

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
January 9, 2024
7:00 p.m.

Town Council: Present—Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Vice Mayor; William Steinmetz; Diane Harrison; Grant Mazzarino; Ryan Tibbens.

Staff: Present--Keith Dalton, Town Manager; Jean Petti, Deputy Town Manager; Paul Culp, Town Clerk; Christy Dunkle, Community Development Director; Chief Neal White, Berryville Police Department

Press: Mickey Powell, *The Winchester Star*

1. Call to Order

Mayor Arnold called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

3. Approval of Agenda

Vice Mayor Gibson moved to approve the agenda. The motion passed by unanimous voice vote.

4. Presentations, Awards, and Recognitions

None.

5. Public Hearings

The proposed transfer of .105 acres from Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), .287 acres from Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville) to Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board), and .426 acres from 14-((A))-5 (owned by Paul Howell) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), and the establishment of easements on Tax Map Parcels 14-((A))-5 (owned by Paul Howell) and 14-((A))-6 (owned by the Town of Berryville).

Ms. Dunkle read the public hearing notice and Mr. Dalton displayed maps and briefly summarized the proposed land transfer and rezoning as discussed in prior meetings. He replied in the negative to Mr. Mazzarino's question about whether difficulties with utility easements were expected.

Mayor Arnold opened the hearing at 7:05 and closed it immediately after ascertaining that no member of the public wished to speak.

6. Discussion of Public Hearing Items

Mr. Steinmetz as chair of the Planning Commission said that no opposition or reservations had been expressed in that body's deliberations.

Mr. Steinmetz moved that the Council of the Town of Berryville adopt the attached ordinance approving the transfer of .105 acres from Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville, .287 acres from Tax Map Parcel 14-((A))- 6 (owned by the Town of Berryville to Tax Map Parcel 14-((A))-7 (owned by the Clarke County School Board), and .426 acres from Tax Map Parcel 14-((A))-5 (owned by Paul Howell) to Tax Map Parcel 14-((A))-6 (owned by the Town of Berryville), and the establishment of utility and access easements on Tax Map Parcels 14-((A))-5 (owned by Paul Howell) and 14-((A))-6 (owned by the Town of Berryville) contingent upon the following

- a. approval of the proposed boundary line adjustments by the Clarke County School Board, Berryville Town Council, and Paul R. Howell and the Berryville Area Development Authority and**
- b. the recordation of the boundary line adjustment and associated deeds completing this boundary line adjustments and transfer of property ownership in the land records of the Circuit Court of Clarke County.**

Mr. Steinmetz further moved that the Town Manager be authorized to amend deeds and other pertinent documents after consultation with legal counsel and sign documents related to this matter on behalf of the Town. The motion passed by unanimous voice vote.

7. Citizens' Forum

Rick Figert addressed the Council regarding drainage problems on and near his property in Phase V of the Hermitage subdivision. He said he had discussed the matter with Town staff and had found this helpful but that the homeowners' association was not addressing the problem and that he was afraid that the Department of Environmental Quality would make him liable for the condition of a common area. Ms. Dunkle said DEQ handles stormwater matters in Berryville that she had been working with Mr. Figert and another homeowner to rectify the problem. A discussion established that staff efforts would continue.

8. Consent Agenda

The consent agenda comprised the minutes of the December 12 Town Council regular meeting, the

December 21 Town Council called meeting, the December 18 Personnel Committee meeting, and the December 19 Streets and Utilities Committee meeting.

Mr. Mazzarino moved to adopt the consent agenda as presented. The motion passed by unanimous voice vote.

9. Unfinished Business

None.

10. New Business

Ms. Dunkle directed the Council's attention to the attached resolution for requesting acceptance from the Commonwealth Transportation Board, which would entitle the Town for state maintenance funds for enumerated lane miles.

Mr. Dalton and Mr. Mazzarino briefly discussed the Town's maintenance obligations.

Ms. Harrison moved that the Council of the Town of Berryville adopt the attached resolution in order to request acceptance of the streets identified in the resolution into the VDOT Urban Highway System and Maintenance Inventory. The motion passed by unanimous voice vote.

11. Council Member Reports

Mayor Arnold said the drought watch declaration of September 2 was still in effect and that staff remained in regular contact with the Department of Environmental Quality.

Mr. Mazzarino said he would like to speak further with Mr. Figert.

Mr. Tibbens said he had attended the December meeting of the County Board of Supervisors, representing the Council.

The other members had nothing to add.

12. Staff Reports

Nothing was added to the written reports for Public Works, Utilities, Administration and Finance, Police, or Deputy Town Manager.

Community Development

Ms. Dunkle said the annual Virginia Commission for the Arts Creative Communities Partnership Grant would soon require the attention of the Community Development Committee.

Town Manager

Mr. Dalton briefly updated the Council on the progress of blight abatement work at 12 First Street, 225 Josephine Street, 229 Josephine Street, and 114 Josephine Street. He recommended that the Council set a definite deadline for compliance with measures agreed upon previously. The consensus of the Council was that Mr. Dalton should draft letters to the property owners for the Council to examine prior to its February meeting.

13. Committee Updates

Vice Mayor Gibson said the Budget and Finance Committee would not meet in January. Mr. Mazzarino said the same of Public Safety.

Mayor Arnold said the Personnel Committee had met in December 18 and had interviewed multiple candidates for appointment to the Planning Commission, and that a recommendation in February was possible. He said the committee recommended the appointment of Nancy Merriman to the Clarke County Parks and Recreation Board to replace Ronald Huff, who did not wish to continue on that body after the expiry of his term on January 31.

Vice Mayor Gibson moved that the Council of the Town of Berryville recommend to the Clarke County Board of Supervisors that Nancy Merriman be appointed to the Clarke County Parks and Recreation Board for a term commencing on January 1, 2024 and ending December 31, 2027. The motion passed by unanimous voice vote.

A discussion established that the Streets and Utilities Committee would meet on January 23 at 3:00 p.m. to discuss signage related to truck traffic.

A discussion established that the Community Development Committee would meet on January 23 at 4:00 p.m.

14. Other

No other business was discussed.

15. Closed Session

Not applicable.

16. Adjourn

The Council adjourned at 7:40 p.m. on a motion by Vice Mayor Gibson.

Erecka L. Gibson, Vice Mayor

Paul Culp, Town Clerk