exchange a friendly "Hello"!

Town Council Members

Mayor Patricia Dickinson
Recorder Harry Lee Arnold, Jr.
Ward 1 Donna Marie McDonald
Ward 2 Diane Harrison
Ward 3 Erecka L. Gibson
Ward 4 Kara C. Rodriguez

Additional information can be found at www.berryvilleva.gov

Berryville-Clarke County Government Center
101 Chalmers Court, Suite A
Berryville, VA 22611
540-955-1099

Attachment 6

Planning and Community Development

Action Items

**Public Hearing - Approval of Proffer Modifications – Robert Regan Village
Public Hearing – Text Amendment to Section 321, Public Tree Ordinance, of the
Berryville Zoning Ordinance**

September 11, 2018

Planning Commission

The Planning Commission did not hold a meeting in August. Their next meeting is scheduled for Tuesday, September 25, 2018 at 7:30pm.

Berryville Area Development Authority

The BADA did not hold a meeting in August. They have set a public hearing for the Robert Regan Village site plan for their September 26, 2018 meeting.

Architectural Review Board

The ARB held a called meeting on Monday, August 27, 2018 to hear the following request:

Architectural Review

Pifer (Pifer Management and Construction Services, Inc.), Applicant, is requesting a Certificate of Appropriateness for renovations to the Washington Square Apartment complex located at 102 East Main Street, identified as Tax Map Parcel number 14A2-((A))-76, zoned C General Commercial. *Approved as presented.*

Their next meeting is scheduled for Wednesday, October 3, 2018.

Tree Board

The Tree Board's next meeting is scheduled for Wednesday, October 3 at 7:30pm.

Board of Zoning Appeals

The Board of Zoning Appeals held a meeting on Thursday, August 16 at 7:00pm to hear a request for a setback variance as follows:

Kurt Leta, Owner, is requesting a variance from Section 202.1(l), Uses Permitted by Right (accessory structure setback requirement), of the Town of Berryville Zoning Ordinance in order to allow three accessory structures to be installed on the property line on the parcel located at 217 West Main Street, identified as Tax Map Parcel number 14A4-((A))-36 zoned R-2 Residential. VR 02-18 *The request was denied.*

BERRYVILLE TOWN COUNCIL

Public Hearing - Modifications to Robert Regan Village Proffer Statement

September 11, 2018

Jon Erickson, Agent, is requesting amendments to Proffers originally approved on August 9, 2009 as part of a rezoning in order to construct a 120-unit age-restricted apartment complex and associated improvements on 10.98 acres identified as Tax Map Parcel number 14-5-251B and zoned Older Person Residential (OPR).

Public hearing notices were published on Tuesday, August 28 and Tuesday, September 4, 2018. Adjacent property owners were notified via first class mail on August 28, 2018.

A rezoning of the property located on Mosby Boulevard (identified as Tax Map Parcel number 14-((5))-251B) occurred in August of 2009. At that time, Proffers were approved by Town Council that included land use restrictions, the payment of real estate taxes, and cash proffers to the Town for fire and rescue purposes. Since that time, the proffers have been modified a number of times. The latest modification was approved in January of 2017.

The proposed version of proffers now references a Site Plan dated August 3, 2018. The payment of real estate taxes and cash proffers in the amount of \$1,250.00 per unit for fire and rescue remain the same as the original.

Mr. Erickson's updated proposed proffer modification and a motion follow this report.

August 14, 2018 Staff Report

An application for a 120-unit age- and income-restricted apartment complex (Robert Regan Village) has been submitted to the Town. The Berryville Area Development Authority will be holding a public hearing on the matter at their September 26, 2018 meeting.

There have been a number of proffer statements and revisions (May, 2009; two in July 2009; August, 2009; January, 2017) since the property was originally rezoned in 2009. The last update, at the January 10, 2017 Town Council meeting, was approved as follows:

1. *Master Development Plan*
 - 1.1 *The development of the Property shall be in substantial conformity with the portion of the Master Development Plan dated September 1, 2015 showing development on the Property, a copy of said Master Development Plan being attached hereto as Exhibit A, subject to revisions which may be approved by the Town in final Site Plan review and approval.*
2. *Land Use Restrictions*

- 2.1 Multi-family residential uses on the Property shall not exceed 120 units and shall be limited to areas containing 11+/- acres subject to revisions which may be approved by the Town in final Site Plan review, as delineated on a Preliminary Site Plan attached hereto as Exhibit B.
3. Real Estate Tax
- 3.1 The Owner, and the Owner's successors and assigns, shall be pay the usual customary real estate tax to the Town and the County based upon the full real estate tax assessment of localities and the prevailing tax rate in each locality.
- 3.2 Neither the Owner nor the Applicant, nor their successors or assigns, shall seek any exemption for the Property from real estate taxation by classification or designation pursuant to Chapter 36 of Title 58.1 (Sec. 58.1-3600, et seq.) of the Code of Virginia, or otherwise, and further, the Owner, and the Owner's successors and assigns, shall pay the annual real estate tax as set forth in 3.1, above, notwithstanding any such exemption which may have been granted or obtained.
4. Cash Proffers
- 4.1 Prior to the issuance of a building permit for multi-family residential units on the property, the Recorded Owner shall pay to the Town, for fire and rescue [purposes], a sum equal to One Thousand Two Hundred Fifty dollars (\$1,250.00) per unit for the total number of multi-family units shown on the applicable approved final site plan.
5. Deed
- 5.1 Any deed conveying the Property, or any portion thereof, from the owner of the Property at the time of final rezoning, shall affix as attachment incorporation into said deed, a full copy of these proffers in order to fully advise any subsequent purchaser of the proffered terms and conditions.

Staff determined that, due to the increase in the building footprint and changes to pedestrian facilities of the Site Plan first referenced in the 2017 proffers, the current submission was not in substantial conformance with the previously referenced plan. The proposed version of proffers now references a Site Plan dated August 3, 2018. The payment of real estate taxes and cash proffers in the amount of \$1,250.00 per unit for fire and rescue remain the same as the original.

Robert Regan Village Proffers, dated August 6, 2018 and the exhibit referenced in the document, are included for review. A memo dated March 23, 2018 to property owner Alton Echols is also included after this report for background information.

Recommendation

Approve as presented.

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Robert Regan Village Proffers

August 6, 2018

1. Master Development Plan
 - 1.1 The development of the Property shall generally conform to the Robert Regan Village Concept Plan dated August 3, 2018, a copy of said Concept Plan being attached hereto as Exhibit A, subject to revisions which may be approved by the Town in final site plan review and approval.
2. Land Use Restrictions
 - 2.1 Multi-family residential uses on the Property shall not exceed 120 units and shall be limited to areas containing 11 +/- acres subject to revisions which may be approved by the Town in final Site Plan review.
3. Real Estate Tax
 - 3.1 The Owner, the Owner's successors and assigns, shall pay the usual and customary real estate tax to the Town and the County based upon the full real estate tax assessment of the localities and the prevailing tax rate in each locality.
 - 3.2 Neither the Owner nor the Applicant, not their successors or assigns, shall seek any exemption for the Property from real estate taxation by classification or designation pursuant to Chapter 36 of Title 58.1 (Sec. 58.1-3600, et seq.) of the Code of Virginia, or otherwise, and further, the Owner, and the Owner's successors and assigns, shall pay the annual real estate tax as set forth in 3.1, above, notwithstanding any such exemption which may have been granted or obtained.
4. Cash Proffers
 - 4.1 Prior to the issuance of a building permit for multi-family residential units on the property, the Recorded Owner shall pay to the Town, for fire and rescue [purposes], a sum equal to One Thousand Two Hundred Fifty Dollars (\$1,250.00) per unit for the total number of multi-family units shown on the applicable approved final site plan.
5. Deed
 - 5.1 Any deed conveying the Property, or any portion thereof, shall affix as attachment incorporation into said deed, a full copy of these proffers in order to advise any subsequent purchaser of the proffered terms and conditions.

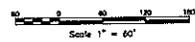
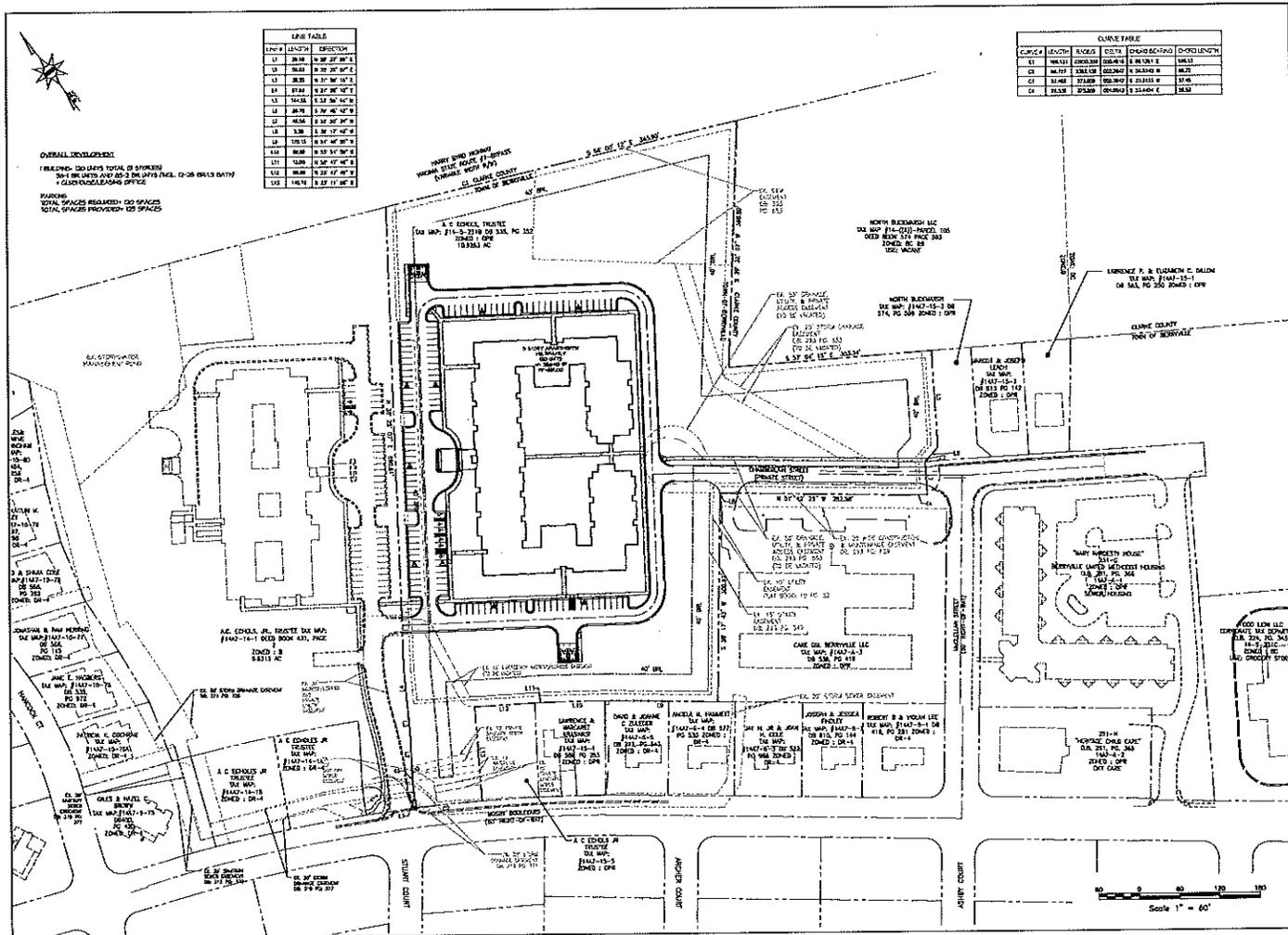
43760 Trade Center Place, Suite 110, Sterling, VA 20166 (703) 674-0161 Fax: (703) 478-0137 www.mragta.com



OVERALL DEVELOPMENT
 1.86 ACRES - 200,000 SQ. FT. OF SPACES
 200,000 SQ. FT. OF SPACES
 200,000 SQ. FT. OF SPACES
 200,000 SQ. FT. OF SPACES

LINE #	LENGTH	BEARING
1	10.00	S 89° 57' 30" W
2	10.00	S 89° 57' 30" W
3	10.00	S 89° 57' 30" W
4	10.00	S 89° 57' 30" W
5	10.00	S 89° 57' 30" W
6	10.00	S 89° 57' 30" W
7	10.00	S 89° 57' 30" W
8	10.00	S 89° 57' 30" W
9	10.00	S 89° 57' 30" W
10	10.00	S 89° 57' 30" W
11	10.00	S 89° 57' 30" W
12	10.00	S 89° 57' 30" W
13	10.00	S 89° 57' 30" W
14	10.00	S 89° 57' 30" W
15	10.00	S 89° 57' 30" W
16	10.00	S 89° 57' 30" W
17	10.00	S 89° 57' 30" W
18	10.00	S 89° 57' 30" W
19	10.00	S 89° 57' 30" W
20	10.00	S 89° 57' 30" W

CURVE	LENGTH	BEARING	CHORD	CHORD BEARING	CHORD LENGTH
1	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
2	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
3	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
4	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
5	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
6	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
7	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
8	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
9	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
10	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
11	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
12	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
13	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
14	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
15	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
16	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
17	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
18	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
19	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00
20	10.00	S 89° 57' 30" W	10.00	S 89° 57' 30" W	10.00



MORRIS & MURPHY ASSOCIATES, INC.
 ARCHITECTS
 1000 COMMONWEALTH BLVD., SUITE 200
 FARMINGTON, CT 06030
 TEL: 860-635-1100
 FAX: 860-635-1101
 WWW.MORRISANDMURPHY.COM

MRA

CONCEPT PLAN
ROBERT REGAN VILLAGE
 TOWN OF BERRYVILLE, VIRGINIA

DATE _____
REVISIONS

NO. 1	DATE	DESCRIPTION

DATE _____
REVISIONS

NO. 1	DATE	DESCRIPTION

DATE _____
REVISIONS

NO. 1	DATE	DESCRIPTION

BERRYVILLE TOWN COUNCIL

**MOTION TO APPROVE PROFFER MODIFICATIONS
ROBERT REGAN VILLAGE**

Date: September 11, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville approve modifications to the proffer statement for the property identified as Tax Map Parcel number 14-5-251B located on Mosby Boulevard and zoned OPR Older Person Residential as attached.

VOTE:

Aye:

Nay:

Absent:

Abstain:

ATTEST:

Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL
Text Amendment – Section 321
September 11, 2018

The Berryville Town Council is proposing a text amendment to Article III, Section 321 Public Tree Ordinance, of the Town of Berryville Zoning Ordinance in order to allow for Town Council appointment of Tree Board members under Section 321.2. TA 04-18

Public hearing notices were published on Tuesday, August 28 and Tuesday, September 4, 2018. Adjacent property owners were notified via first class mail on August 28, 2018.

The modifications under consideration were discussed and recommended at the April, 2018 Town Council meeting. Section 321 of the Berryville Zoning Ordinance (with the proposed amendment identified); an ordinance; and a motion follow this report.

May 8, 2018 Staff Report

At the April Town Council meeting, Council members directed staff to draft a text amendment for the Zoning Ordinance that would allow Town Council to appoint members of the Tree Board. It was recommended that the text amendment be available for consideration at a future public hearing that would be advertised simultaneously with other items in order to save money on public hearing notice publications in the Winchester Star.

The draft text amendment is identified under Section 321.2 of the following Article III, Section 321.

Recommendation

Approve as presented.

SECTION 320 – CURB AND GUTTER (09/05)

320.1 RESIDENTIAL SUBDIVISIONS

In residential subdivisions, curb and gutter shall be required on both sides of all public streets within the subdivision and along the side of each public street, except Virginia Route 7 Bypass, which borders the subdivision. (1/06)

320.2 OTHER

In other than residential subdivisions, curb and gutter shall be required as provided in Section 314.7(e) of this Ordinance.

SECTION 321 – PUBLIC TREE ORDINANCE (6/07)

321 Statement of Intent

It is recognized that trees add a great deal to property values by providing shade, erosion control, and general beauty to the Town, making the latter more appealing to visitors and pleasant for the citizenry.

It is further recognized that landscaping on public property also adds to the general beauty and appeal of the Town, thereby enhancing both tourism and the quality of life for the citizenry.

It is, therefore, the purpose of this chapter to set forth a policy which encourages the planting, nurturing, and proper maintenance of all trees on public property. Experience has shown that trees, under some circumstances, can be hazardous to public safety; hence, this chapter also provides for tree pruning or removal when conditions warrant.

321.1 Definitions

Street trees – “Street trees” are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the Town.

Park trees – “Park trees” are herein defined as trees, shrubs and all other woody vegetation in public parks having individual names, and all areas owned by the Town, on to which the public has free access as a park.

Native – A plant that lives or grows naturally in a particular region without direct or indicted human intervention.

Small tree – Small trees shall have a mature height of up to thirty (30) feet and have an equal spread as described in the Manual of Woody Landscape plants.

Medium tree – Medium trees shall have a mature height between thirty (30) and forty-five (45) feet with a spread of at least thirty feet as described in the Manual of Woody Landscape Plants.

Large tree – Large trees shall have a mature height of over forty-five (45) feet and have an equal spread as described in the Manual of Woody Landscape Plants.

Section 321 – Public Tree Ordinance

321.2 Creation and Establishment of a Town Tree Board

There is hereby created and established a Town Tree Board for the Town of Berryville which shall consist of five members, citizens and residents of the Town of Berryville, who shall be appointed by the ~~mayor with the approval of~~ Town Council.

321.3 Term of Office

The term of the five persons to be appointed by the mayor shall be four years except that the term of two of the members appointed to the first board shall be for only two years. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

321.4 Compensation

Members of the Board shall serve without compensation.

321.5 Duties and Responsibilities

- (a) Serve to enhance the public participation in the beautification of the Town through landscaped improvements by using, whenever possible, native plant species;
- (b) Act as an advocate for both public and private landscaping, assisting in the coordination of both;
- (c) Provide advisory oversight to the amendment and implementation of the comprehensive landscape master plan;
- (d) Assist with the education of the public on matters of public landscaping through materials, public appearances and media exposure as appropriate; and
- (e) Act in an advisory and advocacy role to the Town Council and Town Manager.

321.6 Operation

The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall constitute a quorum to the transaction of business.

321.7 Street Tree Planting

- (a) Every effort should be made to plant native tree species.
- (b) The spacing of street trees will be in accordance with the three species size classes listed under Section 321.1. Spacing shall be 30 feet for small trees; 40 feet for medium trees and 50 feet for large trees, except in special plantings designed or approved by a landscape architect.
- (c) No trees shall be planted closer to any curb or sidewalk than the following: small trees – 2 feet; medium trees – 3 feet; and large trees – 4 feet.
- (d) No street tree shall be planted closer than 35 feet from any street corner, measured from the point of nearest intersecting curbs or curb lines.
- (e) No street tree shall be closer than 10 feet from a fire hydrant.
- (f) No street trees shall be planted under or within 15 feet of any overhead wire or over or within ten (10) lateral feet of any underground water line, sewer line, transmission line, or any other utility.

Section 321 – Public Tree Ordinance

321.8 Public Tree Care

- (a) The Town shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
- (b) Before the removal of any street tree or park tree, or any part thereof, by the Town, or before the Town issues an order directing said removal, the Town shall advise the Tree Advisory Board in writing of its intention and the reasons thereof. The Tree Advisory Board shall have 30 days after receipt of such notice to make its recommendation to the Town with respect thereto, suggesting, if possible, any alternative to the proposed removal. Such alternatives are advisory only, the decision to remove hereunder being at the discretion of the Town Manager.
- (c) The Town shall not remove a street tree of significant size, or permit removal by others, unless notice of the intended removal or destruction is given. The notice shall consist of a durable and legible statement of the Town's intent, affixed to and easily visible on the tree for not less than five days immediately preceding the contemplated removal or destruction; and the notice shall state the reason for the intended removal or destruction of the tree and the person or persons to whom inquiries or protests thereon may be directed.
- (d) In the event of an emergency situation, such as a fallen tree or some other condition or occurrence requiring an immediate removal or destruction of a tree along one of these public ways, the Town may remove or destroy the tree without complying with the foregoing provisions of this section. "Emergency situation" shall include, but is not limited to, trees posing an immediate danger to public safety and trees causing stoppage of utility services such as water lines, sewer lines, electric or power lines or other public or private improvements; all as determined by the Director of Public Works for the Town.
- (e) When a tree is removed it shall be Town policy to plant a replacement in the general area to include planting on private property, with the consent of the owner.

321.9 Review by Town Council

The Town Council shall have the right to review the conduct, acts, and decisions of the Town Tree Board. Any person may appeal from any ruling or order of the Town Tree Board to the Town Council who may hear the matter and make final decision.

321.10 Penalty

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$500.

**AN ORDINANCE AMENDING
ARTICLE III, SECTION 321 PUBLIC TREE ORDINANCE, OF THE
TOWN OF BERRYVILLE ZONING ORDINANCE**

BE IT ORDAINED, by the Council of the Town of Berryville, that Article III, Supplementary Regulations, of the Town of Berryville Zoning Ordinance shall be amended as follows:

SECTION 321 Public Tree Ordinance

321.2 Creation and Establishment of a Town Tree Board

There is hereby created and established a Town Tree Board for the Town of Berryville which shall consist of five members, citizens, and residents of the Town of Berryville, who shall be appointed by the Town Council.

SIGNED: _____
Patricia Dickinson, Mayor

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

**BERRYVILLE TOWN COUNCIL
MOTION TO ADOPT A TEXT AMENDMENT TO
ARTICLE III, SECTION 321, PUBLIC TREE ORDINANCE,
OF THE BERRYVILLE ZONING ORDINANCE**

Date: September 11, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville adopt the attached ordinance amending Article III, Section 321 of the Berryville Zoning Ordinance, modifying the appointment process for Tree Board members.

VOTE:

Aye:

Nay:

Absent:

Abstain:

Attest: _____
Harry Lee Arnold, Jr., Recorder

Attachment 7

September 11, 2018

Resolution Requesting Traffic Calming Study

Discussion/Adoption of Resolution

In November 2017, citizens approached the Town Council regarding speeding on South Buckmarsh Street. Citizens soon approached the Town about moving forward with the process provided in VDOT's Neighborhood Traffic Calming Program.

In accordance with requirements of the Program, citizens concerned about speeding met to discuss the matter. Twenty-five area residents signed a petition requesting traffic calming on South Buckmarsh Street. This activity constituted Step 1 of the Program.

In June 2018 the Council voted to move forward with Step 2 of the Program. In this step VDOT would be asked to complete a traffic calming study in the subject area. To move forward with Step 2, the Council must adopt a resolution requesting that a traffic calming study be completed.

Attachments

- Packet of information provided by the group of concerned citizens
- Motion
- Resolution requesting that VDOT complete a traffic calming study on South Buckmarsh Street.

Recommended Action

Adopt the attached resolution if the Town Council wants VDOT to complete a traffic calming study on South Buckmarsh Street.

August 2, 2018

To; Mr. Jay Arnold, Resident So. Buckmarsh St. and Town Council Recorder
Mrs. Diane Harrison, Chair, Streets & Utilities Committee, and Town Council member
Mayor Patricia Dickinson, Town of Berryville

Re: So. Buckmarsh St. Neighborhood Traffic Calming Task Force: Meeting #1 and #2

Dear Mr. Arnold, Mrs. Harrison, and Mayor Pat Dickinson:

Town Council voted in June, 2018, to move forward with the Neighborhood Traffic Calming Program (NTCP) adopted by VDOT on December 8, 2017, for So. Buckmarsh St. from Main St. to Church Street. Shortly thereafter the Task Force was established.

