



**OCCOQUAN TOWN COUNCIL**  
**Meeting Minutes**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, July 6, 2021**  
**7:00 p.m.**

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

**Absent:** None

**Staff:** Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney; Bruce Reese, Town Engineer; Adam Linn, Chief of Police; Manuel Casillas, Town Treasurer; Michele White, Town Clerk

### **1. CALL TO ORDER**

Mayor Porta called the meeting to order at 7:05 p.m. Due to personal reasons, Councilmember Holloway participated remotely from South Dakota in accordance with Town ordinances.

Mayor Porta requested unanimous consent to add to the agenda a vote on adopting an ordinance establishing procedures for participation in meetings by electronic communications.

**Councilmember Fithian moved to adopt the Ordinance Establishing Procedures for Participation in Meetings by Electronic Communications. Councilmember Perkins seconded. Motion passed unanimously by roll call vote.**

**Ayes:** Vice Mayor Loges, Councilmember, Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins

**Nays:** None.

### **2. PLEDGE OF ALLEGIANCE**

### **3. CITIZENS' TIME**

Mr. Lance Houghton, 127 Washington Street, spoke about the Rockledge property and a safety inspection conducted by Prince William County.

Mr. Rick Torres, 264 Gaslight Landing Court, stated he was in support of Council's approval of the Special Use Permits for the Mill at Occoquan Project and encourage support of all restaurants in Town

Mr. Dan Domenech, 254 Gaslight Landing Court, spoke to the work and effort in support of Mill at Occoquan Project.

Mr. Walt Seiberling, 107 Poplar Lane, echoed the previous two speakers. Mr. Seiberling also spoke about the VDOT STARS Study Citizen's Survey regarding the proposed intersection options and traffic impacts on the town.

Mr. Henry Brinton, 223 Mill Street, thanked the town for working on the Mill at Occoquan project.

Former Mayor Elizabeth Quist, 116 Edgehill Drive, expressed her and her husband's support of the Mill at Occoquan Project with the developer's recent improvements. She also stated concerns if Council does not approve the project.

Mayor Porta stated he would ask VDOT to do a presentation on the STARS study for Route 123 and Old Bridge Road and the options included in the study.

#### 4. SPECIAL PRESENTATION

- a. Request to Adopt Resolution of Congratulations to VFW Post 7916 on the Occasion of their 75<sup>th</sup> Anniversary

**Councilmember Fithian moved to adopt the Resolution. Councilmember Holloway seconded. Motion passed unanimously by roll call vote.**

**Ayes:** Vice Mayor Loges, Councilmember, Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins

**Nays:** None.

#### 5. CONSENT AGENDA

- a. June 15, 2021 Meeting Minutes

**Councilmember Perkins moved approval of the Consent Agenda. Councilmember Fithian seconded. Motion passed unanimously by voice vote.**

#### 6. MAYOR'S REPORT

Mayor Porta reported the following:

- In January he was appointed to the Prince William County Schools' (PWCS) Superintendent's Advisory Commission on Sustainability and subsequently appointed Chair of the Subcommittee on Collaboration with the County. In that capacity on June 2 he spoke at the Board of County Supervisors meeting in support of Occoquan Supervisor Boddye's resolution regarding the establishment of a Joint Environmental Taskforce between PWCS and the County, which passed unanimously. He also noted that he has been appointed to a PWCS committee tasked with developing curriculum materials for commemorating the 20<sup>th</sup> Anniversary of 9-11.
- On June 3 he participated in the Crisis Stakeholders Stabilization Meeting with Supervisor Andrea Bailey of the Potomac District.
- On June 5 & 6 he volunteered at the town's Artisans Market.
- On June 19 he attended a Patriots for Disabled Divers reception.
- On June 19 he attended the concert at River Mill Park by Monallo.
- On June 25 he emceed Trivia Night with Dr. Bienia and noted that 29 teams were in attendance as the event continues to increase in popularity.

- On June 26 he participated in VFW Post 7916's 75th Anniversary Celebration, noting that the Post is designated as an All American Post, landing them in the top one percent of 6,000 Posts worldwide.

## 7. COUNCILMEMBER REPORTS

Vice Mayor Loges, Councilmembers Bienia, Holloway and Perkins had no reports.

