



OCCOQUAN TOWN COUNCIL
Regular Meeting Minutes
Town Hall – 314 Mill Street, Occoquan, VA 22125
Tuesday, August 4, 2020
7:00 p.m.

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

Absent: None

Staff: Martin Crim, Town Attorney; Bruce Reese, Town Engineer; 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 7:06 p.m. Councilmember Fithian participated electronically from Indianapolis due to a personal matter (attending to a sick relative).

2. PLEDGE OF ALLEGIANCE

3. PUBLIC HEARING AND INVITATION TO BID

a. Non-Exclusive Franchise for Telecommunications Equipment

Mayor Porta opened the public hearing at 7:06 p.m. There were no public comments. Mayor Porta closed the public hearing at 7:07 p.m., noting that the Town had received one bid, which Council would address later in the meeting.

4. PUBLIC HEARING

a. Appeal of Architectural Review Board Denial of Certificate of Appropriateness

Mayor Porta opened the public hearing at 7:07 p.m. He noted that the appellant, Christopher Kiely, would be participating remotely.

Mr. Kiely, 430 Mill St., addressed the three objections cited in the Architectural Review Board (ARB) denial of Certificate of Appropriateness:

- Stockade fence: Mr. Kiely said he had listened to the recording from the ARB meeting and that most ARB members had agreed that his fence did not fit the definition of a stockade fence, as its top caps were flat.
- Height/blocking Rockledge Mansion: Mr. Kiely noted that height was not included in the ARB's powers, and that this was a zoning matter. He added that Rockledge was still visible and that his approved site plan showed a large tree that would have partially obstructed the view of Rockledge anyway.
- Materials inconsistent with overall project: Mr. Kiely referenced a banner across the street from his property that displayed historic photos of the Town. He noted that some of those photos pictured fences similar to his, and that the "Love" sign in River Mill Park was composed of a similar type of wood. He added that if the Town used such materials, he also should be allowed to use them.

Mr. Kiely noted that he had found discarded items on his property that had been left by visitors to Rockledge, and that he should be able to enjoy his property.

Lance Houghton, 440 Mill St. and 127 Washington St., noted that Mr. Kiely's site plan had not included a fence along the property line. He also noted that fences typically were positioned with the posts facing in toward the owner's property, whereas the back of this fence was facing Mr. Houghton's property. He added that he had closed Rockledge as an event venue and he hoped trash would not be an issue in the future. He also said he hoped Mr. Kiely's project would be finished soon so he would not have to look at construction materials.

Mr. Kiely said he had told the Town Zoning Administrator that he had not intended for the fence to be visible, as he planned to install plantings next to the fence as a buffer between his and Mr. Houghton's properties. He added that he and the Zoning Administrator had discussed the fact that ARB approval was only necessary because the plantings had not yet grown high enough to block the view of the fence.

Mayor Porta closed the public hearing at 7:21 p.m. He then requested unanimous consent to move up on the agenda consideration of the Appeal of Architectural Review Board Denial of Certificate of Appropriateness. No objections.

10. REGULAR BUSINESS

b. Vote on Appeal of Architectural Review Board Denial of Certificate of Appropriateness

Mayor Porta asked Councilmember Holloway, the Council representative on the ARB, to explain why she had voted to issue the Certificate of Appropriateness. Councilmember Holloway responded that she did not believe the fence fit the definition of a stockade fence, and her understanding was that the Zoning Administrator had provided the applicant with guidance on what was required.

Vice Mayor Loges said she had investigated the history of some other fences in the Historic District to gain perspective on the matter. She noted that Mr. Houghton recently had received approval for a fence from the ARB, and that she had noticed similar fences in the Historic District. She also said she did not see the fence on the site plan for the project, and that the Town Engineer had told her it was fairly common to receive approval for an exterior modification. She added that the issue was one of both aesthetics and safety, and that she would like to approve the fence with conditions such as a darker stain and landscaping.

Councilmember Perkins also said he would like to approve the fence with reasonable conditions that would improve the aesthetics of the fence. He asked Darryl Hawkins, a member of the ARB, to address Council. Councilmember Holloway asked if this was legally acceptable. Mr. Crim responded yes.

