



# TOWN OF OCCOQUAN

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## Occoquan Town Council Regular Meeting September 1, 2020 | 7:00 p.m.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Citizens' Time** - Members of the public may, for three minutes, present for the purpose of directing attention to or requesting action on matters not included on the prepared agenda. These matters shall be referred to the appropriate town official(s) for investigation and report. Citizens may address issues as they come up on the agenda if advance notice is given during 'Citizens' Time'.
4. **Approval of Minutes**
  - a. July 7, 2020 Regular Meeting Minutes
  - b. July 15, 2020 Special Meeting Minutes
  - c. July 21, 2020 Work Session Minutes
5. **Mayor's Report**
6. **Councilmember Reports**
7. **Staff Reports**
  - a. Town Attorney
  - b. Town Engineer
  - c. Building Official
  - d. Zoning Administrator
  - e. Town Treasurer
  - f. Chief of Police
  - g. Public Works
  - h. Events and Community Development Director
  - i. Boards and Commissions
  - j. Town Manager
8. **Regular Business**
  - a. Request to Accept DMV-National Highway Safety Administration Highway Safety Grant
  - b. Discussion of CARES Act Funding
  - c. County Tourist Information Center Kiosk
  - d. Proposal for Use of Tourist Information Center Building
  - e. Discussion of Draft Noise Ordinance and Draft Exhaust System Ordinance
9. **Closed Session**
10. **Adjournment**

**Portions of this meeting may be held in closed session pursuant to the Virginia Freedom of Information Act.**  
*A copy of this agenda with supporting documents is available online at [www.occoquanva.gov](http://www.occoquanva.gov).*



**OCCOQUAN TOWN COUNCIL**  
**Regular Meeting Minutes - DRAFT**  
**Town Hall – 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, July 7, 2020**  
**7:00 p.m.**

**Present:** Mayor Earnie Porta; Vice Mayor Jenn Loges; Councilmembers Krys Bienia, Cindy Fithian, Laurie Holloway and Eliot Perkins

**Absent:** None

**Staff:** Kathleen Leidich, Town Manager; Martin Crim, Town Attorney; Kathleen Dellinger, Town Treasurer; Adam Linn, Chief of Police; Jason Forman, Town Sergeant; Julie Little, Events and Community Development Director; Katy Nicholson, Town Clerk

**1. CALL TO ORDER**

Mayor Porta called the meeting to order at 7:11 p.m.

**2. PLEDGE OF ALLEGIANCE**

Mayor Porta noted that due to the communication challenges caused by physical distancing measures and remote participation, he would call on each Council member to allow them a chance to speak about each discussion item.

**3. CITIZENS' TIME**

Terry Haas, a Town business owner, expressed concerns about the administration of the Town's COVID-19 Microgrant Program. She noted that the Town was in the process of responding to her concerns, and that she had inquired twice with the Occoquan Merchants' Guild regarding the organization's structure and term limits, but had not received a response. She said she previously had been a Guild member and found that the organization did not address the needs of non-brick-and-mortar businesses like hers. She also noted that Prince William County Supervisor Kenny Boddye was helping to address some of her concerns. Ms. Haas said she had missed the first application deadline for the Prince William County microgrant program because she thought she should apply for the Occoquan program instead. She explained that she had lost 75 percent of her business due to the COVID-19 pandemic, so this was an important issue for her.

Ms. Haas also said she was concerned about the plaque in River Mill Park commemorating the Dogue people. She submitted printed information about the Dogue people, as well as a Washington Post article titled "How a Long-dead White Supremacist Still Threatens the Future of Virginia's Indian Tribes." She said she thought the Town should change the word "departed" on the plaque, as the term had a connotation with death and the Dogue people had been driven out of the area. She suggested that the Town reach out to the Federally recognized tribes of Virginia for guidance on the text, adding that the country as a whole was working to give a voice to non-dominant cultures.

Mayor Porta responded that the plaque had been in Town for a long time and that he would bring the matter to the attention of the Prince William County Historic Preservation Division. He also noted that he planned to move up the microgrant program item on the meeting agenda to allow Ms. Haas to participate in the discussion.

Dan Domenech, a resident of Gaslight Landing, expressed concern about increased signage in Town. Mr. Domenech said he had been raised in Brooklyn, New York, and that he did not want

Occoquan to take on a similar aesthetic with signs all over Town. He added that he did not want to impede anyone's freedom of speech, but he was concerned that the number of signs would continue to increase due to the upcoming elections. He asked whether the Town had guidelines for signage.

Mayor Porta responded that he had planned to address this subject in his Mayor's Report and that Councilmember Fithian had contacted him earlier in the day about the issue. He said he would ask Council for consent to add this item to the agenda.

#### 4. ELECTION OF VICE MAYOR

Mayor Porta requested nominations for the position of vice mayor.

Councilmember Fithian requested an opportunity for discussion prior to the vote.

##### **Motion to allow discussion following nominations and prior to voting for Vice Mayor.**

Moved by Councilmember Fithian; seconded by Councilmember Holloway.

Motion **passed** unanimously by voice vote.

Councilmember Perkins nominated Councilmember Loges for vice mayor. Councilmember Loges accepted the nomination.

Councilmember Fithian nominated Councilmember Holloway for vice mayor. Councilmember Holloway accepted the nomination.

Hearing no further nominations, Mayor Porta closed the nominations and opened the discussion.

Councilmember Fithian read the following statement:

"It is my honor and privilege to nominate Councilmember Laurie Holloway to be Vice Mayor of the Occoquan Town Council. Since Laurie first moved to Occoquan in 2016, she has been an ardent and effective community activist and advocate. She was named "Volunteer of the Year" in 2018. Whether volunteering multiple shifts at the Craft Show, cleaning up regularly under the 123 bridge (the spot she and her wife, D, "adopted"), sharing her communications expertise with the town staff, Council, and mayor, promoting Occoquan constantly on social media, and participating in every town event – it has always been evident that Laurie loves Occoquan. That is why I encouraged her to run for Town Council in 2018. Her communications, public relations, and business owner background have been a positive force on behalf of our town for the last two years as the Council addressed myriad issues. She also served as Council Representative to the ARB (Architectural Review Board) for the last three years, and also to ASAP (Alcohol Safety Action Program). I strongly believe that it is critical to bring a minimum of one term Council experience to the role of Vice Mayor. Council Member Laurie Holloway will make an excellent Vice Mayor. It is not because she is my next-door neighbor and friend that I nominate her this evening. I nominate her because the time, talent, and energy she devotes to this town - and to this Council - make her the best qualified to serve as Vice Mayor. Her dedication and integrity are above reproach."

Councilmember Loges thanked Councilmember Perkins for his nomination. She said that while it was unusual for a first-term councilmember to be nominated for vice mayor, the nomination spoke to her experience with the Town, including two years of service with the Planning Commission, attending most of the Town Council meetings during the last two years and volunteering at the Craft Shows. She also noted that her experience as both a resident and a former Town business owner

gave her a unique perspective. She noted that the vice mayor provided support for the mayor, and that she and Mayor Porta had worked together to establish a not-for-profit organization in Town and had served together on the inaugural board for Patriots for Disabled Divers.

Councilmember Holloway requested that her response be included in the minutes in its entirety:

“Councilmember Fithian, I’m truly honored by your nomination. I did fall in love quickly with this Town and with the people. It’s a privilege to serve and certainly to volunteer in such a unique place. It’s a really cool town. In three years on the ARB and in my first term as councilmember, I worked tirelessly to bring a calm, balanced voice to complex issues facing the Town. It’s never been about adding a line to my résumé or anything like that. It’s because I live here and I love it. I’ve offered thoughtful, strategic advice to the Mayor on countless occasions and I’m confident that our residents recognize my efforts, as I was re-elected last month with the most votes of any councilmember. Councilmember Fithian, I absolutely know the strength of your moral compass and that you would not nominate or vote for anybody on the basis of friendship. I know that. I’ve heard enough from you over the past three years to know that, and I admire that. In fact, if things were different, I’d be nominating you, because integrity, honesty and fairness are my true north as well. Given that, I am dismayed and disappointed by back-room deals that were set in motion weeks ago regarding this position and as such, I respectfully decline your heartfelt nomination with deep appreciation for your kind words. They mean the world to me and I appreciate that. I hope that going forward, we all place the Town’s interests first and foremost because we owe that to this Town that we all love.”

Mayor Porta confirmed that he had worked well with Councilmember Loges in a number of capacities. He also confirmed that he had sought Councilmember Holloway’s counsel on multiple occasions and that she had been generous and enthusiastic in giving it.

Councilmember Perkins stated that Ms. Loges had an incredible amount of business acumen, had attended every Planning Commission meeting and was certified by the State of Virginia as a Planning Commissioner, that she was viewed by the community as someone to look to for her thoughts and opinions on important matters, and that residents could trust her to put Town issues first. He added that he thought other members of Council Loges were qualified to serve as vice mayor and that he was happy to have nominated Councilmember Loges.

Mayor Porta said he thought either candidate would be excellent in the role of vice mayor, and he was glad that all of the Council members were willing to serve the Town.

**Mayor Porta called for a vote on the nomination of Councilmember Loges for the position of Vice Mayor. The following Councilmembers raised their hands in support of Councilmember Loges’ nomination: Councilmember Bienia, Councilmember Loges and Councilmember Perkins.**

**Councilmembers Fithian and Holloway abstained from the vote.**

Mayor Porta requested that Council add an item for discussion of signs/banners/flags, and move up the microgrant item. No objections.

## **9. REGULAR BUSINESS**

### **a. Discussion of Signs, Banners and Flags**

Mayor Porta explained that the Chair of the Architectural Review Board had approached Council earlier in the year with concerns that a sign/banner “war” was developing within the Historic District. Mayor Porta noted that the Town’s regulations regarding signs, banners and flags were unclear and that violators could make the argument that the ordinance was confusing. He explained that he had worked with the Chair of the Architectural Review Board to revise the Town’s sign ordinance, which would require the approval of both the Planning Commission and Council. He noted that the Planning Commission planned to take up the matter at its next meeting and that he planned to send a letter to several residents requesting their cooperation.

Mayor Porta told Mr. Domenech that the Town had rules in place regarding signage, including the following, and that he was aware of several existing violations:

- A limit of four flags per building.
- Flags must be separate from buildings (e.g. attached to poles).
- Signs, flags and banners may not obstruct architectural features of buildings.
- Banners must be removed from buildings by at least 12 inches.
- Signs may not take up more than 25 percent of window space on one side of a building.

Councilmember Fithian distributed photos of signs, banners and flags in Town and asked for an explanation of the violations pictured. Mayor Porta responded that the photos included violations of most of the regulations listed above. He noted that the hope was for the Town to help residents and business owners comply with the rules.

Councilmember Fithian asked if there were special restrictions for political signs. Mayor Porta responded that the Town Code previously allowed political signs for up to 45 days prior to and 15 days after an election. He explained that the courts had determined this type of restriction was an unconstitutional violation of the First Amendment, as it was content-specific. Mr. Crim noted that a Federal ruling had established that political signs must be treated the same as all other signage.

Councilmember Fithian asked what would happen if those in violation did not comply with Mayor Porta’s written request. Mayor Porta responded that his letter was simply a request with no legal obligation. He added that if they were still in violation after the revised Sign Ordinance was adopted, the violation would be sent to the Zoning Administrator for enforcement.

Mr. Domenech thanked Council for addressing his concerns.

#### **b. Small Business Relief Micro-Grant Program**

Mayor Porta asked Ms. Haas if she had any questions. Ms. Haas responded that she had submitted her questions by email and had received responses to some of them. She said she would like to know how the amount – approximately \$94,000.00 – of Coronavirus Aid, Relief, and Economic Security (CARES) Act funding for the Town had been determined. She noted that the funding criteria should guide the Town’s use of the money, adding that the Town had a tradition of putting the shops before the residents. Ms. Haas also inquired about the approximately \$6,000.00 that had been earmarked for Town administrative use. She stated that she thought the Town should use the funding to make its meetings available live online so all residents could participate. She added that the pandemic and demanding work schedules made it difficult for many residents to participate in Town meetings.

Mayor Porta explained that Prince William County had distributed the CARES Act funding based on population. He noted that the funding only could be used for COVID-19-related expenses, and that the \$6,000.00 was comprised of funds the Town already had spent on COVID-19-related costs. Mayor Porta stated that the Town had not been under any obligation to create a microgrant program, but Council had decided to use \$30,000.00 of the grant funding to help support Town businesses. He explained that staff had proposed that the \$30,000.00 be split between all eligible businesses that applied, and that the Town Attorney had notified Council and staff that the Town could not directly disburse the funds to its businesses. As a result, the Town planned to distribute the funds through the Occoquan Merchants' Guild.

Mayor Porta said he expected the Town to incur additional COVID-19-related expenses, and that the Town could have used its CARES Act funding exclusively to reimburse those costs. He noted that he disagreed with the idea that Council had helped Town businesses to the exclusion of residents. He added that he had heard from many residents who supported Council's decision.

Mayor Porta stated that although many residents were active in the community, he agreed the Town should consider providing live coverage of its meetings. He added that the Town would need to consider the recurring costs of such an initiative.

Mayor Porta said he was sorry to hear that Ms. Haas had missed the first round of grant funding from Prince William County, and that the Town had tried to make it clear that businesses could apply for funding from both the County and the Town. He added that it was his understanding that Ms. Haas would be eligible for Prince William County's second round of grant funding, as well as the Town microgrant.

Mayor Porta asked Ms. Little if Prince William County was including home-based businesses in its second round of microgrant funding. Ms. Little responded yes. Mayor Porta noted that the Town intended to mirror the County's eligibility criteria, so Council would need to approve this change to its own microgrant guidelines.

**Motion to approve an amendment to the Small Business Relief Micro-Grant program guidelines to include home-based businesses as eligible if they meet all other requirements.**

Moved by Councilmember Holloway; seconded by Councilmember Fithian.

Motion **passed** unanimously by voice vote.

Ms. Little confirmed that she had extended the microgrant application deadline to July 15. Councilmember Holloway asked how many applications the Town had received so far. Ms. Little responded that the Town had received 11 applications. Mayor Porta asked Ms. Haas if she thought a July 15 microgrant application deadline provided businesses with enough time to apply. Ms. Haas responded yes, considering that the businesses needed the funding right away.

Mayor Porta asked if the Town should mail information about the microgrant program to all Town businesses. Councilmember Perkins asked if Ms. Little had the ability to contact all Town Businesses in other ways. Ms. Little responded that she had received an offer from a councilmember to help call the Town businesses. Councilmember Fithian said she would be happy to help with this as well.

Councilmember Holloway asked how the program had been communicated so far. Ms. Little

responded that she had emailed her business community distribution list and included information on the Town website and in the Town newsletter. She added that the Occoquan Merchants' Guild had notified its members of the program as well. Councilmember Fithian asked if most businesses had registered for the email distribution list. Ms. Little responded that some businesses had signed up, but not most of them.

Councilmember Bienia asked if a mailing would reach the intended audience and if it would have a favorable return on investment. Ms. Little responded that there were approximately 130 Town businesses and that she could send a letter the following day.

Councilmember Perkins asked if a letter would be more effective than the measures Ms. Little already had taken. Ms. Little responded that some business owners did not read their email. Mayor Porta noted that the business owners who were invested in the community likely were paying attention to the Town's newsletter and emails, and that he did not want to hold up the process for the businesses that already had applied.

Vice Mayor Loges asked when the application period had opened. Ms. Little responded that it had opened on June 29. Vice Mayor Loges noted that the Town would need to balance its attempts to get the word out with the need to distribute the funds in a timely manner. Councilmember Bienia noted that a mailing likely would require an extension of the application deadline.

Mayor Porta asked Ms. Haas if she had any additional comments. Ms. Haas asked Mayor Porta about his earlier comment that he had heard from residents who supported Council's decision to create the microgrant program, noting that his observations were contrary to her own. She asked if these residents wanted all of the grant funding to go to the Town's shops. Mayor Porta responded that they did not want all of the funding invested in shops, but they were supportive of Council's efforts to improve the quality of life for residents and to help the business community. He added that these residents knew that the Town's business taxes helped to keep residents' taxes lower and that Occoquan would not be a town without its business community.

Councilmember Perkins asked Ms. Little to name her job title. Ms. Little responded that she was the Events and Community Development Director. Councilmember Perkins asked whether the Town had a full-time Community Development Director prior to Ms. Little. Ms. Little responded no. Councilmember Perkins said he was proud of the Town's efforts to get money into the hands of those who needed it and to keep the community safe.

Mayor Porta confirmed that Council did not want Ms. Little to send out a mailing for the microgrant program. Councilmember Fithian suggested posting the information on social media. Ms. Little said she could post the information on the Town's government Facebook page. Councilmember Holloway said she thought Ms. Little should use every available communication tool except for the mailing, and that she would be happy to make phone calls.

## **1. APPROVAL OF MINUTES**

### **a. May 6, 2020 Regular Business Meeting Minutes**

Moved by Councilmember Perkins; seconded by Vice Mayor Loges.

Motion **passed** unanimously by voice vote.

### **b. May 26, 2020 Special Meeting Minutes**

Moved by Councilmember Holloway; seconded by Councilmember Bienia.

Motion **passed** unanimously by voice vote.

## 2. MAYOR'S REPORT

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

- Worked with some residents and an HOA regarding a problem with a street light on West Locust Street.
- Worked with a resident, an HOA, the Town Attorney and the Zoning Administrator regarding the apparent “abandonment” of a property on West Locust Street.
- The Zoning Administrator notified the Mayor that he was taking action regarding overgrowth at 119 Washington Street.
- Met with a property owner regarding tree trimming. Asked staff to prepare a report with recommendations, to be provided to the property owner.
- Mayor Porta noted that there had been some information circulating in Town regarding individuals who allegedly had COVID-19. He said he had discussed this with the Town Attorney and wished to caution staff and Council about engaging in such conversations. He explained that some of the information included details that could reveal the identities of the individuals and that this could lead to legal liability. He added that untrue statements about illnesses like COVID-19 could constitute defamation per se and that staff and Council could potentially subject not only themselves, but the Town to legal liability by contributing to the spread of false information.

## 3. COUNCILMEMBER REPORTS

Councilmember Perkins thanked the Police Department for volunteering to trim weeds the previous week.

Councilmember Fithian asked if there had been any progress on the design of the signs for the kayak ramp and free public parking at the corner of Washington and Mill streets. Ms. Leidich responded that she was not aware of any design work, as she had been on bereavement leave for several weeks. Councilmember Fithian asked whether there were guidelines as to the use of the Town logo versus the Town seal, as she had noticed the Town seal was used on some of the new signage at the kayak ramp. Ms. Leidich responded that because the signs displayed official Town policies, she was under the impression that the Town seal should be used. Councilmember Fithian asked if the logo would be used for the welcome sign. Ms. Leidich responded yes. Councilmember Holloway noted that the logo usage was addressed in the Town's brand guidelines and that she agreed that the logo should be used for the welcome sign. Councilmember Fithian said she would like Council to review the design of the welcome sign prior to production.

