



OCCOQUAN TOWN COUNCIL
Work Session Minutes
Town Hall – 314 Mill Street, Occoquan, VA 22125
Tuesday, October 20, 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: Kirstyn Jovanovich, Town Manager; Adam Linn, Chief of Police; Jason Forman, Deputy Chief of Police; 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. PUBLIC HEARING

a. Public Hearing to Amend the Zoning Ordinance, Town Code § 157.300 – § 157.339, Signs

Ms. Jovanovich explained that the Architectural Review Board (ARB) had reviewed and recommended changes to the Town's sign guidelines. The Planning Commission reviewed the changes and held a public hearing on September 22, 2020, and recommended approval to the Town Council.

Ms. Jovanovich noted that the substantive changes included:

- Add definitions of abandoned sign, commercial sign, non-residential use property, residential use property and yard sign
- Modify provisions on signs not requiring a permit
- Prohibit colored illuminated tubing or strings of lights excepts between October 15 and February 15
- Prohibit commercial yard signs in commercial districts
- Limit the location of flags in the Old and Historic District
- Provide for administrative approval of temporary sign and banner permits
- Provide for removal of temporary signs and banners after the expiration of their permits
- Provide for the removal of abandoned signs

Mayor Porta explained that the revision and approval process had been delayed due to the COVID-19 pandemic.

Walt Seiberling, 107 Poplar Lane, distributed written questions and comments to Council. He noted that his main concerns related to the definitions of zoning districts and the signs allowed in those districts, and to the proposed regulations on electronic signage.

Mayor Porta closed the public hearing at 7:05 p.m.

3. REGULAR BUSINESS

a. Request to Amend the Zoning Ordinance, Town Code § 157.300 – § 157.339, Signs

Mayor Porta said he had read through Mr. Seiberling's comments and he shared Mr. Seiberling's concerns about the zoning district verbiage. He noted that Council could defer adoption of the ordinance until a later meeting, taking the time to adjust the wording and seek clarification from the Town Attorney.

Mr. Seiberling said he also had concerns about the constitutionality of the proposed regulations on electronic signage. Mayor Porta responded that the Town would look into this, but if it turned out to be unconstitutional, the Town would not adopt it.

Regarding one of Mr. Seiberling's other concerns, Mayor Porta asked whether property owners would always be the recipients of violation notices. Ms. Jovanovich responded that if the property were occupied by a business entity, the Town typically would approach the business owner first.

Vice Mayor Loges asked whether variances would be allowed for business owners who were unable to comply with the Sign Ordinance. Mayor Porta responded that variances were not something the Town Council can legally grant, but instead fall under the authority of the Board of Zoning Appeals and can only be granted based on demonstrated unreasonable hardship. Vice Mayor Loges said she was concerned about consistent application of the rules if the Town did not grant variances but allowed certain exceptions to the Sign Ordinance. Ms. Jovanovich said the Town would follow ARB guidelines and try to work with businesses to help them display their signage properly.

Regarding a discussion at the previous meeting about A-frame signs in the Virginia Department of Transportation (VDOT) right-of-way, Mayor Porta noted that Ms. Jovanovich had reached out to VDOT and learned that in many cases, the right-of-way extended all the way to the buildings within the Historic District. Ms. Jovanovich said her contacts at VDOT had told her they did not plan to enforce this regulation during the day unless they received complaints. Mayor Porta added that the Town could allow A-frame signs in the grassy areas of the right-of-way, but off-premises signs would still be prohibited.

Councilmember Perkins noted that some historic communities used directory signs on their main streets to point visitors to businesses on less-traveled streets. Mayor Porta responded that directory signs had previously been allowed many years ago, but had subsequently been prohibited at the request of the ARB and business owners because when businesses moved or closed, no one had responsibility and authority for updating the directory signs, with the result that inaccurate business information remained indefinitely. Sarah Burzio, owner of Hitchcock Paper Co., said she thought directory signs could benefit businesses in less-traveled locations. Ms. Jovanovich responded that staff would look into this option.