Mr. Hawkins said the location required a fence, but he thought the fence in question was a capped stockade fence. He noted that landscaping would mitigate the aesthetic issues and that copper caps would match the roof. He added that he did not think the fence should be painted or stained, because in a few years the wood would fade and look more natural.

Councilmember Fithian asked whether the landscaping vegetation would grow quickly. Mr. Kiely responded that the plantings would be tall, native grasses, which would grow quickly

depending on soil conditions. He added that he did not plan for the fence to be visible behind the plantings. He explained that the wood would silver and look more natural as it aged. He also noted that the Town's "Love" sign and one of its fences were the same color as his fence.

Councilmember Holloway said she was happy to hear that Mr. Kiely would be using indigenous grasses.

Mayor Porta explained that this was a de novo review, which means that the Town Council could consider any and all relevant information and need not give any weight to the Architectural Review Board ruling. He indicated, however, that he thought Council should give some weight to the rulings of the ARB, while recognizing at the same time that the Council has an obligation to overturn an ARB decision if the Council believes it erroneous as a matter of fact or law. In this case he indicated he believes the ARB ruling did contain such errors. He noted that in the absence of a definition in the Town Code for "stockade fence," he believed property owners should be able to rely on the definitions in standard reference works, which with regard to stockade fences consistently note that such fences have pointed tops, which was not the case with the appellant's fence. He also took issue with the ARB's assertion that the fence blocked the view of Rockledge Mansion from the street, since the applicant's approved buildings already blocked the mansion and the fence did not substantively add to that. He said he thought the ARB's concern about inconsistent materials was legitimate, but it would not be practical to build a privacy fence out of copper, stone, or wrought iron to make it more consistent with the applicant's buildings. He noted that copper caps might be a reasonable solution. He also said there had been past problems with new structures "standing out" initially, and that he agreed the wood likely would become less noticeable as it aged.

Mr. Kiely noted that he was in the military and was aware of the definition of a stockade fence. He said he could swap out the existing caps for copper ones.

Councilmember Holloway noted that the ARB had wrestled with various aspects of the fence, but they had not been informed of the plan to add plantings. She explained that the ARB had not had an opportunity to discuss these various issue with Mr. Kiely since he did not attend the ARB meetings when his application was scheduled for discussion.

Mayor Porta explained that Mr. Kiely had been unable to attend the ARB meetings and that the ARB initially had deferred its decision so they could discuss the issues with Mr. Kiely. He noted that the ARB was forced to hold a special meeting, which Mr. Kiely again could not attend, due to Town Code requirements for a timely decision.

Councilmember Bienia asked about the "Love" sign in River Mill Park. Mayor Porta responded that the park was not in the Historic District and that while the Town government tried to set a good example, it was not required to comply with the ARB's rules.

Councilmember Perkins said he thought landscaping, copper caps and leaving the wood to wear naturally were appropriate conditions for the fence. Mr. Kiely responded that the landscaping plan already had been approved and he had posted bond for it.

Councilmember Holloway asked what kind of wood had been used for the fence. Mr. Kiely responded that it was pine.

Motion to approve the issuance of a Certificate of Appropriateness for the fence at 430 Mill Street, provided the applicant agrees to install copper caps.

Moved by Councilmember Perkins; seconded by Vice Mayor Loges.

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

Nays: None.

5. CITIZENS' TIME

Mr. Houghton noted that he had applied for a boundary line adjustment at 127 Washington Street and that he did not have any plans to further develop the property. He said he had concerns about Mr. Kiely's landscaping plan, as any plants on Mr. Houghton's side of the fence only could be accessed from his property. He also noted that Mr. Kiely had put 430 Mill Street up for sale, so the potential new owners would be responsible for the landscaping maintenance, and it would be a problem if the plants died. He said he regretted that he had allowed the sale of Mr. Kiely's property and he had put Rockledge up for sale/lease as a result.

Mayor Porta said he was hopeful that it would be in Mr. Kiely's and Mr. Houghton's mutual best interest to work things out and that he was encouraged by Mr. Kiely's plan to use native plants.

6. APPROVAL OF MINUTES

a. June 2, 2020 Public Hearing Minutes

Moved by Councilmember Perkins; seconded by Vice Mayor Loges.

Motion **passed** unanimously by voice vote.

b. June 2, 2020 Regular Meeting Minutes

Moved by Councilmember Holloway; seconded by Councilmember Perkins.

