



OCCOQUAN TOWN COUNCIL
Regular Meeting Minutes
Town Hall - 314 Mill Street, Occoquan, VA 22125
Thursday, November 7, 2019
7:00 p.m.

Present: Mayor Earnie Porta, Vice Mayor Pat Sivigny, Councilmembers Matthew Dawson, Cindy Fithian, Laurie Holloway, and Eliot Perkins

Absent: None

Staff: Kathleen Leidich, Town Manager; Adam Linn, Chief of Police; Martin Crim, Town Attorney; Bruce Reese, Town Engineer.

1. Call to Order

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

2. Pledge of Allegiance

3. Citizens Time

Amy Barnes of Center Lane asked for an update on Town storm water management planning. Mayor Porta responded that at each Town Council meeting staff is reminded to prepare for the spring cycle of storm water management grants. The Town Manager, Kathy Leidich, provided a brief update on her discussions with the County regarding the previously-completed storm water study and noted that maintenance staff will be monitoring and cleaning storm water grates.

Terry Haas of Commerce Street spoke to commend the Occoquan Police on their activities related to animal welfare issues and encouraged funding and training to help them continue to improve in this area. She suggested potentially establishing an advisory group on this issue. Mayor Porta noted that an advisory group might be consistent with the topic of "task forces," which he planned to address during his report. He also thanked Ms. Haas for recognizing the efforts of Occoquan Police on this subject at a recent public Halloween event she sponsored at River Mill Park.

4. Approval of Minutes

A motion was made by Councilmember Perkins, seconded by Councilmember Fithian that the minutes of the October 15, 2019, work session meeting be approved. Ayes: All, by voice vote.

5. Mayor's Report

Mayor Porta reported on the following activities in which he participated.

- 10/3 - Attended the Occoquan Pointe HOA Annual Meeting.
- 10/5 - Attended the ACTS IWalk fundraiser.
- 10/17 - Again served as Program Lead for Leadership Prince William's History & Government Day.
- 10/26 - Participated in the Annual Halloween Costume Parade, judged the costume contest, and attended other parts of the Spirits & Spirits event.

- 10/27 – Attended the ceremony in River Mill Park organized by Terry Haas honoring Town police officers and Pat Lynn for their service related to animal welfare issues.

Mayor Porta also reported on or inquired of staff regarding the following items:

- He confirmed with the Town Manager that staff could not locate the picture plaque of Bob Ritenour that had been removed from the Mamie Davis Park gazebo. He noted that advocates for the recognition of Mr. Ritenour expressed a preference that the plaque not be replaced given its small size; they felt the large portrait in Town Hall represents more appropriate recognition.
- He noted that the Northern Virginia Conservation Trust had conducted their annual monitoring visit on the Tanyard Hill Park conservation easement. They noted that some debris has been gathered near the townhouse subdivision border and that this should be removed by March 1 and signs placed indicating that dumping is not permitted.
- Mayor Porta remarked that he has noticed that the Town Code has not been updated on the Town web site with ordinances adopted since January 1, 2019. While it is updated on the American Publishing Company site, that site is not user friendly, nor is there any link to it on the Town web site. He directed staff to make certain to promptly update the Town Code on the Town web site after each new ordinance is adopted.
- Mayor Porta noted that the final, approved minutes on the Town web site do not show the signature of the Town Clerk or other relevant official and that this should also be corrected on the Town web site.
- Mayor Porta reported that Ms. Loges of the Planning Commission had suggested the creation of some task forces that might assist staff in researching or processing issues of importance. Potential subjects include budget planning, communications, maintenance, volunteer support, and technology. Council members generally agreed that the concept is worth exploring.
- Mayor Porta noted that he and the Town Attorney and others had worked together to develop a set of frequently asked questions (FAQs) related to the proposed “Mill at Occoquan” development, focusing particularly on process, historical, and environmental questions. He distributed copies to the Town Council members for review, noting, as Council Member Holloway indicated, that it is a “living document” that can be added to and modified as needed. Ms. Leidich reported that she had already put it on the Town web site.