Mayor Porta said he thought some minor clarifications should be made to the verbiage of the ordinance. He asked if Ms. Jovanovich recommended deferral. Ms. Jovanovich responded yes. Council agreed to defer adoption of the revised Sign Ordinance until the November 4, 2020 meeting.

b. Request to Adopt Resolution to Address House at 104 West Locust Street as a Danger to Public Health or Safety

Ms. Jovanovich explained that the Town had received complaints from citizens regarding abandoned equipment and the general disrepair of the home located at 104 West Locust Street. Since then, the Town had taken steps to remove the construction debris and equipment from the site. At its October 6 meeting, Council directed staff to move forward with notifying the owner that the missing windows needed to be replaced. The proposed resolution determined the house located at 104 West Locust Street might endanger the public health, welfare and safety of other residents of the Town and required that the property owner submit a plan to address the notice of violation. If a plan was not received within 30 days, the Town could exercise such remedies as provided by law including replacing the missing or damaged windows, the cost of which would be chargeable to and paid by the owners of the property.

Councilmember Holloway said she understood why the Town was taking action on this issue, but she wondered how the Town differentiated between this and other incomplete construction projects. Ms. Jovanovich responded that the construction projects in Town had active building permits. She added that the Town had been dealing with the issues at 104 West Locust Street for years and had not received any response from the property owner.

Motion to adopt Resolution R-2020-08, to address the house at 104 West Locust Street as a danger to public health or safety.

Moved by Councilmember Fithian; seconded by Councilmember Holloway.

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

Nays: None.

c. Request to Host HolidayFest, November 20 – December 13, 2020

Ms. Little explained that staff had met with the Occoquan Merchants Guild to determine a way to combine some of the most popular aspects of WinterFest into a safe event. She noted that the proposed three-week event called HolidayFest would include:

- Workshops and demonstrations
- Virtual tree lighting ceremony
- Gingerbread house contest
- Holiday Market
- Trivia Night
- Staged reading of *A Christmas Carol*
- Santa arriving on a fire truck

Mayor Porta explained that typically Town events were administrative matters, but he had asked staff to request Council approval during the pandemic.

Councilmember Holloway asked if Ms. Little had considered holding an in-person tree lighting ceremony with social distancing circles on the street. Ms. Little responded that she

was concerned that too many people would show up for the event. Councilmember Holloway asked if there was a way for children to engage with Santa in a safe, socially distanced manner. Ms. Little responded that she would explore this idea.

Councilmember Perkins said he looked forward to the reading of *A Christmas Carol*, and he thought the Town could continue this tradition in the future.

Vice Mayor Loges asked if participants would be required to register for the activities. Ms. Little responded that registration would be required for the paid events, such as Trivia Night, and that she was considering making the reading of *A Christmas Carol* a paid event. Vice Mayor Loges said she thought staff's event planning was adaptive and creative.

Councilmember Fithian said she liked the ideas for HolidayFest, and she thought Santa could travel around Town on the fire truck, allowing participants to see him while remaining socially distanced. Ms. Little said she was still working through the plan and that she would need to think outside the box to allow children to engage with Santa safely. Councilmember Bienia thanked Ms. Little for her creative ideas.

Mayor Porta said it seemed that Council was supportive of Ms. Little's ideas and that Council could leave the planning up to staff. He added that he had spoken with people who were impressed by the Town's efforts to hold safe, fun events.

Motion to support hosting HolidayFest following public health guidelines as related to the COVID-19 pandemic.

Moved by Councilmember Perkins; seconded by Councilmember Fithian.

Motion **passed** unanimously by voice vote.

d. Request to Approve Contracting Professional Tree Decorating Services for the Town Tree for the Annual Tree Lighting Event

Ms. Jovanovich explained that in the past, different groups had decorated the tree in front of Town Hall for the holidays. She noted that Ms. Little had identified a company that could decorate the tree for \$1,500; otherwise, the Town would need to recruit volunteers.