Motion **passed** unanimously by voice vote.

c. June 16, 2020 Public Hearing Minutes

Moved by Councilmember Perkins; seconded by Councilmember Holloway.

Motion **passed** unanimously by voice vote.

d. June 16, 2020 Work Session Minutes

Moved by Vice Mayor Loges; seconded by Councilmember Fithian.

Motion **passed** unanimously by voice vote.

7. MAYOR'S REPORT

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

- Mayor Porta asked Council to tentatively plan to attend an orientation with the Town Attorney on August 18, dependent on Mr. Crim's availability.
- The Town would be hosting concerts on August 7 and September 4, and a movie on August 22. Mayor Porta also noted that the Town was working with Prince William County

Supervisor Kenny Boddye's office to host a screening of the documentary *Good Trouble* on August 19.

- BB&T had notified the Town that it would not renew its ATM lease, so the ATM would be removed when the lease expired on August 31. Mayor Porta noted that the Town had been receiving lease payments of approximately \$240.00 per month for the ATM, so the Town would lose approximately \$2,400.00 from the remainder of its FY 2021 budget.
- Mayor Porta said he had reached out to the Prince William Trails and Streams Coalition and asked whether they would be willing to schedule one of their work days in September to help clean up the Tanyard Hill Trail.
- Mayor Porta reported that he had met with Mr. Reese and a representative from the Department of Environmental Quality regarding the Chesapeake Bay Act requirements. He added that Mr. Reese would be discussing this in his report.

8. COUNCILMEMBER REPORTS

Councilmember Holloway thanked the ARB for its work. She added that serving on the ARB was sometimes a thankless job and she had seen firsthand how hard the Board worked.

Vice Mayor Loges reported that she had resigned from the Planning Commission, as only one Council member was allowed to serve on the Commission.

9. STAFF REPORTS

a. Town Attorney

Mr. Crim reported that he had worked with staff on the encroachment letter for the Pedestrian Improvement Project that Council would be considering. He also noted that he would continue to work with staff regarding the stormwater management issue on the Kiely Court property. Mayor Porta responded that Mr. Kiely and his construction crew had recently been very responsive to requests from the Town regarding this issue.

b. Town Engineer

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

Mr. Reese noted that the kayak ramp project was moving forward and that the Town was dealing with a second change order for the project.

Mr. Reese also suggested that his firm survey the Town's parking spaces and create a striping plan prior to the Virginia Department of Transportation's (VDOT'S) next repaving schedule. Mayor Porta responded that he planned to speak with VDOT about the timeline for repaving, as it did not make sense to restripe the streets prior to repaving. Councilmember Holloway agreed, and noted that she was concerned about the impact of the kayak ramp on parking. Councilmember Perkins said the Planning Commission had found that the Town would lose approximately 13 parking spaces if the spaces were widened.

Vice Mayor Loges asked if the Town had been notified in advance when VDOT repaved Washington Street. Chief Linn responded that the Town had received very little notice about the project.

Mr. Reese noted that the Kiely Court project was under a stop work order, which had been sent by both regular and certified mail. Mayor Porta responded that he would speak with Prince William County about hand delivering the work order. Mr. Reese said he would take action to ensure that the problem was corrected, as it was a Department of Environmental Quality issue.

Councilmember Holloway asked if the Town had any authority over effluent from Fairfax Water, as she had received some photos from the public. Mr. Reese responded that this should be reported to the Department of Environmental Quality.

Mayor Porta noted that the Occoquan Heights HOA was awaiting a bond release that had been delayed due to landscaping issues, and that he hoped this would be resolved soon. He also said he had heard complaints about tall weeds growing in front of the Rivertown Overlook development, and that he would ask them to cut the grass next to the roadway.

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.

Vice Mayor Loges asked about the Town's policy for tax noncompliance. Ms. Dellinger responded that she had mailed another notice recently for overdue taxes. She added that she would be using collections notice templates provided by Mr. Crim.

Mayor Porta noted that several businesses had become compliant since the last report. He added that the Town Council had earlier established a practice of proceeding with enforcement actions after one year of delinquency, and that Designs by André and Ballywhack Inc. were delinquent by more than one year.

f. Chief of Police

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

Chief Linn reported that the closure of community pools during the pandemic had resulted in juveniles jumping from the footbridge and Vulcan property.