6. Councilmember Reports

Councilmember Perkins reported on the activities of the Planning Commission with regard to the “Mill at Occoquan” development. He also noted the substantial increase in the number of children living in Occoquan and participating in Occoquan events and suggested that this is a very positive development for the community.

Councilmember Holloway remarked on an earlier email she had sent to staff regarding the potential use of environmentally-friendly snow melt material. In particular, she asked staff to research whether or not our snow removal contractor could use such material rather than salt or other chemical treatments.

Councilmember Fithian noted the significant community interest in the proposed “Mill at Occoquan” development. She also reported to the Mayor that State Delegate Torian was interested in speaking with him about the storm water management fund opportunities offered by the state.

Councilmember Dawson asked about the status of the parking recommendations from the Planning Commission. Ms. Leidich noted that with the departure of the staff member who was taking the lead on this and the press of other business she had not been able to make the subject a priority. Work will commence on it again in the near future, however. Mayor Porta noted that he had been approached with a recommendation to make Commerce Street two-way again as a way of reducing the impact on the Town of the afternoon rush hour traffic. Councilmember Perkins responded that this idea had been considered and rejected earlier by the Planning Commission, but that it could be reviewed again. Ms. Fithian reminded the Council again that as soon as possible she would like to see a new, larger free public parking sign at the corner of Washington and Mill Street.

7. Staff Reports

A. Town Attorney:

Mr. Crim reported that he has been working on a revised agreement with AT&T, noting that the revision was necessary since the poles referenced in an earlier version of the agreement are not the Town’s. He also indicated that he has been working with staff on reviewing the revised Visitors Center lease and the documents related to the construction of the kayak launch ramp. Additionally, he has been assisting staff with the collection actions for delinquent meals tax payments.

B. Town Engineer:

The Town Engineer’s written report was submitted as part of the meeting agenda. Mayor Porta asked about the status of the stop work order on the Kiely Court project. Councilmembers Perkins and Holloway asked about water drainage from the property and the likelihood of ice developing during the winter months. Sidewalk ice resulting from water associated with this property has been an issue for more than a decade, and Mr. Crim noted that the Town had in the past considered filing a nuisance action against the owners of Rockledge for the drainage and ice buildup on the sidewalk. Ms. Leidich noted that staff will be working with the property owner to ensure pedestrian safety this winter. Councilmember Fithian asked whether or not anything could be done about the raised manhole cover near the Bann Thai restaurant, noting that it was on private property. Mr. Crim noted that since it is on private property, the remedies are limited, but could include a public nuisance action. Mayor Porta suggested discussing the matter with the property owner.

C. Building Official:

The Building Official’s written report was submitted as part of the meeting agenda. Mayor Porta noted that one item showed an issue date of 4/25/2014 and asked that staff contact the Building Official to see if this had been turned over to enforcement staff.

D. Zoning Administrator

The Zoning Administrator's written report was submitted as part of the meeting agenda. Mayor Porta again asked if it contained the status of all identified outstanding violations. Ms. Leidich said she had confirmed that it does.

E. Town Treasurer

The Town Treasurer's written report of audits and tax delinquencies was submitted as part of the meeting agenda, as were draft financial results through September. Mayor Porta asked that staff confirm at a future meeting the reasons for noticeable variances in the IT, Insurance, and Vehicles and Equipment line items of the operating budget, noting that he assumed these expenses generally are greater early in the fiscal year.