Vice Mayor Loges asked who had decorated the tree in the past. Ms. Jovanovich responded that the Merchants Guild, Town staff and the Town's landscaping contractor had handled it in the past, but it was difficult to persuade the same people to do it again.

Vice Mayor Loges said she sympathized with staff, but she was concerned about the cost of hiring a company to decorate the tree, particularly considering the financial difficulties imposed by the pandemic. She asked if the Town could make do with volunteers for one more year.

Councilmember Fithian said she was concerned about the liability of asking volunteers to decorate the tree, which had grown taller during the last few years. She added that she wanted the tree to look attractive.

Councilmember Holloway said she did not feel right spending \$1,500 to decorate the tree, and that she would volunteer to help. She added that it did not need to look perfect.

Councilmember Perkins asked how staff and volunteers had reached the top of the tree in the past. Ms. Jovanovich responded that staff had climbed ladders and used poles. She noted that staff could decorate the tree, but it would take quite a bit of time and work. She acknowledged that the Town was not bringing in as much revenue as usual but noted that some costs were being cut.

Councilmember Fithian said she would be happy to try to negotiate costs with any companies that could decorate the tree. She added that she did not want staff or volunteers to get hurt.

Councilmember Perkins said he would be OK with the Town paying a company to decorate the tree if it would simplify things for staff and the Police Department, which already had contributed many hours of volunteer work.

Councilmember Holloway asked if the Town had received multiple quotes, as she was surprised by the proposed cost. Ms. Little responded that the company she had talked to supplies its own materials. She added that this company also decorated the tree in Clifton.

Mayor Porta said he was concerned about the cost, as the budget already had required the transfer of \$100,000 from reserves. He said it did not need to be a safety issue if volunteers could fish the ornaments up the tree.

Councilmember Holloway, Vice Mayor Loges and Mayor Porta agreed to help decorate the tree and to recruit additional volunteers. Council agreed not to expend \$1,500 for tree decorating services.

4. Discussion

a. Visitors Center Next Steps

Ms. Jovanovich explained that the Prince William County Office of Tourism was in the process of vacating the Tourist Information Center, and she was looking for Council's guidance on which of the following options they would like her to explore:

- Issue a Request for Proposals (RFP) to identify potential commercial tenants
- Utilize space for Events HQ, with space reserved for a smaller commercial tenant
- Sell the property and building for B1 Use
- Retain building for Town use including staffing, storage, etc.
- Lease to a non-profit organization
- Other action or opportunity TBD

Mayor Porta asked if there were any items Council would like Ms. Jovanovich to remove from the list, such as selling the property. Vice Mayor Loges responded that she wanted to discuss this option. Mayor Porta asked if Council wanted to consider using the space as an events headquarters. Councilmember Perkins responded that he did not think this option made financial sense, and he also thought the storage option could be removed from the list. Council agreed that the events headquarters and storage options should be removed.

Mayor Porta asked whether Ms. Jovanovich anticipated proposing a rental rate or opening it up for bids. Ms. Jovanovich responded that she likely would put it to bid, but she wanted an idea of how Council wanted the space to be used.

Vice Mayor Loges said she thought the building should be used as retail or office space, that the restrooms should be open to the public, and that the renter should pay the utility bills. Councilmember Fithian said she agreed that the restrooms should be available to the public, but she did not know if that was a realistic expectation during the pandemic.

Councilmember Perkins asked why the restrooms would need to be open to the public. Mayor Porta responded that there had been consistent concerns about the lack of restrooms on that end of Town. Councilmember Perkins said he agreed that it may be difficult to find a renter who would agree to that stipulation. Mayor Porta noted that one person already had expressed interest in renting the space. Councilmember Perkins asked if the Town would pay utilities since the restrooms would be open to the public. Mayor Porta responded that the Town likely would pay the water bills. Councilmember Bienia agreed that the restroom stipulation would limit rental interest.