Vice Mayor Loges thanked Chief Linn for allowing her to participate in a Police Department ride-along. She also thanked several residents who had provided feedback on the Town's noise ordinance, which was under review by the Planning Commission. She thanked Councilmember Holloway for meeting with her regarding Town communications and social media.

Councilmember Holloway reported that she had recently resigned from the ARB after three years, and thanked ARB Chair Brenda Seefeldt for her partnership on the board. She also noted that she had resigned from the Virginia Alcohol Safety Action Program board. Additionally, she noted that a

national Pokémon Go Fest was scheduled for July 25 and 26, and that the event would take place both virtually and in person.

#### **4. STAFF REPORTS**

##### **a. Town Attorney**

Mr. Crim congratulated the new and returning councilmembers. He noted that he planned to conduct a presentation at a future meeting to acquaint Council with his responsibilities and services. Mr. Crim reported that he had been working on the following issues: COVID-19 compliance, CARES Act funding, and police use of force and duty to intervene policies.

##### **b. Town Engineer**

The meeting agenda included a written report from the Town Engineer.

No further discussion.

##### **c. Building Official**

The meeting agenda included a written report from the Building Official.

No further discussion.

##### **d. Zoning Administrator**

The meeting agenda included a written report from the Zoning Administrator.

No further discussion.

##### **e. Town Treasurer**

The meeting agenda included a written report from the Town Treasurer.

Mayor Porta asked if the preliminary year-end numbers would be available for the August Council meeting. Ms. Dellinger responded yes.

##### **f. Chief of Police**

The meeting agenda included a written report from the Chief of Police.

Chief Linn noted that the individuals involved in two recent incidents were doing well.

Mayor Porta noted that he had received notes of appreciation from several residents regarding Chief Linn's help resolving community problems.

Councilmember Holloway thanked the Police Department for the officers' professionalism in handling the recent incidents Chief Linn had mentioned. She also thanked Chief Linn for his thoughtful response to the George Floyd incident.

Councilmember Perkins commended Chief Linn for his prompt communications to Council regarding incidents in Town.

##### **g. Public Works**

Mayor Porta noted that the Town would need to be sure to communicate with property owners regarding work on trees that were not clearly in the public right-of-way.

Councilmember Perkins asked for an update on brick repairs. Chief Linn responded that the Town had obtained the replacement bricks and had conducted a survey of repairs needed. He added that the Public Works Department was contending with the summer heat, and that this item was on their priority list.

Councilmember Holloway asked if there had been a decline in mischief in Town. Chief Linn responded that the problems ebbed and flowed, and that he thought the issues were a result of young people with too much free time. Councilmember Holloway noted that she had seen people in River Mill Park late at night and asked whether this was generally harmless behavior. Chief Linn responded that the people in the park late at night generally were harmless and that his department had been trying to move them along without incident. He added that Council could decide whether to change the park hours or direct the police to provide more stringent enforcement. He added that he did not think people should be in the park after midnight.

Vice Mayor Loges asked whether the police were observing the same people in the park repeatedly. Chief Linn responded that while there were some regular offenders, the police usually observed different people in the park each night. Vice Mayor Loges asked if the lights in the park were left on late at night. Chief Linn responded that they were left on all night, which led to some confusion regarding the park's operating hours. Councilmember Holloway noted that even with the lights off, there were dark areas in the park that could attract nefarious activity. Mayor Porta noted that the Town would need to decide how much the police should enforce the park hours, and that many communities were cutting back on this type of police involvement. He added that a gate might help to increase awareness of the park hours and that he would like staff to develop a recommendation.

#### **h. Events and Community Development Director**

The meeting agenda included a written report from the Events and Community Development Director.

Ms. Little noted that Discover Occoquan would be a week-long event instead of the usual one day, and that the event was intended to support Town businesses during the pandemic. She also explained that she had distributed a list of costs and other variables for the Craft Show/RiverFest. She added that the event would be a risk for volunteers and that she thought the Town should start developing a contingency plan as it considered the safety issues involved with hosting a large event. She said she had developed an idea for a virtual Craft Show that would put the Artisans' Walk online. She noted that there would be little expense or risk to the Town with an online event, and that it would foster good will between the Town and the vendors. She added that she could prepare a feasibility study for the next Council meeting. Councilmember Fithian said she thought this was a good idea.

Mayor Porta asked if Council could make a decision regarding the Craft Show/RiverFest at its regular August meeting. Ms. Little responded yes. Mayor Porta said he did not see any way that the Town would be able to hold the event. He asked Ms. Little to consider whether the virtual event would be worth the effort, as he was not sure that the concept of the Occoquan Marketplace would be scalable to such a large event. He added that he had heard

from some residents who were disappointed about the Town's event cancelations, but the Town would need to ensure that its events were both legal and safe.

Councilmember Holloway commended Ms. Little for her work and said she would like to see a survey of the vendors to determine interest in the virtual Craft Show. She added that she did not think most residents would want a large number of people visiting Town for an event, and that volunteers likely would not want to work at such an event.

Councilmember Bienia agreed that an in-person Craft Show/RiverFest would not be feasible. She asked Ms. Little to think about whether a virtual version would be revenue-generating, and whether it would be worth her time. She also asked Ms. Little to consider what kind of virtual events would be beneficial to the Town socially and financially. Ms. Little responded that the first event would not be revenue-generating. She said she had attended a Zoom call with 50 other events directors and that approximately half of them were considering holding virtual events to support the artists. She added that she thought the virtual event would generate good will with the vendors and would be a way to celebrate the Town's 50-year Craft Show legacy. Councilmember Holloway noted that this option would not cost much and would show that the Town had not given up on the Craft Show. Councilmember Perkins said it was heartbreaking to cancel the event, but he did not see any way around it. He added it would be worthwhile to investigate the idea of a virtual event as a demonstration of good will to the vendors. He also noted that there might be potential for smaller, revenue-positive events in the future.

Mayor Porta noted that RiverFest and the Craft Show were designed specifically to generate revenue for capital projects without raising residents' taxes. He added that Business, Professional and Occupational License taxes already were at the maximum allowed by state law. He explained that the Town would need to consider the purpose of its future events, whether to generate revenue and/or to give residents something to enjoy.

Councilmember Holloway noted that the Town may be able to use CARES Act funding to make up some of the shortfall. Ms. Leidich responded that the Town only was allowed to use those funds for expenses directly related to COVID-19. Councilmember Holloway said some other localities had identified creative solutions to this issue when they were forced to cancel events.

## **9. REGULAR BUSINESS**

### **c. Town Facility Rentals Discussion**

Ms. Leidich explained that staff had received several recent requests for large, private gatherings in River Mill Park. She noted that staff was concerned about ensuring public safety and that the Town had not hosted any large events during the pandemic. She asked for Council's thoughts on allowing private gatherings of 200 to 250 people in River Mill Park.

Mayor Porta said he did not think the Town could safely manage large, private events, so he thought they should be prohibited. He added that the Town should consider how it would manage the situation if a large number of people showed up to its next concert. Ms. Little responded that staff planned to draw physical-distancing circles in the park and encourage participants to wear masks. She added that the police could monitor the event and encourage physical distancing. Mayor Porta asked how Town staff would ensure that everyone remained in their respective circles. Chief Linn responded that staff would request voluntary

compliance and that signs would be posted encouraging safe practices. He explained that the police would do their best to let people enjoy the concert while encouraging safety. Mayor Porta asked how the Town would respond to private event hosts who said they would ensure participants followed safety protocol. Ms. Leidich responded that if they did not follow through, the Town's only recourse would be to shut down the event. She said she thought the Town should limit private events up to a certain number of people, but staff wanted Council's input to help determine that number.

Mayor Porta said it sounded like the Town could adequately police its own events, but it would need to shut down any private events that did not comply with the state's safety guidelines. He added that the Town would not want to be put in that position. Ms. Leidich agreed, adding that she thought it would set everyone up for failure. Mayor Porta asked if staff had been allowing small events in Mamie Davis Park. Ms. Leidich responded that staff had been allowing events with 10 to 15 people and a short duration. Mayor Porta asked what the maximum attendance should be for private events in River Mill Park. Ms. Leidich responded that staff thought more than 100 people would be a problem, and the current number was zero.

Councilmember Holloway noted that private events would limit the use of the park for Town residents and the general public. Mayor Porta responded that the Town could not keep the public out of the park during private events. Councilmember Holloway explained that a private event would crowd the park, limiting safe public access, and that her number would be significantly less than 100 people.

Vice Mayor Loges asked when the proposed event was scheduled to be held. Ms. Nicholson responded that it was scheduled for Saturday, August 1. Vice Mayor Loges noted that Saturdays were particularly busy for River Mill Park, and that 200 event participants plus the public would be there. She said she did not know how the Town could control such a large number of people during a pandemic.

Councilmember Fithian asked if anyone had heard feedback about the effectiveness of spray-painted physical distancing circles. Ms. Little responded that as far as she knew, they worked well. She added that staff could fit 24 eight-foot circles six feet apart in front of the stage area. Councilmember Fithian asked if private event hosts could sign a waiver guaranteeing physical distancing and consenting to the dissolution of the event if safety measures were not followed. Ms. Leidich responded that private event hosts already signed a Facility Use Agreement, but enforcement would be an issue in this case. She asked whether Council wanted the police to monitor these events and break them up if necessary. Councilmember Perkins responded that he did not want the police to have to deal with such matters. Ms. Leidich noted that the Town already was receiving complaints about people not physically distancing or wearing masks.

Councilmember Fithian expressed concern that the Town already was losing revenue due to the cancellation of the Craft Show/RiverFest. She asked whether there had been enough private event requests to boost revenue substantially. Ms. Little and Ms. Nicholson responded no.

Councilmember Bienia said she did not think the Town should choose an arbitrary maximum number of event participants, and that there should be reasoning behind the number. She also asked what the Town would do if event participants showed up without

permission. Mayor Porta responded that the police would not stop people from using the park, but they would notify people of physical distancing measures. Councilmember Perkins noted that if the Town signed off on private events, it would have a responsibility for the safety of participants. He added that he was not comfortable signing off on large events during the pandemic. He and Mayor Porta said they did not think the Town should sign off on any private events at River Mill Park under the current conditions.

Mayor Porta explained that he wanted residents to be able to use the park safely, and that small events at Mamie Davis Park likely would be more manageable. Councilmember Holloway noted that signing off on private events would amount to tacit approval, and that she wanted to put the interests of Town residents and businesses first. Vice Mayor Loges and councilmembers Fithian, Bienia and Perkins agreed that they were not comfortable with approving any private events at River Mill Park during the pandemic.

**i. Town Manager**

Ms. Leidich reported that she expected the Town to receive a building permit for the kayak ramp later in the week. She added that once the Town received the permit, it would take approximately one month for the work to be completed.

Councilmember Perkins asked Ms. Leidich to be attentive to the signage and parking plan projects as she resumed her work following bereavement leave.

**j. Boards and Commissions**

Architectural Review Board Chair Brenda Seefeldt reported that the Board recently had held its first meeting since the beginning of the pandemic. She noted that the Board had received two Applications for Exterior Elevations, one of which had been deferred because the applicant did not attend the meeting. She also noted that the Board had held a special meeting prior to the Council meeting and that the Board denied the application that had previously been tabled.

Councilmember Perkins, chair of the Planning Commission, reported that the Commission was in the process of finalizing the language for a revised noise ordinance, and that the ordinance would be sent to Council for approval. He noted that the Commission was working on the replacement of the Town entrance signs. He also said the Commission would be discussing the Town's sign ordinance at its next meeting.

Mayor Porta asked whether any councilmembers would like to serve on the Architectural Review Board, as Councilmember Holloway had resigned after three years of service to the Board. Councilmember Bienia responded that she was interested and would like to learn more about the responsibility.

**10. Closed Session**

**Motion to convene in closed session to discuss the following:**

- **As permitted by the Virginia Code Section 2.2-3711(A)(1), a personnel matter involving the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town, specifically dealing with all Town officers and employees.**

- **As permitted by the Virginia Code Section 2.2-3711(A)(7), consultation with legal counsel and briefings by staff members or consultants pertaining to probable litigation involving a Certificate of Appropriateness.**
- **As permitted by the Virginia Code Section 2.2-3711(A)(1), consideration of panelists for the Town's CARES Act Microgrant Program.**

Moved by Councilmember Perkins; seconded by Vice Mayor Loges.  
Motion **passed** unanimously by voice vote.

**Closed session began at 9:37 p.m.**

**Closed session ended at 11:14 p.m.**

**Motion to 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.**

Moved by Councilmember Fithian; seconded by Councilmember Perkins.

Ayes: Councilmember Holloway, Vice Mayor Loges, Councilmember Fithian, Councilmember Bienia and Councilmember Perkins, by roll call vote.

Nays: None.

**Motion to direct the Mayor to communicate various issues to staff as discussed.**

Moved by Councilmember Perkins; seconded by Councilmember Fithian.

Motion **passed** unanimously by voice vote.

## 11. ADJOURNMENT

The meeting was adjourned at 11:16 p.m.

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Katy Nicholson  
Town Clerk



**OCCOQUAN TOWN COUNCIL**  
**Special Meeting Minutes - DRAFT**  
**Town Hall – 314 Mill Street, Occoquan, VA 22125**  
**Wednesday, July 15, 2020**  
**7:30 p.m.**

**Present:** Mayor Earnie Porta; Vice Mayor Jenn Loges; Councilmembers Krys Bienia, Cindy Fithian, and Eliot Perkins

**Absent:** Councilmember Laurie Holloway

**Staff:** None

**1. CALL TO ORDER**

Mayor Porta called the meeting to order at 7:30 p.m. and explained that the sole purpose of the meeting was to appoint three members and one alternate to the Town's Micro-Grant Eligibility Panel.

**2. APPOINTMENT OF PANEL MEMBERS**

Councilmember Fithian moved and Vice Mayor Loges seconded the appointment of Eliot Perkins, Liz Quist, and Pat Sivigny as members of the Town's Micro-Grant Eligibility Panel and the appointment of Matt Dawson as an alternate.

Motion **passed** unanimously by voice vote.

**3. ADJOURNMENT**

The meeting was adjourned at 7:34 p.m.

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Katy Nicholson  
Town Clerk



**OCCOQUAN TOWN COUNCIL**  
**Work Session Minutes - DRAFT**  
**Town Hall – 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, July 21, 2020**  
**7:00 p.m.**

**Present:** Mayor Earnie Porta; Vice Mayor Jenn Loges; Councilmembers Krys Bienia, Cindy Fithian, Laurie Holloway and Eliot Perkins

**Absent:** None

**Staff:** Adam Linn, Chief of Police; Jason Forman, Town Sergeant; Julie Little, Events Director; Katy Nicholson, Town Clerk

**1. CALL TO ORDER**

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

**2. REGULAR BUSINESS**

**a. Summer Events Discussion – Craft Show Update**

Ms. Little noted that she had provided Council with a list of ideas to help generate revenue for the remainder of 2020. She explained that Council would need to determine the focus of the Town's events for the near future, as well as for 2021. She also asked for Council's opinion on the virtual Craft Show concept.

Councilmember Fithian said she thought Ms. Little had suggested some fun and creative ideas. She noted that it was unlikely that the Town would be able to hold the Craft Show, and that the Town would likely be able to implement some of Ms. Little's ideas for other events to help bring in some funding. She asked about the "Ghost Tour Pub Crawl" concept. Ms. Little responded that it would be an in-person ghost tour.

Councilmember Perkins asked which of the concepts Ms. Little preferred. Ms. Little responded that she particularly liked the Taste of Occoquan, Trivia Night, petting zoo and holiday event ideas. She noted that the Rent Our Park campaign would be an opportunity to promote the Town's parks as venues for previously canceled private events.

Councilmember Perkins said he had recently attended a DC United event with successful physical distancing measures. He noted that River Mill Park was similar in size to the field where the event had been held. He added that the Town would need to consider revenue when selecting its events. Councilmember Fithian asked about the physical distancing measures at the DC United event. Councilmember Perkins responded that there were separate entrances, exits and restrooms for people sitting in different sections; food orders were placed using a QR code; each group was assigned to a specific square area; and masks were required outside of those squares.

Councilmember Bienia asked Ms. Little if she had considered which of her proposed events would generate the most revenue. Ms. Little responded that she had considered this, and that Taste of Occoquan likely would generate more revenue than Trivia Night, for example. She added that if the situation continued to improve, the Town could host multiple events. Councilmember Bienia noted that some of the proposed event concepts were more focused on awareness of the Town than on revenue, and that there might be a way to combine those

two focuses. She added that she found the results of Ms. Little's poll interesting, particularly the question of how much vendors would be willing to pay for booths.

Councilmember Perkins said he thought people would be willing to pay an entrance fee to attend some of the events. Vice Mayor Loges said she liked the variety of event ideas Ms. Little had provided, and she thought the Town would need to consider return-on-investment more than ever due to the recent loss in revenue. She also noted that the Town could provide training opportunities to help businesses increase their online sales.

Mayor Porta asked if Council was comfortable making a decision regarding the Craft Show/RiverFest. He noted that things would need to change dramatically for the Town to be able to move forward with the event. Councilmember Perkins said he agreed, and that canceling the Craft Show/RiverFest would allow Ms. Little to focus on other opportunities for the Town. Mayor Porta asked if Councilmember Perkins would make a motion to cancel the event. Councilmember Perkins asked Ms. Little if she thought it would be possible to hold the event. Ms. Little responded that she did not see how the Town could do so. Councilmember Perkin noted that even if the situation improved, it would seem inappropriate to bring such a large group of people into Town for an event. Ms. Little agreed. Mayor Porta noted that the Craft Show/RiverFest events were the only Town events intended exclusively to raise revenue for the Town, so the Town would be losing out the most from the cancelation. He added that he thought canceling the event was the responsible thing to do.

**Motion to cancel the 2020 RiverFest event.**

Moved by Councilmember Perkins; seconded by Councilmember Fithian.

Ayes: Councilmember Fithian, Councilmember Bienia, Vice Mayor Loges, Councilmember Perkins and Councilmember Holloway, by roll call vote.

Nays: None.

Mayor Porta noted that one challenge moving forward would be that the Town typically hosted two types of events: those intended to improve the quality of life for residents, which comprised the majority of the Town's events, and revenue-generating events. He explained that the Craft Show/RiverFest events were the Town's primary sources of funding for capital projects, and that both events were being canceled for 2020. He added that Council would need to balance the desire for quality-of-life events with its need to replace the lost revenue.

Councilmember Fithian said she would be willing to volunteer a few hours per week to help with the events. Ms. Little responded that she would let Councilmember Fithian know what she could do to help.

Mayor Porta asked about the plan for Discover Occoquan. Ms. Little responded that a number of businesses had signed up to offer virtual or in-person activities over the course of a week in August. She added that the beer garden and concert for Discover Occoquan had been canceled. She asked how Council felt about welcoming people to Town.