Next, eighteen (18) households were invited to review the VDOT program and select from twelve (12) VDOT recommended calming measures which ones they felt would help calm traffic. On June 29th, eleven (11) of the households either attended the first NTCP meeting or delivered their selected calming choices to the Couture's. The majority selected four the following VDOT calming measures for So. Buckmarsh St.:

1. Speed monitoring signs
2. Town entrance signs
3. Landscaping, sidewalks and raised hump at Hermitage per plans prepared by VDOT
4. Increased number of speed limit signs

The meeting ended with all agreeing we should meet with VDOT and ask for a definition of the neighborhood area and clarification on the next step for the NTCP.

This morning Liz and Dennis Couture with Tim Julius, Task Force member, met with Mr. Edwin Carter, Staunton District Residency Administrator, and Mr. Terry Short, NTCP Senior Planner, VDOT. They reviewed all information and felt strongly that the Task Force had sufficiently completed its work. They recommended:

The Town Council should pass a Resolution requesting VDOT administer completion of the Neighborhood Traffic Calming Program for So. Buckmarsh St. and tributary streets.

Once the resolution is received Terry Short will begin working with the Town staff, Council and area residents to complete the program. We write to request the June vote to proceed now be passed as a Resolution for VDOT to proceed. We agreed to provide all research papers to help everyone's joint effort. They were very pleased with both Town and resident effort to work together toward making this program a success. Thank you and all Town Council members for your support. We look forward to continued progress.

Sincerely,

Liz and Dennis Couture

June 29, 2018

Neighborhood Traffic Calming 'Task Force'

For: South Buckmarsh Street from Main Street south to Town incorporation limits

Members:		Did they fill out VDOT form
Liz & Dennis Couture, Co-Chairs (540) 277-2987	101 Taylor St.	Yes
Sue & Dave Hembach	100 Taylor St.	Yes
Cheryl & Mark Marchisano	120 So. Buckmarsh St.	Yes
Kathleen & David Salter	203 So. Buckmarsh St.	Yes
Tim & Liz Julius	105 Taylor St.	Yes
Llisc & Thomas Seidita	314 So. Church St.	Yes

Other neighbors provided with information

- 1) 116 So. Buckmarsh
- 2) Diane and Kelly Broadstater: 210 So. Buckmarsh
- 3) Marilyn and Ralph Pierce: 227 So. Church St. Yes
- 4) Amy and Kent Shull: 314 So. Buckmarsh
- 5) Mary Serock: 301 So. Church St. Yes
- 6) Dale and Michael Barton: 211 So. Buckmarsh Yes
- 7) Rosaland and Harold Longerbeam
- 8) Sarah Stern: 107 Taylor St. Yes
- 9) 317 So. Buckmarsh
- 10) Tiffany and Jeremy Jones: 400 Hermitage
- 11) Cherie and John Mickle: 401 Hermitage
- 12) Renea and Mike Konopa: 301 Taylor St Yes
- 13) Christie Dunkle and Keith Dalton: Town of Berryville Pass
- 14) Mayor Patricia Dickinson, Streets & Utilities Committee Pass
- 15) Terry Short, VDOT Pass

18 households invited and 11 responded

Christy Dunkle

From: Jay Arnold (Council)
Sent: Thursday, August 02, 2018 9:34 PM
To: Keith Dalton; Christy Dunkle
Subject: FW: VDOT request #2

From: Liz Couture <lclcouture@gmail.com>
Sent: Thursday, August 02, 2018 9:25 PM
To: Jay Arnold <jay@berryvilleautoparts.com>
Subject: VDOT request #2

Hi Jay

Please remind Council and Keith- Christie:

Ed said: remind them they need to send written request for permits to mount 4 speed monitoring signs. He said it will be done in one day and email request is AOK

He said VDOT will maintain signs if Town requests this.

He was very pleased.

Could you convey this information.

I don't have contact information on Keith or Christie

I usually just walk to office.

Thank you again Jay

I really appreciate your help.

liz

Christy Dunkle

From: Liz Couture <lclcouture@gmail.com>
Sent: Tuesday, July 10, 2018 4:47 PM
To: Christy Dunkle
Subject: Re: Meeting next Friday

Hi Christy

We had a good turnout and many VDOT forms completed.

No I don't have an undated report.

We plan to meet first with VDOT to review where we are and

to define the survey boundaries so that all property owners who should be informed get the opportunity to be informed.

I was away for 10 days and I sincerely apologize for not contacting you sooner.

Can you tell me what happened to the original Town "Welcome" and entry signs?

Quite a few people have mentioned these signs?

Entrance signs are one of the 12 traffic calming measures recommended by VDOT.

I can address the 12 VDOT recommendations and summarize the preliminary recommendations by area residents; but, again, nothing clear to report as initial efforts need to be reviewed by VDOT.

I think a presentation at the August meeting will be more appropriate.

Liz

On Tue, Jul 10, 2018 at 3:48 PM, Christy Dunkle <planner@berryvilleva.gov> wrote:

Good afternoon-

Do you have any updated information on the meeting you held on June 29 to be passed along to Town Council?

Thanks-Christy

From: Liz Couture [mailto:lclcouture@gmail.com]
Sent: Friday, June 22, 2018 4:31 PM
To: Christy Dunkle <planner@berryvilleva.gov>
Subject: Re: Meeting next Friday

Be glad to Christie

On Fri, Jun 22, 2018 at 2:16 PM, Christy Dunkle <planner@berryvilleva.gov> wrote:

Liz-

Mia forwarded your Neighborhood Traffic Calming Task Force Meeting invitation and list of VDOT recommendations for South Buckmarsh Street traffic calming options scheduled for next Friday. I am unable to attend but ask that you would provide a list of residents who were asked to attend and any outcomes in order to pass the information along to Town Council at their July 10 meeting.

Thanks and have a great weekend!

Christy

Christy Dunkle

Assistant Town Manager/Planning Director

Town of Berryville

101 Chalmers Court, Suite A

Berryville, VA 22611

V 540 955 4081

F 540 955 4524

March 13, 2018

To: Mr. Keith Dalton, Manager

Town of Berryville

101 Chalmers

Berryville, Va 22611

RECEIVED

MAR 13 2018

Town of Berryville, VA

Attached is our application for a sign to be located on the existing sign at our driveway entrance, 101 Taylor St. The sign is 'speed' notice to let drivers know how fast or slow they are traveling. This sign will replace the VDOT temporary sign which has been present for almost four months.

The sign has shown that 85% of vehicles traveling south on Buckmarsh now travel at 30 mph which is 15% less than last August, 2017, when a similar travel study done by the Police Department found 85% traveled at 34 mph and faster.

Other attachments locate the sign and provide specifications for the sign. The vender selling the sign is Traffic Logix which came to us by recommendation from the Staunton District, VDOT. They have offered to sell this sign at a very reasonable cost. We remain extremely appreciative of all the professional and kind assistance provided by the Berryville Police Department, Mrs Patricia Dickinson, Mayor, and Mr. Cliff Balderson with Mr. Eric DeHaven, both with VDOT. We look forward to hearing from you and will gladly meet should you want to discuss this application. Thank you for your time and consideration of this permit application.

Sincerely,



Elizabeth and Dennis Couture

101 Taylor St.

Berryville, Va 22611

540-277-2987

TOWN OF BERRYVILLE

101 Chalmers Court, Suite A * Berryville, Virginia 22611
PHONE: (540) 955-4081 * FAX: (540) 955-4524 * E-MAIL: PLANNER@BERRYVILLEVA.GOV

HISTORIC DISTRICT SIGN PERMIT APPLICATION

Please Note: This is an application only. The permit will be issued only if approved by the Zoning Administrator and after review and recommendation by the Architectural Review Board.

To be completed by the Applicant: Date: March 9, 2018, 2018

Applicant's Name: Elizabeth + Dennis Couture

Applicant's Phone Number: 540-277-2987 E-mail: COZUR@gmail.com

Name of Business (for which signage is being requested): N/A

Business physical address: N/A

Business mailing address: N/A

Property Owner's Name: Elizabeth + Dennis Couture

Property Owner's Address: 101 Taylor St
Berryville VA 22611

Application is hereby made for a permit to erect or remodel a sign as described below: (see attachments)

Total number of signs requested: 1 Fee: \$

Please include nine (9) copies of the following information for each sign requested: (see sign specifications and site photos)

Scale color illustration of the sign, indicating the materials, dimensions (including square footage), the location of the sign (including minimum 8' 6" above all sidewalks or right-of-way for projecting signs), type of sign (freestanding, hanging, wall, etc.), and method of mounting.

Color chips if applicable.

Illustration and details of the proposed illumination, if any.

Sign Company: Traffic Logic Phone Number: Company 800 915 6449
Contact: Jim Palmer
814 404 5976

Signature of Applicant: Elizabeth Couture

TO BE COMPLETED BY ZONING ADMINISTRATOR

Street Address:

Tax Map Number: Zoning Designation:

Applicable Regulations:

Other Conditions:

The Sign Permit is approved or denied for the sign described on the property indicated above.

Reason, if denied:

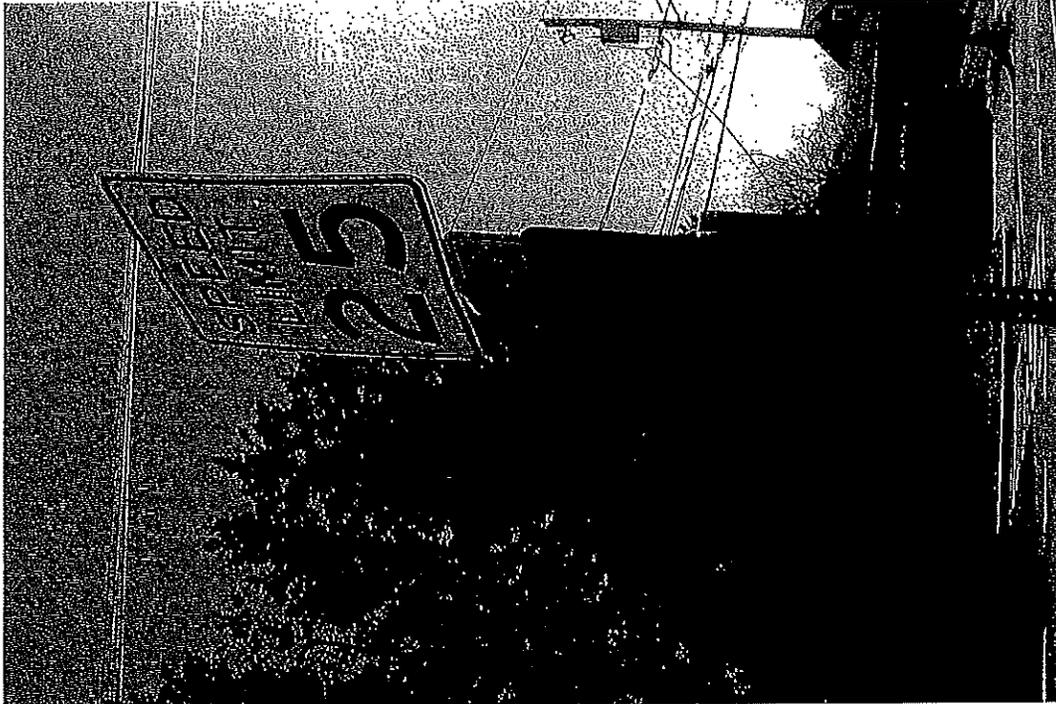
Signature of Zoning Administrator: Date:

To: Town of Berryville

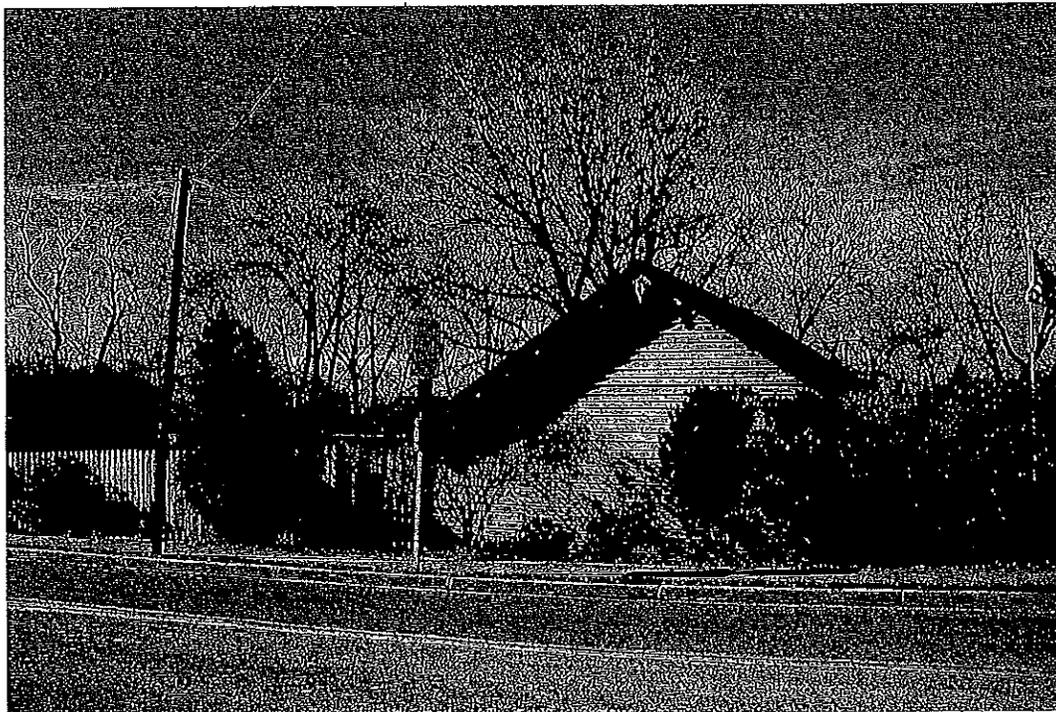
Attachments for Historic District Sign Permit application

Application submitted by: Elizabeth and Dennis Couture, 101 Taylor St., Berryville, VA 22611

- 1) Safe Pace 100 sign specifications provided by Traffic Logix, Inc.
- 2) Virginia Department of Transportation (VDOT) recommendation to purchase sign from Traffic Logix, Inc.
- 3) VDOT grants Couture property permission to purchase sign and install within road right-of-way.
- 4) Photographs of VDOT speed sign which matches Safe Pace 100 sign. Note: VDOT sign posted and working for over 6 weeks at site: 101 Taylor St. driveway entrance on So. Buckmarsh St.
- 5) Proposed location on property survey of new Safe Pace 100 sign.
- 6) Area residents in support of traffic calming measures which includes Safe Pace 100 sign



Size and Scale of Existing VDPF sign.

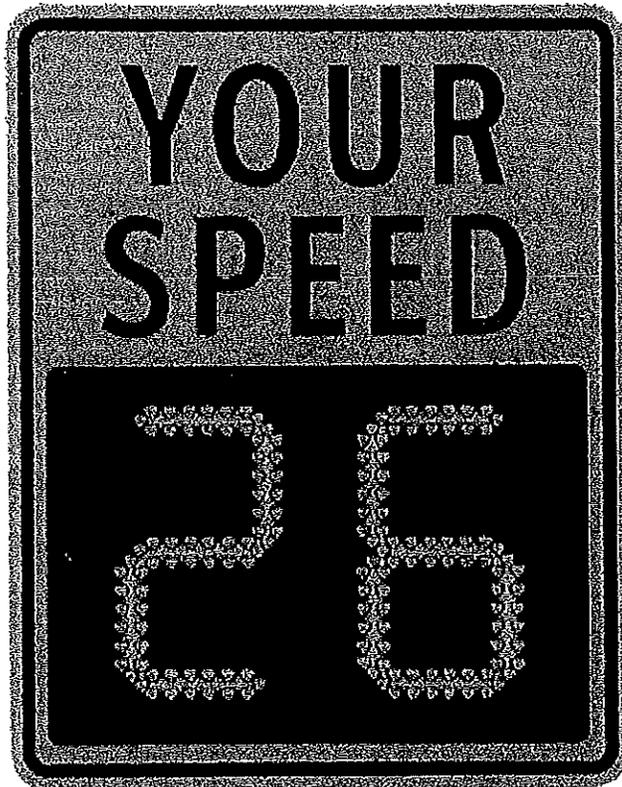


Existing and Proposed location of sign at Bucknuch St / 101 Taylor St
January 2018 Note sign installed Dec, 2017 - Site still present March 2018

Traffic Logix®

SafePace® 100 Radar Speed Sign

Product Specifications Version 2.9



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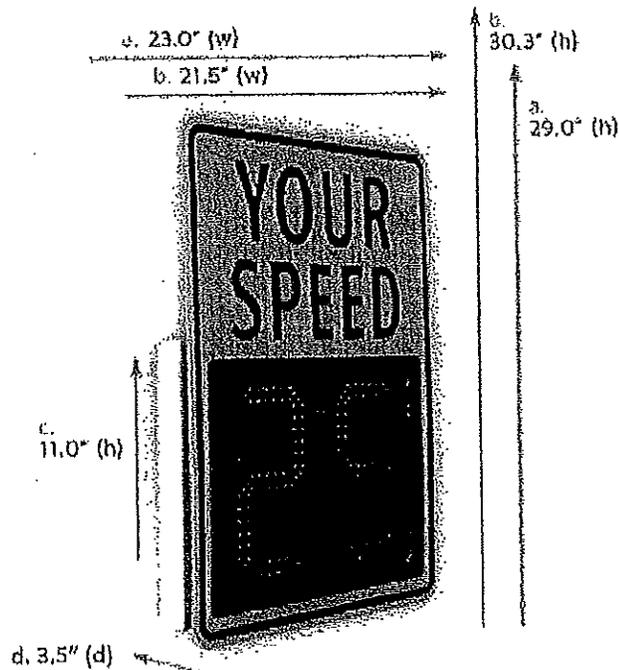


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Dimensions

- Digit: 11"(h) x 5.6"(w), 98 LEDs per digit
- Unit alone: 15.8"(h) x 21.4"(w) x 3.5"(d)
- Unit with "YOUR SPEED" sign mounted:
 - Full size sign: 29.0"(h) x 23.0"(w) x 3.5"(d)
- Sign Weight (Includes "YOUR SPEED" sign (2 lbs) mounted)
 - AC Powered Model: 21 lbs
 - 3 Cell Battery Powered Model: 23 lbs
 - 4 Cell Battery Powered Model: 25 lbs
 - Solar Powered Model: 23 lbs (does not include solar panel or bracket)
- Accessories
 - 3 Cell Lithium Ion Battery: 2 lbs
 - 4 Cell Lithium Ion Battery: 4 lbs
 - Universal Mounting Bracket System
 - Sign Bracket: 2 lbs
 - Pole Bracket: 5 lbs



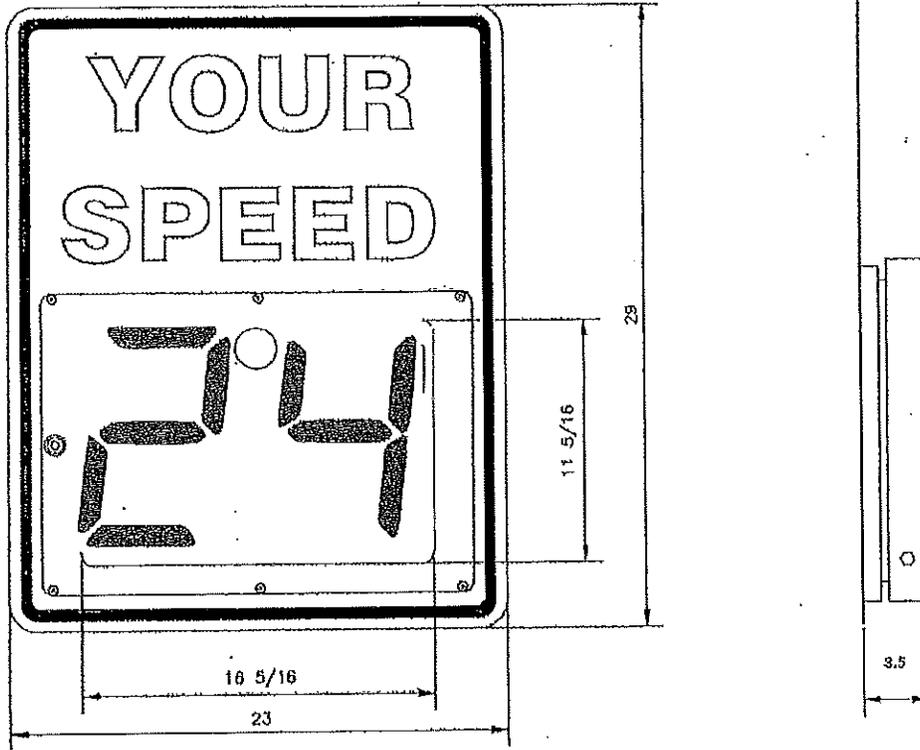
SafeSpace® 100 Full-size sign dimensions

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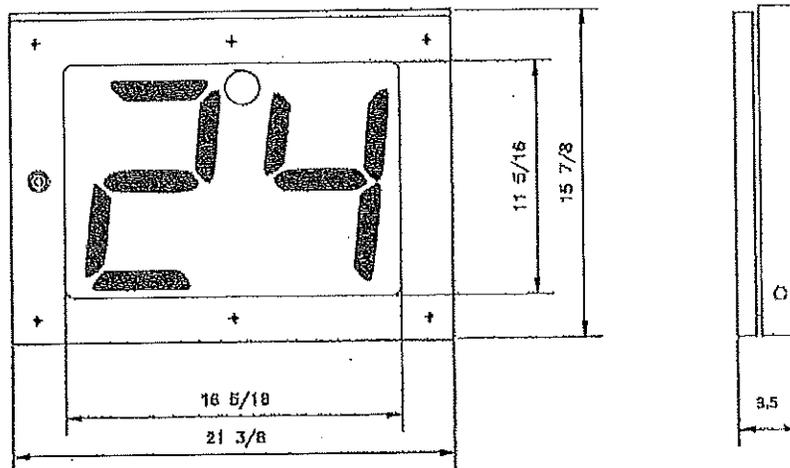


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Dimensions of SafeFace® 100 Radar Sign with Full "YOUR SPEED" Sign Face



Dimensions of SafeFace® 100 Radar Sign unit alone



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Technical Specifications

- Miles Per Hour (mph) or Kilometers Per Hour (km/h)
- Aluminum protective cover: 0.25" (d)
- High-Intensity prismatic reflective sheeting on "YOUR SPEED" signs with black colored text
- MUTCD approved colors and format
- Operating Temperatures F (C): -40° (-40°) to 185° (85°)
- Conformal coating on all circuit boards
- Power
 - Power input:
 - AC 90~264 VAC
 - 12 VDC
 - Vcc: 5.5 VDC to 16 VDC (18V max)
 - Icc@12 VDC (radar always on): Display blank- 9.5 mA
 - Display at night: 21 mA
 - Display max.bright: 415 mA
 - Radar RF out: 5 mW maximum
 - Power Efficiency:
 - Best in class power efficiency
 - Low power SS300 radar drives display eliminate extra CPU
 - Built in ambient light sensing and automatic brightness control
 - Ambient temperature compensation of LED drive voltage
 - High efficiency boost regulator for LED drive voltage
 - With no traffic present, radar automatically powers down display, reducing power consumption to 0.1W
 - Power Options
 - AC power input: 90~264 VAC
 - DC power input: 12 VDC
 - Battery power option offers extended life:
 - 3 Cell, 9.6V, 10Ah Lithium-Ion Phosphate battery with up to 2 weeks operation between charges (under normal operating conditions)
 - 4 Cell, 12.8V, 15Ah Lithium-Ion Phosphate battery with up to 4 weeks operation between charges (under normal operating conditions)
 - Solar power
 - Compact, 20W solar panel (15.4" x 9.8" x 0.71")
- Radar
 - Internal Radar: SS300 Doppler (FCC approved)
 - Radar RF out: 5 mW maximum