Councilmember Holloway noted that more people were in Town on the weekends and that the youths may have seen other people jumping. She asked Chief Linn if he thought additional signage would be helpful. Councilmember Bienia asked whether the new laminated sign on the bridge had been effective. She said she did not think signs would stop

people from jumping from the bridge. Chief Linn responded that he agreed, and that when the police talked to the offenders, they often said they had seen the signs.

Mayor Porta asked whether people could be fined for jumping from the bridge. Mr. Crim referred to the “Three Es: Engineering, Education, Enforcement.” He explained that if the Town could make it less convenient to jump from the bridge, such as by blocking access to parking on the other side of the river, that would be the best deterrent. He added that education, such as signage, would be the next most effective method. He said that enforcement was a weakest deterrent, and that it likely would be less effective than calling the offenders’ parents, as the police already had been doing. Mayor Porta asked whether calling parents was an effective tool. Chief Linn responded yes.

Mayor Porta asked whether the Town had the authority to fine the offenders. Mr. Crim said he would look into this. Councilmember Bienia noted that fining the juveniles would not change their behavior unless the Town fined them every time they jumped. She added that the penalty would need to be harsh in order to be effective. Chief Linn said he thought bringing the offenders to court would be effective because their parents would be involved.

Mayor Porta noted that people jumping from the footbridge was a public safety issue for the Town and that Vulcan should be notified of the problem on its property.

g. Public Works

Councilmember Holloway asked about the status of the gas mantle replacements. Sergeant Forman responded that the recent storms had caused some of the mantles to go out, and that it had taken several weeks to receive the replacements. He added that he would work on replacing them toward the end of the week, as there were more storms in the forecast for the next few days.

Councilmember Holloway asked if it was possible to turn the lamps off when both mantles were out to eliminate the gas smell. Sergeant Forman responded that people sometimes called 911 when they smelled gas from the extinguished lamps, but it was difficult to turn off the lamps due to their design. He said he would try to ensure that each lamp had at least one working mantle to prevent this issue.

Mayor Porta noted that if some of the lamps were so fragile that they consistently were going out, maybe the Town should turn them off. Sergeant Forman responded that many of the lamps were fragile, particularly the ones that had been hit by vehicles. He added that it was not difficult to replace the mantles.

Mayor Porta asked if he could add a form to the Town’s website to report gaslight outages. Sergeant Forman responded yes. Councilmember Holloway noted that the website already included a form to report maintenance issues. She also commended maintenance staff for their work before and after the recent storms.

Councilmember Perkins asked about the status of repairs to the Town boardwalk and picnic tables. Sergeant Forman responded that staff had been working on these issues in the evenings due to the extreme heat during the day. He noted that he and Chief Linn had installed solar marker lights along the edge of the boardwalk, along with rescue buoys and

ladders. He also explained that they had been screwing down loose boards on the boardwalk until they could obtain a maintenance contract for the work.

h. Events and Community Development Director

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

Ms. Little reported that Town business owners had planned 26 activities for Discover Occoquan. She noted that most of the activities were virtual and the rest would be outdoors, and that participation numbers would be monitored. She also explained that a concert and two movies were planned for August. She noted that the Microgrant Panel had reviewed 37 applications, that all applications submitted on time had been approved, and checks had been cut on July 29 in equal amounts to each applicant.

Ms. Little also explained that she was trying to plan safe events and would like to hear feedback from Council. She said she thought the Town could hold events, such as a trivia night, in River Mill Park with social distancing circles, though such events might not generate funding. She noted that the Town could generate revenue through a rent-the-park campaign. She also pointed out that the Tourist Information Center had closed and that the Town could rent it out or create its own tourism shop. Mayor Porta responded that he thought the Town Manager had issued an RFP for the Tourist Information Center. He added that the Town had rented the building to Prince William County for \$1.00 per year, so this could generate some additional funding.

Mayor Porta said that he was interested in the rent-the-park campaign idea. He asked how the Town could limit events in River Mill Park to fewer than 250 people and maintain social distancing. Ms. Little responded that the Town would need to stipulate such restrictions in its events policy. Mayor Porta asked Ms. Little to establish some parameters for this idea so Council could discuss it at its next meeting.

