



# TOWN OF OCCOQUAN

Circa 1734 | Chartered 1804 | Incorporated 1874

314 Mill Street  
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Occoquan, VA 22125  
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occoquanva.gov  
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## Occoquan Town Council Town Council Meeting April 19, 2022 | 7:00 p.m.

1. **Call to Order**
2. **Consent Agenda**
  - a. April 5, 2022 Meeting Minutes
3. **Public Hearing**
  - a. Public Hearing on FY2023 Proposed Budget
4. **Closed Session**
5. **Regular Business**
  - a. Appointment of Town Council Vacancy
  - b. Request to Appoint Members to the Board of Zoning Appeals
6. **Adjournment**



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

<b>2. Consent Agenda</b>	<b>Meeting Date:</b> April 19, 2022
<b>2 A: Request to Approve April 5, 2022 Meeting Minutes</b>	

**Attachments:** a. Draft Minutes

**Submitted by:** Kirstyn Jovanovich  
Town Manager

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**Explanation and Summary:**

This is a request to approve the April 5, 2022 Town Council meeting minutes.

**Staff Recommendation:** Recommend approval as presented.

**Proposed/Suggested Motion:**

"I move to approve the April 5, 2022 Town Council meeting minutes."

OR

Other action Council deems appropriate.



## OCCOQUAN TOWN COUNCIL

Meeting Minutes - DRAFT

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 behind the Mill House Museum. 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.



# TOWN OF OCCOQUAN

## TOWN COUNCIL MEETING

### Agenda Communication

<b>3. Public Hearing</b>	<b>Meeting Date:</b> April 19, 2022
<b>3 A: Public Hearing on Proposed Fiscal Year 2023 Budget</b>	

- Attachments:**
- a. [FY 2023 Proposed Budget - via Website](#)
  - b. Public Hearing Advertisement

**Submitted by:** Kirstyn Jovanovich  
Town Manager

#### Explanation and Summary:

This is a public hearing on the Proposed Fiscal Year (FY) 2023 Budget. The Town Council held budget work sessions on February 15, March 15, and April 5, 2022. The Proposed Budget is posted on the Town's website at [occoquanva.gov/government/budget](http://occoquanva.gov/government/budget) and available in Town Hall, 314 Mill Street, Monday - Friday, 9 a.m. to 4 p.m.

#### Budget Summary

		FY 2022 Adopted	FY 2023 Proposed	Difference	Increase/ (Decrease)
General Fund	Revenues	\$1,070,940	\$1,227,546	\$156,606	14.6%
	Expenses	\$1,070,940	\$1,227,546	\$156,606	14.6%
Events Fund	Revenues	\$272,490	\$256,870	(\$15,620)	(15.7%)
	Expenses	\$177,442	\$196,223	\$18,781	10.6%
Capital Improvement Fund	Revenues	\$5,000	\$181,000	\$176,000	3520.0%
	Expenditures	\$153,900	\$266,000	\$112,100	72.8%
Mamie Davis Fund	Revenues	\$500	\$500	\$0	0.0%
	Expenses	\$2,000	\$5,000	\$3,000	150.0%
E-Summons Fund	Revenues	\$0	\$12,000	\$12,000	-
	Expenses	\$0	\$3,150	\$3,150	-

This public hearing is intended to provide the public with the opportunity to comment on the proposed budget. This public hearing was advertised in InsideNOVA on March 31, and April 7, 2022.

In addition to the public hearing on the proposed budget, there will be a public hearing on the proposed tax rates in support of the FY 2023 budget on May 3, 2022 at 7:00 p.m. The Town Council will adopt the budget and tax rates on Tuesday, June 7, 2022. Fiscal Year 2023 will begin on July 1, 2022 and end on June 30, 2023.

**Town Manager's Recommendation:** Recommend closing the public hearing.

**Cost and Financing:** N/A

**Account Number:** N/A

**Proposed/Suggested Motion:**

"I move to close the public hearing."

OR

Other action Council deems appropriate.



# Town of Occoquan PROPOSED FISCAL YEAR (FY) 2023 BUDGET – APRIL 19, 2022 TAX RATES IN SUPPORT OF THE BUDGET – MAY 3, 2022

## PUBLIC HEARINGS TO SOLICIT COMMENT ON THE FOLLOWING:

1. Proposed FY 2023 Budget (see synopsis below.) A copy of the proposed budget is available at Town Hall from 9 a.m. to 4 p.m., Monday through Friday, and on the Town's website at [www.occoquanva.gov](http://www.occoquanva.gov); and
2. Maintain the current real estate tax rate of \$0.12 per \$100 of the assessed value; and
3. Maintain the current meals tax rate of 3%; and
4. Maintain the current transient occupancy tax rate of 7%.

		FY 2022 Budget	FY 2023 Proposed
OPERATING FUND	Revenues	\$1,070,940	\$1,227,546
	Expenses	\$1,070,940	\$1,227,546
CIP FUND	Revenues	\$5,000	\$181,000
	Expenses	\$153,900	\$266,000
EVENTS FUND	Revenues	\$272,490	\$256,870
	Expenses	\$177,442	\$196,223
MAMIE DAVIS FUND	Revenues	\$500	\$500
	Expenses	\$2,000	\$5,000
E-SUMMONS FUND	Revenues	\$0	\$12,000
	Expenses	\$0	\$3,150

KIRSTYN JOVANOVIĆ, ICMA-CM  
Town Manager

A public hearing on the proposed budget will be held on April 19, 2022 at 7:00 p.m. at Occoquan Town Hall, 314 Mill Street, Occoquan, VA 22125.