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- Radar f-center: 24.125 GHz or 24.200 GHz
- Pickup distance: Up to 300 feet
- Beam angle: 38 x 45
- Beam polarization: Linear
- CE Mark (Radar): Yes
- Display
 - LEDs 208:
 - Digits: 196 Amber, 15°, 5 mm, luminous Intensity (4180 - 8200)
 - Speed Violator Strobe: 12 White, 15°, 5 mm, luminous Intensity (4180 - 8200)
 - Optical lenses: 208 lenses
 - Display Brightness:
 - 11,000 nits (cdm) maximum
 - 550 nits (cdm) at night
 - Ambient light sensor and automatic brightness adjustment
- Enclosure
 - 12 gauge aluminum, flat black powder coated front for reduced glare and maximum contrast; light gray powder coated body to minimize heat absorption
 - Weatherproof, NEMA 4X-12, IP65 level compliant
 - Non-sealed and ventilated

Communication

- Bluetooth 4.0 → standard recommended configuration ("BlueFin" Bluetooth card installed on "BackFin" sign controller card by default)
- Wi-Fi → optional configuration upon request ("Wi-Fin" Wi-Fi card optionally installed on "BackFin" sign controller card – connect to radar sign configured as network access point)
- GPRS → optional configuration upon request ("SimFin" card optionally installed on "BackFin" sign controller card to insert SIM (Subscriber Identity Module) card)

Programming

- SafePace® Pro Management Software application
- Display Settings:
 - Display On/Stealth Modes (In Stealth Mode, speed is not displayed but data is collected)
 - Display Minimum Speed, Display Maximum Speed
 - Digit Flashing Speed Threshold (digits flash above selected speed)
 - Speed Violator Strobe (pulsing strobe flashes with digits or alone above Display Maximum Speed)



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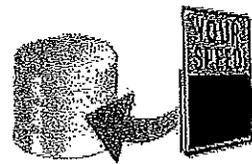


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Data Collection and Statistical Analysis & Reporting (optional feature)

- Traffic data collected and stored by location
- Stealth Mode (capture baseline traffic data with speed display off)
- Download through Serial Port connection
- Statistical Reporting & Charts
 - Summary Reports
 - Weekly Reports
 - Period Comparison Reports
 - Reporting Parameters:
 - Average Vehicle Count
 - Total Vehicle Count
 - Average Speed
 - Average Number of Speed Violations
 - Total Number of Speed Violations
 - Other Features:
 - Minimum and Maximum Speed
 - 85% Speed
 - Counters by Speed Bins
 - 5 MPH Bin Resolution
 - Reports print directly or can be exported into CSV format, MS Excel, Adobe Acrobat PDF and HTML
 - Charts may be printed directly or converted into Adobe Acrobat PDF and picture formats



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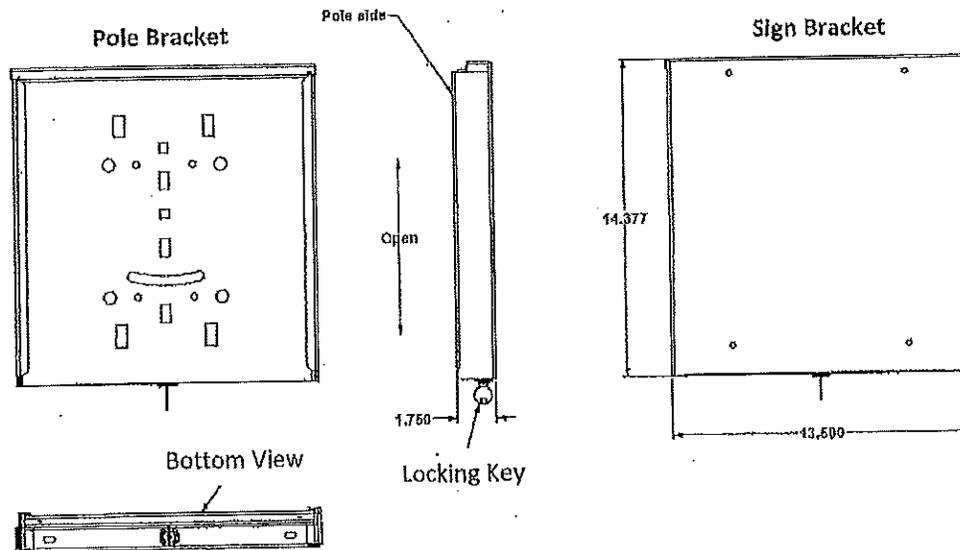
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Mounting Options

- Standard mounting bracket system (use banding brackets to fasten sign to steel or wooden pole)
- Universal Mounting Bracket System
 - Universal mounting options: circular, square and tel-spar poles
 - Theft resistant
 - Promotes sign portability: sign locks into mounting bracket with a turn of a key
- Sign dolly mounting system
 - Battery-powered sign recommended
 - Speed limit face plate not included
- Sign mounted to/compatible with SafePace Cruiser LT Lightweight Trailer
 - Battery box storage not included with trailer
 - See web-site trailer specifications for more details

Universal Mounting Bracket System



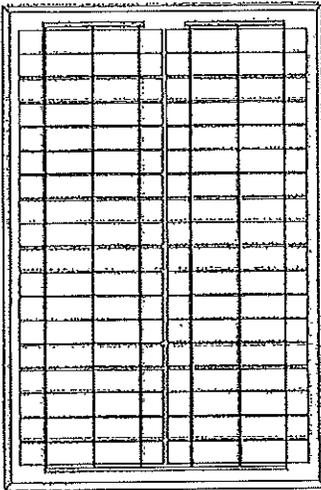
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SafePace® 100 Solar Panel Specifications (p/n: SPS1500)

20 WATT Panel Specifications



Solar cells: Crystalline solar cells

Laminate: Glass /EVA / TPT (tedlar/pet/tedlar) or TPE

Front Side: High-transmission 3.2mm tempered glass

Back Side: TPT /TPE

Frame: Clear anodized aluminum frame

Output: Junction box

Module Type	Pm(Wp)±5%	Vmp(V)	Imp(A)	Voc(V)	Isc(A)	Module size(mm)	NET(kg)
20 WATT PANEL	20	17.1	1.17	21.4	1.3	520*350*18mm 20.5"*13.8"*0.7"	2.0

Operation Temperature Range: -40°C~85°C

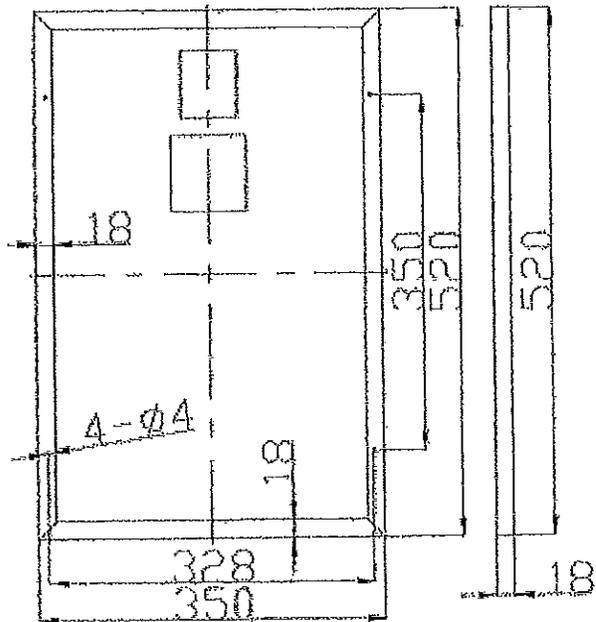
NOCT: 48±3°C

Temperature coefficients of Im: +0.1%/°C

Temperature coefficients of Vm: -0.38%/°C

Maximum System Voltage: DC600V

STC: 1000W/m², 25°C AM1.5



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Warranty

Subject to the following conditions, Traffic Logix Corporation ("Traffic Logix") warrants that the SafePace® 100 Speed sign (the "Product") is free from defects in materials and workmanship. This limited warranty begins on the invoice date of your purchase of the Product and extends:

- For TWO (2) calendar years on the radar sign, and
- For ONE (1) calendar year on the batteries.

This limited warranty extends only to the original purchaser of the Product when purchased either directly through Traffic Logix® or through an authorized Traffic Logix® distributor and is not assignable or transferable to any subsequent purchaser or end-user. Traffic Logix's® obligation and liability under this warranty are expressly limited to repairing or replacing, at Traffic Logix's® option, defective products. In no circumstances shall Traffic Logix's® liability, whether in contract or tort, under any warranty, in negligence, or otherwise, exceed the amount of the purchase price of the product. Traffic Logix® shall not be liable for special, indirect, or consequential damages of any kind. This warranty does not cover damages resulting from normal wear and tear, incorrect installation or operation, use other than for the product's intended purposes, vandalism, and extraordinary environmental circumstances. Traffic Logix® reserves the right to charge for these damages to the product at rates normally charged for repairing such products not covered under this warranty. Damages resulting from any physical changes or alterations made to the product other than Traffic Logix® will render this warranty VOID. Using any parts or accessories not supplied or approved by Traffic Logix®, such as battery chargers, will further render the warranty VOID.

Traffic Logix® neither assumes, nor authorizes any person to assume for it, any other liability in connection with the sale of the Product, and there are no agreements or warranties collateral to or affecting this limited warranty.

THE LIMITED WARRANTY SET FORTH IN THIS AGREEMENT IS THE EXCLUSIVE AND SOLE WARRANTY APPLICABLE TO THIS PURCHASE. ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO THE IMPLIED WARRANTY OF MERCHANTABILITY AND THE IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE ARE EXPRESSLY DISCLAIMED.

Traffic Logix® does not warrant that any of its products will meet or comply with the requirements of any applicable federal, state or local safety code, law, regulation or ordinance ("Applicable Safety Laws"). Buyer acknowledges that Traffic Logix's® products are to be used only in accordance with the attached Conditional Terms of Use and any Applicable Safety Laws. Buyer agrees that there shall be no coverage or benefits of any kind under this limited warranty if it is determined by Traffic Logix® that the Product was not installed or used in accordance with the Conditional Terms of Use or Applicable Safety Laws, or if the Product has been altered in any way by anyone other than Traffic Logix®, or if the Product has been subject to any misuse or accident. In addition, Buyer assumes and agrees to indemnify Traffic Logix® for all risk, liability or expense that results from any installation or use of the Product that is not in accordance with the Conditional Terms of Use or any Applicable Safety Laws.

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Warranty Replacement Procedure

In order to submit a claim for the repair or replacement of the Product under this limited warranty, you must do the following:

- 1) Obtain a Return Materials Authorization number by contacting Customer Support. Do not ship your defective product to Traffic Logix[®] prior to contacting Customer Support.
- 2) A Customer Support agent will evaluate the Product to determine if it is defective. If the product is defective, then you will need to submit your contact information, and proof of purchase (including the date of purchase), in order to obtain repair or replacement parts.
- 3) The Customer Service Agent will provide you with instructions on how to have defective parts repaired or replaced.

*ALL SPECIFICATIONS ARE SUBJECT TO CHANGE WITHOUT NOTICE



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January 26, 2018 ~~to~~ March, 2018

Traffic Calming: South Buckmarsh St.

Residents who recommend measures to reduce vehicular speed and noise on So. Buckmarsh St.

Liz & Dennis Cantore	101 Taylor St
LIZETIA JULIUS	105 Taylor St
Sara Steed	107 Taylor St.
Mike Kawaga	205 Taylor St.
Dia White	108 Taylor St.
Greg Shull	314 S. Buckmarsh St.
KENT SHULL	314 S. BUCKMARSH ST.
Shay Thompson	352 Hermitage Blvd
Charlotte Eire	301 Henderson Ct.
Elizabeth Cox	300 Henderson Ct.
Charles Browning	317 Hermitage Blvd
Susan Browning	317 Hermitage Blvd
Marci Shinabery	313 Taylor St
Cathy Ruszyc	2291 Locks Mill Rd
Mary Renick	301 So CHURCH ST
Maria Sessa	304 Dunlap St
Joel Frensch	101 Taylor Street
Susan Klemback	100 Taylor St.

BERRYVILLE TOWN COUNCIL

MOTION TO APPROVE VDOT TRAFFIC CALMING STUDY
ON SOUTH BUCKMARSH STREET

Date: September 11, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville approve the attached resolution requesting that VDOT complete a Traffic Calming Study on South Buckmarsh Street.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Harry Lee Arnold, Jr., Recorder



RESOLUTION TO REQUEST VDOT TRAFFIC CALMING STUDY
SOUTH BUCKMARSH STREET | US 340

WHEREAS, Public safety is a priority for the Council of the Town of Berryville; and

WHEREAS, Citizens are concerned about speeding on South Buckmarsh Street; and

WHEREAS, A sufficient number of signatures have been submitted to Town Council to warrant a request for a study; and

NOW, THEREFORE, BE IT RESOLVED The Council of the Town of Berryville supports and requests a Traffic Calming Study be conducted by VDOT on South Buckmarsh Street.

By Order of the Council of the Town of Berryville on this the eleventh day of September, 2018.

Patricia Dickinson, Mayor

Harry Lee Arnold, Jr., Recorder

Attachment 8

September 11, 2018 Report

At the August 20 work session, the Town Council reviewed the draft Town Charter and Town Code Chapters 1-3 with legal counsel and staff. Legal counsel amended the documents in accordance with the comments he received. In accordance with Council's wishes, legal counsel has provided versions of the Town Charter and Town Code Chapters 1 – 3 showing markups only from the work session.

It is important to note that prior to publication of the public hearing notice, Section 1.2 of the Charter will have been completed. As you will recall, staff and legal counsel are completing this section that establishes the Town's boundaries.

Attachments

- New drafts from legal counsel

Recommended Action

Set public hearing on these matters for October 9.

August 20, 2018 Report

At the August 14 Town Council meeting, the Council discussed comments that had been generated after review of drafts of the Town Charter and Town Code Chapters 1-3.

Staff met with legal counsel regarding Council's discussion and new drafts have been generated. Those drafts are attached to this report.

Legal counsel will be present at the work session to answer any questions the Council has about the drafts.

Attachments

- New drafts from legal counsel
- Packet provided to Town Council on August 14

Recommended Action

Review revised documents and provide staff and legal counsel with guidance regarding changes to be made to the draft that will be discussed at the September 11, 2018 Town Council meeting. Note: It is expected that the Town Council will set a public hearing for the October Town Council meeting.

August 14, 2018 Report

After the April 10 Town Council meeting, staff has worked with legal counsel to develop drafts of the following: Town Charter, Town Code Chapter 1, Town Code Chapter 2, and Town Code Chapter 3. Drafts of these documents were submitted to the Town Council for comment.

A work session has been scheduled for August 20, 2018 at 5:00 pm to review the documents in question with legal counsel and staff.

- 8/15/18 – 9/5/18 Staff review of Charter and TC comments with legal counsel
- 9/11/18 Town Council review / Set Public Hearing
- 10/9/18 Town Council Public Hearing and vote
- 11/13/18 Town Council approves minutes of 10/9/18 meeting
- 11/16/18 Submission to Delegate LaRock (who would carry the matter)
and Senator Vogel

Revised Charter Markup

AMENDED AND RESTATED CHARTER OF THE
TOWN OF BERRYVILLE
Established 1798.
Moved from County of Frederick to County of Clarke, 1841.

Incorporation and Charter, 1870, c. 366; repealed, 1898, c. 819.
Charter, 1898, c. 819; repealed, 1971, c. 112.
Charter, 1971, c. 112.

Amended 1972, c. 29 (§ 3.2)
1994, c. 324 (§§ 2.3, 4.2, 7.1, 7.3).

CHAPTER 1.
INCORPORATION AND BOUNDARIES.

§ 1.1. Incorporation.--The inhabitants of the territory comprised within the present limits of the town of Berryville, as such limits are now or may hereafter be altered and established by law, shall constitute and continue a body politic and corporate to be known and designated as the town of Berryville, and as such shall have perpetual succession, may sue and be sued, implead and be impleaded, contract and be contracted with, and may have a corporate seal which it may alter, review or amend at its pleasure by proper ordinance.

§ 1.2. Boundaries.--The corporate boundaries of the town of Berryville shall be as follows:

[Description of current Town boundaries to be inserted]

§ 1.3. Wards.--The town of Berryville shall be divided into four wards. The boundaries of such wards shall be established by the town council by ordinance.

CHAPTER 2.
POWERS.

§ 2.1. General grant of powers.--The town of Berryville shall have and may exercise all powers which are now or hereafter may be conferred upon or delegated to towns under the Constitution and laws of the Commonwealth of Virginia, as fully and completely as though such powers were specifically enumerated herein, and no enumeration of particular powers by this charter shall be held to be exclusive, and the town shall have, exercise and enjoy all the rights, immunities, powers and privileges, and be subject to all the duties and obligations, now appertaining to and incumbent on the town as a municipal corporation.

§ 2.2. Adoption of certain sections of Code of Virginia.--The powers set forth in §§ 15.2-1100 through 15.2-1133, both inclusive, of Chapter 11 of Title 15.2 of the Code of Virginia, as in force on January 1, 2019, are hereby conferred on and vested in the town of Berryville.

§ 2.3. Eminent domain.--The powers of eminent domain set forth in Chapter 19 of Title 15.2, Title 25.1, and Chapter 10 of Title 33.2 of the Code of Virginia, as amended, and all acts amendatory thereof and supplemental thereto, *mutatis mutandis*, are hereby conferred upon the town of Berryville subject to the provisions of § 25.1-200.

(a) In any case in which a petition for condemnation is filed by or on behalf of the town, a true copy of a resolution or ordinance duly adopted by the town council declaring the necessity for any taking or damaging of any property, within or without the town, for the public purposes of the town, shall be filed with the petition and shall constitute sufficient evidence of the necessity of the exercise of the powers of eminent domain by the town. The town may employ the procedures conferred by the foregoing laws, *mutatis mutandis*, and may, in addition thereto, proceed as hereinafter provided.

(b) Certificates issued pursuant to §§ 33.2-1019 to 33.2-1029, inclusive, Code of Virginia, as amended, and acts amendatory thereof and supplemental thereto, may be issued by the town council, signed by the mayor and countersigned by the town treasurer. Such certificate shall have the same effect as certificates issued by the Commonwealth Transportation Commissioner, under the aforesaid laws, and may be issued in any case in which the town proposes to acquire property or interest therein by the exercise of its powers of eminent domain for any lawful public purpose, whether within or without the town; provided, that the condemnation authority shall be subject to the provisions of § 25.1-200 of the Code of Virginia.

(c) In addition to the powers conferred by the aforesaid laws, such certificates may be amended or canceled by the court having jurisdiction of the proceedings, upon petition of the town, at any time after the filing thereof; provided, that the court shall have jurisdiction to make such order for the payment of costs and damages, if any, or the refund of any excessive sums theretofore paid pursuant to such certificate as shall, upon due notice and hearing, appear just. The court shall have jurisdiction to require refunding bonds, for good cause shown by the town or any other person or party in interest, prior to authorizing any distribution of funds pursuant to any certificate issued or deposit made by the town.

CHAPTER 3.
MAYOR, VICE MAYOR, AND COUNCIL.

§ 3.1. Composition of council; qualifications of mayor, vice mayor, and council members -- The town of Berryville shall be governed by a town council composed of the mayor, the vice mayor, and four council members. The mayor, vice mayor, and council members shall be residents and qualified voters of the town. The mayor and vice mayor shall be elected from the town at large. The four council members shall reside one in each ward of the town, but shall be elected by all of the qualified voters of the town.

§ 3.2 Office of vice mayor/office of recorder -- The office of vice mayor shall become effective on July 1, 2022, and the office of recorder shall remain effective until July 1, 2022.

§ 3.3. Election and term of office of mayor, vice mayor, and council members -- Elections for mayor, vice mayor, and council members shall be held on the first Tuesday in May of each even-numbered year. On the first Tuesday in May, 2020, a mayor and council members from Wards 1 and 3 shall be elected for a term of four years. On the first Tuesday in May, 2022, a vice mayor and council members from Wards 2 and 4 shall be elected for terms of four years.

§ 3.4. When terms of office to begin.--The terms of office for the mayor, vice mayor, and council members shall begin on the first day of July next following their election.

§ 3.5. Oath of office.--The mayor, vice mayor, and council members shall each, before entering upon the duties of their office, make oath or affirmation that they will truly, faithfully, and impartially discharge the duties of their offices to the best of their abilities, so long as they shall continue therein.

§ 3.6. Vacancies in office.--Vacancies in the office of mayor, vice mayor, or council member shall be filled within forty-five days for the unexpired terms by a majority vote of the remaining members of the town council.

§ 3.7. When new election for mayor, vice mayor, or council member required.--If any person who shall have been duly elected mayor, vice mayor, or council member shall not be eligible, as herein prescribed, or shall refuse to take the oath or affirmation required under this Charter within two weeks from the day of the beginning of ~~his~~the term of office, the town council shall declare ~~his~~the office vacant, and shall order a new election for mayor, vice mayor, or council member as the case may be.

§ 3.8. Powers and duties of mayor.-- The mayor shall be a member of the town council, shall preside over the meetings of the town council, and shall have the same right to speak and vote therein as other members of the town council. The mayor shall be recognized as the head of the town government for all ceremonial purposes, for the purposes of military law, and for the service of civil processes. The mayor shall have no power of veto over the ordinances and resolutions of the town council.

§ 3.9. Powers and duties of vice mayor; vice mayor to act as mayor during absence, disability, etc., of mayor.—The vice mayor shall be a member of the town council and shall have the same right to speak and vote therein as other members of the town council. In the absence from the town, or disqualification, inability, or sickness of the mayor, or during any vacancy in the office of mayor, the vice mayor shall perform the duties of the mayor and be vested with all powers of the mayor. The recorder shall have the powers and duties of the vice mayor set forth above until July 1, 2022.

§ 3.10. Absence or disability of mayor and vice mayor.--If both the mayor and vice mayor are absent or unable to act, the town council shall, by a majority vote of the

members present, elect from its members a person to serve as acting mayor until either the mayor or vice mayor is present and able to act. The person so elected shall possess the powers and discharge the duties of the mayor during such period of time.

§ 3.11. Council a continuing body.--The town council shall be a continuing body, and no measures pending before such body, or any contract or obligation incurred by it, shall abate or be discontinued by reason of the expiration of the term of office or removal of any of its members.

§ 3.12. General grant of powers to council.--The town council shall have all powers and authority that are now or may hereafter be granted to councils of towns by the general laws of the Commonwealth and by this charter, and the recital of special powers and authorities herein shall not be taken to exclude the exercise of any power and authority granted by the general laws of the Commonwealth to town councils, but not herein specified.

§ 3.13. Meetings of council.--The town council shall fix the time of their regular meetings.. Special meetings may be called at any time by the mayor or by three members of the town council; provided, that all members shall be duly notified a reasonable period of time prior to any special meeting.

§ 3.14. Quorum; reconsideration of action.--Three members of the town council shall constitute a quorum for the transaction of business. No vote taken at any meeting shall be reconsidered or rescinded at any subsequent special meeting unless at such special meeting there are as many members of the town council present as were present when such vote was taken.