Mayor Porta noted that Discover Occoquan was an example of an event that was not revenue-generating. He explained that the event had been designed for residents and to bring people to Town who might not normally visit. He added that Council would need to decide whether they were comfortable with bringing additional people to Town.

Councilmember Bienia said she had mixed feelings because the purpose of the event was to bring people to Town and limiting that would detract from the concept. She also expressed concern about what would happen if too many people showed up.

Vice Mayor Loges said she appreciated the concept of breaking up the event over the course of a week with both online and in-person events. She asked whether there was a way to control the number of attendees, such as requiring registration for the in-person events. She added that the Town needed to continue to market itself and that Discover Occoquan could be a good opportunity to do so, with the proper precautions. Ms. Little noted that the businesses that were planning in-person activities had agreed to encourage physical distancing.

Councilmember Holloway asked why a series of events with limited participation would be preferable to the type of marketing the Town had undertaken since the pandemic began. Ms. Little responded that merchants and their patrons were ready to get back to business as much as possible. She noted that she could make the entire event virtual but she was hoping that spreading out the events during the week would help to manage participation.

Councilmember Holloway asked if there had been unanimous support for the event from the business community. Ms. Little responded that the support had been strong but it had not been unanimous. Councilmember Holloway asked if Ms. Little anticipated any problems with mask enforcement, as some businesses had encountered trouble with this. Ms. Little responded that she was not aware of any problems and that most people were becoming accustomed to idea of “no mask, no service.”

Councilmember Fithian asked if the Town could require masks for employees of all Town businesses as well as their customers. Mayor Porta responded that this was a state requirement but the Town could not require it. Councilmember Fithian said she had observed some employees and business owners without masks and she wondered whether the Town could require all businesses participating in Discover Occoquan to obey the mask mandate. Mayor Porta responded that it was a state requirement regardless of the Town’s policies, and that police were not authorized under state law to enforce the mandate. He noted that he had received several complaints about the same business and that he and Chief Linn had reminded the owners about the mask mandate. Beyond that, concerned residents could report the business to the Health Department or stop patronizing the business, he explained. He added that the Town may be able to remove any non-compliant businesses from its Discover Occoquan marketing materials.

Councilmember Fithian said she had been stopped by residents on the street who asked what the Town was doing about individuals who were not complying with the mask mandate. She added that she thought Council should have a standard response to such questions. Mayor Porta responded that the Police Department was reminding people to wear masks indoors or when not social distancing. Councilmember Fithian suggested that the Town sell masks with the Town logo.

Councilmember Perkins said he thought the Town should proceed with Discover Occoquan if it could implement safety and social distancing guidelines. Mayor Porta asked if Ms. Little had a strong preference regarding the event. Ms. Little responded that she would like to hold Discover Occoquan. Mayor Porta noted that it already was a scheduled event, so no further action would be necessary unless someone wanted to make a motion to cancel it.

**Motion to cancel the in-person components of Discover Occoquan.**

Moved by Councilmember Holloway.

Councilmember Fithian asked if the Town would need to abide by the state's guideline of 250 people or fewer per gathering. Mayor Porta responded that this would not apply to Discover Occoquan because it was not a single gathering. Councilmember Perkins said he thought the Town and participating businesses could take reasonable steps to make the event safe.

Councilmember Bienia said she wanted to approach the issue conservatively and safely, but she did not have enough details about the logistics to make a decision. Mayor Porta asked Ms. Little for examples of the in-person aspects of the event. Ms. Little responded that most of the activities were virtual, and the in-person activities proposed so far were a scuba diving presentation and a card-making workshop. Mayor Porta noted that these businesses had established that they would take appropriate precautions, so the primary concern was whether the Town was comfortable inviting additional people to participate in in-person events.

Councilmember Fithian asked if the in-person events were outdoors. Ms. Little responded that they were both indoors and outdoors. She asked if Council would like the events to be outdoors-only. Councilmember Holloway responded yes, because there was evidence that indoor events posed a bigger safety issue. Mayor Porta asked if Ms. Holloway would withdraw her motion if the in-person events were all outdoors and registration-only. Councilmember Holloway responded yes.

**Councilmember Holloway withdrew the motion to cancel the in-person components of Discover Occoquan.**

Ms. Little asked whether Council would like her to plan a virtual Craft Show.

Councilmember Perkins said he would like to maintain a relationship with the vendors, but he did not want Ms. Little to invest too much time in the event. Ms. Little responded that the event would be time-consuming but the Town needed to shift to online events due to the pandemic. Councilmember Perkins asked Ms. Little if she had time to plan a virtual Craft Show along with the other events Council had discussed. Ms. Little responded that she would need to focus on the Craft Show through the end of September, after which she could work on the additional events.

Councilmember Loges noted that the Craft Show historically had been a revenue-generating event and that it would not make sense to invest a significant amount of effort into the virtual event if it would not generate revenue.

Councilmember Bienia asked whether other towns were bringing their craft shows online. Ms. Little responded yes, adding that she had participated in a call with 75 event directors and half of them were considering going virtual. Councilmember Bienia said she would be open to learning from their experiences, though she thought the in-person aspect of the Craft Show was what made it so enjoyable.

Councilmember Fithian said she thought Town residents would be willing to pay to attend events, such as movies under the Route 123 bridge. She added that people were anxious to

get out and do something, and that they would recognize that the Town was missing out on revenue from the Craft Show.

Councilmember Holloway noted that it would take significant work to execute a successful virtual Craft Show and she was concerned that the outcome could appear low-quality. She added that she did not think the virtual Craft Show would be a good use of Ms. Little's time.

Mayor Porta said there appeared to be unanimous consensus that the virtual Craft Show would not be worth Ms. Little's time and that there were other initiatives for her to work on. Ms. Little responded that she would work on the smaller events, which she thought the Town could host safely.

**b. Update on Kayak Ramp Project**

Mayor Porta said Council would discuss this item in closed session, as it involved a personnel issue.

**3. Closed Session**

**Motion to convene in closed session to discuss, as permitted by the Virginia Code Section 2.2-3711(A)(1), a personnel matter involving the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town, specifically dealing with all Town employees.**

Moved by Councilmember Fithian; seconded by Vice Mayor Loges.

Motion **passed** unanimously by voice vote.

**Closed session began at 7:49 p.m.**

**Closed session ended at 8:53 p.m.**

**Motion to 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.**

Moved by Councilmember Fithian; seconded by Vice Mayor Loges.

Ayes: Vice Mayor Loges, Councilmember Bienia, Councilmember Fithian, Councilmember Holloway and Councilmember Perkins, by roll call vote.

Nays: None.

**4. ADJOURNMENT**

The meeting was adjourned at 8:56 p.m.

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Katy Nicholson  
Town Clerk



# TOWN OF OCCOQUAN

*Circa 1734 • Chartered 1804 • Incorporated 1874*  
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**TOWN COUNCIL**  
Earnie W. Porta, Jr., Mayor  
Jenn Loges, Vice Mayor  
Krys Bienia  
Cindy Fithian  
Laurie Holloway  
Eliot Perkins

**TOWN MANAGER**  
Kathleen R. Leidich, AICP

**TOWN TREASURER**  
M. Kathleen Dellinger

## **Town Engineer's Report Town Council Meeting –September 1, 2020**

### **ACTIVE ITEMS:**

#### **Kayak/Canoe Launch – update from last report**

Work essentially completed, awaiting final structural permit release.

#### **Historic District Parking Exhibit – no change from last report**

Prepared exhibit showing re-stripping options in Historic District for possible changes when roads repaved by VDOT. Will prepare reviewable striping plan for VDOT.

#### **DEQ review of Town's Chesapeake Bay Preservation Ordinances –update from last report**

Town Engineer working with DEQ to review current ordinances for possible changes to accommodate updates. Last review 10 years ago.

#### **Mill Street Cross-walk Improvement Plan by VDOT –update from last report**

Pre-final plans issued by VDOT – Right of Way Authorization (22 square feet on property of Walker). Additional area on Town property needed for ramp slopes at Ellicott and Mill – letter of permission to accommodate. Awaiting PWC to issue final plans for review by Town.

#### **Kiely Court Project –update from last report**

Land Disturbance Permit issued - construction commenced. Zoning permits have been issued for both houses. Town staff continues to monitor erosion and sediment controls and parking on/near job site. The Stop Work order has been rescinded after remediation efforts by owner. Certificate of Appropriateness for fence approved by Town Council.

#### **Rivertown Overlook Project – no change from last report**

Land Disturbance Permit issued – construction proceeding.

#### **Mill at Occoquan – no change from last report**

Revised preliminary site plan and Special Use Permit applications re-submitted August 2, 2019 – staff report prepared and distributed for Planning Commission hearing. Developer asked for postponement of Planning Commission to date to be determined.

### **INACTIVE ITEMS (no action/monitoring pending):**

#### **Vantage Point BMP maintenance – no change from last report**

Bid received from Total Development Solutions (\$38,730). Lynn property – re-inspected with calculations on channel capacity and protective lining. Town Engineer evaluated runoff onto downstream property and prepared channel improvement plan for owner.

#### **Boundary Branch – no change from last report**

Meeting on site with VDOT to review options for Poplar Lane crossing of Boundary Branch - VDOT providing possible options, which may include George Mason University students. Also inspected erosion issues at Mill Cross Lane and provided possible costs to correct. Boundary Branch, Vantage Point BMP – various stormwater issues throughout Town.

#### **Tanyard Hill Park (Oaks III) – no change from last report**

Approved by PWC BOS 5/15/18 with revised proffers

Use as park and open space – trails and Stormwater Pond shown on GDP

Plat vacating lot line when site plan needed - NRA to review first

Access to potential parking lot for trail head allowed off Tanyard Hill

Reserve ROW along Tanyard Hill and Old Bridge Roads

Use LID as part of any development

Pay \$75 per acre zoned (4.229 acres)

Town of Occoquan - Permit Report  
 August 2020

Permit Number	Main Address	Description	Permit Type	Permit Status	Permit Workclass	Issue Date	Finalize Date	Sq Feet	Valuation	City
BLD2019-03820	206 COMMERCE ST	ANTENNA MOUNTED TO POLE IN TOW	Building	Pending	C - Alteration/Repair			0.00	\$16,000.00	OCCOQUAN
BLD2021-01141	128 EAST COLONIAL DR	16' X 8' DECK WITH 3 STEPS PER COUN	Building	Issued	R - Addition	08/20/2020		128.00	\$8,878.00	OCCOQUAN
BLD2019-00547	402 FORTRESS WAY	KITCHEN RENOVATION TO CONDO UNI	Building	Issued	C - Alteration/Repair	07/30/2018		0.00	\$16,000.00	OCCOQUAN
GAS2019-00432	270 GASLIGHT LANDING CT	ALTERATION/REPAIRS TO REPLACE H\	Gas	Issued	C - Alteration/Repair	09/20/2018		0.00	\$4,751.00	OCCOQUAN
BLD2020-05195	111 MILL ST	N/S FOR CANOE & KAYAK RAMP IN THE	Building	Issued	C - Accessory Structure	07/10/2020		600.00	\$43,000.00	OCCOQUAN
BLD2021-00926	125 MILL ST	TLO FOR HAVANNA BOUTIQUE LLC	Building	Pending	C - Tenant Layout			762.00	\$3,200.00	OCCOQUAN
PLB2020-00752	201 MILL ST	CAPPING THE WATER SERVICE	Plumbing	Issued	C - Alteration/Repair	10/01/2019		0.00	\$300.00	OCCOQUAN
BLD2018-04471	313 MILL ST	PARTIAL ROOF REPAIR DUE TO WATEF	Building	Issued	C - Alteration/Repair	02/23/2018		800.00	\$10,000.00	OCCOQUAN
BLD2018-02969	426 MILL ST	*SEE NOTE* LOT SPECIFIC SFD - KIEL	Building	Issued	R - New Single Family Dwell	10/22/2019		3,056.00	\$100,000.00	OCCOQUAN
BLD2018-05964	426 MILL ST	RETAINING WALL	Building	Issued	R - Retaining Wall	10/09/2018		0.00	\$20,000.01	OCCOQUAN
BLD2019-04458	426 MILL ST	** SEE NOTE ** SHEETING/SHORING PE	Building	Issued	R - Retaining Wall	04/15/2019		0.00	\$7,500.00	OCCOQUAN
BLD2018-02984	430 MILL ST	*SEE NOTE* KIELY RESIDENCE - LOT S	Building	Issued	R - New Single Family Dwell	04/15/2019		3,468.00	\$100,000.00	OCCOQUAN
BLD2018-05963	430 MILL ST	RETAINING WALL MAX HEIGHT 9'6"	Building	Issued	R - Retaining Wall	10/09/2018		570.00	\$20,000.01	OCCOQUAN
ELE2020-04159	430 MILL ST	HOUSE ELECTRICAL	Electrical	Issued	R - New Single Family Dwell	04/07/2020		3,468.00	\$15,000.00	OCCOQUAN
BLD2020-02847	1604 MOUNT HIGH ST	20 X 24 FRONT YARD OPEN DECK W 2	Building	Issued	R - Addition	11/26/2019		480.00	\$3,500.00	WOODBIDGE
BLD2020-06083	1406 OCCOQUAN HEIGHTS	12' X 20' OPEN DECK - NO STAIRS - PEF	Building	Finald	R - Addition	06/15/2020	06/26/2020	240.00	\$14,300.00	OCCOQUAN
BLD2021-01427	1437 OCCOQUAN HEIGHTS	20' X 16' DECK NO STAIRS	Building	Issued	R - Addition	08/20/2020		320.00	\$9,000.00	OCCOQUAN
BLD2014-05879	1441 OCCOQUAN HEIGHTS	DECK	Building	Issued	R - Addition	04/25/2014		288.00	\$6,700.00	OCCOQUAN
BLD2018-02753	113 POPLAR LN	36' x 18' INGROUND POOL	Building	Issued	R - Swimming Pool	12/07/2017		648.00	\$60,000.00	OCCOQUAN
ELE2018-02286	113 POPLAR LN	}}FDG 36' x 18' INGROUND POOL	Electrical	Issued	R - Swimming Pool	12/07/2017		648.00	\$6,000.00	OCCOQUAN
ELE2019-00599	113 POPLAR LN	Install circuits, fixtures, and receptacles	Electrical	Issued	R - Alteration/Repair	08/15/2018		3,550.00	\$2,200.00	OCCOQUAN
GAS2018-01390	113 POPLAR LN	Gas Line to Pool Heater and Gas Line to F	Gas	Issued	R - Swimming Pool	01/16/2018		0.00	\$2,000.00	OCCOQUAN
BLD2018-04392	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 15	Building	Issued	R - New Townhouse	03/22/2018		2,754.00	\$45,000.00	OCCOQUAN
ELE2019-04221	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 15	Electrical	Issued	R - New Townhouse	04/29/2019		2,754.00	\$45,000.00	OCCOQUAN
GAS2019-00596	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 15	Gas	Issued	R - New Townhouse	10/22/2018		2,754.00	\$1,000.00	OCCOQUAN
MEC2019-01181	1551 RIVERTOWN PL	INSTALL NEW HVAC	Mechanical	Issued	R - New Townhouse	11/20/2018		2,754.00	\$5,500.00	OCCOQUAN
PLB2019-00861	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 15	Plumbing	Issued	R - New Townhouse	10/22/2018		2,754.00	\$10,000.00	OCCOQUAN
BLD2018-04390	1552 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 6 15	Building	Issued	R - New Townhouse	03/22/2018		3,246.00	\$45,000.00	OCCOQUAN
GAS2019-00603	1552 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 6 15	Gas	Issued	R - New Townhouse	10/22/2018		3,246.00	\$1,000.00	OCCOQUAN
PLB2019-00870	1552 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 6 15	Plumbing	Issued	R - New Townhouse	10/22/2018		3,246.00	\$10,000.00	OCCOQUAN
BLD2018-04393	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 15	Building	Issued	R - New Townhouse	03/22/2018		2,790.00	\$45,000.00	OCCOQUAN
ELE2019-04222	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 15	Electrical	Issued	R - New Townhouse	04/29/2019		2,790.00	\$45,000.00	OCCOQUAN
GAS2019-00598	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 15	Gas	Issued	R - New Townhouse	10/22/2018		2,790.00	\$1,000.00	OCCOQUAN
MEC2019-01193	1553 RIVERTOWN PL	INSTALL NEW HVAC SYSTEM	Mechanical	Issued	R - New Townhouse	11/21/2018		2,790.00	\$5,500.00	OCCOQUAN
PLB2019-00864	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 15	Plumbing	Issued	R - New Townhouse	10/22/2018		2,790.00	\$10,000.00	OCCOQUAN
BLD2018-04376	1554 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 5 15	Building	Issued	R - New Townhouse	03/22/2018		3,246.00	\$45,000.00	OCCOQUAN
GAS2019-00601	1554 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 5 15	Gas	Issued	R - New Townhouse	10/22/2018		3,246.00	\$1,000.00	OCCOQUAN
PLB2019-00869	1554 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 5 15	Plumbing	Issued	R - New Townhouse	10/22/2018		3,246.00	\$10,000.00	OCCOQUAN
BLD2018-04394	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 15	Building	Issued	R - New Townhouse	03/22/2018		2,754.00	\$45,000.00	OCCOQUAN
ELE2019-04220	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 15	Electrical	Issued	R - New Townhouse	04/29/2019		2,754.00	\$45,000.00	OCCOQUAN
GAS2019-00599	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 15	Gas	Issued	R - New Townhouse	10/22/2018		2,754.00	\$1,000.00	OCCOQUAN
MEC2019-01194	1555 RIVERTOWN PL	INSTALL NEW HVAC	Mechanical	Issued	R - New Townhouse	11/21/2018		2,754.00	\$5,500.00	OCCOQUAN
PLB2019-00865	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 15	Plumbing	Issued	R - New Townhouse	10/22/2018		2,754.00	\$10,000.00	OCCOQUAN
BLD2018-04375	1556 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 4 15	Building	Issued	R - New Townhouse	03/22/2018		3,246.00	\$45,000.00	OCCOQUAN
GAS2019-00600	1556 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 4 15	Gas	Issued	R - New Townhouse	10/22/2018		3,246.00	\$1,000.00	OCCOQUAN
PLB2019-00867	1556 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 4 15	Plumbing	Issued	R - New Townhouse	10/22/2018		3,246.00	\$10,000.00	OCCOQUAN
BLD2018-04008	199 UNION ST	UPDATE AND REPAIR BATHROOM IN R	Building	Issued	C - Alteration/Repair	01/31/2018		64.00	\$1,000.00	OCCOQUAN
PLB2018-01862	199 UNION ST	INTERIOR RENOVATIONS TO LAUNDRY	Plumbing	Issued	C - Alteration/Repair	01/31/2018		25.00	\$4,000.00	OCCOQUAN
BLD2019-00218	201 UNION ST	RESTURANT - TLO - NEW KITCHEN, KIT	Building	Issued	C - Tenant Layout	10/25/2018		1,242.00	\$75,000.00	OCCOQUAN
ELE2019-00426	201 UNION ST	//HXF RESTURANT - TLO - NEW KITCHE	Electrical	Issued	C - Tenant Layout	05/15/2019		1,242.00	\$75,000.00	OCCOQUAN
FPP2020-00671	201 UNION ST	FPP FOR RANGE HOOD	Fire Protection Permit	Issued	Hood System	03/19/2020		1,242.00	\$75,000.00	OCCOQUAN