The Town Council may set the real estate tax rate at .12 cents per hundred dollars value or at a lower rate, but Virginia law does not allow a higher rate than appears in this advertisement. The Town Council may set other tax rates (such as meals tax or transient occupancy tax) either higher or lower than the advertised rates.

The required legal publication of this notice occurred on March 31, and an additional courtesy notice was published on April 7, 2022.

## NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE

The Town of Occoquan proposes to increase property tax levies.

1. **Assessment Increase:** Total assessed value of real property, excluding additional assessments due to improvements to property, exceeds last year's total assessed value of real property by 10.77 percent.
2. **Lowered Rate Necessary to Offset Increased Assessment:** The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be \$0.1083 per \$100 of assessed value. This rate will be known as the "lowered tax rate."
3. **Effective Rate Increase:** The Town of Occoquan proposes to adopt a tax rate of no more than \$0.12 per \$100 of assessed value. The difference between the lowered tax rate and the proposed rate would be \$0.012 per \$100, or 10.8 percent. This difference will be known as the "effective tax rate increase."

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. **Proposed Total Budget Increase:** Based on the proposed real property tax rate and changes in other revenues, the total budget of the Town of Occoquan will increase from last year's budget by 20.9 percent.

A public hearing on the proposed tax rate will be held on May 3, 2022 at 7:00 p.m. at Occoquan Town Hall, 314 Mill Street, Occoquan, VA 22125.



# TOWN OF OCCOQUAN TOWN COUNCIL MEETING

Agenda Communication

<b>5. Regular Business</b>	<b>Meeting Date:</b> April 19, 2022
<b>5 A: Appointment of Town Council Vacancy</b>	

**Attachments:** a. None

**Submitted by:** Kirstyn Jovanovich  
Town Manager

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**Explanation and Summary:**

The Town Council will consider candidates for appointment during a closed session earlier in the meeting. This is the action item for Council to make the appointment.

**Proposed/Suggested Motion:**

"I move to appoint \_\_\_\_ to serve on the Occoquan Town Council to fill the vacated seat of Councilmember Bienia through December 31, 2022."

OR

Other action Council deems appropriate.



# TOWN OF OCCOQUAN

## TOWN COUNCIL MEETING

### Agenda Communication

**5. Regular Business**

**Meeting Date:** April 19, 2022

**5 B: Request to Appoint Members to the Board of Zoning Appeals**

**Attachments:** a. Resolution

**Submitted by:** Kirstyn Jovanovich  
Town Manager

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**Explanation and Summary:**

The Prince William County Circuit Court makes appointments to the Board of Zoning Appeals; however, the Town Council is asked to recommend names to the Court for consideration and appointment of one individual for each vacancy.

The Board of Zoning Appeals is described in § 33.20 – 33.31 of the Town Code. The Board is to consist of five residents of the town, who are appointed by the circuit court for a five-year term. Members are able to serve consecutive terms.

In September 2021, the Town Council recommended five individuals to serve on the Board, who were then appointed by the Circuit Court:

- Jim Drakes (January 31, 2022)
- Nick Roper (January 31, 2023)
- Liz Quist (January 31, 2024)
- Walt Seiberling (January 31, 2024)
- Vicky Somma (January 31, 2026)

This is a request to adopt the attached resolution to request reappointment of Mr. Drakes for a term through January 31, 2027.

**Town Attorney's Recommendation:** Recommend adoption of the attached resolution.

**Staff Recommendation:** Concur with Town Attorney's recommendation.

**Proposed/Suggested Motion:**

"I move to adopt Resolution R-2022-06 to submit the following name to the Prince William County Circuit Court for appointment to the Occoquan Board of Zoning Appeals: Jim Drakes for a term through January 31, 2027.

OR

Other action Council deems appropriate.

**TOWN OF OCCOQUAN, VIRGINIA  
RESOLUTION**

**RESOLUTION FOR AN APPOINTMENT TO BOARD OF ZONING APPEALS**

**WHEREAS**, in September 2021, at the recommendation of the Town Council, the Prince William County Circuit Court appointed five members to the Occoquan Town Board of Zoning Appeals; and

**WHEREAS**, Board Member Jim Drakes filled the remainder of a previous Board member’s term through January 31, 2022; and

**WHEREAS**, the Town Council wishes the Circuit Court to reappoint Jim Drakes to a new five year term on the Occoquan Town Board of Zoning Appeals.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council directs the Town Attorney to submit the following name and term to the Prince William County Circuit Court as the Town Council’s recommendation for appointment to the Occoquan Town Board of Zoning Appeals: Jim Drakes for a term ending January 31, 2027.

**Adopted by the Town Council of the Town of Occoquan, Virginia this 19<sup>th</sup> Day of April 2022.**

**MOTION:**

**DATE: April 19, 2022  
Town Council Meeting**

**SECOND:**

**Votes**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**BY ORDER OF THE TOWN COUNCIL**

**Attested:**

\_\_\_\_\_  
Earnest W. Porta, Jr., Mayor

\_\_\_\_\_  
Kirstyn Jovanovich, Town Manager