



OCCOQUAN TOWN COUNCIL

Meeting Minutes

Town Hall - 314 Mill Street, Occoquan, VA 22125

Tuesday, December 7, 2021

7:00 p.m.

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

Absent: Vice Mayor Jenn Loges

Staff: Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney (remotely); Bruce Reese, Town Engineer (remotely); Adam Linn, Chief of Police; Julie Little, Events Director; Michele White, Town Clerk

1. CALL TO ORDER

Mayor Porta called the meeting to order at 7:01 p.m. Vice Mayor Loges was unable to attend for health reasons.

2. PLEDGE OF ALLEGIANCE

3. CITIZENS' TIME

No one spoke at Citizens' time.

4. PUBLIC HEARINGS

a. Public Hearing on Comprehensive Plan Update

Mayor Porta opened the public hearing at 7:02 p.m.

Ms. Jovanovich presented the Vision 2026 Comprehensive Plan 2021 Update.

Mayor Porta invited the public for comment. No public comments were made.

Mayor Porta closed the public hearing at 7:14 p.m.

b. Public Hearing on Amendments Relating to Land Development Process

Mayor Porta opened the public hearing at 7:14 p.m.

Mr. Reese provided an overview of the proposed ordinance related to updates to the town's land development process.

Mayor Porta invited the public for comment. No public comments were made.

Mayor Porta closed the public hearing at 7:18 p.m.

c. Public Hearing on Amendments to Town Code § 157.121 to Permit Residential Use By-Right in One Story Buildings Fronting Commerce and Ellicott Streets in the B-1 Zoning District

Mayor Porta opened the public hearing at 7:18 p.m.

Mr. Reese provided a presentation on proposed amendments to the Town Code relating to permitting residential use by-right in one-story buildings fronting Commerce and Ellicott Streets in the B-1 zoning district.

Mayor Porta invited the public for comment. No public comments were made.

Mayor Porta closed the public hearing at 7:23 p.m.

d. Public Hearing on Amendments to Town Code § 157.304 (B)(12) Regarding Illuminated Signs

Mayor Porta opened the public hearing at 7:23 p.m.

Mr. Reese provided a presentation on proposed amendments to the Town Code regarding illuminated signs.

Mayor Porta invited the public for comment. No public comments were made.

Mayor Porta closed the public hearing at 7:26 p.m.

Councilmember Holloway moved to close all four Public Hearings. Councilmember Perkins seconded. Motion passed unanimously by roll call.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

5. CONSENT AGENDA

Mayor Porta asked for unanimous consent to add to the Consent Agenda Ordinance O-2021-08, moving the Town's elections from May to November as required by state law adopted in 2021 and as addressed in a prior public hearing. There being no objection the item was added to the agenda.

a. November 3, 2021 Meeting Minutes

b. O-2021-08 Move Elections from May to November

Councilmember Perkins moved approval of the Consent Agenda. Councilmember Holloway seconded. Motion passed unanimously by roll call vote.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

6. MAYOR'S REPORT

Mayor Porta reported the following:

- On November 4, he met with the Town Manager and the new owners of Ebenezer Baptist Church.
- On November 12, he emceed with Dr. Bienia at the monthly Trivia Night in River Mill Park.
- On November 16, he gave an historical tour for a bus group from Pennsylvania brought by Norwin Express Tours.
- On November 17, he gave a slide presentation on Occoquan history to a First Baptist Church group.
- On November 20, with the rest of the councilmembers, he participated in the Shop Late & Tree Lighting Event.
- On December 4, with assistance of Councilmember Holloway, he brought Santa in by boat and participated in the Artisan Market and other HolidayFest activities over the weekend.

7. COUNCILMEMBER REPORTS

Councilmember Perkins noted that he enjoyed the process of putting up holiday lights and volunteering at the fire pits during HolidayFest.

Councilmember Fithian said that the December Artisan Market was a huge success and that the vendors really like having volunteers assist with providing breaks to the vendors. She thanked Julie Little for her efforts.

Councilmember Holloway echoed the previous Councilmembers' sentiments regarding the success of the holiday events and decorating and that it has been a fun six weeks in town.

Councilmember Bienia thanked Events Director Julie Little and noted that the town benefits broadly from Ms. Little's efforts.

8. BOARDS AND COMMISSIONS REPORTS

Councilmember Fithian reported that the Architectural Review Board (ARB) did not meet in November.

Councilmember Perkins thanked the Town Manager and staff for their work on the 2021 Comprehensive Plan Update. He stated that Planning Commissioner Ryan Somma did a tremendous job on the Plan Update. He also stated that the Planning Commission meeting in December has been canceled.

