

MINUTES

**BERRYVILLE TOWN COUNCIL
Regular Meeting
October 14, 2025
7:00 p.m.**

A meeting of the Berryville Town Council was held on Tuesday, October 14, 2025, 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; 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; Chief Tim Bristol, Berryville Police Department

Press Mickey Powell, Winchester Star

1. Call to Order

Mayor Arnold 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

Ms. Gibson moved to approve the agenda as amended. The motion passed by voice vote.

4. Presentations, Awards, and Recognitions

None

5. Public Hearings

None

6. Discussion of Public Hearing Items

None

7. Citizens' Forum

Mayor Arnold called on citizens who have signed up to speak during the forum.

Mr. Rick Figert from 417 Jones Ct shared his concerns with the storm water pond behind his home. He had previously spoken with Town staff, reps from DEQ and DR Horton about the issue and feels it is not being resolved. Mayor asked staff if there is any update. Mrs. Petti stated that it has been looked at and she will get an update emailed to Mr. Figert first thing tomorrow. Mr. Figert also asked about the concrete issue that has been on going. Mr. Figert additionally asked about the dip in the road at the intersection of Hermitage Blvd and Alexander Dr, he said it feels like it will damage cars. Mrs. Petti said that the grade of the road is necessary to avoid the ponding of water in the area. Mr. Figert would like the specs for the dip in the road.

8. Consent Agenda

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

9. Unfinished Business

Discussion- Appointment of a Ward 2 Councilmember

The Mayor stated the names of both candidates had been interviewed for Town Council Ward 2 position. They are Paul Perez and Patrick Irish.

Mr. Tibbens moved that the Council of the Town of Berryville appoint Paul Perez to the unexpired term of Diane Harrison, Ward 2 Councilmember, with such term to commence on October 15, 2025 and end on December 31, 2026. Motion passed by voice vote.

Discussion- Town legal services

Mr. Dalton discussed the town is looking to fill the Town Attorney position and there was an interview that took place last Council meeting.

Ms. Gibson moved that the Council of the Town of Berryville, in accordance with §5.1 of the Town of Berryville Charter, authorize the town manager to finalize an agreement with Martin R. Crim, Sands Anderson PC, to provide legal representation for the Town. The motion passed by voice vote.

Discussion- Proposed amendment of the Town's Construction Standards and Specifications to address restoration of pavement for utility test pits

Mrs. Petti gave a quick recap of the Berryville standard, Berryville requires a 25ft on center and Glo Fiber is asking for a 4ftx4ft patch. Glo Fiber states it will be cost prohibitive if they go forward with VDOT's standards and could not reach 700 of the residents originally projected. Mrs. Petti presented a Power Point about potential manual revision of restoration of pavement.

Mrs. Petti introduced Bryan Byrd from Glo Fiber to speak about the pavement restoration standards and answer any questions the Council may have.

Mr. Tibbens asked if the patches on Mosby Blvd are up to Berryville standards and Mr. Dalton said all the patches that were made so far are up to the Berryville/VDOT standard. Mr. Byrd said the patches that were placed so far were approved by Rick Boor.

Mr. Tibbens asked Mr. Byrd if a plan can be in place by the November meeting, Mr. Byrd said yes. Ms. Gibson asked how many streets have been paved in the last five years. Mr. Dalton stated six streets this year and approximately 30 in the last five years.

Mayor Arnold said he has noticed a lip on the patches and is concerned with the snow plows this winter to see if the patches start to deteriorate.

Mr. Tibbens moved that the Council of the Town of Berryville set a public hearing on November 12, 2025 at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider a proposal to amend the *Town of Berryville Construction Standards Manual and Specifications* to establish standards for asphalt pavement restoration for open cut utility cuts made when test pits are excavated in streets. The motion passed by voice vote.

10. New Business

None

11. Council Member Reports

Mayor Arnold stated that the second Tuesday of November is Veterans Day. Accordingly, the Council's regular meeting in November will be held on Wednesday, November 12th. There will be a Veteran's Day celebration on November 11th at 11:00 a.m. The service will be held in the Veterans Memorial at the BCCGC.

Keith Dalton said there will be a [notice on the website](#) about the change in date for the November Council meeting. He also announced there will be a reception for Diane Harrison, former Councilmember, at the November meeting at 6:00 p.m. This will also be a welcome reception for newly appointed Councilmember, Paul Perez.

12. Staff Reports

Chief of Police

Chief Bristol said the Police Department had one resignation and there are interviews for two candidates for the January Academy.

Deputy Town Manager

Mrs. Petti explained that D.R. Horton has addressed the bulk of remediation and has committed to fully resolving remaining areas identified by the Town, consisting of several short sections of sidewalk, driveway aprons, and curb/gutter.

Mr. Tibbens moved that the Council of the Town of Berryville authorize the following related to bonds held for the Fellowship Square and Shenandoah Crossing developments:

- **Full release of erosion and sedimentation bonds and**
- **Release of all but \$83,500 in public improvement bonds, which will be held as surety to ensure the repair of identified deficiencies and to serve as a maintenance bond for any repair/replacement needs that become evident before November 12, 2026.**

The motion passed by voice vote.

13. Committee Updates

Mayor Arnold recognized the chairs of each standing committee of the Town Council to introduce action items, provide updates, and impart additional information that they think may be helpful to the Council.

Budget and Finance Committee

Discussion- Proposed FY27 Budget Calendar

Ms. Gibson asked if there were any concerns about the Proposed FY27 Budget Calendar. There were none. She then stated that according to the budget calendar, committee priorities are due by December 1, 2025.

Discussion- Review of VML/VACo Investment Pool

Ms. Gibson let the Council know that she would like the Budget and Finance Committee to review whether the Town should avail itself of the VML/VACo Investment Pool. She stated the Town staff has met with representatives of VML/VACo Finance and that she would like to have the Committee review this matter, meet with VML/VACo Finance, and report back to the full Council on the matter. Mr. Dalton stated Committee and staff will go through the reserve specifics to develop recommendations for investments.

Community Development Committee & Streets and Utilities Committee

Chair Tibbens said there will be no meeting in October, the next meeting will be on November 25, 2025 at 3:30 p.m., project updates will be discussed.

Personnel, Appointments, and Policy

Discussion- Hours of work section of the Town of Berryville Employee Handbook

Town staff requests that the Personnel, Appointments, and Policy Committee review the hours of work section of the employee handbook to ensure that it best meets the needs of the Town and complies with federal law.

Mr. Dalton also asked the Personnel Committee to discuss the vacancies on other committees and boards at their next scheduled meeting.

Public Safety

Chair Mazzarino informed the Council that he is working closely with the town manager to fulfill a portion of the Town Council's consultation role in the hiring of a Chief of Police as required by §2-66 of the Berryville Code. He informed the Council that the town manager plans to meet with the entire Council in closed session on November 12, 2025, to brief them on his findings and to seek counsel on the applicant who will be offered the position.

14. Closed Session

None

15. Adjourn

The Council adjourned at 7:59 p.m. on a motion by Ms. Gibson.

Erecka L. Gibson, Vice Mayor

Brandel Kelsey, Town Clerk