Councilmember Perkins said he thought Council should reach out to Ms. Little with ideas. Councilmember Bienia said she was open to these ideas with the understanding that the Town would need to keep the events safe.

Vice Mayor Loges asked whether there could be a paid element to the proposed events, such as tent rentals. With regard to the use of the Tourist Information Center, she said she thought there should be a stipulation that the restrooms remain open to the public.

Councilmember Holloway said she liked the trivia idea, and that it would work well with an alcohol component. Mayor Porta asked whether the park had restrictions on alcohol. Mr. Crim said he would need to review the Town's agreement with Fairfax Water, but he thought alcohol was allowed at Town-sponsored events. Ms. Little noted that alcohol may generate more interest in the event, so she would need to monitor participation closely.

Councilmember Bienia asked whether the Town would be using the Tourist Information Center. Ms. Little responded that she envisioned a revenue-sharing program or the Town curating its own tourism shop with kayaking items and keepsakes. She added that the Town could rent space to Town merchants and allow tour groups to meet up there. Councilmember Fithian said she thought this was a good idea. Mayor Porta said he thought

the idea was worth looking into, as people were often looking for Occoquan-themed merchandise. He added that a business plan would be necessary.

Councilmember Holloway noted that the Town could use a drop-ship program and sell Occoquan merchandise online. Councilmember Bienia said she was interested in the idea and would like to help. Mayor Porta said Council would consider anything Ms. Little proposed, as long as the safety issues could be worked out.

j. Boards and Commissions

ARB Chair Brenda Seefeldt thanked Council for their support and for finding a solution to the Certificate of Appropriateness issue. She noted that the Board had open positions for Council and business representatives.

Mayor Porta asked if the Town could add a requirement to the Town Code requiring applicants to attend the meetings at which their applications were discussed. Mr. Crim responded yes, adding that he would like to make a few additional changes to that section of the Town Code. Mayor Porta said he would work with Ms. Seefeldt on this.

Councilmember Perkins, Chair of the Planning Commission, reported that the Commission had canceled its July meeting due to lack of a quorum. He thanked Vice Mayor Loges for her work with the Planning Commission. He noted that at its next meeting, the Planning Commission planned to finalize the draft Noise Ordinance and review the Signs, Banners and Flags Ordinance. He also explained that due to the financial insecurity posed by the pandemic, the Town entrance sign project would be postponed.

i. Town Manager

Mayor Porta reported that Prince William County Supervisor Kenny Boddye had confirmed that the Town would receive a second round of Coronavirus Aid, Relief, and Economic Security Act funding. He noted that the funding could be used to bring some type of sophisticated port-a-johns to the area near the Route 123 bridge, but he was concerned that people may become upset when they were removed. Councilmember Perkins asked if the funding amount would be the same as the last round. Mayor Porta responded yes.

10. REGULAR BUSINESS

a. Telecommunications Franchise/Site License – Vote to Award Franchise/Approve Site License

Mayor Porta noted that the Town had received one bid, for \$1.00, from New Cingular Wireless PCS, LLC, on July 30, 2020. No additional bids were submitted. Mayor Porta marked the bid for identification as required by law.

Motion to adopt Ordinance # O-2020-4 to grant to New Cingular Wireless PCS, LLC, a small cell facilities franchise to permit use of public rights of way within the corporate limits of the Town of Occoquan, Virginia, for location of telecommunications equipment on existing or replacement utility poles and structures and to approve the New Cingular Wireless PCS, LLC site license as presented for the identified location on Commerce Street.

Moved by Vice Mayor Loges; seconded by Councilmember Bienia.

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

Nays: None.

c. Vistas at Occoquan Bond Release

Mayor Porta explained that this bond had been posted to ensure that landscaping was completed, and Council had received a staff report indicating that the landscaping requirement had been fulfilled.

Motion to release the cash bond for the Vistas at Occoquan related to potential failed landscaping and return the sum of \$4,974.50 to the applicant.

Moved by Councilmember Perkins; seconded by Vice Mayor Loges.

