

MINUTES

BERRYVILLE TOWN COUNCIL

**Regular Meeting
May 12, 2026
7:00 p.m.**

A meeting of the Berryville Town Council was held on Tuesday, May 12, 2026, at 7:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

Town Council

Present: Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Vice Mayor; William Steinmetz; Paul Perez; Grant Mazzarino; Ryan Tibbens.

Absent:

Staff

Present: Keith Dalton, Town Manager; Jean Petti, Deputy Town Manager; Brandel Kelsey, Town Clerk; Terry Russell, Community Development Director; Cindy Poulin, Director of Finance; Chief Jason Winner, Berryville Police Department

Press

Mickey Powell, Winchester Star

Other

David Frank, Pennoni Engineering; Mike Artz, Pennoni Engineering

1. Call to Order

Mayor Harry Lee Arnold, Jr. called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

Mayor Arnold invited all those assembled to stand for the Pledge of Allegiance.

3. Approval of Agenda

William Steinmetz moved to approve the agenda as presented. The motion passed by voice vote.

4. Presentations, Awards, and Recognitions

None.

5. Public Hearings

Proposed Fiscal Year 2026-2027 Budget

Director of Finance Cindy Poulin reviewed the highlights of the proposed Fiscal Year 2026-2027 Budget which is **attached**.

No public comment was received.

Proposed renewal of lease with New Cingular Wireless PCS, LLC for improvements on and around the elevated water tower at 201 Tom Whitacre Circle

Town Manager Keith Dalton reviewed the proposed fourth amendment to the lease with New Cingular Wireless PCS, LLC on the elevated water tower at 201 Tom Whitacre Circle. The proposed monthly rental amount would \$4,525.00 with annual increase over the next five years as follows: \$150 for the first year, followed by increases of \$155, \$160, \$165, \$170 in the subsequent years.

No public comment was received.

Proposed text amendment to Zoning Ordinance 509 TA26-02

Director of Community Development Terry Russell reviewed the proposed text amendment to Section 509 of the Zoning Ordinance, TA26-06 which is **attached**.

No public comment was received.

6. Discussion of Public Hearing Items

Proposed Fiscal Year 2026-2027 Budget

No action was taken.

Proposed renewal of lease with New Cingular Wireless PCS, LLC for improvements on and around the elevated water tower at 201 Tom Whitacre Circle

Mr. Steinmetz moved that the Council of the Town of Berryville approve the **attached water tank site lease agreement between the Town of Berryville and New Cingular Wireless OCS, LLC—Northwest Elevated Tower and authorize the town manager to execute the agreement on behalf of the Town. Motion passed by voice vote.**

Proposed text amendment to Zoning Ordinance 509 TA26-02

Paul Perez moved that the Council of the Town of Berryville adopt the **attached ordinance amending Section 509 of the Zoning Ordinance. Motion passed by voice vote.**

7. Citizens' Forum

Rick Figert who lives in Hermitage addressed the Council regarding concerns with the bioretention area on his property. He stated he has been communicating with Deputy Town Manager Jean Petti. He expressed concerns about having features on his property over which he has no control. He questioned why the area was not designated as a common area rather than included within individual property boundaries and expressed concern about paying taxes on property he cannot use. He also inquired about what would occur if the homeowners association (HOA) were dissolved. Mrs. Petti explained that the Virginia Department of Environmental Quality (DEQ) approved both the bioretention plan and the forebay as it exists. They have released DR Horton from their construction permit obligations in January. Per DEQ, site meets all required design standards. Once the

construction permit was released, maintenance responsibility transferred to the HOA. Mayor Arnold stated that the HOA would not be able to dissolve without approval from the Town Council and indicated that the Council generally does not support such requests.

8. Consent Agenda

Ryan Tibbens moved to approve the consent agenda as presented. The motion passed by voice vote.

9. Unfinished Business

Discussion/Action- West Fairfax Improvement TAP Project

Mr. Russell provided an overview of the West Fairfax Improvement Transportation Alternatives Program (TAP) project which includes construction of curb, gutter and sidewalk improvements along the north side of West Fairfax Street.

Mr. Dalton spoke about the increase in project costs since the original award. At the time the project was awarded, the total estimated cost was approximately \$1,301,875 under an 80/20 funding split. TAP funding in the amount of \$1,041,500 was committed, with the Town responsible for approximately \$260,375. The revised project estimate has increased to \$1,781,398, increasing the Town's share to approximately \$739,898. Mr. Dalton stated there is a possibility that VDOT may identify additional funding assistance; however, the process is highly competitive. VDOT requires certification from the Town acknowledging awareness of the revised project budget and the Town's willingness to fund its portion of the project. He also noted there may be an opportunity to add a turn lane to the project at an estimated additional cost of approximately \$60,000, which is not included in the current estimate and would be at Town expense.