Councilmember Fithian spoke in positive support of the Artisan Markets, noted that she is looking forward to the Fall Arts & Crafts Show which she believes will draw many people and much needed revenue, and remarked that she thoroughly enjoyed Trivia Night.

## 8. BOARDS AND COMMISSIONS REPORTS

Brenda Seefeldt reported that the Architectural Review Board did not meet in June.

Councilmember Perkins reported that the Planning Commission did not meet in June.

## 9. ADMINISTRATIVE REPORTS

### a. Administrative Report

Mayor Porta asked if there were any questions for Ms. Jovanovich.

Mayor Porta noted that it has been alleged by some members of the public that the Town is attempting to change the FEMA flood insurance map and asked for clarification on the issue from staff. Mr. Reese stated that the town is suggesting edits to name unnamed streams on the map.

The Mayor requested an update on the George Mason University project, specifically the recommendation of a junction box at the culvert on Poplar Lane. Mr. Reese responded that the student recommendation was an attempt to solve a problem that does not really exist and that it was a benefit to the students going through an exercise.

### b. Town Treasurer Report

Mr. Casillas provided a written Treasurer's report.

Mayor Porta asked about the increase in BPOL and other delinquencies and asked if this was due to timing. Mrs. Jovanovich confirmed that it was.

Mayor Porta asked if staff anticipated that the funds transfer included in the FY2021 budget was going to be needed. Mrs. Jovanovich stated that staff is still reviewing, however she is not anticipating a transfer greater than budgeted.

### c. Town Attorney

Mr. Crim provided a written report. There were no questions.

## 10. REGULAR BUSINESS

### a. Request to Adopt Resolution(s) Regarding The Mill at Occoquan Special Use Permit Applications SE-2018-01 and SE-2018-03

Mr. Perkins asked the Town Manager to read R-2021-07B, Resolution Approving the Application by Mid-Atlantic Real Estate Investments, Inc. for Two Special Use Permits for the Mill at Occoquan Development, with conditions, into the record.

Mrs. Jovanovich read Resolution R-2021-07B, including the following conditions:

1. Staff recommended condition #6 is replaced with the following: The Riverwalk shall be constructed by the Applicant and developed simultaneously with the development of the remaining site and be completed and opened to free public access before the occupancy of 75 percent of the residential units. The width and length shall be as generally shown on the Preliminary Site Plan. The surface of the construction shall be of suitable material approved by the Town Manager as to safety and durability and by the Architectural Review Board as to aesthetics.

2. Staff recommended condition #9 is replaced with the following: On-Street parking along Mill Street will be maintained to the greatest extent possible, including during construction. The Town may approve on-street parking upon request pursuant to Virginia Code § 15.2-2014 and/or Town Code § 93.01.

3. Staff recommended condition #10 is replaced with the following: Construction will be temporarily suspended at the request of the Town Manager for Town events as identified in advance by the Town Manager.

4. The following condition is added as condition #19: Applicant shall incorporate in relevant covenants and require inclusion in sale and tenancy documents notice to residential and commercial users of the project that the Town holds at least two events annually (and reserves the right to hold more) that will prevent the user from moving vehicles into or from the parking facility of the building for a period of at least two days per event.

5. The following condition is added as condition #20: Applicant shall incorporate in relevant covenants and require inclusion in sale and tenancy documents notice to residential and commercial users of the project that the Town currently maintains time-parking restrictions in the district in which the project is located and owners/tenants of the building will not be eligible to receive Visitor Parking Passes under the Occoquan Timed Parking Program On-Street and Off-Street Parking Regulations.

**Councilmember Perkins moved to adopt Resolution R-2021-07B. Vice Mayor Loges seconded.**

Mayor Porta asked if there was any discussion.

Councilmember Perkins noted the many meetings, discussions, questions, and numerous renditions provided by the applicant. As Chairperson of the Planning Commission and a proud member of the Town Council, Councilmember Perkins stated that he has taken substantial responsibility in the process due to the high importance and fundamental impact the development will have on Occoquan.