GAS2019-00113	201 UNION ST	RESTURANT - TLO - NEW KITCHEN, KIT Gas	Issued	C - Tenant Layout	03/19/2019	1,242.00	\$12,000.00	OCCOQUAN
MEC2019-00933	201 UNION ST	RESTURANT - TLO - NEW KITCHEN, KIT Mechanical	Issued	C - Tenant Layout	03/19/2019	1,242.00	\$75,000.00	OCCOQUAN
PLB2019-00145	201 UNION ST	{{ KJJ{{ RESTURANT - TLO - NEW KITCH Plumbing	Issued	C - Tenant Layout	03/19/2019	1,242.00	\$2,000.00	OCCOQUAN
BLD2020-03981	202 UNION ST	ALTERATION/REPAIRS TO DEMO SPAC Building	Issued	Demolition	02/12/2020	0.00	\$2,200.00	OCCOQUAN
BLD2020-04453	202 UNION ST	SALAD SALOON - TLO Building	Pending	C - Tenant Layout		217.00	\$14,000.00	OCCOQUAN
MEC2020-02163	202 UNION ST	SALAD SALOON - TLO Mechanical	Pending	C - Tenant Layout		217.00	\$14,000.00	OCCOQUAN
PLB2018-02373	411 UNION ST	CONVERTING FROM SEPTIC TO PUBLIK Plumbing	Issued	R - Alteration/Repair	03/23/2018	0.00	\$15,000.00	OCCOQUAN
BLD2021-00870	127 WASHINGTON ST	A/R TO ADD BEDROOM & QUARTERS A Building	Pending	R - Alteration/Repair		0.00	\$0.00	OCCOQUAN
BLD2019-00785	131 WASHINGTON ST	FINISH BASEMENT -*REVISED 9/19/18 T Building	Issued	R - Alteration/Repair	08/13/2018	215.00	\$750.00	OCCOQUAN
ELE2019-00643	131 WASHINGTON ST	FINISH BASEMENT -*REVISED 9/19/18 T Electrical	Issued	R - Alteration/Repair	08/16/2018	215.00	\$500.00	OCCOQUAN
PLB2019-00381	131 WASHINGTON ST	FINISH BASEMENT -*REVISED 9/19/18 T Plumbing	Issued	R - Alteration/Repair	08/15/2018	215.00	\$750.00	OCCOQUAN
PLB2018-01956	103 WEST LOCUST ST	Water Service Plumbing	Issued	R - Alteration/Repair	02/08/2018	0.00	\$1,400.00	OCCOQUAN

**END OF REPORT**



# TOWN OF OCCOQUAN

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**TOWN COUNCIL**  
Earnie W. Porta, Jr., Mayor  
Jenn Loges, Vice Mayor  
Krys Bienia  
Cindy Fithian  
Laurie Holloway  
Eliot Perkins

**TOWN ZONING  
ADMINISTRATOR**  
Ned A. Marshall

## **Town Zoning Administrator's Report Town Council Meeting – Sept 1, 2020**

The following is a list of zoning reviews from August 1 to August 28, 2020:

117 Poplar Lane – fence, rear yard  
1437 Occoquan Heights Court – new deck  
264 Gaslight Landing Court – vehicle charging receptacle

The following is a list of violation letters from August 1 to August 28, 2020:

None.

As a follow up to previous violations, no additional inspections were made in August:

Berrywood – Trash Enclosure is not present, certified letter (3rd notice) was unclaimed  
3<sup>rd</sup> Base Pizza –seasonal lights still in place.  
426/430 Mill Street – working with contractor on water/sediment on sidewalk and street.  
Additional enforcement measures are being reviewed.  
119 Washington Street – Grass/weed violation.  
104 West Locust – ladder storage, vacate house – owner did not pick up certified mail

The following is a list of plan reviews from August 1 to August 28, 2020:

None.

-END-



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 Jenn Loges, Vice Mayor  
 Krys Bienia  
 Cindy Fithian  
 Laurie Holloway  
 Eliot Perkins

## Town Treasurer's Report Town Council Meeting - September 1, 2020

**TOWN TREASURER**  
 M. Kathleen Dellinger

Updates to previous month's Treasurer Report			
Business Name	Type of Payment	Payment Received	Status of Compliance
Marin Woodturning & Co.	BPOL	8/21/20	compliant
Kountrie Lanes Antiques	BPOL	8/10/20	compliant
The Secret Jewelry Garden	BPOL	8/24/20	compliant
Penguin Paddling LLC	BPOL	8/5/20	compliant

Meals Tax Delinquencies			
Business Name	Months of Delinquency	Date of Last Notice	Status of Compliance
Madigan's Waterfront	Penalty/Interest	7/31/20	due Oct. 31, 2020
Riverside Coffee & Ice Cream	13	10/24/19	Not compliant

BPOL Tax Delinquencies			
Business Name	Years of Delinquency	Date of Last Notice	Status of Compliance
Designs by Andre'	1.5	8/24/20 delivered to USPS, then delivered by Post Master	noncompliant
Touch of Gold	.5	No response to 06/17/20 notice	noncompliant
Norma Fayak Photography	.5	No response to 06/17/20 notice	noncompliant
Meticulous Painting, LLC	.5	No response to 06/17/20 notice	noncompliant
Talent Acquisition Concepts	.5	No response to 06/17/20 notice	noncompliant
Apiary Market	.5	No response to 06/17/20 notice	noncompliant
Riverside Coffee & Ice Cream	.5	8/5/20	noncompliant
Terrestris LLC	.5	No response to 06/17/20 notice	noncompliant
Berrywood, Inc.	.5	8/5/20	noncompliant

Real Estate Delinquencies				
Property Owner	Years of Delinquency	Delinquent Tax Amount	Date of Last Notice	Compliance Status
Granny's Cottage Inc	4	\$268.80	8/21/20 email RPC	noncompliant
Houghton, Lance	2	\$29.89	8/21/20 email RPC	noncompliant

Transient Tax Delinquencies			
Property Owner	Months of Delinquency	Date of Last Notice	Status of Compliance
Ballywhack Inc.	17	07/02/20	notice requested gross receipts for 1/1/19 - 12/31/19 and for 1/1/20 - 06/30/20

<b>Audits</b>			
<b>Audit Type</b>	<b>Current Status</b>	<b>Last FY Audit Completed</b>	<b>Next Steps/Action</b>
BPOL Audit	Pending	2012 License Year	Fathom Realty
BPOL Audit	Pending	None	The Reclaimed Treasures
Meals Tax Audit	Pending	None	Tastefully Yours
BPOL Audit	Pending	None	Patriot Scuba

<b>Bad Debts</b>			
<b>Write-off Type</b>	<b>Status</b>	<b>Owner/Business</b>	<b>Next Steps/Action</b>
BPOL	<b>Moved</b>	Hair Studio 14	TBD
Meals Tax BPOL Tax	<b>Sold Business</b>	MCKR Management/ (former owner) Cock & Bowl	Collection unlikely/steps TBD letter/warrant in debt/write off
Meals Tax BPOL Tax	<b>Moved Out of Town</b>	Pink Bicycle Tea Room	Collection unlikely/steps TBD letter/warrant in debt/write off

**TOWN OF OCCOQUAN**  
**PROFIT and LOSS**  
**AS OF 6/30/2020**  
**Total Funds**

<b>REVENUES</b>	<b>Audited</b>				
<b>General Fund</b>	<b>FY 2019 Budget</b>	<b>Actual as of 6/30/19</b>	<b>FY 2020 Budget</b>	<b>Actual as of 6/30/20</b>	<b>% of Budget Used</b>
Real Estate Taxes	232,500	239,683	240,890	235,923	97.9%
Meals Taxes	220,334	190,442	227,320	210,113	92.4%
Other Taxes (Sales,Utility,Communications,Transient)	102,473	103,483	103,310	102,268	99.0%
Fines (Public Safety)	60,000	160,034	162,360	229,385	141.3%
Fees and Licenses (Auto,Business,Late fees,Arch,PM,ATM,Dock,Admin Fee,Eng Fee)	98,150	79,405	92,550	90,495	97.8%
Grants (Litter,HB599,DMV,PEG)	25,843	27,140	26,123	33,115	126.8%
Service Revenue (Engineer,Legal,Landscape,CC fees,E-Tickets)	5,000	15,712	5,360	8,340	155.6%
Rentals (TH,RMP)	1,500	1,259	4,500	1,388	30.8%
Interest (GF,Brick,Sponsor)	9,120	3,312	7,500	629	8.4%
Other Revenues (Reimbursements, Ins claims,ticket sales)	1,000	7,065	192.00	25,061	76.6%
Actual COVID-19 pass through Grant from PWC - Budgeted TRANSFER FROM RESERVES			32,699	94,384	
<b>Total Revenues General Fund</b>	<b>755,920</b>	<b>827,535</b>	<b>902,804</b>	<b>1,031,101</b>	<b>114.2%</b>
<b>EXPENDITURES</b>	<b>Audited</b>				
<b>General Fund</b>	<b>FY 2019 Budget</b>	<b>Actual as of 6/30/19</b>	<b>FY 2020 Budget</b>	<b>Actual as of 6/30/20</b>	<b>% of Budget Used</b>
Personnel Services	380,820	374,811	452,226	465,818	103.0%
Professional Services	122,250	135,578	139,250	132,550	95.2%
Information Technology Services	14,050	17,368	13,500	20,218	149.8%
Materials and Supplies	9,000	13,654	15,414	20,926	135.8%
Operational Services	7,500	7,610	11,050	17,693	160.1%
Contracts (Landscaping, Refuse Collection, Snow Removal)	74,500	74,052	82,000	77,181	94.1%
Insurance	20,120	20,992	20,120	24,884	123.7%
Public Information (Newsletters)	3,400	4,079	3,300	2,008	60.8%
Advertising (Community/ Business Support, Legal Ads)	9,000	7,698	9,000	10,140	112.7%
Training and Travel (Employee, Boards and Commission Training)	13,500	8,368	12,800	7,381	57.7%
Vehicles and Equipment	15,300	28,482	21,000	39,542	188.3%
Seasonal	5,500	1,791	4,500	5,788	128.6%
Facilities Maintenance	68,030	75,168	85,552	77,248	90.3%
Special Events	12,950	11,075	16,000	9,749	60.9%
Other Expense	-	17,099	-	1,297	
Loan Expenditures - Principal & Interest	-	-	-	32,024	
		TRANSFER TO CIP RESERVE	16,900	-	0.0%
<b>Total Expenses</b>	<b>755,920</b>	<b>797,825</b>	<b>902,612</b>	<b>944,447</b>	<b>104.6%</b>
<b>General Fund Net Income</b>	<b>-</b>	<b>29,710</b>	<b>192</b>	<b>86,654</b>	

**TOWN OF OCCOQUAN  
PROFIT and LOSS  
AS OF 6/30/2020  
Total Funds**

MDP CS

Audited

	FY 2019 Budget	Actual as of 6/30/19	FY 2020 Budget	Actual as of 6/30/20	% of Budget Used
<b>Public Event Fund</b>					
Revenue (FL )	203,950	232,030	181,900	111,246	61.2%
Expenses (personnel,materials and supplies,contracts,advertising)	101,954	103,646	108,393	102,958	95.0%
<b>Craft Show Net Income</b>	<b>101,996</b>	<b>128,384</b>	<b>73,507</b>	<b>8,288</b>	<b>11.3%</b>
<b>Mamie Davis Fund</b>					
Revenue	2,600	3,505	600	1,350	225.0%
Expenses (repairs and maintenance)	2,000	-	-	2,305	
<b>Mamie Davis Net Income</b>	<b>600</b>	<b>3,505</b>	<b>600</b>	<b>(955)</b>	<b>-159.2%</b>

**TOWN OF OCCOQUAN**  
**PROFIT and LOSS**  
**AS OF 6/30/2020**  
**Total Funds**

Audited

CIP Fund	FY 2019 Budget	Actual as of 6/30/19	FY 2020 Budget	Actual as of 6/30/20	% of Budget Used
<b>Revenues</b>	446,300	-	121,965	101,731	83.4%
TRANSFER FROM GENERAL FUND	-	-	16,900	-	0.0%
<b>Expenses</b>					
Property Acquisition	-	-	-	748	#DIV/0!
Intersection Improvements	420,000	86,720	-	-	
Sidewalk Maintenance	10,000	-	-	-	
Building Maintenance	-	-	10,000	-	0.0%
Stormwater Management	-	-	15,000	9,213	61.4%
Trash/Recycling Containers	17,000	11,747	1,000	-	0.0%
Annex Property Improvements	-	-	1,000	-	0.0%
Street/Curb Program	-	-	5,000	-	0.0%
Mamie Davis Renovations/Upgrades	-	-	1,000	-	0.0%
Gaslight Banner Replacement	-	-	2,500	-	0.0%
Tanyard Hill	4,500	-	-	-	
Canoe Kayak Ramp	140,000	242	140,000	202,347	144.5%
Police Vehicle	-	78,995	16,900	-	0.0%
Police Radios	-	-	23,111	22,836	98.8%
Body Armor	2,400	1,000	1,000	-	0.0%
IBR Reporting	-	-	-	-	
LIDAR Speed Detection and Related Equipment	2,300	-	7,236	2,236	30.9%
Office Safety Equipment	5,100	4,931	-	3,564	
Pedestrian & Bicyclist Safety Program	2,300	-	3,350	-	0.0%
Alcohol Related Safety Projects	-	-	5,879	395	6.7%
Computer Upgrades	-	-	5,000	3,460	69.2%
Document Management	2,500	-	2,500	-	0.0%
Website Redesign	-	475	7,000	4,965	70.9%
Town Recodification	-	2,998	-	-	
Parking Management Plan	-	-	5,000	-	0.0%
AV Equipment-Town Hall	-	-	2,000	506	25.3%
<b>Total Expenses</b>	<b>606,100</b>	<b>187,108</b>	<b>254,476</b>	<b>250,270</b>	<b>98.3%</b>
<b>CIP Net Income</b>	<b>(159,800)</b>	<b>(187,108)</b>	<b>(115,611)</b>	<b>(148,539)</b>	<b>128.5%</b>
<b>Total Net Income All Funds</b>	<b>(57,204)</b>	<b>(25,509)</b>	<b>(41,312)</b>	<b>(54,552)</b>	<b>132.0%</b>

CIP

# TOWN OF OCCOQUAN

AS OF 6/30/20

## ASSETS

### Current Assets

Total Checking/Savings	\$	708,994
Total Accounts Receivable	\$	147,351
Total Other Current Assets	\$	14,999

Total Current Assets \$ 871,344

**TOTAL ASSETS** \$ 871,344

## LIABILITIES & EQUITY

### Liabilities

Total Accounts Payable	\$	171,968
Total Credit Cards	\$	14,692
Total Other Current Liabilities	\$	15,024

Total Current Liabilities \$ 201,684

Total Long Term Liabilities \$ -

Total Liabilities \$ 201,684

### Equity

#### Nonspendable

Inventory \$ 1,006

#### Net Assets without Restrictions

Operating Reserves	\$	200,000
Unrestricted Net Assets	\$	61,384
Event Fund	\$	131,705
CIP Fund	\$	115,611

#### Net Assets with Restrictions

Financing Proceeds	\$	57,295
Public Safety Grant Fund	\$	45,343
Mamie Davis Park Fund	\$	10,323
Public Education Grant Fund	\$	1,044
Public Art Fund	\$	500
Mamie Davis (Endowment)	\$	100,000

Net Income \$ (54,552)

Total Equity \$ 669,658

**TOTAL LIABILITIES & EQUITY** \$ 871,342

# FUND BALANCES

AS OF 6/30/20

	FINAL - as of 7/1/2019	Unaudited Income/ (Loss) YTD FY20	As of 6/30/20
<b>Nonspendable:</b>			
<b>Inventory</b>	\$ 1,006	\$ -	\$ 1,006
<b>Restricted:</b>			
<b>Mamie Davis Fund</b>	\$ 100,000	\$ -	\$ 100,000
<b>Assigned:</b>			
<b>Operating Reserves</b>	\$ 200,000	\$ -	\$ 200,000
<b>Craft Show &amp; Events</b>	\$ 131,704	\$ 8,288	\$ 139,992
<b>CIP Funds</b>	\$ 115,611	\$ (115,611)	\$ (0)
<b>Financing Proceeds</b>	\$ 57,295	\$ (32,024)	\$ 25,271
<b>Public Safety Grant Fund</b>	\$ 45,343	\$ 206	\$ 45,549
<b>CARES Act fund</b>	\$ -	\$ 83,549	\$ 83,549
<b>Mamie Davis Park Fund</b>	\$ 10,323	\$ (955)	\$ 9,368
<b>Public Education Grant</b>	\$ 1,044	\$ 269	\$ 1,313
<b>Public Art Fund</b>	\$ 500	\$ -	\$ 500
<b>Subtotal Assigned:</b>	\$ 561,820	\$ (56,278)	\$ 505,542
<b>Unassigned</b>	\$ 61,384	\$ 1,726	\$ 63,110
<b>Rounding</b>	\$ -	\$ -	\$ -
<b>Total Available Fund Balance:</b>	\$ 724,210	\$ (54,552)	\$ 669,658



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Jennifer Loges, Vice Mayor  
Cindy Fithian  
Laurie Holloway  
Eliot Perkins  
Krystyna Bienia

**TOWN MANAGER**  
Kathleen R. Leidich, AICP

**CHIEF OF POLICE**  
Adam C. Linn, J.D.

## Occoquan Police Department

### Monthly Town Council Report September 1, 2020

#### Departmental Goals

- Goal 1: Provide for the public safety of the persons and property of the residents, businesses, and visitors of the Town of Occoquan.
- Goal 2: Promote a professional and accountable police department.
- Goal 3: Promote safe roads and sidewalks in the Town of Occoquan.

#### Current Initiatives

Continued the Calls for Service police coverage and COVID-19 response in Town. Working with town officials and police officers to increase patrols and visibility during peak calls for service times and times related to COVID-19 activities.<sup>1</sup> Directed patrols during business hours.<sup>1</sup> Continued community policing and safe sidewalks.<sup>1</sup> Worked with police officers to address administrative needs of Police Department.<sup>2</sup>

Provided traffic enforcement on Gordon Boulevard and Commerce Street area (speeding, Block the Box and Driving off Roadway), Union Street/Tanyard Hill Road (speed enforcement), and Washington Street and Union Street (pedestrian safety and speeding).<sup>3</sup> Directed stop sign enforcement and pedestrian safety enforcement in historic district.<sup>3</sup> Continued foot patrols and visibility in historic business area.