Motion **passed** unanimously by voice vote.

d. Zoning Administrator Appointments

Mayor Porta explained that Ned Marshall, the Town's Zoning Administrator, had submitted his resignation effective August 31, 2020, due to his upcoming retirement. He noted that Legacy Engineering, Mr. Reese's firm, had the capacity to assume the duties of Zoning Administrator, and that Mr. Reese already served as the Town's Deputy Zoning Administrator. Mayor Porta added that the rate proposed by Legacy Engineering was lower than the rate the Town had been paying.

Motion to appoint Sara R. Fila as Zoning Administrator and reappoint Bruce Reese as Deputy Zoning Administrator.

Moved by Councilmember Holloway; seconded by Councilmember Perkins.

Motion **passed** unanimously by voice vote.

e. Retention of Quist & Associates, LLC for Accounting Consulting Services

Mayor Porta noted that Council would discuss this item in closed session.

f. Acceptance of Public Safety Grant from Transurban for AEDs

Chief Linn explained that the Town had been awarded a grant to purchase two automated external defibrillators.

Vice Mayor Loges asked whether the town was required to purchase the AEDs from a specific distributor. Chief Linn responded no. Vice Mayor Loges asked Chief Linn to check with Patriot Scuba, as she thought they sold AEDs.

Motion to accept the grant funds from Transurban Express Lanes Community Grant Program to purchase two Automated External Defibrillators and approve the purchase of two AEDs with the grant funds.

Moved by Councilmember Perkins; seconded by Councilmember Bienia.

Motion **passed** unanimously by voice vote.

g. Kayak Ramp Update/Discussion

Mayor Porta noted that Council would discuss this item in closed session.

h. Proclamation – Women’s Suffrage Day

Councilmember Holloway explained that this proclamation would mark August 18, 2020, as Women’s Suffrage Day in Occoquan, commemorating the 100th anniversary of the ratification of the 19th Amendment. She noted that the local area had played a critical role in the suffragist movement and that it was important to acknowledge the importance of this history and of the right to vote.

Councilmember Fithian said it was important for Occoquan to be on the right side of history by commemorating this important anniversary, particularly considering the Town’s proximity to the Lorton Workhouse.

Motion to approve the 2020 Women’s Suffrage Day proclamation

Moved by Councilmember Holloway; seconded by Councilmember Fithian.

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

Nays: None.

i. Planning Commission Appointments

Mayor Porta explained that staff had reviewed the terms of Planning Commission and Architectural Review Board appointees and that several of those terms had expired. He added that the appointees would continue to serve until they were replaced, but it was a best practice to ensure that they were appointed for the relevant terms.

Motion to appoint Eliot Perkins to the Planning Commission for an appointment expiring June 30, 2022; to appoint Ann Kisling to the Planning Commission for an appointment expiring May 2, 2024; and to appoint Ryan Somma to the Planning Commission for an appointment expiring February 2, 2023 .

Moved by Vice Mayor Loges; seconded by Councilmember Holloway.

Motion **passed** unanimously by voice vote.

j. Letter of Permission for Prince William County – Pedestrian Improvement Project

Mayor Porta explained that this was an item to authorize the Mayor to send a letter to Prince William County for a pedestrian improvement project.

Motion to authorize the Mayor to sign the attached letter granting Prince William County permission to install a limited portion of curb on Town property as described in the letter and its attachments.

Moved by Councilmember Bienia; seconded by Councilmember Perkins.

Motion **passed** unanimously by voice vote.

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 employees.**
- **As permitted by the Virginia Code Section 2.2-3711(A)(7), consultation with legal counsel or briefings by staff members or consultants pertaining to probable litigation involving the kayak ramp.**

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

Closed session began at 9:43 p.m.

Closed session ended at 11:10 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 Bienia; seconded by Vice Mayor Loges.

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

Nays: None.

Motion to authorize the Mayor to sign the engagement letter and contract to retain Quist & Associates, LLC, for accounting consulting services.

Moved by Councilmember Fithian; seconded by Councilmember Bienia.

Motion **passed** unanimously by voice vote.

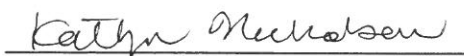
Motion to authorize the Mayor to implement salary adjustments for Town staff.

Moved by Councilmember Perkins; seconded by Councilmember Holloway.

Motion **passed** unanimously by voice vote.

11. ADJOURNMENT

The meeting was adjourned at 11:14 p.m.



Katy Nicholson
Town Clerk