Ms. Jovanovich said staff would prepare a draft RFP based on Council's discussion.

5. Mayor's Report

Mayor Porta reported that the Town had received a thank-you note and wreath from Heather Cooper Designs in appreciation of the Town's microgrant program.

Mayor Porta said he and several other councilmembers had participated in two virtual informational sessions for Town businesses regarding the timed parking program. He noted that the business community had provided useful feedback and as a result, the Town would not be implementing the new system until February 1, 2021, to avoid confusion during the holiday shopping season. He also explained that the Town would continue to gather data and would conduct a public education period prior to implementation. He provided Council with a draft fact sheet and asked them to let him know if they had any questions or comments.

Mayor Porta said the Town should order the hand-held parking enforcement device as soon as possible so the police could start collecting data. He noted that the Town likely would order equipment that tracked vehicles based on parking zones, which would prevent people from moving their vehicles around within a given zone. Councilmember Perkins asked whether the zone-based systems could be changed to track based on individual spaces. Chief Linn responded yes, but the manufacturer would need to make that change.

Councilmember Bienia asked whether the recommendation was to track parking based on zones. Councilmember Perkins responded yes. Councilmember Bienia noted that the point of the time system was to regulate parking when the Town was busy, and that it would be difficult for people to switch parking spaces when it was busy. Mayor Porta responded that to the extent business leaders had an opinion on this issue they seemed to favor the zone enforcement option over the spot option. Councilmember Perkins noted that the Town of Middleburg enforced its timed parking policy based on individual spaces, and that the town had a problem with people moving their cards slightly to trick the system.

Councilmember Bienia asked if people who parked in the three-hour zone for any amount of time would be unable to return to the three-hour zone later that day. Mayor Porta responded yes, noting that they could park in the eight-hour zone. Councilmember Perkins said the Town would need to decide if the issue of people returning to Town later in the day was more disruptive than people taking advantage of the parking system. Chief Linn noted that he had thought the system would be enforced by individual parking spaces, but the business community had made it clear that they wanted zone enforcement.

Councilmember Holloway asked whether there would be free resident parking passes for buildings with no off-street parking. Mayor Porta responded that the existing proposal was that the Town would issue one free parking pass per household, with the option to purchase a second pass. Ms. Jovanovich noted that staff was still gathering data and working out the details of the resident parking system. Councilmember Holloway said she did not think households should have to pay for a second pass.

Councilmember Bienia asked whether staff had considered buildings with multiple renters. Ms. Jovanovich responded that staff was still working out those types of details. Mayor Porta noted that the Town wanted to ensure that residents without off-street parking had a place to park, but it also was important not to make the system vulnerable to abuse.

Mayor Porta said it seemed like Council was amenable to the zone-based system. Council agreed that the Town should proceed with a zone-based system.

Mayor Porta noted that Council had previously discussed allocating some of the Town's Coronavirus Aid, Relief and Economic Security (CARES) Act funding to a business voucher program. There also had been discussion about creating a program to help restaurants extend their outdoor dining seasons, but he and staff had learned that Prince William County already offered such a program.

Ms. Jovanovich noted that she had spoken with Prince William County officials about the program, and the application process was simpler than that of the County's last microgrant program. She said she would like to proceed with the Town's OCQ Cares voucher program and promote the County's outdoor dining program to Town restaurants. Mayor Porta added that this would maximize the Town's funding by giving money to residents to be spent at Town businesses. Councilmember Perkins asked staff to find various ways to reach out to Town restaurants regarding the County's program.

Councilmember Perkins asked if there was any news about the AV system. Ms. Jovanovich responded that staff was still working on setting a start date with the contractor.

6. ADJOURNMENT

The meeting was adjourned at 8:44 p.m.



Katy Nicholson
Town Clerk