§ 3.15. Rules of order and procedure.--The town council shall establish its own rules of order and procedure, and may punish its own members and other persons for violations thereof.

§ 3.16. Council to fix salaries.--The town council is hereby authorized to fix the salaries of each of the members of the town council, members of boards or commissions, and all appointed officers. The salaries of the mayor, vice mayor, and council members shall not be changed during the term for which they were elected.

CHAPTER 4.

TOWN MANAGER.

§ 4.1. Appointment and qualifications.--There shall be a town manager, who shall be the executive officer of the town and shall be responsible to the town council for the proper administration of the town government. The town manager shall be appointed by the town council for an indefinite term, and shall serve at the pleasure of the town council. The town manager shall be chosen solely on the basis of executive and administrative qualifications, with special reference to actual experience in or knowledge of accepted practice in respect to the duties of the office. At the time of the appointment the town manager need not be a resident of the town or the Commonwealth, but during the tenure of office shall reside within Clarke County.

§ 4.2. Duties.--It shall be the duty of the town manager to:

(a) Attend all meetings of the town council, with the right to speak but not to vote.
(b) Keep the town council advised of the financial condition and the future needs of the town and of all matters pertaining to its proper administration, and make such recommendations as may seem desirable.

(c) Prepare and submit the annual budget to the town council and be responsible for its administration after its adoption.

(d) Present adequate financial and activity reports as required by the town council.

(e) Arrange for an annual audit by a certified public accountant, the selection of whom shall be approved by the town council.

(f) Be responsible for supervision of all town employees.

(g) Perform such other duties as may be prescribed by this charter or required of the town manager in accordance therewith by the town council or which may be required of the chief executive officer of a town by the general laws of the Commonwealth, other than the duties conferred on the mayor by this charter.

§ 4.3. Powers as to town officers and employees.--All officers and employees of the town, except those appointed by the town council pursuant to this charter or the general laws of the Commonwealth, shall be appointed and may be removed by the town manager, who shall advise the town council of each appointment or removal promptly following any such appointment or removal.

§ 4.4. Temporary transfer of personnel between departments.--The town manager shall have power, whenever the interests of the town require, irrespective of any other provisions of this charter, to assign employees of any department, bureau, office, or agency to the temporary performance of duties in another department, bureau, office, or agency.

§ 4.5. Council not to interfere in appointments or removals; relationship with council.--Neither the town council nor any of its members, including the mayor and vice mayor, shall direct or request the appointment of any person to or removal from any office or employment by the town manager or any of subordinates or in any way take part in the appointment or for removal of officers and employees of the town, except as specifically provided in this charter. Except for the purpose of inquiry, the town council and its members shall deal with the administrative services solely through the town manager, and neither the town council nor any member thereof shall give orders, either publicly or privately, to any subordinate of the town manager.

§ 4.6. Relations with boards, commissions and agencies.--The town manager shall have the right to attend and participate in the proceedings of, but not vote in, the meetings of all boards, commissions, or agencies created by this charter or by ordinance and any other board or commission the town council may designate.

§ 4.7. Acting town manager.--The town council shall designate by resolution a person to act as town manager in case of the extended absence, incapacity, death, or resignation of the town manager, until the town manager's return to duty or the appointment of a successor.

CHAPTER 5.

APPOINTIVE OFFICERS.

§ 5.1. Appointment.--The town council may appoint the following officers of the town as they may deem necessary: town manager, assistant town manager for administration/treasurer, assistant town manager for community development/operations, and town attorney. Such officers shall be appointed for an indefinite term, and shall serve at the pleasure of the town council. The enumeration of officers in this section shall not be construed to require the appointment of any of such officers herein named. Officers appointed by the town council shall perform such duties as may be specified by the town council.

§ 5.2. Deputies and assistants.--The town council may appoint such deputies and assistants to establish a deputy or assistant position for the appointive offices as the town council may deem necessary. The town manager shall appoint and supervise such deputies and assistants.

~~§ 5.3. Term of office.--Officers and deputy and assistant officers appointed by the town council shall be appointed for an indefinite term, unless otherwise provided by this charter or by ordinance of the town council.--~~

§ 5.43. Appointment of one person to more than one office.--The town council may appoint the same person to more than one appointive office, at the discretion of the town council.

CHAPTER 6 FINANCIAL PROVISIONS.

§ 6.1. Fiscal year.--The fiscal year of the town shall begin on July 1 of each year and end on June 30 of the year following.

§ 6.2. Actions against town for damages, etc.

(a) No action shall be maintained against the town for damages for any injury to any person or property alleged to have been sustained by reason of the negligence of the town, or any officer, agent, or employee thereof, unless written notice is given to the town in accordance with Va. Code § 15.2-209.

(b) In any action against the town to recover damages against it for any negligence in the construction or maintenance of its streets, alleys, lanes, parks, public places, sewers, reservoirs, water mains, water treatment plant, wastewater treatment plant, ~~or stormwater system,~~ or other town facilities, where any person or corporation is liable with the town for such negligence, every such person or corporation shall be joined as defendant with the town in such action brought to recover damages for such negligence, and where there is a judgment or verdict against the town, as well as the other defendant, it shall be ascertained by the court or jury which of the defendants is primarily liable for the damages assessed.

(c) If it is ascertained by the judgment of the court that some person or corporation other than the town is primarily liable, there shall be a stay of execution against the town until execution against such person or persons or corporation or corporations shall have been returned without realizing the full amount of such judgment.

(d) If the town, when not primarily liable, shall pay such judgment in whole or in part, the plaintiff shall, to the extent that such judgment is paid by the town, assign the judgment to the town, without recourse on the plaintiff, and the town shall be entitled to have execution issued for its benefit against the other defendant or defendants who have been ascertained to be primarily liable, or may institute any suit to enforce such judgment or an action at law, or scire facias to revive such judgment.

(e) No order shall be entered or made, and no injunction shall be awarded by any court or judge, to stay proceedings of the town in the prosecution of their works, unless it be manifest that they, their officers, agents, or servants are transcending the authority given them in this charter, and that the interposition of the court is necessary to prevent injury that cannot be adequately compensated in damages.

(f) The town council is authorized and empowered to compromise any claim for damages or any suit or action brought against the town.

§ 6.3. Creation of debt; issuance of bonds.--The town council by a majority vote is authorized to cause the town to incur debt and to issue bonds, notes and other evidences of indebtedness for the purposes and in the manner set forth for towns in the

Constitution of the Commonwealth of Virginia and the Public Finance Act Chapter 26 of Title 15.2 of the Code of Virginia, or any acts amendatory thereof or supplemental thereto.

CHAPTER 7.
MISCELLANEOUS.

§ 7.1. Elections governed by State law.--All town elections shall be held and conducted in the manner prescribed by the laws of the Commonwealth.

§ 7.2. Bonds of officers and employees.--The town council may require all or any officers and employees of the town to give bond for the faithful and proper discharge of their duties. As used herein, the words "officers and employees" shall include officers and employees paid solely or partly by the town. The town shall pay the premium on such bonds from the town funds and may provide for individual surety bonds or for a bond covering all officers and employees or any group thereof. The bond shall be payable to the town as its interest may appear in event of breach of the conditions thereof.

§ 7.3. United States government employees.--No person, otherwise eligible, shall be disqualified by reason of his accepting or holding an office, post, trust, or emolument under the United States government, from serving as an officer or employee of the town, or as a member, officer, or employee of any board or commission.

§ 7.4. Acceptance of federal aid, contributions, etc.--The town shall have the power to receive and accept from any federal agency grants of any kind for or in aid of the construction of any project, the procuring or reserving of park land, open spaces or any recreational facility, and to do all such things or make any covenants or agreements which may be necessary or required in order to obtain and use such federal grants. The town may receive and accept aid or contributions from any source or money, property, labor, or other things of value, to be held, used, and applied only for the purposes for which such grants and contributions may be made.

§ 7.5. Conflicts of interest; disclosures of interest.--The town council is hereby empowered to enact a conflict of interest and disclosure ordinance to govern elected and/or appointed town officials not inconsistent with general law.

§ 7.6. Present officers to continue.--The present elected officers of the town shall be and remain in office until expiration of their several terms, and until their successors have been duly elected and qualified.

§ 7.7. Ordinances continued in force.--All ordinances now in force in the town of Berryville, not inconsistent with this charter, shall be and remain in force until altered, amended, or repealed by the town council.

§ 7.8. Severability of provisions.--If any clause, sentence, paragraph, or part of this charter shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this charter, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Revised Code

Chapter 1 Markup

Chapter 1 - GENERAL PROVISIONS

Sec. 1-1. - How Code designated and cited.

The ordinances embraced in this and the following chapters and sections shall constitute and be designated as the "Code of the Town of Berryville, Virginia" and may be so cited. Such ordinances may also be cited as the "Berryville Town Code."

(Code 1971, § 1-1)

State Law reference— Authority of town to codify and recodify its ordinances, Code of Virginia, § 15.2-1433.

Sec. 1-2. - Definitions and rules of construction.

In the interpretation and construction of this Code and of all ordinances and resolutions of the town, the following rules of construction and definitions shall be observed, unless they are inconsistent with the manifest intent of the council or the context clearly requires otherwise:

And, or. "And" may be read as "or" and "or" may be read as "and," if the sense requires it.

Bond. When a bond is required, an undertaking in writing, with such surety, if any, as the council may direct, shall be sufficient.

Charter. The word "Charter" shall mean the Charter of the Town of Berryville, as amended.

Code. Whenever the term "Code" or "this Code" is used without further qualification, it shall mean the "Berryville Town Code," as designated in section 1-1.

Computation of time. The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day be Sunday or a legal holiday, that day shall be excluded.

Council. The term "council" or "town council" shall mean the council of the Town of Berryville, Virginia.

County. The word "county" shall mean the County of Clarke in the State of Virginia.

Following. The word "following," when used by way of reference to any section or subsection of this Code, shall be construed to mean next following that in which such reference is made.

Gender. A word importing the masculine gender only may extend and be applied to females and to firms, partnerships and corporations, as well as to males.

Health officer. The term "health officer" shall mean the public health officer of Clarke County or representative of the state board of health serving this county.

In the town. The words "in the town" or "within the town" shall mean any territory, jurisdiction of which, for the exercise of its regulatory power, has been conferred on the town by public or private law.

Month. The word "month" shall mean a calendar month.

Number. A word importing the singular number only may extend and be applied to several persons or things, as well as to one person or thing, and a word importing the plural number only may extend and be applied to one person or thing, as well as to several persons or things.

Oath. The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath.

Occupant or tenant. The word "occupant" or "tenant," applied to a building or land, shall mean any person who holds a written or oral lease of, or actually occupies the whole or a part of, such building or land, either alone or with others.

Officers, boards, etc. Whenever reference is made to a particular officer, department, board, commission or other agency, without further qualification, it shall be construed as if followed by the words "of the Town of Berryville." Any reference to a specific officer shall include that officer's duly authorized deputies, assistants or other representatives, subject, however, to the provisions of section 15.2-1502 of the Code of Virginia.

Official time standard. Whenever particular hours are referred to, the time applicable shall be official standard time or daylight saving time, whichever may be in current use in the town.

Owner. The word "owner," applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

Person. The word "person" shall include a firm, partnership, association of persons, corporation, organization or any other group acting as a unit.

Preceding. The word "preceding," when used by way of reference to any section or subsection of this Code, shall be construed to mean next preceding that in which such reference is made.

Property. The word "property" shall mean real, personal or mixed property.

Public grounds. The words "public grounds" shall mean the parks and all public lands owned by the town, and those parts of public places which do not form traveled parts of streets, as defined in this section.

Shall. The word "shall" shall be mandatory.

Sidewalk. The word "sidewalk" shall mean any portion of a street between the curb line, or the lateral lines of a roadway where there is no curb, and the adjacent property line intended for the use of pedestrians.

Section numbers. Whenever reference is made to a section by number only (e.g. "section 2-1") without further qualification, it shall be construed as referring to that section of this Code.

Signature; subscription. The words "signature" and "subscription" shall include a mark when the person cannot write, his name being written near it and being witnessed by a person who writes his own name as a witness.

State; commonwealth. The terms "the state," "the commonwealth," "this state" and "this commonwealth" shall be construed as if followed by the words "of Virginia."

State Code. References to the "State Code" or the "Code of Virginia" shall mean the Code of Virginia, 1950, as amended.

Street. The word "street" shall include avenues, boulevards, highways, roads, alleys, lanes, viaducts, bridges, and the approaches thereto, and all other public thoroughfares in the town, and shall mean the entire width thereof between abutting property lines. It shall be construed to include a sidewalk or footpath, unless the contrary is expressed or unless such construction would be inconsistent with the manifest intent of the council.

Swear; sworn. The word "swear" or "sworn" shall be equivalent to the word "affirm" or "affirmed" in all cases in which, by law, an affirmation may be substituted for an oath.

Tense. Words used in the past or present tense include the future as well as the past and present.

Town. The words "town," "the town" and "this town" shall mean the Town of Berryville, in the County of Clarke and State of Virginia.

Written; in writing. The words "written" and "in writing" shall include typewriting, printing on paper and any other mode of representing words, letters or figures.

Year. The word "year" shall mean a calendar year.

State Law reference— Similar definitions and rules of construction applicable to state law, Code of Virginia, § 1-200, et seq.

Sec. 1-3. - Headlines of sections.

The headlines of the several sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the section and do not constitute part of the section adopted by council.

(Code 1971, § 1-4)

State Law reference— Similar provisions as to sections of state code, Code of Virginia, § 1-217.

Sec. 1-4. - Severability of parts of Code.

It is hereby declared to be the intention of the council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

(Code 1971, § 1-3)

Sec. 1-5. - Provisions of Code considered as continuations of existing ordinances.

The provisions appearing in this Code, so far as they are the same in substance as those of the 1971 Berryville Town Code and ordinances adopted subsequent to such Code and included herein, shall be considered as continuations thereof and not as new enactments.

(Code 1971, § 1-2)

Sec. 1-6. - Miscellaneous ordinances not affected by Code.

Nothing in this Code or the ordinance adopting this Code shall affect:

- (1) Any ordinance promising or guaranteeing the payment of money by or for the town or authorizing the issuance of any bonds or any evidence of indebtedness;
- (2) Any ordinance authorizing or otherwise relating to any contract;
- (3) Any ordinance granting any franchise or right;
- (4) Any ordinance appropriating funds, levying or imposing taxes or relating to an annual budget or the salaries or compensation of officers and employees;
- (5) Any ordinance authorizing, providing for or otherwise relating to any public improvement;
- (6) Any ordinance making any assessment;
- (7) Any ordinance authorizing or otherwise relating to the sale or conveyance of town property;
- (8) Any zoning ordinance or ordinance regulating the subdivision of land; ¹¹
- (9) Any ordinance the purposes of which have been accomplished;
- (10) Any ordinance which is temporary, although general in effect; or

(11) Any ordinance which is special, although permanent in effect; and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

Footnotes:

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Cross reference— Zoning ordinance, App. A; subdivision ordinance, App. B.

Sec. 1-7. - Code and new ordinances do not affect prior offenses, rights, etc.

- (a) Nothing in this Code or the ordinance adopting this Code shall affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing, or any prosecution, suit or proceeding pending or any judgment rendered, on or before the effective date of this Code.
- (b) No new ordinance shall be construed to repeal a former ordinance as to any offense committed against the former ordinance or as to any act done, any penalty, forfeiture or punishment incurred, or any right accrued or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or done, or any penalty, forfeiture or punishment so incurred, or any right accrued, or claim arising before the new ordinance takes effect, save only that the proceedings thereafter had shall conform, so far as practicable, to the ordinance in force at the time of such proceedings.

State Law reference— Similar provisions applicable to state statutes, Code of Virginia, § 1-239.

Sec. 1-8. - Repeal of ordinance not to revive former ordinance.

When any ordinance which has repealed another shall itself be repealed, the previous ordinance shall not be revived without express words to that effect.

State Law reference— Similar provisions applicable to state statutes, Code of Virginia, § 1-240.

Sec. 1-9. - Supplementation of Code.

- (a) By contract or by town personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the council. A supplement to the Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.
- (b) In preparing a supplement to this Code, all portions of the Code which have been replaced shall be excluded from the Code by the omission thereof from reprinted pages.
- (c) When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:
 - (1) Organize the ordinance material into appropriate subdivisions;
 - (2) Provide appropriate headlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;

- (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;
- (4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections _____ to _____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code);
- (5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

State Law reference— Authority to supplement Code, Code of Virginia, § 15.2-1433.

Sec. 1-10. - Copies of Code and supplements to be available for public inspection.

A copy of this Code and every supplement thereto shall be kept in the office of the town manager/clerk and shall there be available for public inspection, during normal business hours. Also, this Code shall be accessible through the town website.

State Law reference— Similar provisions, Code of Virginia, § 15.2-1433.

Sec. 1-11. - Classification of and penalties for violations; continuing violations.

- (a) Whenever in this Code or any other ordinance of the town or any rule or regulation promulgated by any officer or agency of the town, under authority duly vested in such officer or agency, it is provided that a violation of any provision thereof shall constitute a Class 1, 2, 3 or 4 misdemeanor, such violation shall be punished as follows:
 - (1) *Class 1 misdemeanor*: By a fine of not more than two thousand five hundred dollars (\$2,500.00), or by confinement in jail for not more than twelve (12) months, or by both such fine and confinement.
 - (2) *Class 2 misdemeanor*: By a fine of not more than one thousand dollars (\$1,000.00) or by confinement in jail for not more than six (6) months, or by both such fine and confinement.
 - (3) *Class 3 misdemeanor*: By a fine of not more than five hundred dollars (\$500.00).
 - (4) *Class 4 misdemeanor*: By a fine of not more than two hundred fifty dollars (\$250.00).
- (b) Whenever in any provisions of this Code or in any other ordinance of the town or any rule or regulation promulgated by an officer or agency of the town, under authority duly vested in such officer or agency, any act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided for the violation of such provision and such violation is not described as being of a particular class of misdemeanor, such violation shall constitute a Class 1 misdemeanor and be punished as prescribed in subsection (a)(1) above.
- (c) Notwithstanding any other provision of this section or any other section of this Code, no penalty for a violation of this Code or other ordinance, rule or regulation of the town shall exceed that prescribed by general law of the state for a like offense.
- (d) Each day any violation of this Code or any other ordinance, rule or regulation referred to in this section shall continue shall constitute a separate offense, except where otherwise provided.

(Code 1971, § Art. 6-1; Ord. of 12-11-90; Ord. of 4-9-91)

State Law reference— Classification of misdemeanors and punishment therefor, Code of Virginia, §§ 18.2-9, 18.2-11; authority of town to provide penalties for violation of ordinances and provisions similar to subsection (c) above, § 15.2-1429; authority of court trying case, upon conviction, to require bond conditioned that the person convicted will not violate the ordinance for the breach of which he was convicted for a period of not more than one year, § 15.2-1430; injunctive relief for continuing violations of ordinances, § 15.2-1432.

Sec. 1-12. - Installment, conditional, etc., payment of fines—Generally.

- (a) Whenever a defendant is convicted of a violation of any provision of this Code or other ordinance of the town, or found not innocent in the case of a juvenile, and is sentenced to pay a fine, and if the defendant does not pay the fine forthwith or by a date certain established by the court, the court, on its own motion or on motion of the defendant, may order the defendant to pay such fine and any costs which the defendant may be required to pay in installments or upon such other terms and conditions or within such period of time as may enable the defendant to pay such fine and costs. In determining whether to make such order, the court may require the defendant to file a petition, under oath, with the court, upon a form provided by the court, setting forth the financial condition of the defendant.
- (b) The form referred to in subsection (a) above shall be a questionnaire, and shall include, but shall not be limited to: The name and residence of the defendant; his occupation, if any; his family status and the number of persons dependent upon him; his monthly income; whether or not his dependents are employed and, if so, their approximate monthly income; his banking accounts, if any; real estate owned by the defendant, or any interest he may have in real estate, and income produced therefrom; any independent income accruing to the defendant; tangible and intangible personal property owned by the defendant, or in which he may have an interest; and a statement listing the approximate indebtedness of the defendant to other persons. Such form shall also include a payment plan of the defendant, if the court should exercise its discretion in permitting the payment of such fine and costs in installments or other conditions to be fixed by the court. At the end of such form there shall be printed in bold face type, in a distinctive color, the following: THIS STATEMENT IS MADE UNDER OATH. ANY FALSE STATEMENT OF A MATERIAL FACT TO ANY QUESTION CONTAINED HEREIN SHALL CONSTITUTE PERJURY UNDER THE PROVISIONS OF SECTION 18.2-434 OF THE CODE OF VIRGINIA. THE MAXIMUM PENALTY FOR PERJURY IS CONFINEMENT IN THE PENITENTIARY FOR A PERIOD OF TEN YEARS. A copy of the petition shall be retained by the defendant.
- (c) If the defendant is unable to read or write, the court or the clerk may assist the defendant in completing the petition referred to in this section and require him to affix his mark thereto. The consequences of the making of a false statement shall be explained to such defendant.

(Code 1971, §§ 6-2, 6-3)

State Law reference— Similar provisions, Code of Virginia, §§ 19.2-354, 19.2-355.

Sec. 1-13. - Same—Payment as condition of probation or suspension of sentence.

If a defendant is sentenced to pay a fine and payment of the fine or fine and costs is ordered to be made on an installment basis or on other conditions under the provisions of section 1-12, and if the defendant is also placed on probation or imposition of the execution of sentence is suspended, the court may make payment of the fine pursuant to such order a condition of probation or suspension of sentence.

(Code 1971, § 6-4)

State Law reference— Similar provisions, Code of Virginia, § 19.2-356.

Sec. 1-14. - Same—Defendant may be required to be of peace and good behavior pending payment.

If a defendant is permitted to pay a fine or fine and costs on an installment basis or under such other conditions as the court shall fix under the provisions of section 1-12, the court may require, as a condition, that the defendant be of peace and good behavior until the fine and costs are paid.

(Code 1971, § 6-5)

State Law reference— Similar provisions, Code of Virginia, § 19.2-357.

Sec. 1-15. - Same—Procedure on default.

- (a) When a person sentenced to pay a fine defaults in the payment of the fine or an installment, the court, upon the motion of the Commonwealth or upon its own motion, may require him to show cause why he should not be imprisoned or fined for nonpayment.
- (b) Following an order to show cause under this section, unless the defendant shows that his default was not attributable to an intentional refusal to obey the sentence of the court, or not attributable to a failure on his part to make a good faith effort to obtain the necessary funds for payment, the court may order the defendant imprisoned as for a contempt for a term not to exceed sixty (60) days or impose a fine not to exceed five hundred dollars (\$500.00). The court may provide in its order that payment or satisfaction of the fine in default at any time will entitle the defendant to his release from such imprisonment or, after entering the order, may at any time reduce the sentence for good cause shown, including payment or satisfaction of such fine.
- (c) If it appears that the default is excusable under the standards set forth in subsection (b) hereof, the court may enter an order allowing the defendant additional time for payment, reducing the amount of the fine or of each installment, or remitting the unpaid portion, in whole or in part.
- (d) Nothing in this section shall be deemed to alter or interfere with employment, for collection of fines, of any means authorized for the enforcement of money judgments rendered in favor of the town.

(Code 1971, § 6-6)

State Law reference— Similar provisions, Code of Virginia, § 19.2-358.

Revised Code

Chapter 2 Markup

Chapter 2 - ADMINISTRATION

ARTICLE I. - IN GENERAL

Sec. 2-1. - Town manager to exercise control over town departments and offices.