F. Chief of Police:

Chief Linn submitted a written report as part of the meeting agenda. Councilmember Holloway noted her frustration that many vehicles that clearly belong to residents in Town are not displaying Town decals. Chief Linn responded that Town Police will soon be initiating an enforcement campaign, noting that a campaign a few years ago almost doubled the number of decals issued. A discussion ensued about the future use of the decals. Staff again noted that if the Town does not issue the decals then the County will get the decal revenue (the County does not issue decals but nevertheless collects the relevant fee in the personal property tax bill). Vice Mayor Sivigny noted that the Town at one time had investigated having the County issue the decals and take a portion of the revenue. This would result in higher levels of enforcement since it would be tied to the personal property tax. Chief Linn responded the County was not ready to pursue this at that time, but might be in a position to do so now.

Vice Mayor Sivigny remarked that he believes we have one of the finest police forces in the area and that he would like to see a mechanism developed to have them recognized as such before the Occoquan community.

G. Public Works

Staff distributed the updated Maintenance Supervisor checklist. Ms. Leidich again confirmed that monthly and annual activities will be added at a later date.

H. Boards and Commissions:

Councilmember Perkins reported that the Planning Commission will be meeting on December 10. Councilmember Holloway reported that the ARB will also be meeting on December 10.

I. Events and Community Development Director

The Events and Community Development Director, Julie Little, submitted a written report with the agenda, and briefly reviewed both the results from the Spirits & Spirits event and the plans for RiverFest. Mayor Porta complimented Ms. Little on the recent Spirits & Spirits event, noting in particular the large crowd that participated in the costume parade.

J. Town Manager:

Ms. Leidich submitted a written manager's report as part of the meeting

8. Regular Business**A. Update on Kayak Ramp Project**

Ms. Leidich provided an update on the kayak ramp project. Mayor Porta asked for confirmation that if all the estimated periods for permitting and construction proved accurate that the project would be completed before construction had to stop in February due to environmental restrictions. Ms. Leidich was unsure, but agreed to confirm what type of construction had to end in February. If, in other words, work in the water was completed by then, could remaining construction continue.

B. Financial Services Update

Ms. Leidich reviewed the status of the financial services agreement with Quist & Associates, LLC, noting progress to date on various items. Ms. Quist submitted a written progress report and answered questions from the Town Council.

C. Ordinance to Chapter 78 of the Town Code-Generally Related to Shared Mobility Systems

Mr. Crim noted that there is a January 1, 2020, deadline to adopt either a pilot program or an ordinance to regulate motorized skateboards, scooters, etc. If the Town misses the deadline, then any person may offer motorized skateboards, scooters, bicycles, or electric power-assisted bicycles for hire.

Councilmember Perkins moved that the Town Council adopt Ordinance #O-2019-08 adding Chapter 78 generally related to shared mobility systems, as is reflected in the attachment presented to the Town Council on November 7, 2019, to the Town Code. Councilmember Holloway seconded. Ayes: Vice Mayor Sivigny, Councilmembers Perkins, Holloway, Fithian, and Dawson, by roll call vote. Nays: None

D. Snow Removal Contract

Councilmember Holloway moved to extend the existing contract with Virginia Lawn Service for snow and ice removal services for one year, Fiscal Year 2020, and to set a not-to-exceed amount of \$5,000. Councilmember Fithian seconded. Ayes: Vice Mayor Sivigny, Councilmembers Perkins, Holloway, Fithian, and Dawson by roll call vote. Nays: None.

9. Closed Session

Vice Mayor Sivigny moved that the Council convene in closed session to discuss as permitted by the Virginia Code Section 2.2-3711(A)(1), a personnel matter involving performance of a specific Town employee, and as permitted by Virginia Code Section 2.2-3711(A)(3), a matter involving acquisition of real property for public purposes within Town limits. Councilmember Perkins seconded. Ayes: all, by voice vote. Closed session began at 9:07 p.m.

The Council came out of Closed Session at 9:46 p.m. Vice Mayor Sivigny moved that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. Councilmember Holloway seconded. Motion passed unanimously. Ayes: Vice Mayor Sivigny, Councilmembers Dawson, Fithian, Holloway, and Perkins, by roll call vote. Nays: None.

10. Adjournment

The meeting was adjourned at 9:47 p.m.



Town Clerk