9. ADMINISTRATIVE REPORTS

a. Administrative Report

Ms. Jovanovich provided a written report as part of the agenda packet. Ms. Jovanovich thanked Mayor Porta and Town Council for their assistance with holiday events and decorations.

Mayor Porta noted that the previous two meals tax delinquencies and the Transient delinquencies were now in compliance.

Mayor Porta asked in regards to the Engineer Report what support was provided by the Engineer regarding tree permits. Ms. Jovanovich stated that the Engineer recently provided support with review of a tree removal and replacement request for Occoquan Reach HOA. Councilmember Holloway asked if tree permits were required when property owners wanted to remove trees. Ms. Jovanovich stated that the Town Code required that tree permits be obtained from the town for removal of trees meeting a certain diameter requirement.

b. Town Treasurer Report

Mr. Casillas provided a written report as part of the agenda packet.

Mayor Porta noted that most of the expenses and revenues are tracking to budget as expected; however, he inquired about the increase in expenses for Materials and Supplies. Ms. Jovanovich noted that several large budgeted public safety costs were expended in the first quarter and anticipates staying close to budget for the remainder of the fiscal year, excepting any unforeseen costs.

c. Town Attorney

Mr. Crim provided a written report as part of the agenda packet. There were no questions for Mr. Crim.

10. REGULAR BUSINESS

a. Request to Adopt Comprehensive Plan Update

Councilmember Holloway moved to approve the 2021 Update to the Vision 2026 Comprehensive Plan as presented. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

Mayor Porta expressed his appreciation to the members of the Planning Commission for their work on the plan update, noting that he thought they did an excellent job of analyzing and incorporating various new issues (e.g. anticipated changes in the surrounding area) into the plan.

b. Request to Adopt Ordinance O-2021-05 Relating to Land Development Process

Councilmember Perkins moved to adopt Ordinance O-2021-05 as presented. Councilmember Bienia seconded. Motion passed unanimously by roll call vote. Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.
Nays: None.

c. Request to Adopt Ordinance O-2021-06 Amending Town Code § 157.121 to Permit Residential Use By-Right in One Story Buildings Fronting Commerce and Ellicott Streets in the B-1 Zoning District

Councilmember Bienia moved to adopt Ordinance O-2021-06 as presented. Councilmember Fithian seconded. Motion passed unanimously by roll call vote. Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.
Nays: None.

d. Request to Adopt Ordinance O-2021-07 Amending Town Code § 157.304 (B)(12) Regarding Illuminated Signs

Councilmember Holloway moved to adopt Ordinance O-2021-07 as presented. Councilmember Perkins seconded. Motion passed unanimously by roll call vote. Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.
Nays: None.

Mayor Porta expressed his appreciation to the staff and Town Council regarding these three ordinance changes, noting that they all were designed to make things easier for residents and businesses by creating additional flexibility in the Town Code in a manner consistent with the overall vision of the Town. He noted that these are the kinds of things government can do to make life easier for constituents.

e. Request to Adopt Approve Revised Fee Schedule
Councilmember Fithian moved to approve the revised fee schedule as presented effective December 7, 2021. Councilmember Perkins seconded. Motion passed unanimously by voice vote.

f. Request to Approve Update to the Town Administrative Manual

Ms. Jovanovich reviewed the proposed updates to the Administrative Manual. Councilmember Bienia asked if the changes to the annual leave cap regulations stopped vacation accrual once the employee reached the cap at any point in the year, or if the employee could accrue over the cap amount, but would lose any unused leave over the cap at the end of the calendar year. Ms. Jovanovich responded that the proposed change would stop leave accrual once the employee reached the cap at any point in the year and leave accrual would commence again once the employee used leave to bring them below the leave accrual cap.

After taking a straw poll of the Council, Mayor Porta noted that the Town Council was overall in favor of approving all of the proposed changes included in the Administrative Manual as presented, and encouraged Councilmember Bienia to meet with the Town Manager for further discussion on the topic of the annual vacation leave cap. Mayor Porta further requested that the Town Manager report back to the Town Council regarding this topic for Council to consider and provide additional direction at a future meeting.

Councilmember Perkins moved to approve the update to the Town Administrative Manual, contingent on final review by the Town Attorney. Councilmember Holloway seconded. Motion passed unanimously by voice vote.

11. CLOSED SESSION

Councilmember Holloway made a motion that the Council convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: performance, specifically dealing with the Town Manager, and as permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving: acquisition of real property for public purposes; and as permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of an individual in a matter not involving the public business. Councilmember Fithian seconded the motion. The motion passed unanimously by voice vote.

The Council went into closed session at 8:08 p.m.

The Council came out of closed session at 8:26 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. The motion passed unanimously by roll call vote.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

12. ADJOURNMENT

The meeting was adjourned at 8:28 p.m.



Michele L. White, Town Clerk