Continued body worn cameras program for Town Officers and DMV selective enforcement grants to reduce accidents and pedestrian safety.<sup>4</sup>

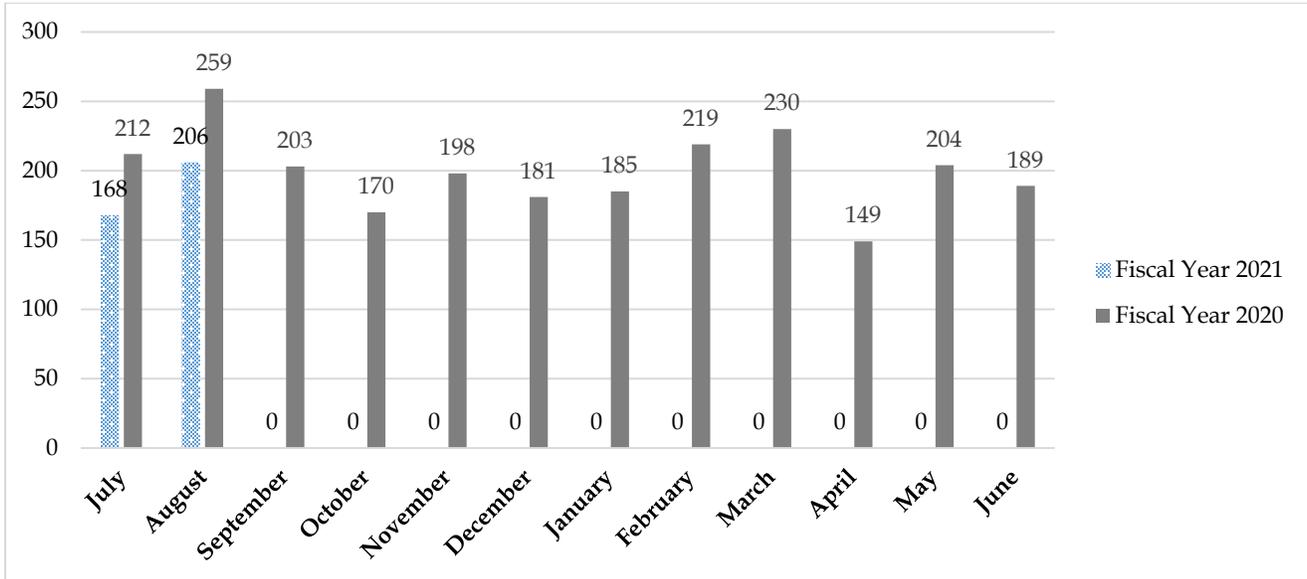
#### Community Relations

Provided patrol and visibility for COVID-19. Met with community residents to discuss police administration and use of force policies. Provided patrol and visibility throughout Town, including foot patrols through Historic Downtown and residential areas on Washington Street, East Colonial Drive, Overlook Drive, Fortress Way, Occoquan Heights, and Mill Cross. Continued stop sign and speed compliance details. Provided visibility patrol during Movie in the Park event.

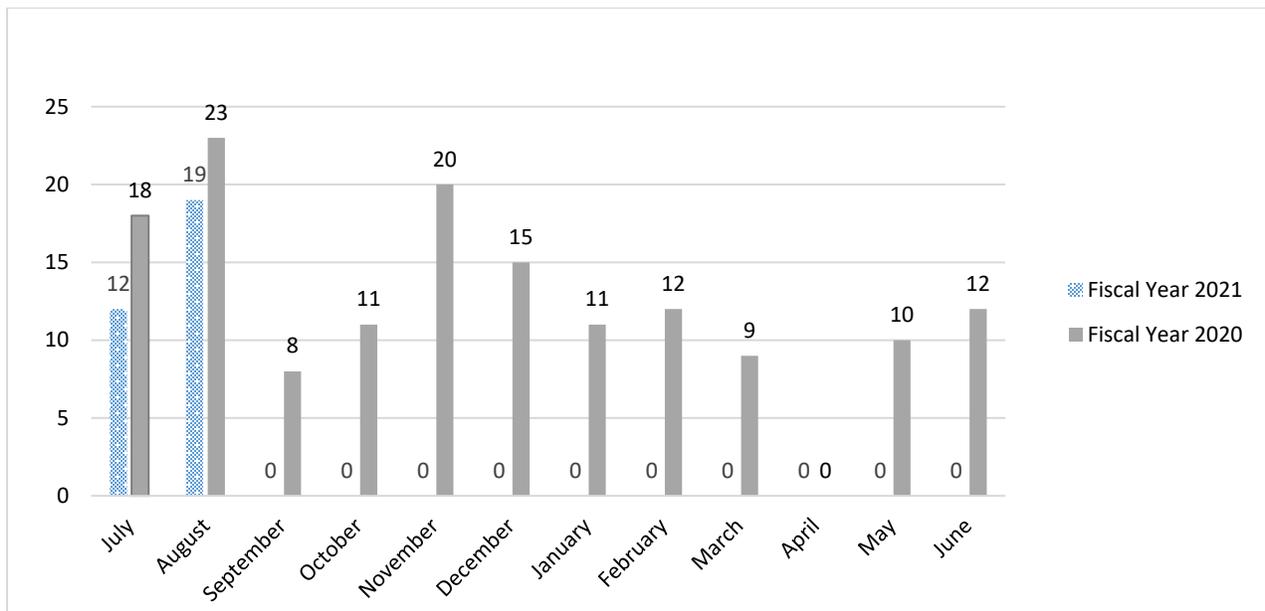
**Patrol and Enforcement Activities**

As of August 26<sup>th</sup>, in the month of August, the Town Police made 2 custodial arrests (1 DUI and 2 Reckless Driving), issued 206 traffic summonses, and 50 warnings.

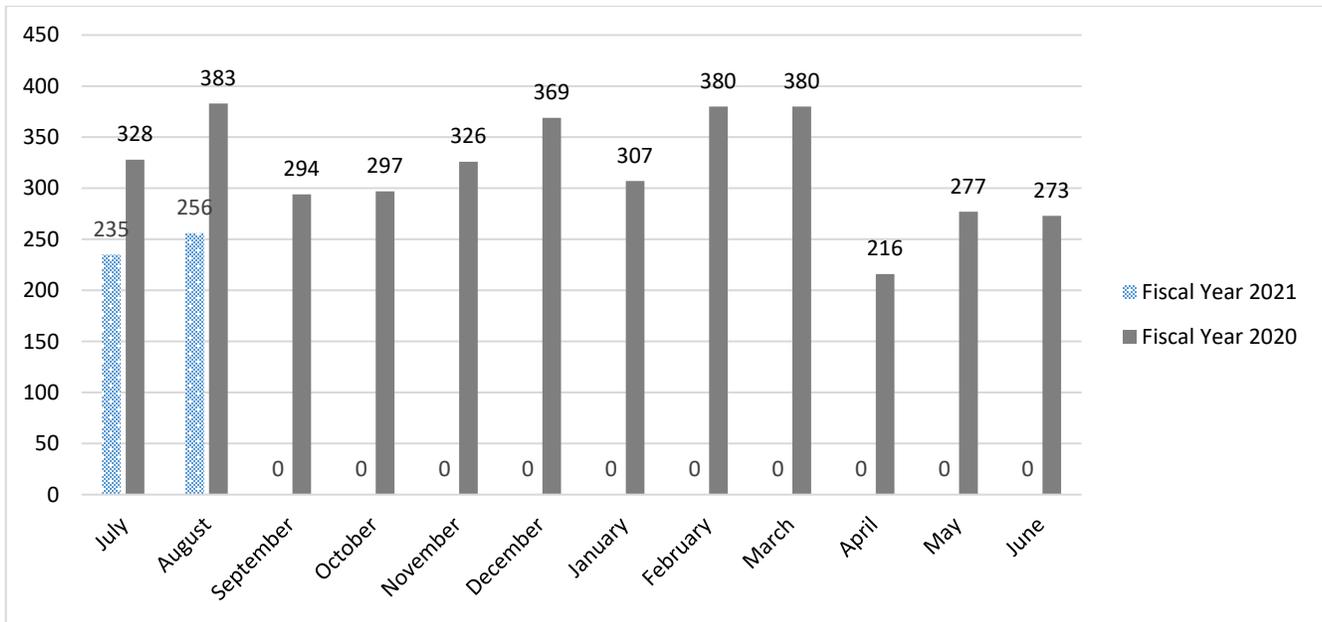
**Traffic Summonses FYTD (GRAPH)**<sup>5</sup>



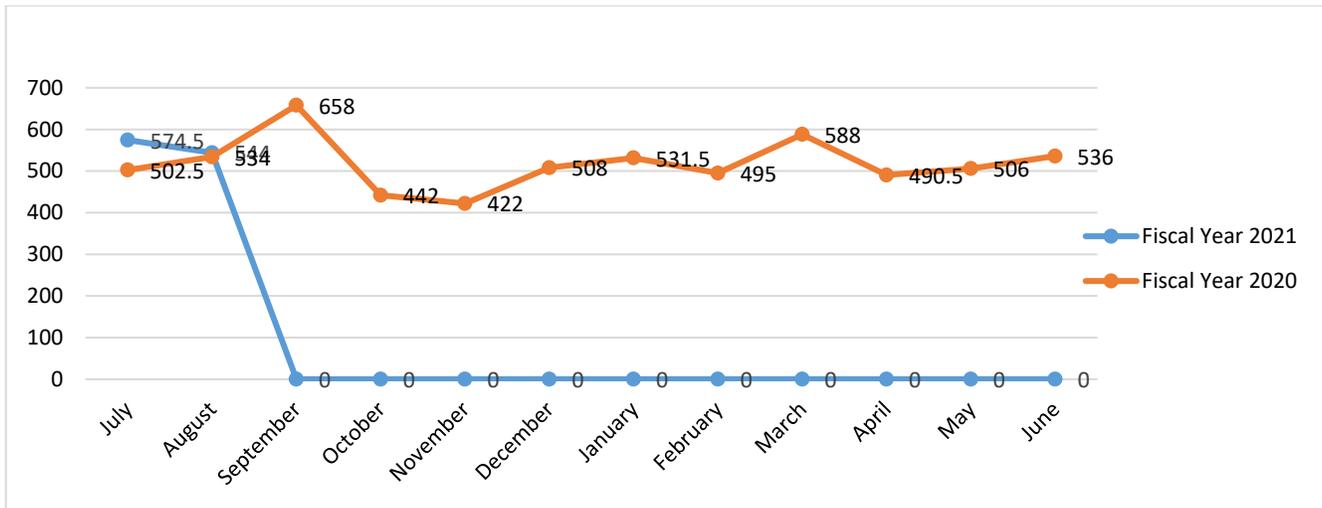
**Parking Tickets Issued FYTD (GRAPH)**<sup>3</sup>



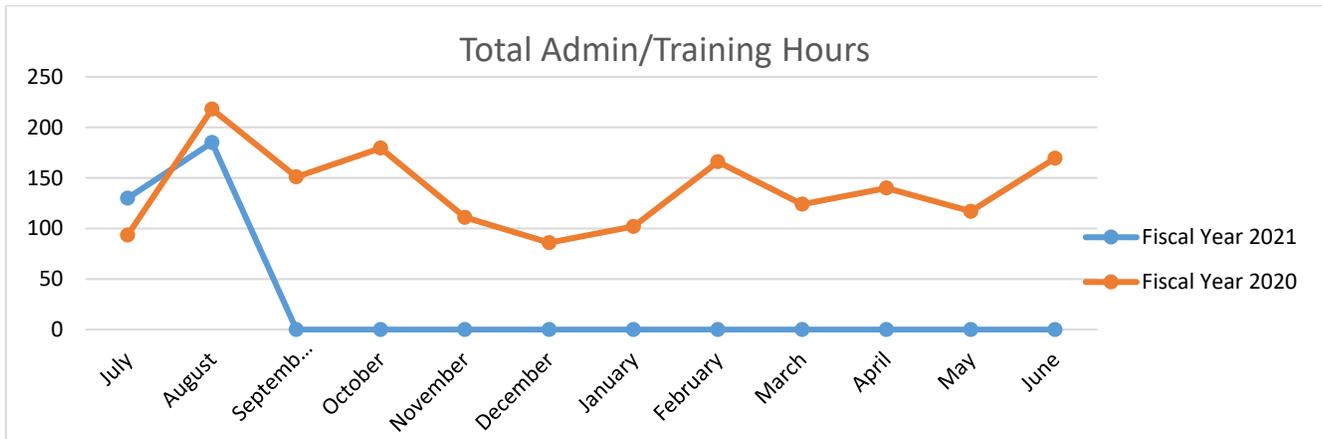
**Traffic Stops YTD (GRAPH) <sup>5</sup>**



**Patrol/Administrative Hours FYTD (GRAPHS) <sup>5</sup>**

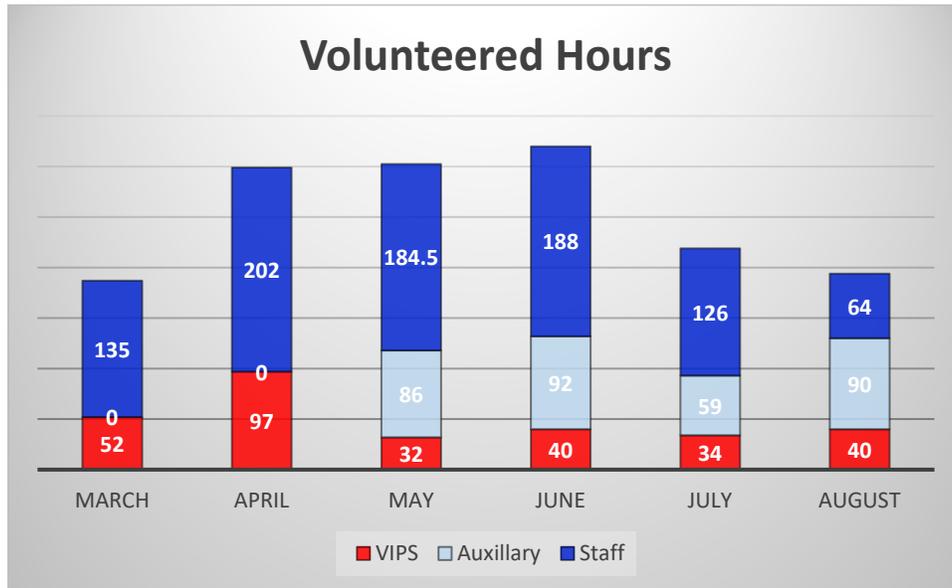


**Total Admin/Training Hours**



**Volunteer in Police Service (New)**

Since March, our volunteer in police service (VIPS) members, auxiliary police officers, and paid police staff have donated a total of 1,522 uncompensated hours to the Town. Below is a list of volunteer hours (uncompensated time) provided by our VIPS members, auxiliary police officers, and paid police staff:



**Miscellaneous**

Finished Field Training for 1 auxiliary police officer.<sup>2</sup> The chief and one officer attended Internal Affairs training and received Certificates.<sup>2</sup> Received notice that the Town received DMV selective enforcement grants for 2021. Continued Narcan – Opioid safety program<sup>3</sup>. Worked with public works on Town needs.<sup>5</sup>

<sup>1</sup> Goals 1, 2, and 3

<sup>2</sup> Goal 2

<sup>3</sup> Goal 3

<sup>4</sup> Goals 1, 2, and 3

<sup>5</sup> Goals 1 and 3



## Upkeep and Maintenance Projects

Since March, 2020, the Public Works Department has a total of 118 projects within its work portfolio. Of the 118 projects all have been completed except 19 projects that are still in progress and 12 projects that haven't begun.

The below chart outlines the status of the projects:

Project Title	Projects			Notes
	Not Started	In Progress	Completed	
Town Hall Bathroom Remodel	√			Project on hold pending funding
Town Hall Kitchen Remodel	√			Project on hold pending funding
Sew new grass at town hall	√			Scheduled to be completed this fall
Sew new grass at River Mill Park	√			Scheduled to be completed this fall
Replace Annex Lower Level Door			√	
Add additional fencing around dumpster enclosure/storage area			√	
Fix erosion issues around dumpster enclosure/storage area			√	
Replace Boardwalk Ladders			√	
Install rescue throw buoys on boardwalk			√	
Fix all boardwalk electrical pedestals/lights			√	
Replace No Fishing Signage on Boardwalk			√	
Trim Trees on Mill St		√		08/03: Evaluating remainder of trees to trim
Trim Trees on Union St		√		08/03: Evaluating remainder of trees to trim
Trim Trees on Commerce St		√		08/03: Evaluating remainder of trees to trim
Clean Sediment from curbsides			√	
Clean storm water drains from debris			√	
Paint Door and Repair Windows on ATM Storage Building		√		Waiting on direction of painting
Replace Exterior Lights on River Mill Bathroom		√		06/29: Project Scheduled to be completed by 07/03 07/06: Lights purchased. Electrician scheduled for Friday 07/10 07/13: Electrician pushed us back due to emergencies. Waiting on new completion date
Repair Town Hall Eve Damage due to Tree that was Removed		√		06/15: Reviewed damage and requesting repair quotes 06/22: Attempting to find contractor to complete work
Street Sign Audit and Repair and Cleaning		√		06/15: Audit Complete 06/29: Cleaning to begin this week 07/06: 1/4 signs in town have been cleaned
Cut and Paint LOVE sign for River Mill Park (For artist to paint)	√			06/22: Placed on hold per Julie and Artist

Paint Alley Way Sign Poles	√			
Replace One Way sign at Washington St and Poplar Alley		√		Contacted VDOT to replace
Repair/Replace hazardous boards on Boardwalk		√		Boards behind Gaslight Landing repaired. Replacement needs to be discussed.
Replace Mirror by Union St. & Poplar Alley	√			Waiting to discuss with TM
Get estimates for gutter covers for town buildings	√			06/29: Contacting vendors for quotes 07/06: Only one quote received 07/13: Completing work in-house. 08/03: Moving to "Not Started" category-Pending funding
Spray/Remove kudzu from fence under the 123 Bridge			√	
Remove sediment from under 123 Bridge			√	
Clean Bridge Trusses and clean overall area under Bridge			√	
Fix table bench on Town Boardwalk		√		07/13: Replacing with new materials. Waiting to purchase items
Add rip-wrap (rock) under parking area in front of Kayak Ramp		√		08/03: Kayak launch contractor has found most of the missing rock that had fallen into the river and placed back on bank. Progress to continue
Fix Town Hall Trash Can area			√	
Fix Town Hall rear flower bed			√	
Replace Town Hall Office light bulbs with LED bulbs		√		08/03: Materials on hand and will be replaced this week
Replace Town Hall office area broken ceiling tiles		√		08/03: Materials on hand and will be replaced this week
Re-Paint Town Hall hand rails			√	
Fix Town Hall Erosion issues			√	
Replace Town Hall Stair Planters			√	
Replace Town Hall Elevator Platform handrail cap			√	
Power wash Town Hall elevator and handicap access deck			√	
Fix rear/parking lot corner of Town hall flower beds and grounds area		√		08/03: Contractor scheduling work. This is routine and covered under his contract
Clean Lower Level Emergency Exit Stairs at Town Hall		√		08/03: Stairwell cleaned out. Need electrician to fix pump in the stairwell 08/10: Need to replace well pump cap
Discuss Entrance "Town" signage on FFX side of Footbridge	√			
Cut back over-growth at Ellicott and McKenzie			√	
Cut back over-growth at Tanyard and Olde Bridge to make OCQ Sign more visible	√			
Re-Stain Town Hall lower level stairs	√			
Rt 123 Bridge cleaning		√		VDOT contacted and has been placed on schedule
Footbridge Repair and Inspection		√		VDOT contacted and has been placed on schedule
Clean all sediment under Rt123 Bridge			√	
Realign and secure parking curbs under the 123 Bridge		√		08/10: Curbs realigned - Need rebar driven to secure
Paint and realign parking stops in front of Visitor Center	√			