The town manager shall exercise general control over all departments and offices of the town not inconsistent with the provisions of the Charter and other provisions of this Code.

(Ord. of 11-10-81, § 2-27)

Charter reference— Charter reference—Town manager, Ch. 4.

Sec. 2-1.1. - Criminal background checks by town manager.

The town council determines that, in the interest of public welfare or safety, it is necessary to determine if the past criminal conduct of a person with a conviction record would be compatible with their employment by the town. To this end, the town manager shall conduct an investigation of applicants for employment with the town to obtain their criminal history record information. The town manager shall conduct this investigation prior to the town's making a final offer of employment to an applicant. If the results of the investigation reveal that the applicant's record would not be compatible with the nature of the public employment, the town manager may decide not to hire the applicant or may revoke any conditional offer made.

(Ord. of 12-14-99)

State Law reference— Code of Virginia § 19.2-389(A)(7).

Sec. 2-2. - Conduct of town officers and employees generally.

Town officers and employees shall be courteous in their official transactions with the public, and they shall conduct themselves in the performance of their official duties so as to not knowingly deprive any person, at the time and under the circumstances then and there existing, of any lawful right or benefit to which such person may be entitled. Any person who feels aggrieved by the conduct of any town officer or employee in violation of this section may bring such matter to the attention of such officer's or employee's department head or the town manager, without prejudice to any other recourse to which such aggrieved person may be entitled.

Sec. 2-3. - Debasing or insulting town officer or employee.

Members of the public should be courteous in their transactions with town officers and employees and it shall be unlawful and a Class 1 misdemeanor for any person to knowingly taunt, deride, jeer or otherwise debase or insult, whether by act, word or gesture, any town officer or employee at any time or place while such officer or employee is lawfully engaged in the performance of official duty.

Cross reference— Penalty for Class 1 misdemeanor, § 1-11.

Sec. 2-4. - Resisting, etc., town officers and employees.

It shall be unlawful and a Class 1 misdemeanor for any person to resist, intimidate or interfere with, or to attempt to resist, intimidate or interfere with, any policeman, fireman or other officer or employee of the town in the performance of his duties.

(Code 1971, § 13-24)

Cross reference— Penalty for Class 1 misdemeanor, § 1-11.

Sec. 2-5. - Impersonation of town officer or employee.

- (a) No person shall falsely represent himself to be an officer or employee of the town or, without proper authority, wear or display any uniform, insignia or credential which identifies any town officer or employee; nor shall any person, without proper authority, assume to act as an officer or employee of the town, whether to gain access to premises, obtain information, perpetrate a fraud or for any other purpose; provided, that nothing in this section shall be construed to prevent a private citizen from making a lawful citizen's arrest for felony or breach of the peace committed in his presence.
- (b) A violation of this section shall constitute a Class 1 misdemeanor.

Cross reference— Penalty for Class 1 misdemeanor, § 1-11.

State Law reference— Impersonating officer, Code of Virginia, § 18.2-174; unlawful wearing of officer's uniform or insignia, § 18.2-175.

Sec. 2-6. - Disbursement of town funds

Disbursements of town funds shall be approved or signed by either the town treasurer or town manager and, except for payroll disbursements, shall be approved or cosigned by either the mayor or (i) the recorder until July 1, 2022 or (ii) the vice mayor on or after July 1, 2022.

(Code 1971, § 2-4; Ord. of 7-11-06(1))

Sec. 2-7. - Fee for passing bad check to town.

There is hereby imposed, and there shall be collected, a fee approved by council for the uttering, publishing or passing of any check or draft, for payment of taxes or any other sums due the town, which is subsequently returned for insufficient funds or because there is no account or the account has been closed.

State Law reference— Authority for above section, Code of Virginia, § 15.2-106

Sec. 2-8. - Parts of official safety program designated.

The John H. Enders Fire Company, Inc., its Rescue Squad and their membership and the Berryville Police Department and its membership are hereby declared to be an integral part of the official safety program of the town.

(Ord. of 3-12-73)

Editor's note— The above section was adopted pursuant to the Line of Duty Act, § 9-400, et seq. of the Code of Virginia.

[Note: move (a) to Employee Handbook]

Secs. 2-9—2-18. - Reserved.

ARTICLE II. - THE COUNCIL⁽¹⁾

Footnotes:

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Charter reference— Council generally, Chapter 3.

Cross reference— Disrupting meeting of council, § 13-11.

Sec. 2-19. - Standing committees.

- a) There shall be such standing committees of the council as are provided by the council. Members of such committees shall be appointed by the mayor.
- b) The council may amend committee appointments.
- c) Such committees shall have such powers and duties as are prescribed by council, not inconsistent with the Charter.

(Ord. of 04-11-17(2))

Sec. 2-20. - Meetings.

The regular meetings of the town council are set for the second Tuesday of each month at 7:30 p.m. When any regular meeting falls on a legal holiday, such regular meeting shall then be held upon the next Tuesday following. Regular meetings of council may be cancelled by, and special meetings may be called by, the mayor or three members of the town council.

(Code 1971, § 2-6)

Charter reference— § 3.13.

Sec. 2-21. - Rules of procedure.

The council shall establish its own rules of procedure. Except as otherwise provided in such rules, the proceedings of the council shall be governed by the current edition of Robert's Rules of Order.

(Code 1971, § 2-11)

Charter reference— Council to establish rules of procedure, § 3.15.

Sec. 2-22. - Procedure for adoption and effective date of ordinances and resolutions.

An ordinance or resolution of the council may be introduced and adopted or rejected at any particular meeting of the council. A full reading of the ordinance or resolution shall not be required prior to adoption. If the ordinance or resolution before the council is adopted, such ordinance or resolution shall become effective at such time as may be specified therein, but if no time is so specified, such ordinance or resolution shall become effective immediately.

(Code 1971, § 2-10)

Secs. 2-23—2-28. - Reserved.

ARTICLE III. - ADMINISTRATION DEPARTMENT

Sec. 2-29. - Established.

There is hereby established, in and for the town, an administration department.

Sec. 2-30. - Responsibilities.

The Department shall be responsible for the billing and collection of taxes, fees, etc.; finance and accounting functions; purchasing and procurement functions; and human resource functions. The Department shall be responsible for the efficient operation of the functions listed above. The Department shall perform other duties as may be assigned by the town manager or council.

Section 2-31. - Assistant Town Manager for Administration/Treasurer.

The Department shall be under the supervision and control of Assistant Town Manager for Administration/Treasurer.

Sec. 2-33. - Town Treasurer.

The Assistant Town Manager for Administration/Treasurer shall be the Town Treasurer.

Footnotes:

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Charter reference— Appointment of town treasurer, § 5.1.

Sec. 2-33. - ~~Town manager to serve as town treasurer.~~ Absence of Assistant Town Manager for Administration/Treasurer.

In the absence of the town treasurer or in the event of a vacancy in the position of town treasurer, the town manager shall perform the duties of the town treasurer and shall serve as the town treasurer.

Sec. 2-34 - Absence of Town Manager and Assistant Town Manager for Community Development/Operations.

In the absence of the town manager and the assistant town manager for community development/operations, the assistant town manager for administration/treasurer shall coordinate the administration of town operations.

Sec. 2-345. - Bond.

Before entering upon the duties of the office, the treasurer shall execute a bond, the premium for which shall be paid by the town, with surety approved by the council; in the ~~penal sum of two hundred thousand dollars (\$200,000.00) established by council,~~ conditioned upon the faithful performance of the duties of the office, for the proper collection of and accounting for all money which shall come into the treasurer's hands

or which it shall be his or her duty to collect and for the payment of all money by the treasurer, or proper order of the council, to those entitled to receive the same.

(Code 1971, § 2-16)

Charter reference— Authority of council to require bond, § 7.2.

Sec. 2-356. - Duty to receive and deposit funds.

The treasurer shall receive all taxes, license taxes, assessments and other money, revenues and funds belonging to the town and deposit the same in such bank as the treasurer may deem proper ~~or as may be directed by the town manager and with the approval of council.~~ (Code 1971, § 2-17)

Cross reference— Licenses, Ch. 9; taxation, Ch. 16.

Sec. 2-367. - Remedies available for collecting funds.

For the purpose of collecting taxes, license taxes, assessments and other money, revenues and funds due the town, the treasurer shall have the right of distress, levy, attachment, and all other remedies provided by general law.

(Code 1971, § 2-18)

Sec. 2-378. - General method of keeping books and records.

The treasurer shall keep the books and records so that all receipts and disbursements and the source and character of the same shall appear and a true and accurate understanding of the financial affairs and conditions of the town may be readily ascertained therefrom.

(Code 1971, § 2-20)

Sec. 2-389. - Bank and check books; checks and vouchers.

The treasurer shall keep the bank books and check books so that such books will accurately reflect the state of the accounts. Each check shall be drawn payable to the order of the person for whose benefit it is drawn and shall contain a notation on its face which will indicate the purpose for which it is drawn. All checks and vouchers shall be carefully preserved.

(Code 1971, § 2-19)

Sec. 2-3940. - Inspection of books and records.

All of the treasurer's books and records shall be open at any time to inspection by any member of the council or such persons as the council may direct.

(Code 1971, § 2-21)

Sec. 2-401. - Annual audit and report.

An audit of the books of the treasurer shall be made annually by a certified public accountant approved by the council and assisted by the treasurer, and a report of such audit shall be made to the council as soon

as possible. Such report shall also indicate the amount of uncollected assets of the town in the hands of the treasurer for collection.

(Code 1971, § 2-22)

Charter reference— Town manager to arrange for annual audit, § 4.2(e).

(Code 1971, § 2-23)

Secs. 2-41~~2~~—2-51. - Reserved.

ARTICLE IV. - PUBLIC WORKS DEPARTMENT

Sec. 2-52. - Established.

There is hereby established, in and for the town, a public works department.

Sec. 2-53. - Responsibilities.

The ~~D~~department shall be responsible for the maintenance of the water distribution system (excluding pumping facilities), sewer collection system, town-maintained streets and sidewalks, town-owned property (excluding properties under the control of the ~~P~~public ~~U~~utilities ~~D~~department) as well as snow removal and collection of yard and other waste as provided in the code. The ~~D~~department shall be responsible for the efficient operation of the facilities and functions listed above. The ~~D~~department shall perform other duties as may be assigned by the town manager ~~or council~~.

(Ord. of 11-10-81, § 2-26)

Cross reference— Refuse collection, § Chapter 8, Article II; streets and sidewalks, Ch. 15; water and sewers, Ch. 17.

Sec. 2-54. - Public Works Director.

The public works department shall be under the immediate supervision of the ~~P~~public ~~W~~works ~~D~~irector, who shall be appointed by, and may be removed by, and shall be responsible to, the town manager; provided, however, that such appointment or removal shall be made by the town manager only after consultation with the council.

(Ord. of 11-10-81, § 2-27)

Secs. 2-55—2-61. - Reserved.

ARTICLE V. - PUBLIC UTILITIES DEPARTMENT

Sec. 2-62. - Established.

There is hereby established, in and for the town, a public utilities department.

Sec. 2-63. - Responsibilities.

The Department shall be responsible for the operation and maintenance of the following facilities: water treatment, water distribution system, pumping facilities, water storage structures, and wastewater treatment and discharge. The Department shall be responsible for the efficient operation of the facilities and functions listed above. The Department shall perform other duties as may be assigned by the town manager, or council.

Sec. 2-64. – Public Utilities Director.

The Department shall be under the supervision and control of the Public Utilities Director, who shall be appointed by, and may be removed by, and shall be responsible to, the town manager; provided, however, that such appointment or removal shall be made by the town manager only after consultation with the council.

ARTICLE VI. - POLICE DEPARTMENT⁽³⁾

Footnotes:

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State Law reference— Authority of council to preserve peace and good order, Code of Virginia, § 15.2-1700; general powers and duties of local police force, § 15.2-1704.

Sec. 2-65. - Established; composition.

There is hereby established, in and for the town, a police department.

Sec. 2-65.1. – Responsibilities.

The police department is responsible for the prevention and detection of crime, the apprehension of criminals, the safeguard of life and property, the preservation of peace and enforcement of state and local laws, regulations, and ordinances.

The police department shall be under the control of the town manager for the purpose of preserving and enforcing peace and order, for the execution of the laws of the state and this Code and other ordinances of the town, and the performance of such other duties as the town manager may prescribe.

Sec. 2-66. - Chief of Police.

The Department shall be under the supervision of the chief of police, who shall be appointed by, and may be removed by, and shall be responsible to, the town manager; provided, however, that such appointment or removal shall be made by the town manager only after consultation with the council.

(Code 1971, § 2-24)

Sec. 2-67. - Powers and duties of chief.

The chief of police shall be the administrative head of the police department. It shall be the duty of the chief of police to enforce the provisions of this Code and other ordinances of the town. In addition, the chief of police shall have such powers and duties as are prescribed for the chief by state law and town ordinances.

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The chief of police shall be the chief executive of the police department, but shall always be subject to the orders and regulations of the town manager. The chief of police shall be under the control of the town manager for the purpose of preserving and enforcing peace and order and executing the laws of the state and ordinances of the town, and it shall be the duty of the police force to respect and obey orders of the chief not in conflict with the rules and law or department regulations.

The Department shall be responsible for the efficient operation of the facilities and functions listed above. The Department shall perform other duties as may be assigned by the town manager or council.

(Code 1971, § 2-25)

Sec. 2-68. - Disposal of unclaimed property in possession of police.

Any personal property which has been in the possession of the police department and unclaimed for a period of more than sixty (60) days may be (i) sold at public sale in accordance with the provisions of § 15.2-1719, Code of Virginia, 1950, as amended, or (ii) retained for use by the police department. As used herein, "unclaimed personal property" shall be any personal property belonging to another which has been acquired by a police officer pursuant to his duties, which is not needed in any criminal prosecution, which has not been claimed by its rightful owner and which the State Treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act (Sec. 55-210.1, Code of Virginia, et seq.). Unclaimed bicycles and mopeds may also be disposed of in accordance with § 15.2-1720, Code of Virginia. Unclaimed firearms may also be disposed of in accordance with § 15.2-1721, Code of Virginia.

Prior to the sale or retention for use by the law-enforcement agency of any unclaimed item, the chief of police, or his duly authorized agents, shall make reasonable attempts to notify the rightful owner of the property, obtain from the attorney for the Commonwealth in writing a statement advising that the item is not needed in any criminal prosecution, and cause to be published in a newspaper of general circulation in the locality once a week for two (2) successive weeks, notice that there will be a public display and sale of unclaimed personal property. Such property, including property selected for retention by the police department, shall be described generally in the notice, together with the date, time and place of the sale and shall be made available for public viewing at the sale. The chief of police, or his duly authorized agents, shall pay from the proceeds of sale the costs of advertisement, removal, storage, investigation as to ownership and liens, and notice of sale. The balance of the funds shall be held by chief of police or his agent for the owner and paid to the owner upon satisfactory proof of ownership. Any unclaimed item retained for use by the police department shall become the property of the town and shall be retained only if, in the opinion of the chief of police, there is a legitimate use for the property by the police department and that retention of the item is a more economical alternative than purchase of a similar or equivalent item.

If no claim has been made by the owner for the property or proceeds of such sale within sixty (60) days of the sale, the remaining funds shall be deposited in the general fund of the town and the retained property may be placed into use by the police department. Any such owner shall be entitled to apply to the locality within three (3) years from the date of the sale and, if timely application is made therefor and satisfactory proof of ownership of the funds or property is made, the town shall pay the remaining proceeds of the sale or return the property to the owner without interest or other charges or compensation. No claim shall be made nor any suit, action or proceeding be instituted for the recovery of such funds or property after three (3) years from the date of the sale.

(Ord. of 5-12-98)

State Law reference— Code of Virginia § 15.2-1719

Sec. 2-69. - Auxiliary police officers.

- (a) The chief of police, with the approval of the town manager, is hereby authorized to appoint auxiliary police officers as he deems necessary.
- (b) The chief of police, with the approval of the town manager, shall establish rules and regulations concerning the operation of the auxiliary police officers, including their uniforms, equipment, and training.
- (c) People appointed as auxiliary police officers shall be of good character. Their appointment shall be revocable at any time by the chief of police or the town manager.
- (d) The auxiliary police officers may be called into service as deemed necessary by the chief of police, or by the town manager. Said auxiliary may also be called into service at such times as there are insufficient numbers of regular police officers to preserve the peace, safety and good order of the town and at any time for the purpose of training.
- (e) Only those who have met the training requirements established by the Department of Criminal Justice Services pursuant to § 9.1-102(11) of the Code of Virginia, as amended, or its successor statute, shall have all the powers and authorities and immunities of constables at common law and shall have all the power and authority and immunities of full-time law enforcement officers.
- (f) Auxiliary police officers shall wear the prescribed uniform established by department general orders when called into service.
- (g) People appointed as auxiliary police officer shall serve without compensation.
- (h) People appointed as auxiliary police officers may not engage in employment which may occasionally require the use of their police powers in the performance of such employment unless such employment is specifically approved by the town manager.

(Ord. of 5-10-11)

State Law reference—Code of Virginia § 15.2-1731 et seq.

Secs. 2-70—2-74. - Reserved.

ARTICLE VII. – PLANNING DEPARTMENT

Sec. 2-75. - Established.

There is hereby established, in and for the town, a planning department.

Sec. 2-76. – Responsibilities.

The Department shall be responsible for community and economic development functions of the town. Such functions include, without limitation, the administration and enforcement of land use planning, zoning, subdivision, stormwater control and management, flood plain management, and erosion and sedimentation control ordinances and regulations; as

well as business retention and attraction. The Department shall be responsible for the efficient operation of the facilities and functions listed above. The Department shall perform other duties as may be assigned by the town manager, or council.

Sec. 2-77. – Assistant Town Manager for Community Development/Operations.

The Department shall be under the supervision and control of the Assistant Town Manager for Community Development/Operations.

Sec. 2-77.1. – Zoning Administrator and Subdivision Agent.

The Assistant Town Manager for Community Development/Operations shall be the zoning administrator, and subdivision agent.

Sec. 2-77.2. – ~~Town manager to serve as Zoning Administrator.~~ Absence of Town Manager for Community Development/Operations.

~~In the absence of the zoning administrator or in the event of a vacancy in the position of zoning administrator, the town manager shall perform the duties of the zoning administrator and shall serve as the zoning administrator. In the absence of the assistant town manager for community development/operations or in the event of a vacancy in the position of assistant town manager for community development/operations, the town manager shall perform the duties of the assistant town manager for community development/operations and shall serve as zoning administrator and subdivision agent.~~

Sec. 2-77.3 – Absence of Town Manager.

In the absence of the town manager, the assistant town manager for community development/operations shall coordinate the administration of town operations.

ARTICLE VIII. - PLANNING COMMISSION⁽⁴⁾

Footnotes:

--- (4) ---

Cross reference— Zoning ordinance, App. A; subdivision ordinance, App. B.

State Law reference— Local planning commissions, Code of Virginia, § 15.2-2210, et seq.

Sec. 2-78. - Created.

A planning commission is hereby created for the town.

(Code 1971, § 14-1)

State Law reference— Duty to create planning commission, Code of Virginia, § 15.2-2210.

Sec. 2-79. - Composition; qualifications of members.

The planning commission shall consist of not less than five (5) nor more than nine (9) members, as may be determined from time to time by the council, all of whom shall be residents of the town, qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half (½) of the members shall be freeholders. One member may be a member of the town council.

(Code 1971, §. 14-2; Ord. of 12-11-79)

State Law reference— Code of Virginia, § 15.2-2212.

Sec. 2-80. - Appointment of members.

All members of the planning commission shall be appointed by the council.

(Code 1971, § 14-3)

State Law reference— Code of Virginia, § 15.2-2212.

Sec. 2-81. - Term of members; filling of vacancies.

- (a) The term of the council member of the planning commission shall be coextensive with the term of office to which the member has been elected or appointed, unless the council, at the first regular meeting of any year, appoints another to serve as its representative.
- (b) Any vacancy in the membership of the planning commission shall be filled by appointment by the council and such appointment shall be for the unexpired term.

(Code 1971, §§ 14-4, 14-5; Ord. of 12-11-79)

State Law reference— Code of Virginia, § 15.2-2212.

Sec. 2-82. - Reserved.

Editor's note— An ordinance adopted June 12, 1990, repealed former § 2-82, relative to members of the planning commission serving without compensation, which derived from Code 1971, § 14-7.

Sec. 2-83. - Removal of members.

Members of the planning commission may be removed, for malfeasance in office, by the council.

(Code 1971, § 14-6; Ord. of 12-11-79)

State Law reference— Code of Virginia, § 15.2-2212.

Sec. 2-84. - Powers, duties and functions.

The planning commission shall have the functions, powers, and duties which are prescribed for it by state law or by ordinance of the town.

(Code 1971, § 14-8)

Revised Code

Chapter 3 Markup

Chapter 3 - ADVERTISING!!!

Sec. 3-1. - Violations of chapter.

Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a Class 3 misdemeanor.

Cross reference— Penalty for Class 3 misdemeanor, § 1-11.

Sec. 3-2. - Posting advertising matter on buildings, poles, etc.

It shall be unlawful for any person to post, stick, fasten or otherwise attach any card, poster or advertisement upon or to any building, premise, wall, fence, post or pole, without having first secured the permission of the owner of such building, premise, wall, fence, post or pole.

(Code 1971, § 3-1)

Sec. 3-3. - Unauthorized removal, alteration, etc., of advertising matter.

It shall be unlawful for any person to tear down or otherwise remove or alter, mutilate or deface any advertisement or poster put up with the consent of the owner of the property whereupon the same is posted, without the consent of the person responsible for such advertisement or poster or the owner of such property.

(Code 1971, § 3-2)

Attachment 9

September 11, 2018 Report

At its August 14 meeting, the Town Council set a work session for September 5 to review this matter.

At the September 5 work session the Council reviewed the thirteen goals suggested by its Standing Committees. The Council committed to shorten the list of goals to six and have the Town Manager evaluate the six goals in more detail. Council agree that the Town Manager would be directed to evaluate the six goals in detail and provide said reports to the appropriate committees at their regular meetings in October. The reports would then be reviewed by the full Council on November 13.

By consensus, the Council agreed to place the attached list of goals (found in sample motion) on this agenda for review/approval.

Attachments

- Motion

Action

Adopt a motion directing the Town Manager to review specific goals for fiscal year 2020.

August 14, 2018 Report

At its organizational work session in July, the Town Council agreed on a process by which its goals and objectives would be communicated to staff early in the budgeting process. Standing Committees of the Council were to develop goals and those goals would be discussed by Council. The Council would determine which goals would be developed further by staff.

Mayor Dickinson suggests that the Council hold a work session in early September to review Standing Committee goals. Because the regular work session date falls on Labor Day, another day must be agreed upon. September 4 at 3:00 pm is suggested to begin the discussion.

If the work session is to be held on September 4, then it would be best if Standing Committee goals are submitted to staff no later than the end of business on 28 August in order for a meeting packet to be developed.

Attachments

None

Action

Set work session to review Standing Committee goals and establish a date on which all goals are to be submitted to staff.

BERRYVILLE TOWN COUNCIL

MOTION TO DIRECT THE TOWN MANAGER TO EVALUATE BUDGET GOALS
FOR FISCAL YEAR 2020

Date: September 11, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville direct the Town Manager to provide analysis and additional detail to the Council on the following budget goals for fiscal year 2020:

- Complete a traffic analysis for the planned southeast collector in partnership with Clarke County.
- Complete a salary survey and revise employee classification system.
- Complete a fixed assets inventory for areas not addressed in the water and sewer study that will be completed in FY19.
- Receive accreditation of the Berryville Police Department from the Virginia Department of Criminal Justice.
- Develop branding, a marketing strategy, and a communication strategy for the Town (that will include enhancing www.berryvilleva.gov and developing an effective social media presence).
- Perform a payroll system audit.