David Frank of Pennoni discussed the updated budget estimate, explaining that the original estimate was based on a 20% design plan, while current estimate reflects an approximately 88% completed design. He noted that stormwater improvements, right-of-way acquisition, and rock removal are the three primary factors contributing to the increased costs.

Mr. Tibbens moved that the Council of the Town of Berryville authorize the town manager to sign and send the **attached letter evidencing the Town's commitment to fund its portion of the West Fairfax Street Sidewalk Improvements Project. Motion passed by voice vote. Mayor Arnold abstained.**

10. New Business

None.

11. Council Member Reports

Mayor Arnold called on members of the Council and provided them an opportunity to speak on non-agenda items of their choosing.

Mr. Perez stated that the Public Works Department has done an outstanding job with maintenance efforts in Ward 2, particularly at Rose Hill Park, and noted that staff are consistently friendly and professional.

Mr. Tibbens thanked Chief Jason Winner and Police Officer Amy Hernandez Benavides for speaking with the Cub Scouts. He also commented that the cleanup efforts on Dorsey Street looked excellent and thanked Public Works, Town staff and FUOG-Interbuild for their efforts.

Vice Mayor Gibson stated that she participated in the Apple Blossom Parade representing the Town of Berryville.

Mayor Arnold noted that the first Farmers Market of the season was held the previous weekend and was very successful.

12. Staff Reports

Public Works

Mr. Dalton stated that recruitment efforts are underway for the position of Public Works Director.

Community Development

Set public hearing: Beach Carpenter Properties LLC, Jon K. Erickson, agent, is requesting a Special Use Permit in order to allow vehicle sales (§609.3(k) of the Town of Berryville Zoning Ordinance) on the property located at 29 Cattleman's Lane, identified as Tax Map Parcel number 14A3-((A))-17A, zoned L-1 Industrial. SUP 02-26

Mr. Perez moved that the Council of the Town of Berryville set a public hearing on the Beach Carpenter Properties (29 Cattleman's Lane) special use permit request for June 9, 2026 at 7:00 p.m., or as soon thereafter as the matter may be heard. Motion passed by voice vote.

Set a public hearing: Belfort Furniture, Inc., is requesting a Special Use Permit in order to allow retail sales (§609.3(h) of the Town of Berryville Zoning Ordinance) on the property located at 351 Station Road, identified as Tax Map Parcel number 14A5-((7))-1, 14A5-((7))-2, and 14A5-((A))-56 zoned L-1 Industrial. SUP 01-26

Mr. Russell explained the basis for the request. Matt Hubert, President of Belfort Furniture, addressed the Council and answered questions regarding the proposal.

Vice Mayor Gibson moved that the Council of the Town of Berryville set a public hearing on the Belfort Furniture, Inc. (351 Station Road) special use permit request for June 9, 2026 at 7:00 p.m., or as soon thereafter as the matter may be heard. Motion passed by voice vote.

Administration and Finance

Discussion/Action: Investment of Town Reserves

Mrs. Poulin reviewed the proposed investment of Town reserves. Mr. Dalton discussed the balance between long-term and short-term investment strategies related to the General Fund and responded to questions from Council members. The overview of the investment plan is **attached**.

Vice Mayor Gibson moved that the Council of the Town of Berryville approve the **attached investment plan. She further moved that the town manager be authorized to open accounts as needed to implement the**

plan; provided that the Council receive a comprehensive report providing information on account changes by May 29, 2026. Motion passed by voice vote.

Town Manager

Discussion/Action- Pedestrian Bridge in Rose Hill Park

The matter was referred to the Community Development Committee for further review and recommendation. The committee was directed to provide Council with a recommended course of action at their September 9, 2026 meeting.

13. Committee Updates

Mayor Arnold recognized the chairs of the standing committees of the Town Council for updates.

Budget and Finance Committee

Community Development Committee & Streets and Utilities Committee

Mr. Tibbens stated the next meeting is scheduled for May 26, 2026.

Mr. Perez commented that the Public Works crew did an excellent job painting curbs and parking spaces throughout Town.

Personnel, Appointments, and Policy

Brandel Kelsey stated the next meeting is scheduled for May 18, 2026, and will include interviews with potential applicants for the Planning Commission and Tree Board.

Public Safety

14. Other

None.

15. Closed Session

None.

16. Adjourn

The Council adjourned at 8:56 p.m. on a motion by Vice Mayor Gibson.

Erecka L. Gibson, Vice Mayor

Brandel Kelsey, Town Clerk