Vice Mayor Loges recognized the hard work of staff throughout the three-year process. Vice Mayor Loges also recognized the diligence of Councilmember Perkins, dedicating countless hours to the process. She stated that that first rendition of the project was a “non-starter”. Vice Mayor Loges described the Town’s Comprehensive Plan as “the desire of the people” and noted specifics from the Plan and the Riverwalk along riverfront property. She mentioned three issues related to the development of the property, and that she believes that the Mill at Occoquan Projects meets these three specific requirements in the Comprehensive Plan. She believes that this project, while not perfect, is in harmony with the Town’s Comprehensive Plan and she asks her fellow Councilmembers to join her in approving both Special Use Permits.

Councilmember Bienia thanked the developer, Town Staff and Councilmember Perkins.

Councilmember Fithian stated that while she started as a “no” on the project, she recognizes that the developer has made multiple changes and that she will vote in the affirmative.

Councilmember Holloway stated that the points made here were excellent. She added that she appreciates the local comments from town citizens. She noted that she was a member of ARB when the first iteration was presented and appreciates the hard work of both the ARB and the Planning Commission. She agrees with the Comprehensive Plan comments and that it is a road map that this Council should follow. Finally, she asks that this project becomes a “lesson learned in transparency” in communicating changes moving forward.

Mayor Porta asked that the record show that the town received 16 written comments via email in support of the project.

Mayor Porta thanked the developer and his team, all of the members of the Boards and Commissions who worked on this project, and. Town Staff, Councilmembers, and members of the public.

Mayor Porta stated that a motion to adopt Resolution R-2021-07B has been made by Councilmember Perkins and seconded by Vice Mayor Loges. With no further discussion, Mayor Porta asked Ms. White to call the roll.

**The motion passed unanimously by roll call vote.**

**Ayes:** Vice Mayor Loges, Councilmember, Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins

**Nays:** None.

**Councilmember Perkins made a motion to adopt R-2021-08 a non-binding resolution memorializing the development promises by Mid-Atlantic Real Estate Investments, Inc. related to the Mill at Occoquan development. Vice Mayor Loges seconded. The motion passed unanimously by roll call vote.**

**Ayes:** Vice Mayor Loges, Councilmember, Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins

**Nays:** None.

Mayor Porta clarified that the items included in R-2021-08 are not conditions, but a non-binding resolution that memorializes certain discussions with the Developer.

**b. Request to Approve The Mill at Occoquan Preliminary Site Plan PSP-2018-01**

**Vice Mayor Loges made a motion to approve the Preliminary Site Plan PSP-2018-01 dated May 13, 2021. Councilmember Fithian seconded the motion. Motion passed unanimously by voice vote.**

**c. Request to Award RFP-2021-01 Trash, Recycling, Bulk and Yard Waste Collection**

**Councilmember Bienia made a motion to award RFP-2021-01 to Bates Trucking and Trash Company, Inc. for weekly refuse, recycling, bulk and yard waste collection within the Town of Occoquan. Councilmember Holloway seconded the motion. Motion passed unanimously by voice vote.**

**d. Request to Approve Revised Architectural Review Board Design Guidelines**

Mrs. Jovanovich noted that these were last updated in 2015, however, the guidelines were not considered by the Town Council at the time. Mrs. Seefeldt did not have any comments.

Councilmember Perkins asked about holding another work session for more feedback and improvement. Vice Mayor Loges agreed.

The Town Attorney stated that Ms. Seefeldt has indicated that she is fine with the document as it is; and if Council is going to refer it back to the ARB for further action, then Council should give direction to the ARB on what needs further attention.

Mayor Porta stated that he is concerned that the current adopted guidelines are from 2005 and his preference is to adopt the document as it is now and request that the

current ARB review these guidelines and provide revised guidelines to the Town Council at a future meeting.

**Councilmember Fithian made a motion to approve the approve the revised Architectural Review Board Design Guidelines as presented. Councilmember Perkins seconded the motion. Motion passed unanimously by voice vote.**

#### **11. CLOSED SESSION**

No items scheduled.

Mayor Porta requested unanimous consent to add to the agenda a vote canceling the July 20 and August 3 Town Council meetings.

**Councilmember Bienia made a motion to cancel the July 20 and August 3, 2021 Town Council Meetings. Councilmember Holloway seconded the motion. The motion passed unanimously by voice vote.**

#### **12. ADJOURNMENT**

The meeting was adjourned at 8:20 p.m.

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Michele L. White, Town Clerk