Remove Parking signs in front of Visitor Center		√		08/24: Signs removed. Poles to be removed this week
Clean/Weed Mamie Davis Park Riverbank			√	
Replace broken exterior museum lights			√	
Remove faded "Fire Lane" sign at Commerce and Ellicott			√	
Repaint "Social Distancing" signs in both parks			√	
Replant flower planters in mom apple pies parking lot			√	
Repair photocell at Town Hall			√	
Repair photocell in Mamie Davis Park			√	
Remove overgrowth on McKenzie blocking roadway			√	
Cut back weeds on Center Ln near Ellicott St.			√	

### Brick Installation and Maintenance Projects

he below is the status of the replacement and maintenance sidewalk bricks:

Location	Status		
	Not Started	In Progress	Completed
Corner by Post Office (Mill & Washington)		√	
206 Mill St. (Details)		√	
Town Hall		√	
Loft Gallery/Elements			√
Bottle Stop			√
Mamie Davis Park (in front - Mill St.)		√	
Mamie Davis Park (in park)		√	
Museum Area			√

# Events and Community Development Report, September 2020

## Event Planning During COVID-19

The choice for this fall's events is crucial, not only to maximize any potential revenue, but also to maintain the authentic, small-town feel that draws visitors to Town. Additionally, staff is researching events that meet these criteria:

- Small, outdoor gatherings
- participants remain spaced at least 6 feet apart
- participants wear masks
- participants do not share objects
- event has a short time span
- event has a timed or staggered entry or has preregistered guests

With these limitations in place, staff has a few suggestions for revenue generating events that center around the concept of selling picnic circles in the park as a means of keeping people socially distant. Even so, hand sanitizer stations for River Mill Park will need to be manufactured or purchased. Additionally, crowd control stanchions will be purchased to keep paid participants separate from regular park goers.

### **September: Trivia Night in the Park**

Concept: teams of up to six purchase a picnic circle with a side option for to-go dinner packs. Target audience is date night fun for Occoquan residents. If the initial event works well, there is an option for a series as well as youth events. An alcohol component could be added to increase revenue.

### **October: Game Day**

Concept: Cornhole Tournament. To-go snack packages with optional alcohol component can be made available.

### **October: Costume Contest**

Concept: Two-hour event for families; picnic circles are purchased and masks required. Costumes are worn. Hire costumed characters or magician to entertain. As in past years, the costume contest has several categories to win. Options include movie night and /or socially distanced trunk or treat in the park and parade through town.

### **November-Holiday**

Planning is underway for holiday.

## Social Media Campaigns

**Leave No Trace-** Focuses on visitors having a minimum impact on plants, wildlife, and town environment when visiting Occoquan. With an increase of fishermen, kayakers, and other visitors to town, the goal of this campaign is to reduce litter and trash in the streets and river.

**Rent the Park Campaign-**Focuses on ways event planners and general public can make use of our parks such as birthdays, weddings, etc. The goal of this campaign is to increase park rentals. There is an incentive to barter with a family or couple to comp the use of the park for promotional material.

**Name that Biz:** Business initiative that encourages engagement on social media with regard to our shops and restaurants via video. The goal of this campaign is to increase brand awareness of individual shops and eateries.

## Business Initiatives

### Traipse

Traipse is a smartphone application that leads users on a themed tour, stopping along the way to learn interesting facts and complete riddles, brain-teasers, and other puzzles based on the surroundings. Stops also include local businesses where users who complete a challenge may be rewarded with a discount or free sample. The app which is being used in other historic towns, such as Fredericksburg and Staunton, turns a passive tour experience into an active one that engages visitors and rewards users with discounts and other promotional offers at participating businesses. The app actively promotes the Main Street “shop local” concept. It is free to users.

#### Great for:

Date night

Foodie adventures

History tours

Kid-friendly activities

Scavenger hunts

Ghost tours

A “Spot Package” assumes 10-20 Traipse Stops (i.e. interesting locations) and 1-2 Traipse Tours (themed collection of Stops) and runs approximately \$2000. This could be funded through the Community/Business Account because we are not currently funding shuttle service for our events.

## Current Events

8/30: Screening of Good Trouble in River Mill Park; registration required. 7pm.

9/4: Time Warp Rock Concert in the Park. 7-9pm

## Discover Occoquan Week Recap, August 17-23

Discover Occoquan enables us to market all that the town has to offer: history, dining experiences, recreation, arts, shopping, and especially the general small-town experience, since our small size and the quaintness of town is a large part of what drives tourism. Even during COVID we should embrace this unique character as the best part of living, dining, and shopping in Occoquan and pivot accordingly with campaigns. To a large extent, we were able to convert traditional workshops to a virtual platform and were able to socially distance outdoor events sufficiently. Daily tutorials and demos were shared on the Town's event page on Facebook, which in effect created a Discover Occoquan channel. An added bonus is that these videos are available at any time to go back and review. Merchants mentioned that scheduling these activities during August actually improved overall sales during an historically slow period. The combination of virtual and in-person events was a good model for future event planning.



# TRAIPISE

*Take your brain for a walk.*

## *What Traipse can bring to your destination:*

We know you are trying to please many people. The tourists who visit your destination. The local businesses that serve those visitors along with locals. The managers, elected officials, and boards who oversee your programs. The funders, including citizens, grantors, and others who want to see a return on their investment.

We know you spend so much time and energy thinking about how to showcase the best of your Place, be it a large jurisdiction, a historic business district, or a cultural institution. To both attract people there, but also provide a compelling experience so that they want to come back, again and again.

Did you know that there's now a tool that can help you accomplish all of those goals, without breaking the bank or monopolizing your time?

## *The Basics*

Traipse is a free smartphone application that leads users on a walking tour of landmarks and local businesses, or in non-urban settings on a driving tour of cultural heritage and agri-tourism sites. At each stop on a Traipse tour, users get some information about that site and are challenged with a location-dependent riddle or puzzle to solve. Traipse "gamifies" the experience of visiting a tourist attraction or leisure destination, or attending an event – much like Fitbit gamifies exercise or Pokemon Go facilitates collecting virtual artifacts in real world locations – while also involving local businesses and organizations.

*Traipse provides an engaging way to spend time at a destination, explore its hidden stories, and appreciate its unique character.*

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**Contact Us to Discuss Your Goals:**

☎ 540.999.1395 ✉ [sales@traipse.co](mailto:sales@traipse.co)

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## Traipse Mission and Vision

The **mission** of Traipse is to connect people with community in a fun, interactive and educational way, while bolstering local economies by promoting locally owned businesses along with historic and cultural assets.

The **vision** of Traipse is to provide a platform for this connection that gives agency and organizational clients, nationally and globally, the opportunity to co-create curated, thematic, gamified experience for visitors and guests.

## Social Benefit

Traipse believes that the best qualities of a nation are found within the urban neighborhoods, business districts, parks and agricultural areas that showcase its history, its entrepreneurial spirit, its diversity and its sense of community connection and pride. Traipse aims to preserve and enhance such “Capital-P Places” by providing residents and visitors a means to learn and explore them and have fun while doing so. Traipse intends to be a force in ushering in a renaissance of the local American economy.

## User Appeal

Traipse has been described by users as “The Amazing Race in app form” and “geocaching on steroids”. The app is great for a date night, pub crawl, shopping day, foodie adventure, kid friendly activity, or a team building exercise. It combines into one unique, addictively fun package with several elements that are only growing in popularity and appeal:

- 📍 Exploring walkable neighborhoods that are both historic and vibrant, as a tourist or resident (and avoiding the cost and time constraints of the traditional guided tour)
- 📍 Participating in “nerdy”, social and outdoor activities such as scavenger hunts, escape rooms, and geocaching
- 📍 Promoting economic and environmental sustainability, and “shopping local”, especially with the incentive discounts

### What our users say:

“I’m seeing things that I never noticed before.”

“I’m not noticing how far I’m walking.”

“It was a really fun afternoon, we were able to discover a lot of new things in a fun way, as we are new to the area. I would love to see Traipse in my [my city].”

“Traipse is such a fun idea. Hope you branch out to [my area]. 😊”

“We had so much fun with this app!! It was a great way to visit new places and learn about the town.”

“Fun! I love this app, and look forward to it being active in other places.”



**Traipse is the only destination marketing app that offers all of the following:**

 Turns a passive tour experience into an active one that engages both visitors and residents	 Rewards users with discounts and other promotional offers at participating businesses
 Offers significant control to clients to manage how they present themselves as a destination and communicate directly with visitors and customers	 Helps turn community events into immersive experiences that provide real value to sponsors
 Allows users to explore or complete tours at their own convenience	 Is <b>FREE</b> for users and local business participants
 Serves as a directory (both in list and map form) of local attractions and locally owned retail businesses but doesn't put the burden on you to maintain the information	

**Traipse is the most affordable and feature-rich option for clients seeking a mobile app presence that highlights both historic and cultural assets and locally-owned businesses.**

**What does a typical Traipse puzzle look like?**

Traipse puzzles are location dependent – you can't solve them unless you are at the location of the puzzle, and they don't require the knowledge of trivia, historic or otherwise. They are designed to reveal the things "hidden in plain sight" and cause an "A-ha!" moment that makes the user feel smart, regardless of the user's age or knowledge base. For example, a certain store in a Traipse city has a section of used books, which are priced using a color-coded system of dots.

**The Traipse puzzle for this store is the following:**

**"Red and blue usually make purple, but here red plus blue equals 11. If that's the case, what does red plus green plus blue equal?"**

The user can then take one or both hints that help direct them to the right place. As you can determine from this photo, the answer to this puzzle is 16 and the app would accept several variations of that answer. After submitting correct answer, the user gets a congratulatory message and a discount offer at the store.



## By the Numbers

Sources: Google 2015 "Travelers' Road to Decision" and 2016 Travel Trends Report

# 78%

of leisure travelers have downloaded / used a travel-related smartphone app.

Mobile search volume for destination activities has increased

# 40%

# >50%

More than half of both leisure travelers and business travelers use a smartphone during their trip.

Traipse combines the two biggest sources of information for leisure travelers at their destinations: **walking around (37%)** and **website / app for the destination (36%)**

### Test Market Usage Statistics in 24 months (with minimal promotion):

- 📍 More than 2300 app installations - 1/3 Android and 2/3 iOS (Apple)
- 📍 More than 1100 registered users and more than 4000 Traipse stops completed

*Now active in four different Virginia markets, Traipse has been downloaded more than 6000 times, with nearly 4000 registered users. In one recent month, more than 1500 people used Traipse.*



# PRICING GUIDE

## *Traipse Implementation Guide*

Traipse Packages for Locations and Events include several customization options to fit client needs. Because of the high degree of tailoring to each individual client, actual project costs are determined on a case-by-case basis. Contact us to discuss your goals and we will be happy to provide a detailed proposal.

### *Traipse Locality Packages*



Bring Traipse to your city, business district or neighborhood! Starting at \$5,000, all packages assume a minimum implementation of at least 50 Traipse stops and 4 themed Traipse tours; differences are in which tasks are performed by Traipse and which by local managers and creators.

### *“Spot Traipse” Packages*



With packages starting at \$2,000, it's easy to bring Traipse to your spot, be it in a campus, resort, park, event venue, or other specific destination with a single business or management entity. Assumes 10-20 Traipse stops and 1-2 Traipse tours.

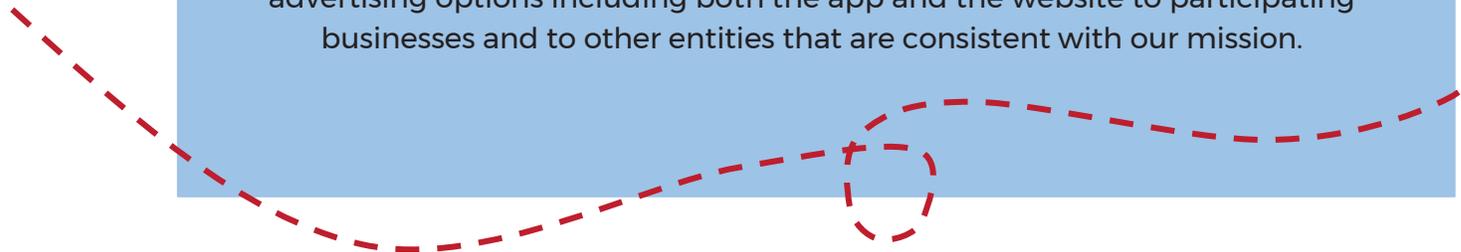
### *Customized Traipse Events*



For as little as \$500, make Traipse part of your event, be it a festival, conference, wedding, team building, part, or other occasion.

## *Advertising within the Traipse Ecosystem*

While it is free for local businesses to participate as stops in Traipse, we also offer advertising options including both the app and the website to participating businesses and to other entities that are consistent with our mission.



## ***Let's Do This!***

For both “evergreen” Traipse implementation in localities and spots, as well as event-specific Traipse projects, clients can determine how much they want to take on themselves and how much they want Traipse to do, with packages priced accordingly. Because we know money’s tight, but we also know you’re way too busy.

### ***DIY Method***

Traipse provides content development and management training and “seed content” along with editorial and maintenance services.

### ***Custom Collaboration Method***

Traipse develops all puzzle content, but other tasks are shared. Tasks that can be taken on by local managers and creators include identification of stop locations, descriptive and historical content and imagery compilation, interaction with participating businesses, marketing/promotion, and event coordination.

### ***Separate Client-Branded “White Label” App***

Optional feature that provides a separate client-branded app while also hosting the content in the Traipse app.

*All packages include Traipse management and maintenance for 24 months from launch date. For events, cost variables include degree of structural and content customization, number of users, time-frame, and involvement of businesses (such as a food tour element).*



**Contact Us to Discuss Your Goals:**

☎ 540.999.1395 ✉ [sales@traipse.co](mailto:sales@traipse.co)

[www.gotraipse.com](http://www.gotraipse.com)



# TOWN OF OCCOQUAN

*Circa 1734 • Chartered 1804 • Incorporated 1874*  
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[www.occoquanva.gov](http://www.occoquanva.gov)

**TOWN COUNCIL**  
Earnie W. Porta, Jr., Mayor  
Jenn Loges, Vice Mayor  
Krys Bienia  
Cindy Fithian  
Laurie Holloway  
Eliot Perkins

## **Acting Town Manager's Report Town Council Meeting - September 1, 2020**

### **Mill at Occoquan**

- Planning “virtual” Town meeting in late September

### **Kayak Ramp**

- Awaiting inspections. VDOT has been notified they can conduct an inspection when they are ready. Hope for a ribbon cutting in late September, early October, perhaps to coincide with start or end of a PFDD Aquatic Challenge fundraiser.

### **Tanyard Hill Park**

- Planning work day with Prince William Trails and Streams Coalition (PWTSC) on September 26.

### **Town Hall Operating Hours**

- Planning a return to normal operating hours on October 1.

### **Adjustments to Town Web Site**

1. Town Code section has been restructured to avoid confusion between current and old code. Code page reflects current code with links both to the searchable version and to the old code.
2. Issue updates are being added to the web site to inform the public on the status and steps being taken regarding recurring concerns (e.g. drainage from 430 Mill Street; development on Center Lane). The presence of these will be noted in the Town newsletter.

### **Tourism Information Center**

1. Signs for the old Tourism Information Center have been removed and the curb blocks repainted.
2. Coordinating with County the removal of any items they wish to keep; they may leave us furniture to do with as we want.
3. Approval of MOA and design of kiosk underway. County plans to take the latter to the ARB at the September meeting.

### **430 Mill Street Drainage Issues**

1. Stop work order lifted after silt fence improved and water discharge determined not to require sediment filter. Conduit carrying water will cross sidewalk and empty into street until front groundcover completed, which is expected to be done in the next several months.
2. At completion if drainage is still an issue longer-term solutions under discussion include (1) grate-covered conduit through sidewalk into street with the VDOT recrowning of the street in 2021 appropriately directing the water to a storm drain, or (2) installation of storm drain if possible to connect to existing nearby underground systems.

### **Center Lane between Union and Ellicott**

1. Pursuing enforcement on trash enclosure issue.
2. Have cut growth between silt fence and alley. Informing developer they must maintain this strip appropriately or we will do so and bill them.

### **104 West Locust Street Violation**

1. Violation notices sent by certified letter to known addresses (Occoquan and Florida) not collected.
2. Sending additional notice indicating ladders and refuse will be removed at owner's expense if action is not taken. Will pursue other enforcements (e.g. liens) as appropriate.

### **BB&T ATM**

- ATM and streetlight removed.

### **Banking Relationships**

- Discussing with banks the consolidation of operations accounts to house payroll, controlled disbursement, and operating reserves with one bank.



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

<b>8. Regular Business</b>	<b>Meeting Date:</b> September 1, 2020
<b>8 a: Request to Accept DMV - National Highway Safety Administration Highway Safety Grant</b>	

**Explanation and Summary:**

This is a request to have the Town Council accept the Department of Motor Vehicles ("DMV") pass-through grant from the National Highway Safety Traffic Safety Administration's (NHTSA) highway safety grants.

Three grant applications were submitted to receive funding to supplement the Town's public safety education and enforcement in the areas of impaired driving, speeding, and pedestrian/bicyclist enforcement. The Town received grant agreements in response to those applications. The federal funds obligated under these grants are as follows:

- Selective Enforcement - Speed federal funding \$4,200.00
- Selective Enforcement - Alcohol Impaired driving federal funding \$5,155.00
- Selective Enforcement - Pedestrian/Bicyclist federal funding \$3,500.00

The grants require a 50% soft match from the Town which would be a total of \$6,427.50.

The Grants are cost reimbursement.

**Town Attorney's Recommendation:** N/A

**Town Manager's Recommendation:** Accept

**Cost and Financing:** \$19,282.50 (\$12,855.00 to be reimbursed)

**Account Number:**

**Proposed/Suggested Motion:**

"I move to accept the grant funds from the DMV pass-through grants from the National Highway Safety Traffic Safety Administration and approve the soft match of up to \$6,427.50."

