



OCCOQUAN TOWN COUNCIL

Meeting Minutes

Town Hall - 314 Mill Street, Occoquan, VA 22125

Tuesday, May 16, 2023

7:00 p.m.

Present: Mayor Earnie Porta; Vice Mayor Jenn Loges; Councilmembers Nancy Freeborne Brinton, Theo Daubresse, 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; Manuel Casillas, Town Treasurer

1. CALL TO ORDER

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

2. PUBLIC HEARING

a. Public Hearing on FY 2024 Proposed Tax Rates

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

Mayor Porta invited the public to speak. No one spoke at the public hearing.

Mayor Porta closed the public hearing at 7:03 p.m.

Mayor Porta asked for unanimous consent to add to the agenda an item on VDOT ADA Sidewalk Ramps for discussion. There being no objection, the item was added to the agenda.

3. CONSENT AGENDA

a. May 2, 2023, Meeting Minutes

Councilmember Fithian moved to approve the Consent Agenda. Councilmember Perkins seconded. Motion passed unanimously by voice vote.

4. REGULAR BUSINESS

a. Request to Adopt Fiscal Year 2024 Tax Rates

Councilmember Perkins moved adoption to set the following tax rate for the Fiscal Year 2024 beginning July 1, 2023: a Transient Tax Rate of seven (7) percent. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

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

Nays: None

Vice Mayor Loges moved adoption to set the following tax rate for the Fiscal Year 2024 beginning July 1, 2023: a Real Estate Tax Rate of \$0.116 per \$100 of assessed valuation. Councilmember

Perkins seconded. Motion passed unanimously by roll call vote.

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

Nays: None

Councilmember Freeborne Brinton moved adoption to set the following tax rate for the Fiscal Year 2024 beginning July 1, 2023: a Meals Tax Rate of three and one-half (3.5) percent. Vice Mayor Loges seconded. Motion passed unanimously by roll call vote.

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

Nays: None

During discussion on the motion, Councilmember Perkins noted that lowering the Real Estate tax rate increased the proposed budget deficit and that increasing the Meals Tax would make up for that deficit. Vice Mayor Loges added that the residents shouldn't bear the full burden of the budget shortfall. By raising the Meals Tax, which would still be the lowest in Prince William County, it shares the burden to all who utilize the Town services not just the residents.

b. Request to Adopt and Appropriate Fiscal Year 2024 Budget

Councilmember Freeborne Brinton moved adoption of the Fiscal Year 2024 Mamie Davis Fund Budget beginning July 1, 2023, as presented in the amount of \$0 in expenses and \$500 in revenue and appropriate the funds for the expenses shown in the budget. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

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

Nays: None

Vice Mayor Loges moved adoption of the Fiscal Year 2024 E-Summons Fund Budget beginning July 1, 2023, as presented in the amount of \$5,500 in expenses and \$11,500 in revenue and appropriate the funds for the expenses shown in the budget. Councilmember Daubresse seconded. Motion passed unanimously by roll call vote.

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

Nays: None

Councilmember Perkins moved adoption of the Fiscal Year 2024 General Fund Budget beginning July 1, 2023, as presented in the amount of \$1,316,017 and appropriate the funds for the expenses shown in the budget. Vice Mayor Loges seconded. Motion passed unanimously by roll call vote.

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

Nays: None

During discussion on the motion, Town Manager Linn explained that based on discussion by Town Council and in anticipation of tax rate changes, the presented budget included the reduced Real Estate Tax rate and the increased Meals Tax rate. Mayor Porta asked Mr. Linn to confirm that the proposed excess in budget revenue would be transferred into the Town reserves. Mr. Linn confirmed that the proposed excess was shown on the presented budget as a transfer to reserves.

Councilmember Fithian moved adoption of the Fiscal Year 2024 Events Fund Budget beginning July 1, 2023, as presented in the amount of \$234,280 in expenses and \$301,225 in revenue and appropriate the funds for the expenses shown in the budget. Councilmember Perkins seconded. Motion passed unanimously by roll call vote.

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

Nays: None

During discussion on the motion, Town Manager Linn explained that as a result of being notified that the Town was awarded \$6,000 of a proposed \$10,000 grant, the presented budget reduced the revenue by \$4,000 and that there were no other changes.