I further move that for each goal listed above that the Town Manager is to provide project scope, approach, cost estimates, risks, and benefits.

VOTE:

Aye:

Nay:

Abstain:

Absent:

Attest: _____
Harry L. Arnold, Jr., Recorder

Attachment 10

Sewer Main Repair and Rehabilitation

Attachments:

- Map showing portion of sewer main to be repaired and rehabilitated
- Motion

Overview:

Public Works staff has been working to finalize plans for the rehabilitation of the sewer main in a portion of East Main Street. This project is intended to reduce infiltration and inflow (I&I) and prevent blockages and/or pipe section failures.

The Council was informed near the end of the last fiscal year that the East Main Street project costs would likely require use of funds from both FY18 and FY19. This turned out to be the case.

Project:

Rehabilitate the majority of the sewer main in East Main Street from Church Street east to First Street. The project would involve the use of trenchless repair (lining the host pipe) and standard repair methods (open cut or point repair) where lining is not possible. The three elements of the project (pipe lining, point repair, and asphalt repair) would be completed by different contractors.

Public Works staff recommends riding on a Howard County, MD contract with AM Liner, Inc. to complete the lining work.

Public Works staff is seeking prices to complete the point repairs and the asphalt repair (necessitated by the open cuts to complete the point repairs).

It is expected that the lining will occur at night. The point repairs and asphalt repair will most likely occur during the day. Notice of the work and any related parking restrictions and the like will be provided to business owners and residents in the area.

Estimated Project Costs:

Lining (2,050 feet of 8" main)	\$ 96,344.60
Point repair (three areas aggregating approx. 45 feet)	\$ 40,000.00
Asphalt repair	\$ 25,000.00
10% contingency	\$ 16,100.00
Total estimated cost	\$177,444.60

Funding:

Staff proposes to utilize all the funds allocated in the following line item of the FY19 Budget:

502-4094200-8134 Sewer System Rehab	\$110,000
-------------------------------------	-----------

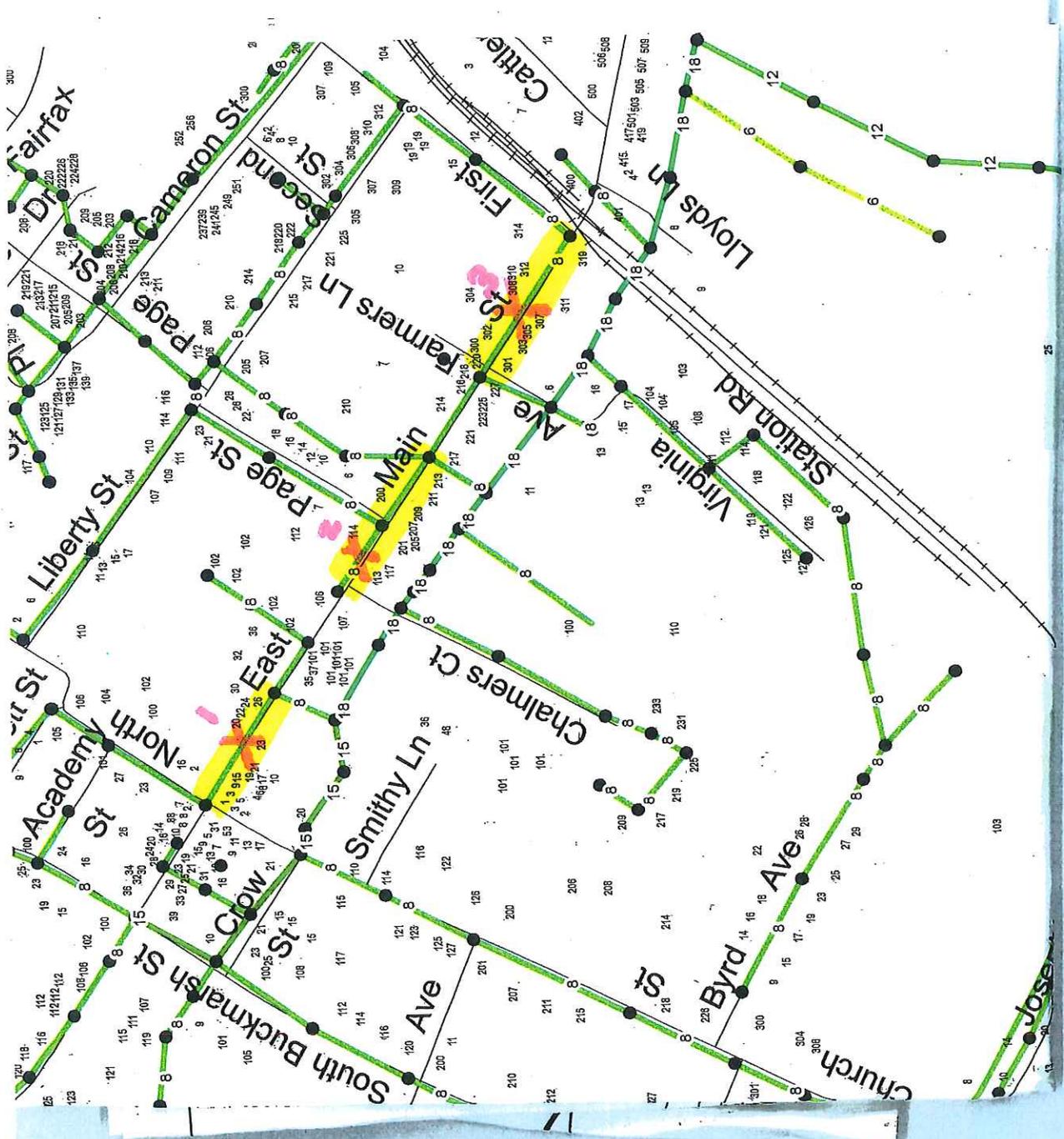
With project costs estimated at \$177,444.60, it will be necessary to utilize \$67,444.60 from Sewer System Rehabilitation Reserve.

Sewer System Rehab Reserve Balance		\$711,998.76
Requested transfer from Reserve	-	\$ 67,444.60
Proposed Sewer System Rehab Reserve Balance		\$644,554.16

Request / Process

Staff requests that the Council approve the transfer of \$67,444.60 from the Sewer System Rehab Reserve into line item 502-4094200-8134 of the FY19 Budget.

Because the transfer constitutes slightly less than 1% of the approved budget of \$6,819,207, it may be approved without a public hearing if the Town Council so chooses. Further, the cooperative purchase portion of the project falls just under \$100,000 and therefore does not require any Council action.



MAIN
LINING

POINT
REPAIRS

X1 ≈ 5'

X2 ≈ 10'

X3 ≈ 30'

BERRYVILLE TOWN COUNCIL

MOTION TO APPROVE TRANSFER OF FUNDS
FROM THE SEWER SYSTEM REHAB RESERVE

Date: September 11, 2018

Motion By:

Second By:

I move that the Council of the Town of Berryville approve the transfer of \$67,444.60 from the Sewer System Rehab Reserve into line item 502-4094200-8134 of the FY19 Budget.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Harry Lee Arnold, Jr., Recorder

Attachment 11

FINANCE AND ADMINISTRATION STAFF REPORT

TO: TOWN COUNCIL
FROM: DESIREE MORELAND, TREASURER
SUBJECT: MONTHLY REPORTS
DATE: 9/5/2018
CC: KEITH DALTON, TOWN MANAGER

A/P Check Listing

Checks issued in August 2018.

Bank of America/P-Card Statement

July 2018 P-Card Purchases that were paid on August 25, 2018.

A/P Check Listing

Vendor Range - '4IMPRINT, INC.' - 'ZENON ENVIRONMENTAL CORPORATION
Date From - 8/1/2018 Date To - 8/31/2018

Town of Berryville
09/04/2018 09:57 AM

Page: 1 of 3

Check Number	Bank	Vendor	Date	Amount
4964	1	CENTRIC BUSINESS SYSTEMS INC	08/03/2018	\$1,118.32
4965	1	COLLEEN ANN WALSH	08/03/2018	\$123.40
4966	1	CROWN TROPHY LLC	08/03/2018	\$30.00
4967	1	DAWNN MISHELLE BROY	08/03/2018	\$199.60
4968	1	Douglas A. Shaffer	08/03/2018	\$75.00
4969	1	H. Allen Kitselman	08/03/2018	\$115.00
4970	1	JEFFREY CHARLES JACKSON	08/03/2018	\$174.20
4971	1	Keith Dalton	08/03/2018	\$285.44
4972	1	Matthew Bass	08/03/2018	\$40.00
4973	1	Minnesota Life Insurance Co.	08/03/2018	\$171.86
4974	1	Nationwide Retirement Solutions	08/03/2018	\$405.00
4975	1	Rappahannock Electric Cooperative	08/03/2018	\$16,744.97
4976	1	THOMAS P & IVANA VANDE ZANDE	08/03/2018	\$148.80
4978	1	ANDERSON'S NURSERY & GARDEN CENTER	08/15/2018	\$825.00
4979	1	Berryville Main Street	08/15/2018	\$9,000.00
4980	1	BRIAN JOSEPH HAMPPEL	08/15/2018	\$147.82
4981	1	Bureau for Child Support Enforcement	08/15/2018	\$875.00
4982	1	Carroll Construction Co.	08/15/2018	\$375.00
4983	1	James River Equipment	08/15/2018	\$328.01
4984	1	KARA RODRIGUEZ	08/15/2018	\$33.00
4985	1	Lewin Asphalt, Inc	08/15/2018	\$775.92
4986	1	LOUDOUN SERVICES, INC. dba L.S.I.	08/15/2018	\$3,188.71
4987	1	Michelle M. Jones	08/15/2018	\$945.00
4988	1	PENNONI ASSOCIATES INC	08/15/2018	\$6,345.00
4989	1	SIGNET MARKETING	08/15/2018	\$95.16
4990	1	STEPHANIE MICHELLE STILES	08/15/2018	\$152.40
4991	1	The Winchester Star	08/15/2018	\$110.00
4992	1	Treasurer of Virginia	08/15/2018	\$1,267.18
4993	1	Treasurer of Frederick County	08/15/2018	\$4,674.18

A/P Check Listing

Vendor Range - 4IMPRINT, INC.' - 'ZENON ENVIRONMENTAL CORPORATION
Date From - 8/1/2018 Date To - 8/31/2018

Town of Berryville
09/04/2018 09:57 AM

Page: 2 of 3

Check Number	Bank	Vendor	Date	Amount
4994	1	VIRGINIA DEPT OF HEALTH/WATERWORK TECH ASST FUND	08/15/2018	\$4,985.50
4995	1	VUPS	08/15/2018	\$50.40
4996	1	Hall, Monahan, Engle, Mahan & Mitchell	08/21/2018	\$5,847.50
4997	1	HEATHER HALTERMAN	08/21/2018	\$252.88
4998	1	Herbert L. Beskin, Trustee	08/21/2018	\$115.00
4999	1	JENY CAROLINA CRUZ HERNANDEZ	08/21/2018	\$148.80
5000	1	Jno. S. Solenberger & Co., Inc	08/21/2018	\$254.18
5001	1	Lincoln Financial Group	08/21/2018	\$761.76
5002	1	Nationwide Retirement Solutions	08/21/2018	\$435.00
5003	1	PENNONI ASSOCIATES INC	08/21/2018	\$270.00
5004	1	Rappahannock Electric Cooperative	08/21/2018	\$4,866.35
5005	1	REYES CONCRETE CO., LLC	08/21/2018	\$9,040.00
5006	1	Virasec, LLC	08/21/2018	\$1,768.38
5007	1	ZENON ENVIRONMENTAL CORPORATION	08/21/2018	\$1,525.00
5008	1	Bureau for Child Support Enforcement	08/30/2018	\$875.00
5009	1	Commercial Press Inc	08/30/2018	\$365.63
5010	1	Dandridge B. Allen	08/30/2018	\$40.00
5011	1	Gwen Malone	08/30/2018	\$40.00
5012	1	INTEGRATED CONSTRUCTION LLC	08/30/2018	\$851.60
5013	1	Margaret Barthel	08/30/2018	\$40.00
5014	1	Minnesota Life Insurance Co.	08/30/2018	\$171.86
5015	1	Nationwide Retirement Solutions	08/30/2018	\$435.00
5016	1	Rappahannock Electric Cooperative	08/30/2018	\$525.79
5017	1	REBECCA LYNN CURTIS	08/30/2018	\$174.20
5018	1	RICKY BERKELEY	08/30/2018	\$176.19
5019	1	USPS	08/30/2018	\$763.94
5020	1	W L CONSTRUCTION & PAVING, INC.	08/30/2018	\$48,225.00
5021	1	Wilson Kirby	08/30/2018	\$40.00
57		Checks Totaling -		\$131,813.93

A/P Check Listing

Vendor Range - 4IMPRINT, INC.' - 'ZENON ENVIRONMENTAL CORPORATION

Date From - 8/1/2018 Date To - 8/31/2018

Town of Berryville
09/04/2018 09:57 AM

Page: 3 of 3

Check Number	Bank	Vendor	Date	Amount
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Totals By Fund

	Checks	Voids	Total
100	\$99,784.50		\$99,784.50
501	\$12,692.88		\$12,692.88
502	\$19,336.55		\$19,336.55
Totals:	\$131,813.93		\$131,813.93



BERRYVILLE TOWN OF
 DESIRÉE MORELAND
 XXXX-XXXX-XXXX-
 July 01, 2018 - July 31, 2018

Purchasing Card

Company Statement

Account Information	Payment Information	Account Summary
Mail Billing Inquiries to: BANKCARD CENTER PO BOX 982238 EL PASO, TX 79998-2238 Customer Service: 1.888.449.2273 24 Hours TTY Hearing Impaired: 1.800.222.7365 24 Hours Outside the U.S.: 1.509.353.6656 24 Hours For Lost or Stolen Card: 1.888.449.2273 24 Hours	Statement Date 07/31/18 Payment Due Date 08/25/18 Days in Billing Cycle 31 Credit Limit \$500,000 Cash Limit \$0 Total Payment Due \$52,034.00	Previous Balance \$75,336.73 Payments -\$75,336.73 Credits -\$102.89 Cash \$0.00 Purchases \$52,136.89 Other Debits \$0.00 Overlimit Fee \$0.00 Late Payment Fee \$0.00 Cash Fees \$0.00 Other Fees \$0.00 Finance Charge \$0.00 Current Balance \$52,034.00

Important Messages

Please do not send payment. Your automatic payment is scheduled to be credited to this account on 08/24/18.

Cardholder Activity Summary

Account Number	Credits	Cash	Purchases and Other Debits	Total Activity
Credit Limit				
BOOR, RICK XXXX-XXXX-XXXX- 15,000	0.00	0.00	11,938.81	11,938.81
BOOTH, KEVIN XXXX-XXXX-XXXX- 1,000	0.00	0.00	190.30	190.30

7533673 5203400 5203400 4715291201837237

Account Number: XXXX-XXXX-XXXX-
 July 01, 2018 - July 31, 2018

Total Payment Due \$52,034.00
Payment Due Date 08/25/18

Enter payment amount

\$

Check here for a change of mailing address or phone numbers.
 Please provide all corrections on the reverse side.

Mall this coupon along with your check payable to:
BANK OF AMERICA

BANK OF AMERICA
 PO BOX 15731
 WILMINGTON, DE 19886-5731

BERRYVILLE TOWN OF
 DESIRÉE MORELAND
 STE A
 101 CHALMERS CT
 BERRYVILLE, VA 22611-1387

⑆54994001⑆00051201837237⑈



Posting payments: Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

Service for the hearing impaired (TTY/TDD): Contact our service for the hearing-impaired at 1.800.222.7365.

Telephone monitoring: For the purposes of monitoring and improving the quality of service, Bank's supervisory personnel may listen to and/or record telephone calls between Bank employees and any person acting on Company's behalf.

Disclosure: We may furnish to your employer information concerning your use of your account. To read more about our information disclosure, please visit www.bankofamerica.com/corporatecarddisclosure or call the customer service number listed on your statement to request a copy.

In case of errors or questions about your bill: Errors or questions about your bill must be received in writing no later than 60 days after we sent you the first statement on which the error or problem appeared. Please mail this information to BANKCARD CENTER, PO BOX 982238, EL PASO, TX 79998-2238. Your letter must include the following information:

- The company name, cardholder name and account number in question.
- The dollar amount of the suspected error.
- A written description of the error and why you believe there is an error. If you need more information, describe the item you are unsure about.



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Customer Service:	For questions regarding transactions, general assistance, and reporting lost and stolen cards, call:	
	<u>Within the U.S.</u> 1.888.449.2273	<u>Outside the U.S.</u> 1.509.353.6656 (collect calls accepted)

Thank you for your business.

Please write your change of address here:

Street _____

City _____

State _____ Zip _____

() ()

Home Phone _____ Business Phone _____

Posting payments: Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

Cardholder Activity Summary

Account Number Credit Limit	Credits	Cash	Purchases and Other Debits	Total Activity
BRISTOL, TIM XXXX-XXXX-XXXX- 500	0.00	0.00	190.00	190.00
BUSSERT, ERNIE XXXX-XXXX-XXXX- 500	0.00	0.00	23.47	23.47
DUNKLE, CHRISTY XXXX-XXXX-XXXX- 500	0.00	0.00	12.35	12.35
ELLIOTT, RALPH XXXX-XXXX-XXXX- 5,000	16.84	0.00	509.56	492.72
FERREBEE, DARRELL XXXX-XXXX-XXXX- 500	0.00	0.00	492.26	492.26
HALTERMAN, HEATHER XXXX-XXXX-XXXX- 15,000	0.00	0.00	676.84	676.84
JACKSON, MIA XXXX-XXXX-XXXX- 1,000	86.05	0.00	884.69	798.64
JOHNSON, KAREN XXXX-XXXX-XXXX- 1,000	0.00	0.00	400.00	400.00
LICKEY, PATRICK XXXX-XXXX-XXXX- 500	0.00	0.00	5.00	5.00
LILLY, STEPHEN XXXX-XXXX-XXXX- 15,000	0.00	0.00	16.30	16.30
LINK, BRIAN XXXX-XXXX-XXXX- 1,000	0.00	0.00	161.41	161.41
MCCORMICK, HARRY XXXX-XXXX-XXXX- 500	0.00	0.00	114.15	114.15
MORELAND, DESIREE XXXX-XXXX-XXXX- 50,000	0.00	0.00	25,437.09	25,437.09
REYNOLDS, CHARLES XXXX-XXXX-XXXX- 500	0.00	0.00	27.74	27.74
STOVER, KEITH XXXX-XXXX-XXXX- 1,000	0.00	0.00	905.30	905.30
TYRRELL, DAVE XXXX-XXXX-XXXX- 20,000	0.00	0.00	8,002.57	8,002.57
WHITE, NEAL XXXX-XXXX-XXXX- 15,000	0.00	0.00	2,149.05	2,149.05

Transactions

Posting Transaction Date Date	Description	Reference Number	MCC	Charge	Credit
BERRYVILLE TOWN OF					Total Activity
Account Number: XXXX-XXXX-XXXX-					-\$75,336.73
07/24	07/24	AUTO PAYMENT DEDUCTION	0071		75,336.73
BOOR, RICK					Total Activity
Account Number: XXXX-XXXX-XXXX-					11,938.81
07/13	07/11	STUART M PERRY #2 BERRYVILLE VA	24073148193900010600077	1771	508.78
07/13	07/11	GRIFFITH ENERGY SERVIC 410-956-3000 MD	24258028193017035692079	5983	1,744.60
07/17	07/14	johnny blue, inc. 540-665-0968 VA	24828248197030029777724	7394	82.00
07/25	07/24	CORE & MAIN LP 514 3042636986 WV	24792628205206122100015	5039	4,500.00
07/25	07/24	CORE & MAIN LP 514 3042636986 WV	24792628205206122100023	5039	2,848.08



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Transactions								
<i>Posting Transaction</i>								
Date	Date	Description	Reference Number	MCC	Charge	Credit		
07/27	07/25	WINCHESTER BUILDING SUPP 540-667-2301 VA	24323008207754120610924	1771	931.50			
07/30	07/26	GLASS AMERICA LLC - VI ELMHURST IL	24071058208627157683394	7538	80.00			
07/30	07/27	IN *SELECT SPECIALTY PROD434-2963937 VA	24692168208100075610093	5169	942.44			
07/30	07/27	FASTENAL COMPANY01 WINCHESTER VA	24224438209103017857494	5251	253.14			
07/30	07/27	WM SUPERCENTER #3344 WINCHESTER VA	24445008209400135852827	5411	48.27			
							Total Activity	190.30
BOOTH, KEVIN								
Account Number: XXXX-XXXX-XXXX-								
07/09	07/06	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978188091406000449	5251	46.96			
07/17	07/16	LOWES #02724* WINCHESTER VA	24692168197100918304865	5200	117.48			
07/25	07/23	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898205678800383768	5533	3.39			
07/31	07/30	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978212091404000342	5251	22.47			
							Total Activity	190.00
BRISTOL, TIM								
Account Number: XXXX-XXXX-XXXX-								
07/12	07/11	DRIVE SMART VIRGINIA 804-323-3200 VA	24431068193207410200046	8398	180.00			
07/18	07/17	FESTIVAL DRY CLEANERS BERRYVILLE VA	24755428199731992643545	7216	10.00			
							Total Activity	23.47
BUSSERT, ERNIE								
Account Number: XXXX-XXXX-XXXX-								
07/04	07/03	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978185091400000026	5251	4.39			
07/13	07/12	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978194091408000134	5251	19.08			
							Total Activity	12.35
DUNKLE, CHRISTY								
Account Number: XXXX-XXXX-XXXX-								
07/20	07/19	USPS PO 5107560300 BERRYVILLE VA	24445008201000968432636	9402	12.35			
							Total Activity	492.72
ELLIOTT, RALPH								
Account Number: XXXX-XXXX-XXXX-								
07/09	07/05	WINCHESTER EQUIPMENT WINCHESTER VA	24073148187900010600109	5599	24.64			
07/11	07/09	SIGNET SCREEN PRINTING & 540-6659651 VA	24073148191900010800018	7333	95.16			
07/11	07/10	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978192091404000239	5251	15.67			
07/12	07/11	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978193091406000020	5251	16.84			
07/12	07/11	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978193091406000046	5251	15.67			
07/12	07/11	BERRYVILLE TRUE VALUE BERRYVILLE VA	74801978193091406000033	5251		16.84		
07/20	07/18	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898200648800495560	5533	41.78			
07/24	07/23	HIGHWAY MOTORS INC WINCHESTER VA	24755428205152050123050	5511	49.80			
07/27	07/25	BROY & SON PUMP SERVICE 540-9553928 VA	24073148207900018300013	1799	250.00			
							Total Activity	492.26
FERREBEE, DARRELL								
Account Number: XXXX-XXXX-XXXX-								
07/11	07/10	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978192091404000031	5251	31.35			
07/24	07/23	FISHER AUTO PARTS 009 BERRYVILLE VA	24431068205200824200260	5533	50.97			
07/26	07/25	FISHER AUTO PARTS 009 BERRYVILLE VA	24431068207200824400082	5533	379.98			
07/27	07/26	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978208091406000296	5251	29.96			
							Total Activity	676.84
HALTERMAN, HEATHER								
Account Number: XXXX-XXXX-XXXX-								
07/04	07/03	AWS #140326251 aws.amazon.coWA	24692168184100104515006	7399	0.63			
07/06	07/05	USPS PO 5107560300 BERRYVILLE VA	24445008187000926214991	9402	25.00			
07/16	07/13	STAPLS7200817623000001 877-8267755 NJ	24164078194105125867516	5111	82.22			
07/18	07/17	USPS PO 5107560300 BERRYVILLE VA	24445008199000923097981	9402	400.00			
07/23	07/20	COMFORT SUITES FREDERI FREDERICKSBURVA	24228998203018014391591	3562	108.21			
Arrival: 07/19/18								
07/30	07/28	STAPLS7201713310000001 877-8267755 NJ	24164078210105277916087	5111	60.78			
							Total Activity	798.64
JACKSON, MIA								
Account Number: XXXX-XXXX-XXXX-								
07/02	06/30	STAPLS7200187225000001 877-8267755 NJ	24164078182105297720604	5111	55.87			
07/04	07/03	STAPLS7200255627000001 877-8267755 NJ	24164078184105028787904	5111	50.19			
07/05	07/04	STAPLS7199490013001001 SOUTH HACKENS NJ	74164078185105188779505	5111		40.29		
07/12	07/10	HILTON ADVPURCH8002367113MEMPHIS TN	24755428192261920814320	3504	334.46			
Arrival: 07/09/18								
07/16	07/14	STAPLS7200255019000001 877-8267755 NJ	24164078196105028780517	5111	114.18			
07/16	07/13	STAPLS7200187225001001 SOUTH HACKENS NJ	74164078194105297720605	5111		45.76		
07/23	07/20	STAPLS7201253066000001 877-8267755 NJ	24164078201105191692955	5111	329.99			
							Total Activity	400.00
JOHNSON, KAREN								
Account Number: XXXX-XXXX-XXXX-								
07/31	07/31	VSN*DOTGOVREGISTRATION 877-734-4688 VA	24692168212100759139413	4816	400.00			
							Total Activity	5.00
LICKEY, PATRICK								
Account Number: XXXX-XXXX-XXXX-								
07/23	07/19	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898201655100512902	5533	5.00			
							Total Activity	16.30
LILLY, STEPHEN								
Account Number: XXXX-XXXX-XXXX-								
07/12	07/10	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898192599300370920	5533	16.30			