OR

Other action Council deems appropriate



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
 Agenda Communication

<b>8. Regular Business</b>	<b>Meeting Date:</b> September 1, 2020
<b>8 b: Discussion of CARES Act Funding</b>	

**Explanation and Summary:**

The Town of Occoquan received \$94,380.00 in federal funding from the Coronavirus Aid, Relief and Economic Security (CARES) Act. To date, the Town has documented approximately \$8,800.00 for submission for reimbursement (with more expenses expected). The Town also has distributed \$30,000.00 in microgrant funding for Town businesses affected by the pandemic. CARES Act funding must be used by December 30, 2020. Staff has identified future purchases that may be reimbursable, and welcomes Council's feedback on these potential purchases.

Item	Justification	Cost	Number Requested	Subtotal
Portable Jersey Barriers	As a result of COVID-19, the Town Council has permitted businesses to request a permit to utilize public space to engage in business activities. To protect the public and patrons in locations that put the public in close proximity to vehicular traffic, the use of a jersey style barrier would be required.	315.00	8	2,520.00
Loop Delineators (12 lb base)	As a result of COVID-19, the use of the River Mill Park and Mamie Davis Park have been limited over concerns of social distancing. The loop delineator and associated chain will assist the Town in creating and maintaining social distancing.	16.25	50	812.50
Plastic Chain for Loop Delineators	As a result of COVID-19, the use of the River Mill Park and Mamie Davis Park have been limited over concerns of social distancing. The chain will be used in conjunction with the Loop Delineators to assist the Town in creating and maintaining social distancing.	60.00	5	300.00



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
 Agenda Communication

Tablets	As a result of COVID-19, the Town Council enacted an ordinance to permitted remote participation by Council members to protect the public and council. As can be seen from the prior council meetings the technology to provide for remote access is limited. The use of Tablets and remote microphones will greatly assist in the remote participation and social distancing.	100.00	6	600.00
USB Computer Microphone	As a result of COVID-19, the Town Council enacted an ordinance to permitted remote participation by Council members to protect the public and council. As can be seen from the prior council meetings the technology to provide for remote access is limited. The use of Tablets and remote microphones will greatly assist in the remote participation and social distancing.	25.00	6	150.00
Mobile Communications Radio	As a result of COVID-19 and increase in vandalism and more youths in town, the town has increased patrols (COVID-19) and an additional radio will permit more efficient use of 2 vehicles at the same time. Currently the town only has 1 mobile radio in the Town Police Cruisers. The town needs a radio in the 2nd Town Police Cruiser.	4,800.00	1	4,800.00
			TOTAL	9,182.50

**Town Attorney's Recommendation:** N/A

**Town Manager's Recommendation:** N/A

**Cost and Financing:** \$

**Account Number:**

**Proposed/Suggested Motion:**

"I move to authorize Town staff to purchase the listed items in response to COVID-19 utilizing CARES Act funding in an amount not to exceed..."

OR

Other action Council deems appropriate



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

<b>8. Regular Business</b>	<b>Meeting Date:</b> September 1, 2020
<b>8 c: County Tourist Information Center Kiosk</b>	

**Explanation and Summary:**

Visit Prince William has closed the Tourist Information Center located at 200 Mill Street. To replace it they are installing a service kiosk near the Mill House Museum that will enable the Town to retain the state tourist information center signs on I-95 and elsewhere. Attached is a draft Memorandum of Agreement between the County and the Town regarding the kiosk.

**Town Attorney's Recommendation:** Pending  
**Town Manager's Recommendation:** Approve

**Cost and Financing:** N/A  
**Account Number:**

**Proposed/Suggested Motion:**

"I move that the Town Council authorize the Mayor to execute the Memorandum of Agreement with Prince William County concerning the CTIC kiosk."

OR

Such other motion as the Council deems appropriate.

## MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_ 2020, by and between ~~the~~ Prince William County acting through its Department of Parks, Recreation and Tourism (“County”) and the Town of Occoquan (“Town”).

### WITNESSETH:

WHEREAS, the County currently operates a Certified Tourism Information Center (CTIC) at 200 Mill Street through a lease with the Town; and

WHEREAS, the County has ceased operations of the CTIC at 200 Mill Street due to COVID-19 and plans to construct a CTIC visitor kiosk in the Town; and

WHEREAS, the Town desires to retain CTIC designation within its downtown area; and

WHEREAS, the County currently provides the Town financial support to operate the Mill House Museum located at 413 Mill Street in the downtown area, which along with the creation of a visitor kiosk meets CTIC designation requirements including operating hours, availability of attraction brochures and public bathrooms being in close proximity; and

WHEREAS, the County has agreed to install and supply a free-standing visitor kiosk on existing Town land next to the Mill House Museum, which shall hereinafter be referred to as the (“Project”); and

WHEREAS, the Town and County recognize the benefits that visitors and citizens of Occoquan and Prince William County will derive from the Project; and

NOW, THEREFORE, in consideration of mutual covenants herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Town and County do hereby agree as follows:

#### I. PURPOSE

- a. Agreement is for the County to construct, supply, and maintain a free-standing visitor information kiosk adjacent to the Mill House Museum on Town property (GPIN Parcel Number 8393-65-2114) in accordance with Exhibit A. (The parties shall attach the approved Exhibit A to this Agreement after this Agreement’s execution and the approval provided in Section II.b. of this Agreement.)

## II. TERM

- a. The term of this Agreement shall be five (5) years with the option of one (1) ~~renewal~~ of five (5) years renewal. The Agreement will automatically renew if no party provides written notification to ~~extend~~ terminate.
- b. The term of this Agreement shall commence upon the full execution of this Agreement and final approval of the kiosk from the Town of Occoquan Architectural Review Board.

## II. PERMITTING

- a. The County shall be responsible for obtaining all required local, state, and federal permits and approvals necessary for the project and all fees associated with such.
- b. The County's obligations under this Agreement shall terminate in the event that, despite the County's use of its best efforts, the required permits and approvals for the Project are not obtained within twelve (12) months from the beginning of the Agreement term.

## III. CONSTRUCTION

- a. The County shall be responsible for selecting a contractor to perform the work included in the Project if not using County staff. All contractors, if used, will, at a minimum:
  - i. Demonstrate successful completion of not less than three similar projects within the previous two years;
  - ii. Hold a Class A Virginia contractor's license; and
  - iii. Provide proof of insurance that complies with Town guidelines.
- b. The County shall be responsible for all Project costs unless otherwise specified in this Agreement.
- c. The Project shall be completed within six (6) months following receipt of all required permits and approvals for the Project, provided that such deadline shall be postponed for the duration of any event of force majeure or any other delay beyond the control of the County. If the County is unable to complete the Project within this period of time, the Town shall have the right to terminate the Agreement.

- d. The visitor information kiosk installed by the County under this Agreement shall remain the property of the County.

#### IV. MAINTENANCE AND STOCKING

- a. The County shall be responsible for all maintenance, repair, or replacement of the kiosk structure from roof to the point of ground-attachment.
- b. The Town shall be responsible for all maintenance and repairs immediately adjacent to and under the kiosk, including, but not limited to, the sidewalk.
- c. All small maintenance and repair work shall be performed within ~~a~~ thirty (30) days period of the County having notice of the need for maintenance or repair work. Structural maintenance shall be performed within a ninety (90) day period. Total kiosk replacement due to vehicular collision or an act of God shall be completed within one hundred and eighty (180) days.
- d. If the County fails to provide proper maintenance in accord with standards herein, the Town shall have the authority to perform the work and invoice the County ~~who agrees to~~ which shall pay all direct costs within 30 days of invoice date.
- e. The Town shall maintain a minimum 48" horizontal clearance around the kiosk for accessibility purposes.
- f. The County shall replenish all print materials displayed at the information kiosk as needed.
- g. The County shall stock tourism literature to include one state visitor guide, one county visitor guide and one Town of Occoquan brochure. The Town of Occoquan brochure shall meet the 5" X 9" size requirements and be printed and supplied by the Town. The County shall have the right to remove any unauthorized material.

#### V. CERTIFIED TOURISM INFORMATION CENTER DESIGNATION

- a. The Virginia Tourism Corporation (VTC) has granted the County permission to transfer CTIC designation to the Town of Occoquan / Millhouse Museum and kiosk site upon the condition that CTIC designation requirements are met including (1) the museum is open to the public a minimum of five (5) days per week, including Saturday and Sunday; (2) the adjacent park bathrooms are open to visitors; and (3) designated parking is made available. The Town agrees to meet these conditions at its own expense if it wishes to retain its CTIC designation.

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Commented [JK1]: From when?

- b. The County agrees to file the necessary paperwork to transfer CTIC designation to the Town and change the CTIC address with the VTC.
- c. Failure to meet CTIC designation criteria will result in the Town losing its CTIC designation at its own expense but shall not relieve the County from continuing to meet all terms of the agreement.
- d. Maintenance and upkeep of CTIC directional signage and wayfinding shall be the responsibility of the Town.

VI. TERMINATION

- a. The Agreement can be terminated by either party with thirty (30) day notice without penalty to either party.
- ~~b. If the County consistently fails to perform, or demonstrates, reckless disregard for any term or terms of this Agreement, the Town may, at its sole discretion, after thirty (30) days written notice to the County and reasonable opportunity to cure, (1) terminate this Agreement. If the Town consistently fails to perform, or demonstrates reckless disregard for any term or terms of this Agreement, the County may, at its sole discretion, after thirty (30) days written notice to the Town and reasonable opportunity to cure, (1) terminate this Agreement.~~

**Commented [JK2]:** Unnecessary to have this when you have no-fault termination.

VII. ENFORCEABILITY

- a. It is expressly agreed and understood that this Agreement is to be construed under the laws of the Commonwealth of Virginia and may only be enforced in the courts of Prince William County, Virginia.

VIII. INSURANCE

- a. At all times during the Term, at its own cost and expense, the County shall keep in force commercial general liability insurance in standard form, protecting the County and the Town, as an additional insured, against personal injury, including bodily or property damage and contractual liability on an occurrence basis if available and if not, then on a claims made basis, in either case in an amount not less than One Million Dollars (\$1,000,000) per occurrence and with an annual aggregate limit of not less than Three Million Dollars (\$3,000,000).

- b. A certificate of insurance is required by this Agreement and shall be delivered by the County to the Town. The County shall supply the Town an updated certificate of insurance at least 30 days before the expiration of the then-current certificate.

IX. AMENDMENTS AND ASSIGNMENT

- a. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof.
- b. This Agreement shall not be modified, amended, or changed in any respect except in writing duly signed by the parties hereto, and each party hereby waives any right to amend this Agreement in any other way.
- c. This Agreement may not be assigned by any of the parties hereto without the express written consent of the other party.
- d. All of the terms and provisions of this Agreement shall be binding upon and shall insure to the benefit of the parties hereto and their successors. In addition, the parties agree that terms and provisions of this Agreement are reasonable.
- e. If any provision of this Agreement shall be determined to be invalid or unenforceable, such determination will not affect the validity of the other provisions of this Agreement.
- f. None of the provisions of this Agreement is intended to grant any right or benefit to any person or entity that is not party to this Agreement unless specified in the Agreement.

X. The signatories to this Agreement represent and warrant that they have authority to sign it on behalf of the locality they serve.

~~XI.~~ NOTICE

- a. All notices and deliveries required under this Agreement shall not be effective for any purpose unless the same shall be given or served as Follows:

If to County, to:  
Prince William County

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Department of Parks, Recreation and Tourism  
Department Director  
14420 Bristow Road  
Manassas, VA 20112

If to Town, to:  
Town of Occoquan  
Town Mayor  
314 Mill St.  
P.O. Box 195  
Occoquan, VA 22125

- b. Every such notice, demand, request, other communication or delivery of documents or funds hereunder shall be deemed to have been given or served for all purpose hereunder on the date on which it is received or refused by the party to whom it was sent, whether by courier, certified mail, or U.S. First Class Mail, postage prepaid.

IN WITNESS WHEREOF, the Town and County have caused these presents to be duly executed, in duplicate, and have caused their respective corporate seals or signatures to be hereto affixed.

Town of Occoquan

BY: \_\_\_\_\_

Mayor Earnie Porta  
314 Mill St.  
P.O. Box 195  
Occoquan, VA 22125

Prince William County

BY: \_\_\_\_\_

Seth Hendler-Voss, Director  
Prince William County  
Department of Parks, Recreation, and Tourism  
14420 Bristow Road  
Manassas, VA 20112

**EXHIBIT A**

Final design as approved by Town Architectural review Board on  
XX/XX/XXXX

Location Map



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

<b>8. Regular Business</b>	<b>Meeting Date:</b> September 1, 2020
<b>8 d: Proposal for Use of Tourist Information Center Building</b>	

**Explanation and Summary:**

Visit Prince William has closed the Tourist Information Center located at 200 Mill Street. To replace it they are installing a service kiosk near the Mill House Museum that will enable the Town to retain the state tourist information center signs on I-95 and elsewhere. This frees for other purposes the structure at 200 Mill Street, which the Town owns. For a number of months the Town has been considering the idea of renting the space out or converting it to some other use. Events and Community Development Director, Julie Little, has suggested to Mayor Porta that her office be moved there and that it also house a tourism sales shop for visitors. The attached outlines this proposal and requests that the Town Council authorize staff to continue to work on it.

**Town Attorney's Recommendation:** N/A

**Town Manager's Recommendation:** N/A

**Cost and Financing:** \$

**Account Number:**

**Proposed/Suggested Motion:**

N/A

**Proposal for Use of Tourist Information Center Building  
As Events and Community Development Office  
September 1, 2020**

*Introduction*

Visit Prince William has closed the Tourist Information Center located at 200 Mill Street. To replace it they are installing a service kiosk near the Mill House Museum that will enable the Town to retain the state tourist information center signs on I-95 and elsewhere. This frees for other purposes the structure at 200 Mill Street, which the Town owns. For a number of months the Town has been considering the idea of renting the space out or converting it to some other use. Events and Community Development Director, Julie Little, has suggested to Mayor Porta that her office be moved there and that it also house a tourism sales shop for visitors.

*Concept*

Ms. Little's proposal is that the facility be used as the hub for the marketing and promotion of the Town both visually and substantively. She would be housed at that location, which she believes would be more accessible to many with whom she deals. The structure would be branded in a fashion consistent with the authentic Occoquan experience concept and serve (as it has in the past) as the launch point for tours, repository for tourism information on the Town, etc. Importantly, during part of the day the structure would also be open for the sale of Occoquan-themed merchandise and staffed by a part-time sales person. Unlike the Tourist Information Center, which was open 7 days a week from 9:00 a.m. to 5:00 p.m., the merchandise sales office would be open only on the days and hours best suited to take advantage of the presence of substantial numbers of visitors in Town and would vary based on the time of year. During this period, restrooms would also be open to the public. Of course, if for some reason this use of the facility was not successful, the Town could consider once again the prospect of leasing it out.

*Cost*

The intent would be for the facility soon to generate enough sales revenue to cover its operating costs. Such costs would consist primarily of utilities, cleaning of restrooms, and staffing of the sales position. There would also be some initial capital expense or maintenance outlays for painting, a printer, etc. Ms. Little anticipates that the porch of the facility could also be used for pop-up vendor displays throughout the year at times that are appropriate.

Below is a rough estimate of annual operating costs.

**Estimated Annual Operating Costs**

Electricity <sup>1</sup>	\$ 835
Water <sup>1</sup>	1,000

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<sup>1</sup> The monthly average was provided by Visit Prince William. Actual cost to Occoquan should be slightly lower if facility is not open 7 days a week.

Sales Person @\$11/hour 25 hrs/week <sup>2</sup>	15,400
Cleaning	4,700
Internet Connection and Phone	<u>1,200</u>

These estimates indicate that the Town would need to generate approximately \$25,000 in net sales revenue a year (or an average of approximately \$2,100 a month) from the facility to break even. To put this in perspective, the net revenue from a decent t-shirt is around \$10, which would mean selling 210 t-shirts a month to generate the necessary revenue. Similar calculations would need to be done for all sorts of other themed merchandise. Display space issues for merchandise are also another factor that needs additional analysis. Ms. Little has attached a rough outline of the types of merchandise she envisions.

*Next Steps*

What Ms. Little and Mayor Porta are requesting is that the Council indicate whether or not they support additional investigation of this idea. If so, then Ms. Little and Mayor Porta will spend additional time on the subject.

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<sup>2</sup> Based on 2022 minimum wage in Virginia of \$11/hr. plus FICA. Hours might vary depending upon time of the year.

