



OCCOQUAN TOWN COUNCIL
Meeting Minutes - DRAFT
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, June 15, 2021
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; Martin Crim, Town Attorney; Bruce Reese, Town Engineer; Adam Linn, Chief of Police; Julie Little, Events and Community Development Director (remotely); Manuel Casillas, Town Treasurer (remotely); and Michele White, Town Clerk

1. CALL TO ORDER

Mayor Porta called the meeting to order at 7:08 p.m.

2. PUBLIC HEARING

**a. Public Hearing on The Mill at Occoquan Special Use Permit Applications:
SE2018-01 and SE-2018-03**

Mayor Porta opened the public hearing at 7:08 p.m.

Bruce Reese, Town Engineer/ Assistant Zoning Administrator provided a presentation on the staff report dated June 3, 2021, generated from the review of the revised Mill at Occoquan special use permit applications.

Mr. Reese stated that staff has proposed mitigation measures to be imposed as conditions on the Special Use Permits. If Town Council finds that these conditions sufficiently mitigate the impacts of the Special Exceptions as identified in the staff report, then they should approve the applications. Mr. Reese further noted that if the conditions do not sufficiently mitigate those impacts, then the application(s) should be denied.

The Applicant, Kevin Sills of Mid-Atlantic Real Estate Investments, provided a presentation on behalf of the applicant's request for two special exceptions. Mr. Sills introduced his team including Bob Brown, J-2 Engineers (attending remotely); Mike Gordon, project engineer; and Jonathan Styles, project architect.

The Town Council engaged in two rounds of questioning the Applicant and staff.

Mayor Porta invited the public for comment. Five (5) people spoke in-person and two (2) people spoke virtually. Four (4) written comments were received in advance of the public hearing.

Following public comment, the Town Council engaged in an additional round of questioning of the Applicant and staff.

Mr. Sills and staff provided additional information in response to citizen and Town Council questions and comments.

Motion to close the public hearing.

Moved by Councilmember Fithian; seconded by Councilmember Holloway. Motion **passed** unanimously by voice vote.

The Public Hearing closed at 9:43 p.m.

Mayor Porta thanked the Applicant, staff, citizens, and members of the ARB, Planning Commission, and Town Council for their engagement and efforts over the last three years regarding the Mill at Occoquan project.

3. CITIZENS' TIME

Mr. Steve Vonderheide, 311 Mill Street, notified Town Council that Town resident and past Town Councilmember Ken T. Brunsvold passed away Saturday morning.

Mr. Lance Houghton, 440 Mill Street, indicated that 119 Washington Street property is up for sale under sealed bidding starting at \$350,000.

4. CONSENT AGENDA

a. June 1, 2021 Meeting Minutes

Motion to approve the Consent Agenda.

Moved by Councilmember Perkins; seconded by Councilmember Fithian. Motion **passed** unanimously by voice vote.

Motion to enter into recess.

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

The Town Council entered into recess 9:55 p.m.

Motion to come out of recess.

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

The Town Council came out of recess at 10:07 p.m.

5. REGULAR BUSINESS

a. Request to Adopt and Appropriate Fiscal Year 2022 Budget and Tax Rates

Motion to set the following tax rates for the Fiscal Year 2022 beginning July 1, 2021: a Real Estate Tax Rate of \$0.12 per \$100 of assessed valuation; a Meals Tax Rate of three (3) percent; and a Transient Tax Rate of seven (7) percent.

Moved by Vice Mayor Loges; seconded by Councilmember Fithian.

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

Nays: None.

Motion to adopt the Fiscal Year 2022 General Fund Budget beginning July 1, 2021, as presented in the amount of \$1,070,940 and appropriate the funds for the expenses shown in the budget.

Moved by Councilmember Perkins; seconded by Vice Mayor Loges.

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

Nays: None.

Motion to adopt the Fiscal Year 2022 Capital Improvement Plan beginning July 1, 2021, as presented in the amount of \$153,900 in expenditures and \$5,000 in revenue, and appropriate the funds for the expenditures shown in the budget.

Moved by Councilmember Fithian; seconded by Councilmember Holloway.

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

Nays: None.

Motion to adopt the Fiscal Year 2022 Mamie Davis Fund beginning July 1, 2021, as presented in the amount of \$2,000 in expenses and \$500 in revenue, and appropriate the funds for the expenses shown in the budget.

Moved by Councilmember Holloway; seconded by Councilmember Perkins.

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

Nays: None.

Motion to adopt the Fiscal Year 2022 Events Fund beginning July 1, 2021, as presented in the amount of \$177,442 in expenses and \$272,490 in revenues, and appropriate the funds for the expenses shown in the budget.

Moved by Councilmember Bienia; seconded by Councilmember Fithian.

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

Nays: None.

b. Request to Adopt an Ordinance to Amend the Town Code, Relating to Transient Tax

Moved to adopt Ordinance O-2021-03 to amend the Town Code relating to the Tax on Transient Room Rental.

Moved by Councilmember Perkins; seconded by Vice Mayor Loges.

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

Nays: None.

6. CLOSED SESSION

Councilmember Holloway made a motion that the Council convene in closed session to discuss as permitted by Virginia Code § 2.2-3711 (A)(1), performance of specific public officers, specifically dealing with the Town Manager's annual evaluation; and as permitted by Virginia Code § 2.2-3711 (A)(3), acquisition of real property specifically involving property within the town limits; and as permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice by such counsel, relating to deterioration of a historic property. Seconded by Councilmember Fithian. Motion passed unanimously by voice vote.

The Council went into closed session at 10:14 p.m.

The Council came out of closed session at 10:50 p.m.

Councilmember Holloway moved 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 in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion. Seconded by Councilmember Perkins.

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

Nays: None.

Motion to authorize Mayor Porta to negotiate the purchase of the Ebenezer Baptist Church by the Town as discussed in closed session.

Moved by Councilmember Holloway, seconded by Vice Mayor Loges.

Motion **passed** unanimously by voice vote.

7. ADJOURNMENT

The meeting was adjourned at 10:52 p.m.



Michele L. White, Town Clerk