Transactions

Posting Transaction			Reference Number	MCC	Charge	Credit
Date	Date	Description				Total Activity
LINK, BRIAN						
Account Number: XXXX-XXXX-XXXX-						
07/13	07/12	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978194091408000027	5251	42.12	
07/13	07/12	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978194091408000555	5251	34.29	
07/27	07/26	ALTMED MEDICAL CTR- FR FRONT ROYAL VA	24493988207286693700102	8011	85.00	
						Total Activity
						161.41
MCCORMICK, HARRY						
Account Number: XXXX-XXXX-XXXX-						
07/30	07/29	WM SUPERCENTER #5105 FRONT ROYAL VA	24445008211400130415758	5411	114.15	
						Total Activity
						114.15
MORELAND, DESIREE						
Account Number: XXXX-XXXX-XXXX-						
07/10	07/09	DNH*GODADDY.COM 480-5058855 AZ	24906418190057417800272	4816	339.98	
07/10	07/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24431058190083705948613	4900	2,956.48	
07/10	07/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24431058190083760036379	4900	19,590.78	
07/10	07/09	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24431058190083761039117	4900	125.00	
07/11	07/10	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692168191100713583321	4899	174.39	
07/11	07/10	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692168191100713583339	4899	378.44	
07/11	07/10	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692168191100713583347	4899	231.85	
07/13	07/12	VZWRSS*MY VZ VB P 800-922-0204 FL	24692168193100636419510	4814	753.48	
07/13	07/12	VA DMV ONLINE BILLING PAY804-3670595 VA	24755428194131940767535	9399	800.00	
07/16	07/14	COMCAST 800-COMCAST MD	24692168195100678148116	4899	75.69	
07/19	07/17	TelRite Corporation COVINGTON GA	24393498199004373147028	4814	11.00	
						Total Activity
						25,437.09
REYNOLDS, CHARLES						
Account Number: XXXX-XXXX-XXXX-						
07/16	07/13	BIG DADDY AUTOMOTIVE LLC BERRYVILLE VA	24247608194200124708277	7538	16.00	
07/31	07/30	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978212091404000029	5251	6.36	
07/31	07/30	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978212091404000052	5251	5.38	
						Total Activity
						27.74
STOVER, KEITH						
Account Number: XXXX-XXXX-XXXX-						
07/02	06/29	FISHER AUTO PARTS 009 BERRYVILLE VA	24431068181200824300191	5533	19.82	
07/02	06/29	WINCHESTER EQUIPMENT WINCHESTER VA	24073148182900012300141	5599	20.01	
07/04	07/03	BIG DADDY AUTOMOTIVE LLC BERRYVILLE VA	24247608184200124043131	7538	16.00	
07/09	07/06	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978188091406000035	5251	14.69	
07/11	07/10	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978192091404000023	5251	66.41	
07/13	07/12	FISHER AUTO PARTS 009 BERRYVILLE VA	24431068194200824300055	5533	487.60	
07/20	07/19	LOWES #02724* WINCHESTER VA	24692168200100739834293	5200	110.85	
07/23	07/19	WINCHESTER EQUIPMENT WINCHESTER VA	24073148201900011800080	5599	36.21	
07/23	07/20	BIG DADDY AUTOMOTIVE LLC BERRYVILLE VA	24247608201200149495547	7538	16.00	
07/23	07/20	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801978202091404000153	5251	17.71	
07/23	07/21	TOTAL IMAGE WORKINGMANS SWINCHESTER VA	24755428202282029285244	5699	100.00	
						Total Activity
						905.30
TYRRELL, DAVE						
Account Number: XXXX-XXXX-XXXX-						
07/11	07/10	USA BLUE BOOK 800-548-1234 IL	24326848191636000066653	5085	259.91	
07/11	07/10	SNS EAST -2871 BERRYVILLE VA	24427338191720033969701	5411	8.12	
07/18	07/06	COYNE CHEMICAL 215-785-3000 PA	24224438199101027349124	5169	2,124.74	
07/18	07/17	COYNE CHEMICAL 215-785-3000 PA	24224438199101027349256	5169	1,427.60	
07/18	07/16	MCMMASTER-CARR 630-834-9600 IL	24789308198635500671754	5085	211.99	
07/25	07/24	AMAZON MKTPLACE PMTS AMZN.COM/BILLWA	24692168205100437429524	5942	252.35	
07/25	07/24	VA DEPARTMENT OF STATE PO804-6742000 VA	24755428205172058242033	9399	20.00	
07/26	07/25	A & A SALES ASSOCIATES 215-852-9651 PA	24039648206207748200015	5137	932.45	
07/26	07/25	JOINER MICRO LABORATORIE 540-347-7212 VA	24435658207200389100063	7399	2,055.00	
07/27	07/26	BROY & SON PUMP SERVICE 540-9553928 VA	24073148207900018400011	1799	264.25	
07/27	07/25	BERRYVILLE AUTO PARTS INC800-4498012 VA	24767898207691700502880	5533	239.89	
07/31	07/30	USA BLUE BOOK 800-548-1234 IL	24326848211636000064639	5085	206.27	
						Total Activity
						8,002.57
WHITE, NEAL						
Account Number: XXXX-XXXX-XXXX-						
07/09	07/06	VISTAPR*VistaPrint.com 866-8936743 MA	24692168187100815140554	2741	74.99	
07/09	07/06	POSITIVE PROMOTIONS INC 800-6352666 NY	24142018189900013393108	7399	1,038.70	
07/16	07/12	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898194611700446388	5533	138.21	
07/16	07/12	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898194611700519432	5533	18.71	
07/18	07/17	LYNN CARD COMPANY LYNNCARD.COM MN	24013398198003557188645	5199	91.95	
07/25	07/23	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898205678800383834	5533	6.40	
07/27	07/25	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767898207691700502872	5533	5.39	
07/30	07/27	VIRGINIA ASSOCIATION OF C804-2858227 VA	24639238208900015400027	8699	175.00	
07/30	07/27	VIRGINIA ASSOCIATION OF C804-2858227 VA	24639238208900015400035	8699	350.00	
07/30	07/27	GALLS 8592667227 KY	24435658209762775485703	5137	104.70	
07/31	07/30	INTOXIMETERS INC 314-429-4000 MO	24412958211207567300253	8734	145.00	
						Total Activity
						2,149.05



BERRYVILLE TOWN OF
DESIRÉE MORELAND
XXXX-XXXX-XXXX
July 01, 2018 - July 31, 2018
Page 6 of 6



16392120 - 018632 - 0003 - 0003 - 2

Resolved Disputed Transactions

Posting Date	Transaction Date	Description	Account Number	Resolution Identifier	Reference Number	Amount
05/09	05/07	HOMEDEPOT.COM 800-430-3376 GA US	6678	M	24610438128010186230702	324.45

Resolution Identifier: C = Resolved In favor of Client M = Resolved In favor of Merchant

Finance Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

	Annual Percentage Rate	Balance Subject to Interest Rate	Finance Charges by Transaction Type
PURCHASES	0.00%	\$0.00	\$0.00
CASH	0.00%	\$0.00	\$0.00

V = Variable Rate (rate may vary), Promotional Balance = APR for limited time on specified transactions.

Attachment 12



Berryville Police Department

101 Chalmers Ct., Suite A, Berryville, Virginia 22611

policeadmin@berryvilleva.gov

(540) 955-3863 (540) 955-0207 (Fax)

W. Neal White – Chief of Police

MEMO

DATE: 09/05/2018

TO: Town Council

FROM: Chief W. Neal White

CC:

RE: Police Department Monthly Report – 09/11/2018

Monthly Activity Report

The activity report for the month of August 2018 is attached to this memo.

Police and Security Committee

The next scheduled meeting for the Committee is September 26, 2018 at 4:30 pm in the A/B meeting room.



Berryville Police Department

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 (540) 955-3863 (540) 955-0207 (Fax)
 W. Neal White – Chief of Police

Police and Security Report

	Year To Date	August	July
	2018	2018	2018
Month: August			
Year: 2018			
<u>Complaints Answered</u>			
911 Hang Up:	9	0	1
Alarms:	132	12	30
Animal Complaint:	90	10	20
Assault and Battery:	6	0	1
Assist County:	21	3	3
Auto Larceny:	0	0	0
Burglary:	6	0	0
Civil Complaints:	52	8	8
Disturbance (Non Violent):	18	6	0
Domestic Disturbance:	18	2	0
Drunk In Public:	8	2	1
Forgery & Uttering:	0	0	0
Fraud:	20	2	3
Larceny:	31	5	3
Harassment/Intimidation:	17	2	1
Homicide:	0	0	0
Juvenile Related:	18	2	1
Noise:	36	8	7
Public Service:	11	1	1
Rape:	0	0	0
Robbery:	0	0	0
Runaway:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	126	16	17
Trespassing:	8	3	1
Vandalism:	29	0	5
Welfare Check:	99	13	11
Miscellaneous Complaints:	551	90	78
Total Complaints Answered:	1306	185	192



Berryville Police Department

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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2018	August 2018	July 2018
<u>Traffic</u>			
Accidents Investigated:	35	5	4
Assist Motorist:	10	1	1
Child Safety Seat Install:	3	0	1
Funeral Escort:	25	1	2
Hit & Run:	1	0	0
Parking Tickets:	121	29	28
Traffic Warnings:	419	44	50
<u>Traffic Summons Issued</u>			
Defective Equipment:	2	0	1
Driving Suspended:	11	4	0
Expired Inspection:	45	6	7
Expired Registration:	10	2	0
Fail to Obey Highway Sign:	85	15	15
Fail to Obey Traffic Signals:	7	1	1
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	3	0	0
Hit and Run:	0	0	0
No Liability Insurance:	0	0	0
No Operator's License:	17	3	5
No Seat Belt:	1	1	0
Reckless Driving:	5	1	1
Speeding:	159	38	39
Miscellaneous Summons:	16	2	3
Total Traffic Summons Issued:	361	73	72
<u>Found Open at Businesses in Town</u>			
Doors:	10	0	4
Windows:	0	0	0
Garage Doors:	0	0	0



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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	August	July
	2018	2018	2018
<u>Criminal Arrests Made</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	5	1	1
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	9	0	0
Disorderly Conduct:	0	0	0
Driving While Intoxicated:	5	1	0
Drunk In Public:	5	1	1
Fail to Obey Police Officer:	1	0	0
Fail to Pay Parking Ticket:	12	0	5
Forgery:	0	0	0
Fraud:	0	0	0
Grand Larceny:	0	0	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	2	0	0
Petty Larceny:	0	0	0
Possess Alcohol Underage:	1	0	0
Protective Order Violations:	0	0	0
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	0	0	0
Vandalism:	4	3	1
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	30	1	4
Juvenile Detention Order Totals:	0	0	0
Total Criminal Arrests:	74	7	12

Attachment 13

Memo

To: Town Council

From: David Tyrrell

Date: September 5, 2018

Re: August 2018 Operations Report

The water treatment plant complies for August 2018 with its monthly parameters. We sent 11.257 MG of water to the system with an average of 0.363 MGD and a daily max of 0.442 MG.

SUEZ Utility Service has completed the repairs to the interior of the tank and are now finishing up with some repairs to the exterior. Welding should be completed by September 10 if the weather holds. The exterior has been blasted and the first two coats applied. Work is moving back into the interior with sweep blasting and prepping the repairs for the first coat. We did have another citizen complaint about dust escaping the containment area. Discussions were held with DEQ to learn what the requirements are the contractor must meet. There is no requirement to catch all dust and there are no regulations on airborne particulate matter. The contractor is required to follow Best Management Practices for the industry and DEQ was satisfied with the contractor's efforts.

We are celebrating a month without significant storms that affected water plant operations. We have with the help of public works, cleaned out our presediment basins and have had the solids removed by the permitted contractor.

Design work for the replacement of the finish pumps is underway with a meeting scheduled with the engineering design staff on September 6 to review installation and current conditions.

We have had an issue develop with the hypochlorite feed lines at the water plant. A build up of salt is forming in the feed lines which almost completely blocked the feed piping. We were able to feed acid through the lines and clear them but are now working to find a remedy for the problem which will reoccur.

We continue to monitor distribution chlorine levels carefully and are flushing lines as needed to insure water quality. Our part time operator has come back to work and is being tasked with flushing the entire distribution system.

Drought Conditions: There are no concerns for drought at this time.

The wastewater plant is in compliance with its discharge permit for August per data received to date. We treated a total of 24.17 MG with a daily average of 0.78 MGD and a daily max of 2.16 MG. As a reminder our dry weather flows at the wastewater plant are around 0.3 MGD for comparison.

Operations have continued to improve at the STP even with the storms at the beginning of the month creating another high flow event. We were able to handle all flows and fully treat the storm surge.

With our staffing shortage and 24-hour coverage we have not been able to pull the membranes for service. We have changed the operational mode which has helped to improve the filter transmembrane pressures. Each cartridge will be pulled once staffing is available.

We have started to drain wastewater stored in the North Lagoon from the summer storms. We tried pumping the water using the lay flat hoses we had in stock but could not keep them from leaking. We did build a temporary pipe line from the lagoon to a manhole feeding the plant influent and have been able to set up a siphon to move the water. We have removed about one foot of water from the lagoon. The siphon continues to flow allowing a slow feed into the plant. We estimate we are moving about 100 gpm.

The air conditioning in the main and headworks electrical rooms has failed. We are getting prices on the repairs.

Public Works continues to assist us with yard maintenance at the STP which is very appreciated

Attached for review are the DMR data reports for the wastewater plant with data received to date and the water plant page 1 operations report for VDH. Also the simplified Zenon report I have been providing has disappeared from the SUEZ website. The latest full report I receive is attached.

Berryville STP Monthly DMR Data

August 2018

Date	Effluent Flow MGD	Eff pH	Eff Temp Deg C	Eff CBOD mg/l	Eff CBOD KG/D	Eff TSS mg/l	Eff TSS KG/D	Effluent DO River mg/l	Effluent DO WWTP mg/l	Eff NO2/ NO3 mg/l	Eff TKN mg/l	Eff TKN KG/D	Eff Total N mg/l
8/1/2018	1.04	7.5	22.2	2.00	7.90			7.9	7.7				
8/2/2018	1.23	7.5	22.4	0.00	0.00			8.0	7.7	2.89	1.54	7.16	4.43
8/3/2018	1.98	7.0	22.9					8.6	7.4				
8/4/2018	2.16	7.9	21.7					8.5	7.9				
8/5/2018	1.92	7.9	21.6					8.3	7.5				
8/6/2018	1.50	7.7	22.2					8.4	7.6				
8/7/2018	0.98	7.7	22.4	0.00	0.00	0.00	0.00	8.6	7.9	1.97	1.07	3.97	3.04
8/8/2018	0.94	7.7	22.0	0.00	0.00			8.5	7.8				
8/9/2018	0.86	7.6	22.1	0.00	0.00			8.0	7.8	3.18	0.90	2.94	4.08
8/10/2018	0.70	7.6	22.4					8.0	7.7				
8/11/2018	0.70	7.8	22.7					7.9	7.9				
8/12/2018	0.68	7.8	22.7					7.8	7.4				
8/13/2018	0.59	7.7	22.8					7.8	7.4				
8/14/2018	0.63	7.8	22.0	3.00	7.20			7.5	7.0	1.44	1.15	2.76	2.59
8/15/2018	0.62	7.6	22.4	0.00	0.00			7.7	6.6				
8/16/2018	0.55	7.5	22.5	2.00	4.16			7.8	7.8	3.17	1.09	2.27	4.26
8/17/2018	0.36	7.6	23.5					7.9	6.6				
8/18/2018	0.49	7.6	23.4					7.8	7.9				
8/19/2018	0.49	7.8	23.3					7.9	7.5				
8/20/2018	0.58	7.8	23.1					8.2	7.7				
8/21/2018	0.87	7.7	23.5	0.00	0.00			7.8	8.3	2.93	1.18	3.88	4.11
8/22/2018	0.61	7.7	23.2	0.00	0.00			8.0	7.5				
8/23/2018	0.45	7.0	22.5	0.00	0.00			8.4	6.2	2.02	1.25	2.11	3.27
8/24/2018	0.43	7.7	22.5					7.7	6.5				
8/25/2018	0.50	7.8	22.8					7.5	7.5				
8/26/2018	0.50	7.7	22.9					7.6	7.3				
8/27/2018	0.50	7.7	23.2					8.7	7.6				
8/28/2018	0.40	7.5	23.9					8.1	6.8				
8/29/2018	0.30	7.6	24.6					7.8	6.8				
8/30/2018	0.27	7.5	24.9					7.8	6.4				
8/31/2018	0.40	7.6	24.1					7.2	7.0				
Minimum	0.27	7.0	21.6	0.00	0.00	0.00	0.00	7.2	6.2	1.44	0.90	2.11	2.59
Maximum	2.16	7.9	24.9	3.00	7.90	0.00	0.00	8.7	8.3	3.18	1.54	7.16	4.43
Total	24.17	236.6	708.4	7.00	19.26	0.00	0.00	247.7	228.7	17.60	8.18	25.10	25.78
Average	0.78	7.6	22.9	0.64	1.75	0.00	0.00	8.0	7.4	2.51	1.17	3.58	3.68
Geo Mean	0.67	7.6	22.8	1.25	1.64	1.00	1.00	8.0	7.4	2.42	1.2	3.30	3.62

Berryville STP Monthly DMR Data

August 2018

Date	Eff. Total N		Eff. Total P		E-Coli	
	KG/D	mg/l	KG/D	KG/D	KG/D	No./100ml
8/1/2018						
8/2/2018	20.62	0.15		0.70		
8/3/2018						
8/4/2018						
8/5/2018						
8/6/2018						
8/7/2018	11.31	0.26		0.97		1
8/8/2018						
8/9/2018	13.36	0.63		2.06		
8/10/2018						
8/11/2018						
8/12/2018						
8/13/2018						
8/14/2018	6.22	0.28		0.67		1
8/15/2018						
8/16/2018	8.88	0.26		0.54		
8/17/2018						
8/18/2018						
8/19/2018						
8/20/2018						
8/21/2018	13.54	0.36		1.19		1
8/22/2018						
8/23/2018	5.54	0.29		0.49		
8/24/2018						
8/25/2018						
8/26/2018						
8/27/2018						
8/28/2018						
8/29/2018						
8/30/2018						
8/31/2018						
Minimum	5.54	0.15		0.49		1
Maximum	20.62	0.63		2.06		1
Total	79.48	2.23		6.62		3
Average	11.35	0.32		0.95		1
Geo Mean	10.37	0.29		0.84		1



Berryville Biweekly InSight Report

Date: 8/17/2018

From: Jeny Chacko - SUEZ Water Technologies & Solutions
To: David Tyrrell, Jeff Cappel - Town of Berryville
cc: Shawn Addison, Al Farrell, Matthew Stapleford - SUEZ

System Equipment

4 x ZW trains, each 3 cassettes, 2x48/1x42 500D (surface area 46920 sq. ft. per train)

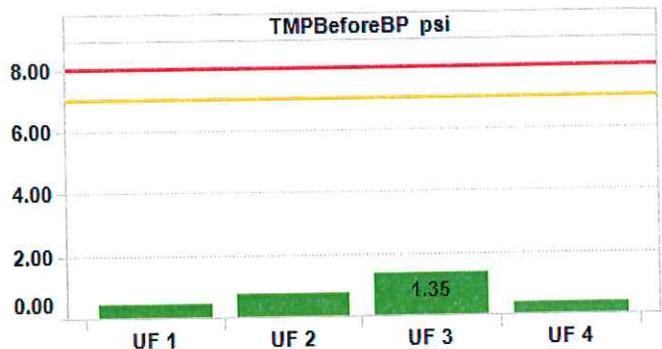
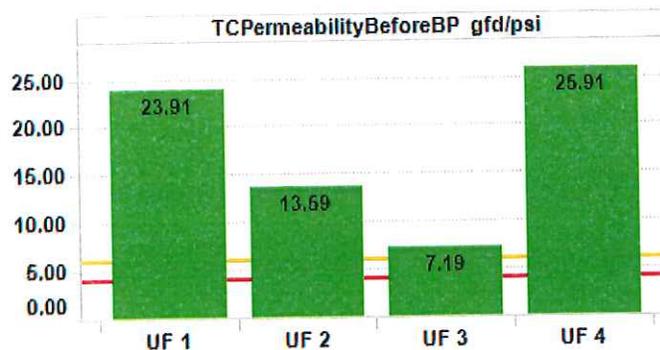
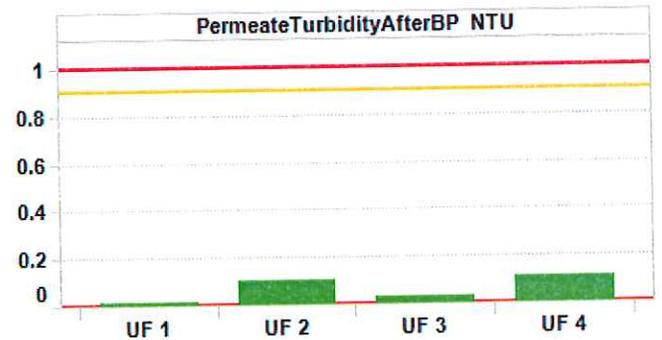
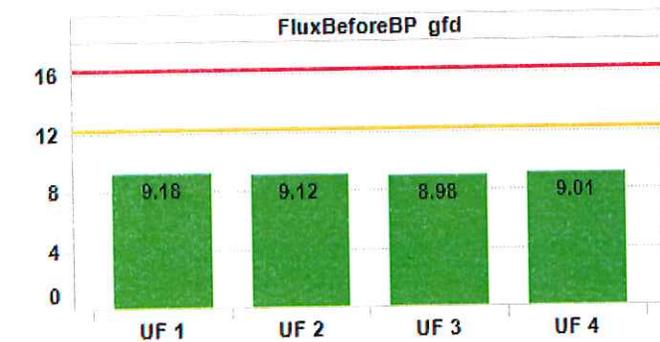
Cleaning Strategy

