



# OCCOQUAN TOWN COUNCIL

## Meeting Minutes

Town Hall - 314 Mill Street, Occoquan, VA 22125

Tuesday, April 5, 2022

7:00 p.m.

**Present:** Mayor Earnie Porta; Vice Mayor Jenn Loges, Councilmembers Cindy Fithian and Laurie Holloway

**Absent:** Councilmember Eliot Perkins

**Staff:** Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney (remotely); Bruce Reese, Town Engineer (remotely); Adam Linn, Chief of Police; Julie Little, Events Director; Manual Casillas, Town Treasurer

### 1. CALL TO ORDER

Mayor Porta called the meeting to order at 7:02 p.m.

### 2. PLEDGE OF ALLEGIANCE

Mayor Porta asked for unanimous consent to add to the agenda (1) Resolution to Appoint Town Clerk and (2) Resolution Endorsing Submission of an Application to the Virginia Community Flood Preparedness Fund Grant. Without objection the items were added to the agenda.

### 3. CITIZENS' TIME

No one spoke at Citizens' time.

### 4. CONSENT AGENDA

- a. March 15, 2022 Meeting Minutes
- b. Request to Adopt Arbor Day 2022 Proclamation

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

### 5. CLOSED SESSION

**Vice Mayor Loges moved 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 appointment of specific public officers, appointees, or employees of the Town; specifically dealing with the Town Clerk position. Councilmember Holloway seconded. Motion passed unanimously by voice vote.**

The Council went into closed session at 7:05 p.m.

The Council came out of closed session at 7:09 p.m.

**Vice Mayor Loges 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 Holloway. The motion passed unanimously by roll call vote.**

**Ayes:** Councilmember Fithian, Councilmember Holloway, Vice Mayor Loges.

**Nays:** None.

**Upon returning from closed session, Councilmember Holloway moved adoption of a Resolution to Appoint [Philip Auville] Town Clerk, effective April 19, 2022. Councilmember Fithian seconded. The motion passed unanimously by roll call voted.**

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

**Nays:** None.

## **6. MAYOR'S REPORT**

Mayor Porta reported the following:

- On March 16, 2022, he met with a representative of the Norfolk Tour Company and Visit PWC regarding bringing additional tours to town.
- On March 22, 2022, he attended the Occoquan River Safety Forum, which included first responders, marinas, yacht clubs, the Coast Guard, and the Coast Guard Auxiliary.
- He has installed hazard warning markers in the water at the end of the pipes that protrude under the town dock and has marked the western end of the channel in the dike that provides water entrance to Madigan's Waterfront Restaurant and Penguin Paddling.
- On April 4, 2022, he attended the Celebration of Life at Meadowlark Gardens for town resident the late Petra Casipit

## **7. COUNCILMEMBER REPORTS**

There were no Councilmember reports.

## **8. BOARDS AND COMMISSIONS REPORTS**

ARB Chair Seefeldt reported on the actions of the ARB at its most recent meeting.

## **9. ADMINISTRATIVE REPORTS**

### **a. Administrative Report**

Ms. Jovanovich provided a written report as part of the agenda packet and responded to brief questions from the Council.

Councilmember Fithian distributed some information on the fishing line recycling receptacle she would like to see installed in multiple locations. Ms. Jovanovich responded that it was substantively similar to what she has arranged with a Boy Scout to install at that location. Councilmember Holloway thanked Ms. Fithian for her efforts in pursuing this project.

**b. Town Treasurer Report**

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

**c. Town Attorney**

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

**10. PUBLIC HEARING****a. Public Hearing on Council Zoning Text Amendments to Bring the Town Code into Conformance with DEQ's Recommendations for Implementing the Chesapeake Bay Preservation Act**

Mayor Porta opened at 7:24 p.m. a public hearing on Council Zoning Text Amendments to Bring the Town Code into Conformance with DEQ's Recommendations for Implementing the Chesapeake Bay Preservation Act. Mayor Porta invited the public to speak. No one spoke at the public hearing and Mayor Porta closed the public hearing at 7:25 p.m.

**11. REGULAR BUSINESS****a. Request to Adopt Ordinance O-2022-01 to Bring the Town Code into Conformance with DEQ's Recommendations for Implementing the Chesapeake Bay Preservation Act**

Councilmember Fithian moved adoption of Ordinance O-2022-01 to Bring the Town Code into Conformance with DEQ's Recommendations for Implementing the Chesapeake Bay Preservation Act. Councilmember Holloway seconded. Motion passed unanimously by roll call vote.

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

**Nays:** None.

**b. Request to Adopt Resolution R-2022-05 Endorsing Submission of an Application to the Virginia Community Flood Preparedness Fund Grant**

Vice Mayor Loges moved adoption of Resolution R-2022-05 Endorsing Submission of an Application to the Virginia Community Flood Preparedness Fund Grant. Councilmember Fithian seconded. The motion passed unanimously by voice vote.

**12. WORK SESSION ITEMS****a. FY2023 Proposed Budget Work Session**

Ms. Jovanovich provided the most recent update on the FY2023 proposed budget, which is scheduled for a public hearing on April 19. She responded to brief questions from the Council.

**b. Coronavirus State Local Fiscal Recovery Funds (SLFRF) Briefing**

Ms. Jovanovich reviewed the updated cost estimates for items for which the town is considering use of SLFRF funds. The list has also been updated based on public feedback. It was agreed that sometime in May the Council will agree upon an overall plan and upon the

process for staff to obtain Council approval for individual projects (e.g. dollar thresholds, project groupings, etc.).

Councilmembers briefly discussed various individual projects. Councilmember Fithian asked if any fishing dock project behind the Mill House Museum could be made ADA accessible and in response it was noted that there was likely not enough space to accommodate the number of switchbacks required to provide an ADA accessible slope. Ms. Fithian was encouraged to consider locations at existing town docks that she might consider suitable for designated fishing areas that are ADA accessible, understanding that fishing from the docks and riverwalk has thus far been prohibited for a variety of reasons. Additionally, the Council noted that while the McKenzie sidewalk project seems feasible, a sidewalk to the Town boundary on Washington Street would not only require substantial and expensive right-of-way purchases, but would be relatively short and not connect to any sidewalk beyond the Town boundary.

Before going into closed session Mayor Porta noted that the town planned to install sometime in the next few weeks the bench swing donated by the late Petra Casipit and hoped to hold a dedication ceremony not long after. He also noted that the Valentine Peyton Society would be dedicating their historic marker in River Mill Park on May 21 at 11:30 a.m.

### 13. CLOSED SESSION

**Vice Mayor Loges moved that the Council convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving: acquisition of real property for public purposes specifically involving property within the town boundaries, because discussion in an open meeting would adversely affect the Town's bargaining position. Councilmember Holloway seconded the motion. The motion passed unanimously by voice vote.**

The Council went into closed session at 8:10 p.m.

The Council came out of closed session at 8:19 p.m.

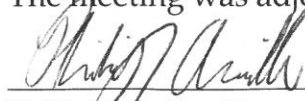
**Vice Mayor Loges moved to certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion. Seconded by Councilmember Holloway. The motion passed unanimously by roll call vote.**

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

**Nays:** None.

### 14. ADJOURNMENT

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



Philip Auville, Town Clerk