



# OCCOQUAN TOWN COUNCIL

## Meeting Minutes

Town Hall - 314 Mill Street, Occoquan, VA 22125

Tuesday, April 18, 2023

7:00 p.m.

**Present:** Mayor Earnie Porta; Vice Mayor Jenn Loges; Councilmembers Nancy Freeborne Brinton, Theo Daubresse (remotely), Cindy Fithian, and Eliot Perkins

**Absent:** None

**Staff:** Adam Linn, Town Manager / Chief of Police; Philip Auville, Town Clerk; Matt Whitmoyer, Management Fellow; Jason Forman, Deputy Chief of Police; Martin Crim, Town Attorney (remote)

### 1. CALL TO ORDER

Mayor Porta called the meeting to order at 7:00 p.m.

As a result of personal matters, Councilmember Daubresse attended remotely from Las Vegas, NV.

### 2. CONSENT AGENDA

#### a. April 04, 2023, Meeting Minutes

The minutes of the meeting of April 4, 2023, were amended to include attendance of Councilmembers at the Sponsorship Breakfast mentioned in the Councilmember Reports.

**Councilmember Fithian moved to approve the Consent Agenda as amended. Councilmember Freeborne Brinton seconded. Motion passed unanimously by voice vote.**

### 3. REGULAR BUSINESS

#### a. Request to Adopt Resolution Referring Zoning Text Amendment on Temporary Sales Trailers to Planning Commission

**Councilmember Perkins moved to adopt Resolution R-2023-08 to refer amendments to the Planning Commission for its recommendation after public hearing. Vice Mayor Loges seconded. Motion passed unanimously by voice vote.**

#### b. Request to Adopt Resolution Referring Zoning Text Amendment on Granting the Zoning Administrator Authority to Make Deviations and Modifications from the Zoning Code to Planning Commission

**Councilmember Perkins moved to adopt Resolution R-2023-09 to refer amendments to the Planning Commission for its recommendation after public hearing. Vice Mayor Loges seconded. Motion passed unanimously by voice vote.**

#### c. Request to Adopt Resolution Referring Zoning Text Amendment to Amend the Sign Ordinance to Planning Commission

**Councilmember Freeborne Brinton moved to adopt Resolution R-2023-10 to refer amendments to the Planning Commission for its recommendation after public hearing. Councilmember Perkins seconded. Motion passed unanimously by voice vote.**

#### **4. Discussion Items**

##### **a. Update on Timed Parking District**

Mr. Linn reported to the Council that there were businesses upset about the Timed Parking District due to the timed parking being enforced during weekdays. Beginning in March, a new parking enforcement officer was hired to enforce parking throughout the entire week, at the direction of Council. An increase in timed parking violations was observed with most violations occurring during the weekdays. Mr. Linn noted that residents living in the Historic District with limited or no off-street parking could receive a permit to park on the street without having to worry about the timed parking restrictions; however, no such permit is available to businesses.

After discussion, Council decided that no changes or amendments are necessary to the free Timed Parking District policy.

##### **b. Discussion on Rt. 123 Gateway Mural Contest**

Mr. Whitmoyer reported to the Council that he and Ms. Little were looking at gateway funding to support having a mural painted on the Route 123 retaining wall at the entrance to Town from Commerce Street. VDOT indicates that the Town may have a mural painted on the retaining wall as long as the Town maintains the mural. Mr. Whitmoyer reviewed a proposed contest to find an artist to paint the mural.

After discussion, the Council approved using \$5,000 of the Gateway Enhancement funds to compensate the winner of the contest.

##### **c. Discussion on Amplified Outdoor Sound Permit - Hours**

Mr. Linn reported to Council that Town Staff is seeking direction on amending the Town Code to change the permitted hours that allow businesses to utilize outdoor amplified music as a result of requests to have music during lunch hours and for consistency in enforcement.

After discussion, the Council directed staff to bring forward an ordinance that changes the Amplified Outdoor Sound hours for all days to start at 10:30 a.m.

Mayor Porta asked for unanimous consent to add to the agenda an update to the Post Office incident in Town. There being no objection, the discussion item was added to the agenda.

##### **d. Discussion on Post Office Incident**

Mr. Linn reported that on Friday, April 14<sup>th</sup>, a driver drove into the side of the Post Office causing significant damage. The incident allegedly occurred at 7:30pm; however, it was not observed or reported to Town police until the following morning. The fire department was contacted as well and they requested the County Building Inspector to come out. As a result, the County Building Inspector deemed the retail space of the Post Office unusable and condemned the use until repaired. Staff has assisted the property owner and the U.S. Postal Service (USPS) in reopening part of the parking area and reviewing the process to obtain permits to make the required repairs.

Mayor Porta mentioned that the Postmaster confirmed that the USPS is not planning on closing the Post Office in Town after the lease is up and they plan to keep a location within the Town.

**e. Strategic Framework Discussion**

Mayor Porta provided a presentation on the Strategic Framework and sought discussion on the tiers. Mayor Porta suggested that the Council approve both Capital and Operating Strategic Tiers to guide the Town Council over the current elected term.

**Councilmember Fithian moved to adopt the Capital Tier list and the Operating Tier List. Vice Mayor Loges 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)(3), a matter involving: disposition of publicly held property specifically involving 115 Commerce Street, because discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy. Councilmember Perkins seconded. Motion passed unanimously by voice vote.**

The Council went into closed session at 8:25 p.m.

The Council came out of closed session at 8:35 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 Perkins. The motion passed unanimously by roll call vote.**

**Ayes:** Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Perkins

**Nays:** None

**6. ADJOURNMENT**

The meeting was adjourned at 8:36 p.m.



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Philip Auville, Town Clerk