Maintenance clean dose concentrations - 2 NaOCl/ Hypo @ 200 ppm per week, 1 Citric acid @ 2000 ppm per week

Recovery clean soak concentrations - 2 NaOCl/ Hypo @ 1000 ppm per year, 2 Citric acid @ 2000 ppm per year

KPI Dashboard – Avg values through reporting period

■ Action Required
■ Caution
■ No Limits
■ Normal

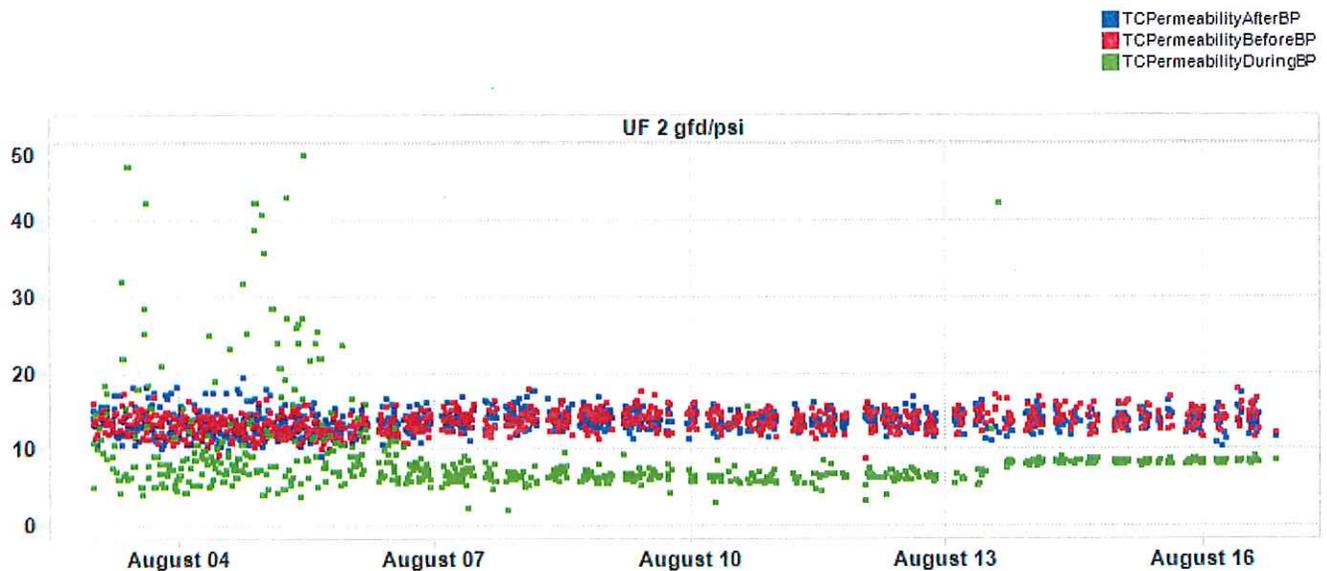
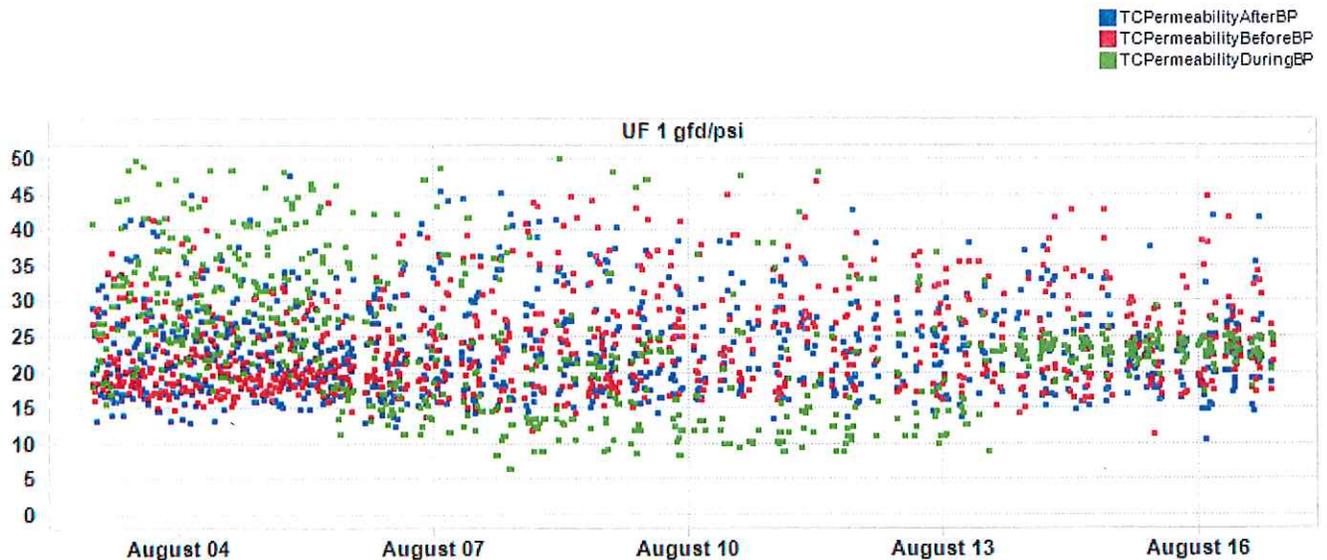




Plant Summary

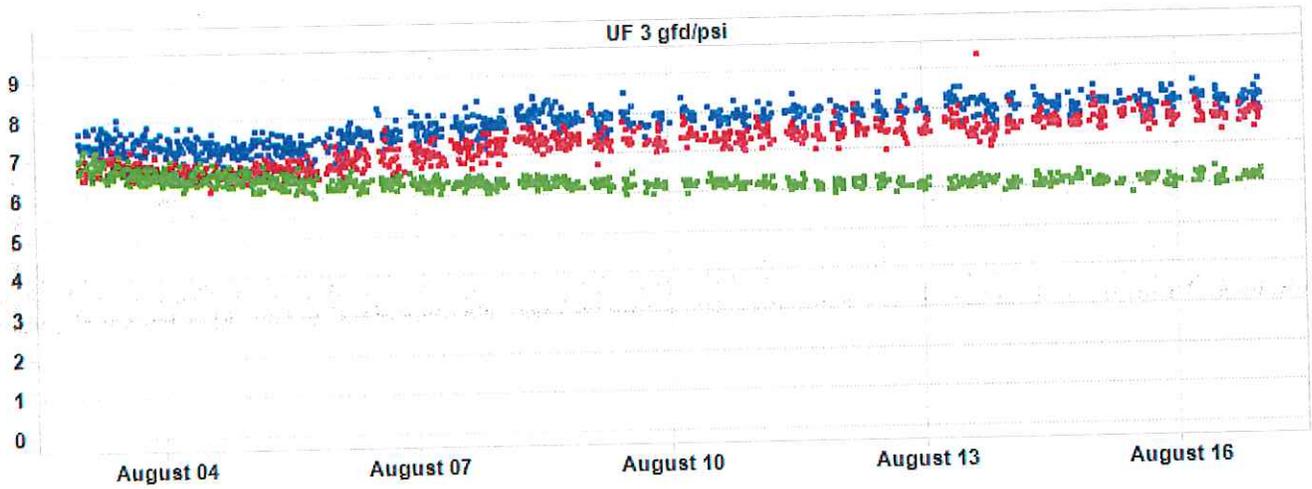
- Daily plant permeate flows fell from a peak of 2 MGD to <700K gals since the beginning of August
- Permeability on UF3 averaged at 7.8 gfd/psi which was significantly lower than the other trains. Permeability was >10 gfd/psi on rest of the trains
- Backpulsing the membranes helped improve permeability by 1.5 gfd/psi on UF3. Please continue operating this train in backpulse mode
- Dave – Can you confirm what the production TMPs are when the train is in standby? Does it differ from TMPs on the other trains under standby conditions? Ideally it should be 0 psi when not in production
- Can you confirm if both a hypo and acid recovery clean was carried out on UF3 end of May/ early June?
- UF1 and UF4 Permeate turbidity during production saw a gradual increase by 0.1-0.2 units over the last few days. Please ensure turbidimeter is cleaned and calibrated for accurate readings

TC Permeability Trends By Train

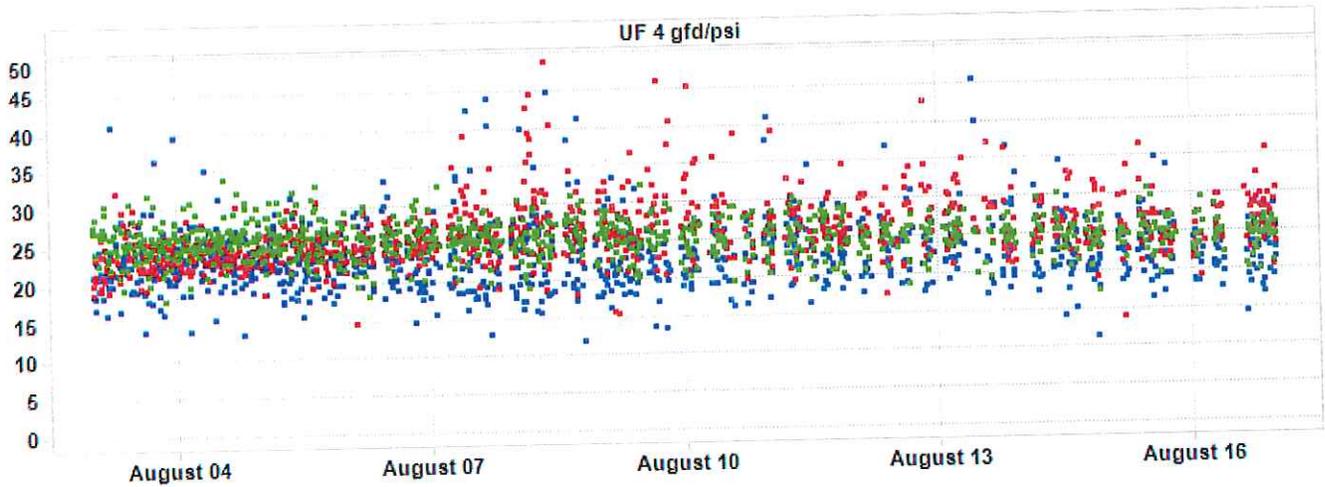




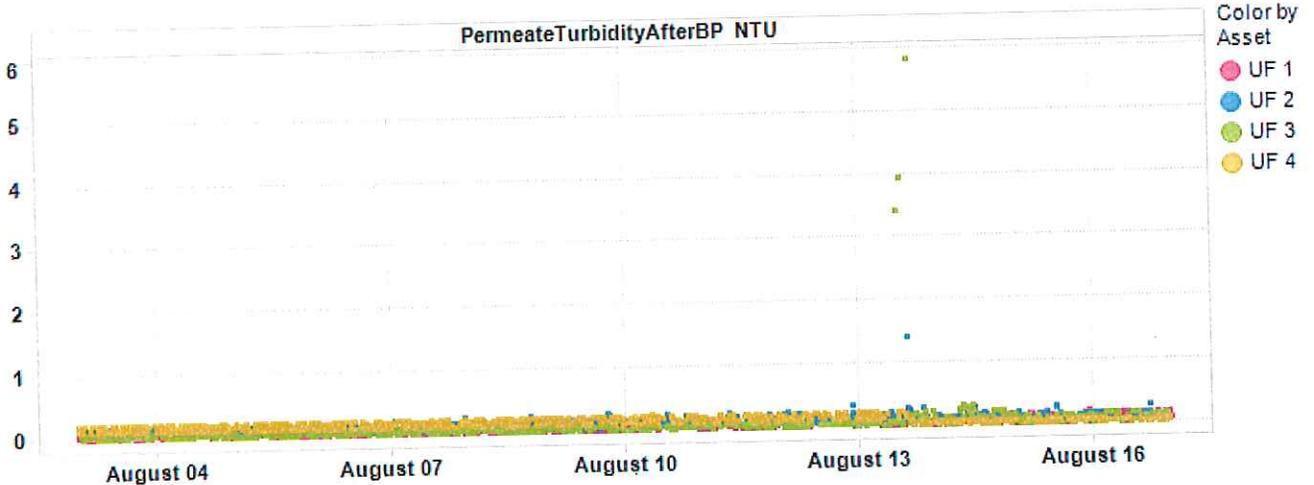
TCPermeabilityAfterBP
TCPermeabilityBeforeBP
TCPermeabilityDuringBP



TCPermeabilityAfterBP
TCPermeabilityBeforeBP
TCPermeabilityDuringBP

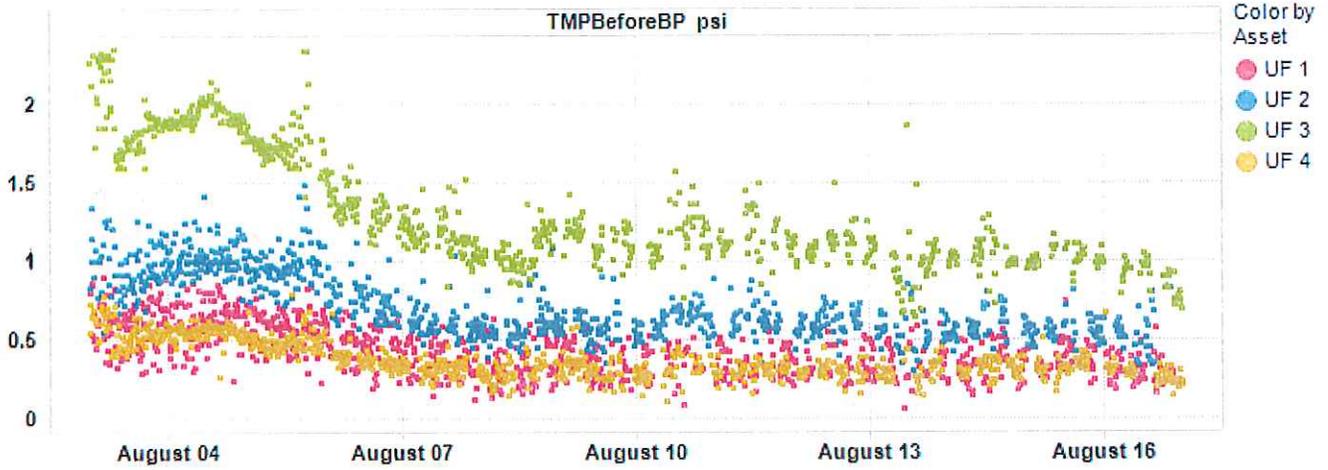


Permeate Turbidity Trend

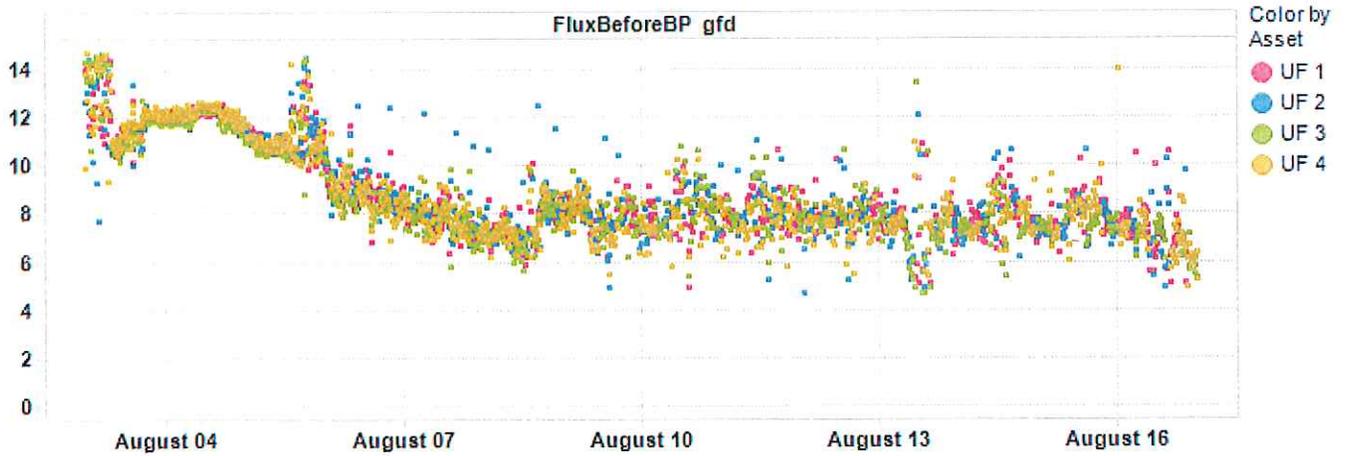




Before BPTMP Trend

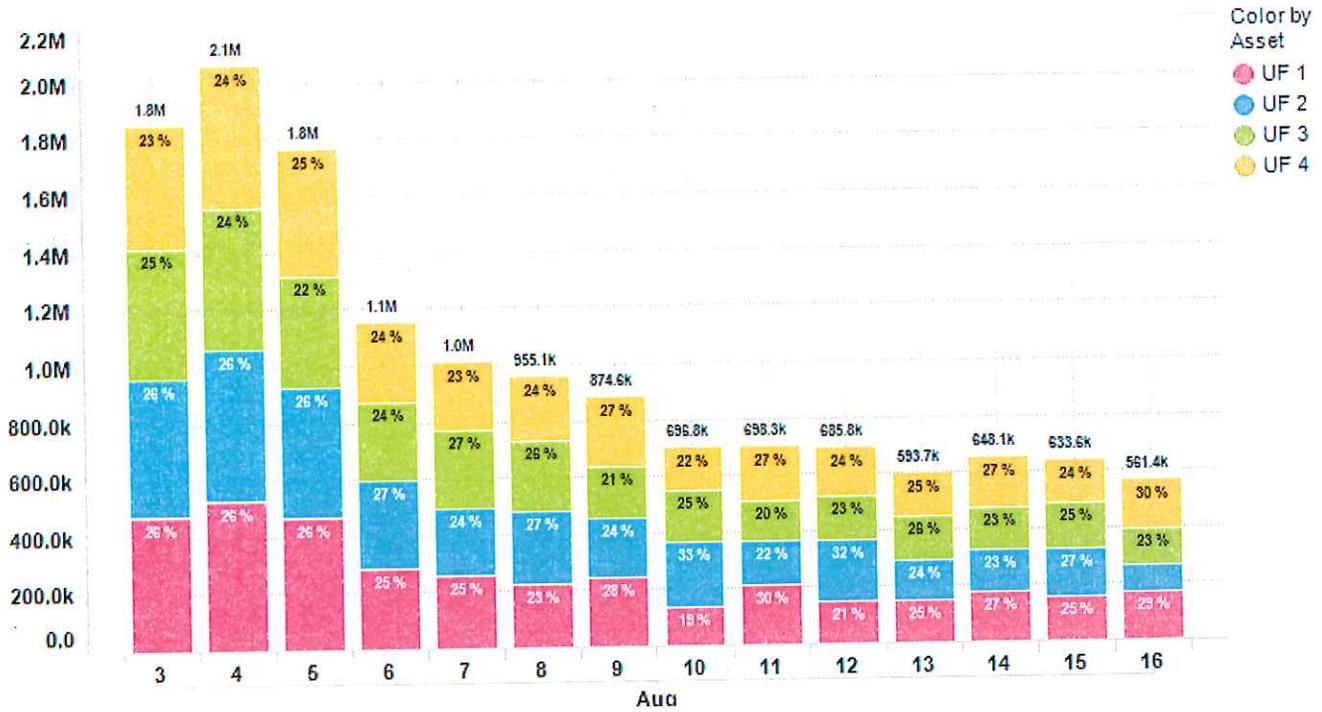


Before BP Flux Trend





Daily Permeate Flow



Average Daily permeate flow from 8/3/2018 to 8/16/2018 is 1.0M gal with a maximum daily flow of 2.1M gal.

Asset Summary

KPI Parameters	Value/Change	UF 1	UF 2	UF 3	UF 4
FluxBeforeBP gfd	Value	9.18	9.12	8.98	9.01
	Change	1.76 %	0.60 %	2.07 %	0.58 %
PermeateTurbidityAfterBP NTU	Value	0.02	0.11	0.03	0.12
	Change	97.83 %	2.06 %	-47.58 %	-23.86 %
TCPermeabilityBeforeBP gfd/psi	Value	23.91	13.59	7.19	25.91
	Change	-1.56 %	-18.60 %	3.72 %	0.39 %
TMPBeforeBP psi	Value	0.44	0.73	1.35	0.38
	Change	4.75 %	15.05 %	0.52 %	0.88 %
TotalPermeateFlowDaily gal	Value	257.15k	261.18k	243.58k	250.31k
	Change	6.16 %	9.17 %	-10.70 %	10.98 %



Plant Summary

KPI Parameters	Value/Change	UF Plant
PermeateTemperature °F	Value	64.10
	Change	-0.75 %
TotalPermeateFlowDaily gal	Value	1.01M
	Change	4.07 %

Contract Expiry Date : 10/26/2018

For InSight technical assistance please email insightsupport@suez.com or please call technical support at 1 866 271 5425 or 905 469 7723 and follow the prompts, if you require after hours assistance please contact the 24/7 Emergency number provided in your plant documentation. This email is a summary of issues identified during a manual review of InSight data from the time period above. This review is an analysis of data that is logged by InSight and identifies key plant performance issues determined from this data. This data review was not focused on minor data issues but on identifying possible existing and/or upcoming critical operational issues.

This review was prepared by SUEZ Water Technologies & Solutions solely to assist water treatment plant owners and/or operators in analyzing and optimizing plant performance and is not intended to be used or relied upon for regulatory compliance or any other purpose. The content of this review is based in whole or in part on operation data obtained from the plant using InSight software. SUEZ Water Technologies & Solutions makes no representations or warranties as to the accuracy of the plant data utilized in the preparation of this review. SUEZ Water Technologies & Solutions accepts no liability for consequences or actions taken in whole or in part by any person on the basis of this review or its contents

Attachment 14

**Report of the Department of Public Works
September 5th 2018**

Water

We experienced no water breaks or water related issues during the last 30 days. We have several small maintenance projects we will be working on in the up-coming weeks. We are still in the planning phase of water improvement projects for Rockcroft Subdivision.

Sewer

We had a couple minor sewer pump stations repairs during the last month. These repairs involved replacing some parts that over time just wear out.

General Information

The Public Works Building Improvement projects are underway. The concrete floors have been poured in the existing bays. The insulation is scheduled to be installed on the walls next week. Heating is scheduled to be installed by 10/1. Insulated doors have been ordered and are expected to be installed on 9/13 & 9/14.

The Town's concrete contractor has finished the first phase of our sidewalk replacement project. This phase of replacement was on Mosby Boulevard and South Church Street. We plan to replace some sidewalk on Academy Street and Chalmers Court during our next phase of replacement.

The Town's asphalt contractor will be back in the area soon to finish this year's paving contracts and will have all paving projects completed by the end of September.