## **Tourism Merchandising Mix-INITIAL**

### **Books**

Images of America, by Earnie Porta  
City of Peace, by Henry Brinton  
Occoquan, by Gary Worth Moody  
Suffragists in Washington, DC by Rebecca Boggs Roberts  
Votes for Women: American Suffragists and the Battle for the Ballot  
Walking Tour Brochure  
Maps

### **Sundries**

Water  
Snack bars  
Sunblock  
Advil  
Insect repellent

### **Occoquan Logo**

Water bottles  
Masks  
I <3 OCQ Mugs  
Tshirts

### **Occoquan Theme-possible partnerships with local merchants**

Puzzles  
Cards  
Postcards  
Crockery  
Reusable canvas bag  
Branded chocolate bar  
Branded soaps  
Branded candle  
OCQ Tea towel  
Magnet  
Ornaments

### **Art--possible consignment**

Local artists  
Galleries: prints, cards, home décor

### **Toys**

Stuffed heron/osprey  
OCQ coloring book  
Beginner conservationist book

**Other Possible Non-Inventory Costs**

Paint

Carpet

POS system with bar codes

Computer/Printer

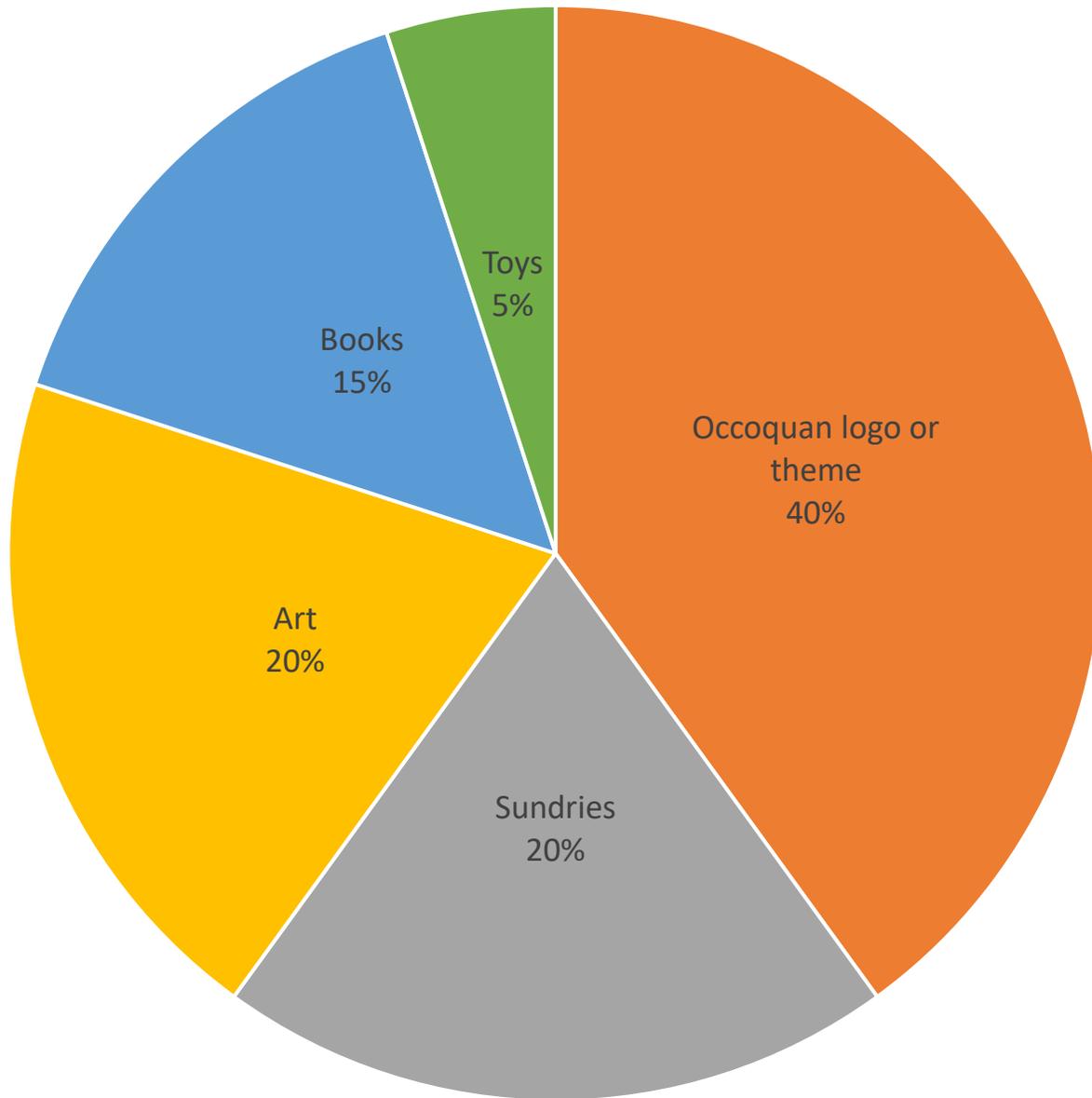
Bags, tissue

Merchandising displays

Cleaning supplies

Item	% of Stock
Occoquan logo or theme	40
Sundries	20
Art	20
Books	15
Toys	5
	100

### Initial Tourism Merchandising Mix





# TOWN OF OCCOQUAN

## TOWN COUNCIL MEETING

### Agenda Communication

<b>8. Regular Business</b>	<b>Meeting Date:</b> September 1, 2020
<b>8 e: Discussion of Draft Noise Ordinance and Draft Exhaust System Ordinance</b>	

#### **Explanation and Summary:**

At its May 6, 2020 meeting, the Town Council voted to adopt Ordinance #O-2020-03, An Ordinance to Repeal and Replace Town Code 92.02 Generally Relating to Noise. The Town adopted Prince William County's Noise Ordinance as a stopgap because its previous Noise Ordinance had been difficult to enforce.

Council also directed the Planning Commission to develop a revised Noise Ordinance better suited to the Town. The Planning Commission sought input from residents, business owners and the Chief of Police. The consensus was that the revised Noise Ordinance should be simple but enforceable. The Planning Commission voted at its August 25, 2020, meeting to recommend the approval of the proposed Noise Ordinance.

Changes to the proposed Noise Ordinance include:

- The revised ordinance is based on a "plainly audible" standard, allowing different types of sound to be heard only from specified distances. The Planning Commission considered using a decibel system to regulate sound but learned that decibel readers can pose enforcement challenges.
- Violations could be civil or criminal, and penalties would be incremental.
- Quiet time would be from 10:00 p.m. to 6:00 a.m. – changed from 7:00 a.m. to be more consistent with Prince William County's ordinance.
- Outdoor music would require a permit, filed with the Town Manager annually for \$100.00.

At its August 25, 2020, meeting, the Planning Commission also voted to recommend the adoption of Prince William County's Exhaust System Ordinance (attached), prohibiting modified mufflers on Town roads.

**Town Attorney's Recommendation:** Defer until legal review complete and Council and public have had greater opportunity to review.

**Town Manager's Recommendation:** Defer as per Town Attorney's recommendation.



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

**Cost and Financing:** None  
**Account Number:**

**Proposed/Suggested Motion:**  
None - Discussion only.

## PROPOSED OCCOQUAN NOISE ORDINANCE

### Declaration of findings and policy.

Town council hereby finds and declares that excessive sound is a serious hazard to the public health, welfare, peace and safety and the quality of life; that a substantial body of science and technology exists by which excessive sound may be substantially abated; that the people have a right to and should be ensured an environment free from excessive sound that may jeopardize the public health, welfare, peace and safety or degrade the quality of life; and that it is the policy of the Town to prevent such excessive sound to the extent such action is not inconsistent with a citizen's First Amendment rights.

### Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Audible and discernable* means the sound can be heard by the human ear, and the sound is sufficiently distinct such that its source can be clearly identified.

*Daytime* means the local time of day between the hours of 6:00am and 10:00 pm every day.

*Excessive noise* means noise that (a) endangers or injures the safety or health of any person; (b) causes or tends to cause an adverse psychological or physiological effect on any person; or (c) negatively impacts the value of personal or real property. Specific examples of prohibited excessive noise are set forth in this chapter.

*Emergency* means any occurrence or set of circumstances involving actual or imminent physical injury or illness or property damage that requires immediate action.

*Emergency work* means any work performed for the purpose of preventing or alleviating the physical injury or illness or property damage threatened or caused by an emergency.

*Instrument, machine or device* means and refers to any musical instrument, radio, phonograph, compact disc player, cassette tape player, amplifier or any other machine or device for producing, reproducing or amplification of sound.

*Motor carrier vehicle engaged in interstate commerce* means any vehicle for which regulations apply pursuant to section 18 of the Federal Noise Control Act of 1972 (P.L. 92-574), as amended, pertaining to motor carriers engaged in interstate commerce.

*Motorcycle* means any motor vehicle designed to travel on not more than three (3) wheels in contact with the ground and any four-wheeled vehicle weighing less than five hundred (500) pounds and equipped with an engine of less than six (6) horsepower, excepting farm tractors.

*Motor vehicle* means any self-propelled device or device designed for self-propulsion, upon or by which any person or property is or may be drawn or transported upon a street or highway, except devices moved by human power or used exclusively upon stationary wheels or tracks.

*Nighttime* means those times excluded from the definition of daytime.

*Noise* means any audible sound which disturbs or tends to disturb humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

*Plainly audible* means capable of being perceived by a person of normal hearing ability, including persons dependent upon functioning hearing aid devices.

*Public area* means any real property owned by the government, including, but not limited to, public rights-of-way, sidewalks, parks, and buildings.

*Residential dwelling* means any building or other structure in which one or more persons resides on a permanent or temporary basis, including, but not limited to, houses, apartments, condominiums, hotels, and motels.

*Sound* means an oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

*Sound generation* means any conduct, activity or operation, whether human, mechanical, electronic or other, and whether continuous, intermittent or sporadic, and whether stationary or ambulatory in nature, which produces or results in an audible sound.

#### **Administration and enforcement.**

- (1) The police department may issue a summons for enforcement of the noise control program established by this article and may be assisted by other Town departments as required.
- (2) Nothing in this section shall preclude a private citizen from obtaining a magistrate's summons based upon a probable cause determination by the magistrate's office.

#### **Violations.**

- (1) Civil violation. Any person who commits, permits, assists in or attempts any violation of this chapter, whether by act or omission, shall be liable for a civil violation as follows
  - (a) The first violation of this chapter by such person shall be punished by a civil penalty in the amount of \$100.
  - (b) The second violation of this chapter by such person shall be punished by a civil penalty in the amount of \$250.
  - (c) Subsequent violations of this chapter by such person shall be punished by a civil penalty in the amount of \$500.
- (2) Criminal violation. Any person who knowingly refuses or neglects to comply with any written order to cease or abate any violation of this chapter, issued by an authorized enforcement officer, shall be guilty of a Class 2 misdemeanor.
- (3) The person operating or controlling a noise source shall be guilty of any violation caused by that source. If that cannot be determined, any owner, tenant, resident or manager physically present on the property where the violation is occurring is rebuttably presumed to be operating or controlling the noise source.
- (4) In addition to and not in lieu of the penalties prescribed in this section, the Town may apply to the circuit court for an injunction against the continuing violation of any of the provisions of this article and may seek any other remedy or relief authorized by law.

#### **Specific Prohibitions.**

The following acts are violations of this chapter:

- (1) Sounding any horn, signaling device, or similar device on any automobile, motorcycle or other vehicle on any right-of-way or in any public space except when the sounding of any such device is intended as

a danger warning, provided that at no such time is any device continuously or intermittently sounded for more than five (5) consecutive seconds.

- (2) Operation of a motor vehicle or operation of a motorcycle within the town that creates mechanical or exhaust noise that is plainly audible at a distance of 200 feet or more from the vehicle. This section shall not apply to motor carrier vehicles engaged in interstate commerce.
- (2) Operating, loading or unloading any vehicle, including but not limited to trucks, or the opening and destruction of bales, boxes, crates and containers in the outdoors between the hours of 10:00 p.m. and 6:00 a.m.
- (3) Operating or causing to be operated between the hours of 10:00 p.m. and 6:00 a.m. any equipment used in construction, repair, alteration or demolition work on buildings, structures, alleys or appurtenances thereto in the outdoors. This section shall not apply to construction of public projects, the repair or maintenance work performed on such projects or work performed by private or public utility companies for the repair of facilities or restoration of services.
- (4) Using, operating or causing to be operated mechanical loudspeakers or other sound amplification devices on trucks or other moving vehicles or in commercial establishments for the purpose of commercial advertising or attracting the attention of the public during the nighttime. The use of such at all other times shall be subject to the following conditions:
  - (a) The only sounds permitted are music or human speech.
  - (b) Sound shall not be issued or devices shall not be used within 50 feet of public buildings, schools, churches or courthouses.
  - (c) The human speech and music amplified shall not be obscene.
- (5) The playing of radio, phonographs, television, tape or disc players, musical instruments or drums, sound amplifiers or similar devices which produce, reproduce or amplify sound in such a manner as to emit sound audible at a distance of 50 feet outside of a building or audible through partitions common to two or more residences within a building; provided, however that the provisions of this subsection shall not apply to any outdoor performance, parade, gathering, dance, concert, show, sporting event, or other event sponsored by the Town or for which the Town has granted a permit.
- (6) Playing, operating or permitting to be operated, any radio, tape player, compact disc player, loud speaker or other electronic device used for the amplification of sound, which emits sound within a motor vehicle being operated or parked on a public street alley, parking lot open to the public, or public park, and which emits sound audible from outside the motor vehicle at a distance of 50 feet or more. The provisions of this subsection shall not apply to motor vehicle alarms or other security devices, the emission of sound for purposes of alerting persons to the existence of an emergency, or the emission of sound in performance of emergency work.
- (7) Talking, yelling, shouting, screaming, singing, or any other form of human sounds produced by any person or group of people between the hours of 10:00 p.m. and 6:00 a.m. in such a manner as to be audible across property boundaries or audible through partitions common to two or more residences within a building.
- (8) Sounding or permitting the sounding of any amplified signal continuously or intermittently from any bell, chime, siren, whistle or similar device intended primarily for nonemergency purposes from any one location for more than ten (10) consecutive seconds in any hourly period; provided, however, that this subsection shall not apply to the sounding of such devices by religious uses or by public bodies or agencies for testing, traffic control or other public purposes.

- (9) Sounding or permitting the continuous or intermittent sounding outdoors of any emergency signaling device, or any security, burglar or fire alarm, siren, whistle, or similar device, including without limitation any motor vehicle security alarm, siren, whistle, or similar device, for a period in excess of ten (10) minutes in any residential area and fifteen (15) minutes in any other area, except in response to a burglary, attempted burglary, fire, or other emergency.

**Exemptions.**

The following activities or sources of noise shall be exempt during the daytime from the prohibitions set forth in this section:

- (1) Officially sanctioned activities in Town parks or facilities.
- (2) Activities on private property for which a Town permit has been issued in accordance with this chapter.
- (3) Activities related to the construction, repair, maintenance, remodeling or demolition, grading or other improvement of real property.
- (4) Gardening, lawn care, tree maintenance or removal, and other landscaping activities.
- (5) Church bells, carillons, or calls to worship by other sound-producing devices.
- (6) Religious or political gatherings to the extent that those activities are protected by the First Amendment to the United States Constitution.
- (7) Public transportation, refuse collection and sanitation services.

**Refuse Removal.**

Refuse removed by a refuse remover shall be removed only between the hours of 6:00 a.m. and 10:00 p.m., and must be removed in a manner which does not create a nuisance or noise disturbance, or adversely affect the public health.

**Noise from animals.**

It shall be unlawful to own, keep, possess or harbor any animal which howls, barks, meows, squawks or makes other noise such that it is audible at least once a minute for ten consecutive minutes (i) inside the confines of the dwelling unit, house or apartment of another; or (ii) at 50 or more feet from the animal.

**Amplified outdoor music.**

- (1) Playing or permitting amplified outdoor music or using, operating or permitting the operation of any sound amplifying equipment outdoors for any purpose in such a manner as to permit sound or excessive noise to be plainly audible at 50 feet beyond the real property boundary where the noise originates is prohibited after 10:00 p.m. and before 2:00 p.m. on Friday and Saturday, and is prohibited on every other day of the week after 8:00 p.m. and before 10:30 a.m.
- (2) Except as provided in Exemptions in this chapter, no person shall use or cause to be used sound amplifying equipment outdoors, unless such person obtains an amplified noise permit from the Town manager by filing an application as described herein. The amplified noise permit shall be an annual permit which will be effective for 12 months from the date of issuance. The cost for the annual amplified

noise permit shall be \$100.00 unless otherwise established by the fee schedule. The application for such amplified noise permit shall be filed with the Town Manager at least 48 hours in advance of the use, and shall state the following, unless the element would not be applicable:

- a. The name and address of the applicant.
  - b. The address of the place of business of the applicant.
  - c. The license number of any sound truck to be used by the applicant.
  - d. The name and address of the person who owns the sound amplifying equipment.
  - e. The name and address of the person having direct charge of the sound amplifying equipment.
  - f. The names and addresses of all persons who will use the sound amplifying equipment.
  - g. The location in the town in which sound amplifying equipment will be employed.
  - h. The proposed hours of amplified outdoor music.
  - i. The proposed dates of operation.
  - j. A general description of sound amplifying equipment to be used.
- (3) The Town Manager or designee shall issue an amplified noise permit to the applicant if the application and requested activity are in compliance with this section as determined by the Town Manager or designee. This copy of the amplified noise permit shall be filed in the office of the Town Clerk, shall be in the possession of the person operating the sound amplifying equipment, and shall be promptly displayed and shown to any police officer of the Town upon request. Upon issuing the amplified noise permit, the Town Manager shall also provide to the applicant a written statement that explains the person's obligations regarding compliance with the noise ordinance.
- (4) In case of an emergency, or other circumstance calling for the immediate use of sound amplifying equipment, so that the 48-hour deadline set out in subsection (5)a. cannot be met, the Town Manager may waive the deadline using the following standards as applicable; the intensity or immediacy of the emergency or circumstance; lack of alternate means of applicant's accomplishing the same goals by complying with the deadline; and avoidance of nullifying the deadline by a repeated course of conduct. The waiver shall be in writing, shall address these standards as applicable, and shall be filed in the office of the town clerk.
- (5) If a person receives two violations of the noise ordinance, then the amplified noise permit shall be cancelled by the Town Manager for a six-month time period. A violation is defined as the issuance of a written summons by the police department.
- (6) Any person who is found in violation of the noise ordinance resulting in the cancellation of an amplified noise permit shall have the right to appeal the cancellation to the Town Council. The appeal must be filed in writing with the Town Manager, or his designee, within ten days of the date of receipt of the notice of cancellation. The fee for filing the appeal shall be \$25.00, unless otherwise established by the fee schedule. The appeal must contain a written statement setting forth the grounds for appeal. The Town Council shall schedule a hearing and shall give notice of the hearing to the appellant. The decision of the Town Council on appeal shall be final. The Town Council may decide to uphold the decision of the Town Manager, or reinstate a cancelled amplified noise permit.

**Severability.**

A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section or part of this article shall not affect the validity of the remaining parts thereto.

## **EXHAUST SYSTEM ORDINANCE**

### **Exhaust system generally.**

(a) No person shall drive and no owner of a vehicle shall allow the operation of any such vehicle on a road in the Town, unless it is equipped with an exhaust system in good working order and in constant operation to prevent excessive or unusual levels of noise; provided however, that for motor vehicles, such exhaust system shall be of a type installed as standard factory equipment, or comparable to that designed for use on the particular vehicle as standard factory equipment. An exhaust system shall not be deemed to prevent excessive or unusual noise if it permits the escape of noise in excess of that permitted by the standard factory equipment exhaust system of private passenger vehicles or trucks of standard make.

(b) Chambered pipes are not an effective muffling device to prevent excessive or unusual noise, and any vehicle equipped with chambered pipes shall be deemed in violation of this section.

(c) The term "exhaust system," as used in this section, means all the parts of a vehicle through which the exhaust passes after leaving the engine block, including mufflers and other sound dissipative devices.

(d) The provisions of this section shall not apply to:

(1) Any antique motor vehicle licensed pursuant to Code of Virginia, § 46.2-730, provided that the engine is comparable to that designed as standard factory equipment for use on that particular vehicle, and the exhaust system is in good working order; or

(2) Converted electric vehicles.

### **Certain mufflers and straight exhausts prohibited.**

(a) It shall be unlawful for any person to sell or offer for sale a muffler without interior baffle plates or other effective muffling device, or any "gutted muffler," "muffler cutout" or "straight exhaust."

(b) It shall be unlawful for any person to operate on the highways in this county a motor vehicle, moped, or motorized skateboard or scooter equipped with a "gutted muffler," "muffler cutout" or "straight exhaust."

### **Mufflers on motorcycles.**

(a) It shall be unlawful for any person to operate any motorcycle not equipped with a muffler or other sound dissipative device, conforming to Code of Virginia, §§ 46.2-1049 and 46.2-1047, in good working order and in constant operation.

(b) No person shall remove or render inoperable, or cause to be removed or rendered inoperable, other than for purposes of maintenance, repair or replacement, any muffler or sound dissipative device on a motorcycle.