Councilmember Daubresse moved adoption of the Fiscal Year 2024 Capital Improvement Plan beginning July 1, 2023, as presented in the amount of \$2,020,502 in expenses and \$2,020,502 in revenue and appropriate the funds for the expenses shown in the budget. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

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

Nays: None

During discussion on the motion, Town Manager Linn explained that based on discussion by Town Council and staff projects that certain FY2023 Capital Improvement Plan items would not be completely expended prior to July 1st, staff moved those items, which were all grant funded expenditures, to the presented FY2024 budget as continuation projects. Mr. Linn reviewed the FY2023 Capital Improvement Plan continuation projects with the Council and responded to questions.

c. Request to Adopt an Ordinance to amend Town Code §§ 111.04 and 111.10 to add a Business License Fee

Councilmember Fithian moved to adopt Ordinance 2023-07 to amend Town Code §§ 111.04 and 111.10 to add a Business License Fee. Councilmember Perkins seconded. Motion passed unanimously by roll call vote.

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

Nays: None

d. Request to Purchase Public Safety Utility Vehicle for Rescue and Fire Suppression

Mr. Linn advised the Town Council that the Town receives an annual grant from the Virginia Department of Fire Programs as part of the Aid to Localities. The grant is to help with fire suppression. In the past this grant was donated to Occoquan, Woodbridge, Lorton (OWL) Volunteer Fire Department. Mr. Linn advised that staff was proposing using the grant to purchase a public safety utility task vehicle (UTV) for the Town police to provide fire suppression and rescue services during Town events. Deputy Chief Forman discussed details and answered questions regarding the UTV and proposed plan.

Vice Mayor Loges moved to accept the Aid to Localities grant from the Virginia Department of Fire Programs and to allocate and appropriate the grant funds for the purpose of purchasing and equipping a public safety utility task vehicle in an amount not to exceed \$15,000. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

e. Request to Execute Agreement with Weston and Sampson Engineers, Inc. for Virginia Community Flood Preparedness Fund Grant to Develop a Flood Prevention and Protection Study that Evaluates the Stormwater and Flood Resilience of the Town

Mr. Linn noted that the Town received a Grant from the Virginia Department of Conservation and Recreation (DCR) to fund the development of a flood prevention and protection study that evaluates the stormwater and flood resiliency of the Town. Mr. Linn advised that the next step was to hire an engineering firm to complete the study which would be advantageous and needed for future funding to address the Town's aging stormwater system. Weston and Sampson Engineers assisted the prior Town Manager with preparing the DCR grant application.

Councilmember Perkins moved that the Town, upon review and approval by the Town Attorney, enter into the attached agreement with Weston & Sampson Engineers, Inc. to complete the Resilient Stormwater and Flood Management and Implementation Study and approve an amount not-to-exceed \$169,805 and authorize the Town to seek reimbursement from the Virginia Department of Conservation and Recreation for the grant amount. Councilmember Freeborne Brinton seconded. Motion passed unanimously by voice vote.

f. VDOT ADA Sidewalk Ramps

Mr. Linn noted that he was contacted by the Virginia Department of Transportation (VDOT) that they had executed a contract to replace sidewalk ramps in Prince William County with ADA certified sidewalk ramps. Mr. Linn met with VDOT on May 15th and was advised that VDOT wanted to replace the sidewalk ramps at 4 locations in the historic district. However, VDOT's current contract does not permit the use of brick or brick substitute in the replacement. As a result, the ramps and a significant area before the ramps would have to be replaced with concrete. After discussion with VDOT, Town staff was advised that the next sidewalk ramp replacement contract could offer brick or brick substitute as an option and would be in place within 12 to 18 months if the Town would like that as an option. The Town would likely be required to pay the difference between concrete and the brick or brick substitute. Mr. Linn asked for direction from Council on whether to accept the concrete ramps as proposed or request VDOT hold off and bring the ADA replacement back to the Town upon receiving the next contract that provides for bricks or brick substitutes.

The Council was in unanimous consent to hold off on having ADA Ramps installed in Town until a contract with VDOT will allow brick substitutes and enough time to find a grant to cover the costs for the price difference of using bricks.

5. DISCUSSION ITEMS

a. Fiscal Year 2022 Financial Audit Questions

Mayor Porta asked about a debt figure under Expenditures: Debt Service.

Mr. Casillas replied that was the final payment on the police vehicles.

b. Update on Mill House Museum Expansion Architectural Design

Mayor Porta noted that there are no new updates on the Mill House Museum Expansion Architectural Design.

c. Miscellaneous

Mayor Porta directed staff to price out the cost of equipment and services that can be used to enforce a noise ordinance that would be based off decimal levels.

Mayor Porta thanked Kevin Sills, the developer for the Mill at Occoquan for giving permission to

auction off items that are on his property to have the proceeds go to the Occoquan Historical Society.

Mayor Porta also noted that during RiverFest there will be a talk about the wildlife on the island (dike) in the Occoquan River across from the Kayak Ramp. In addition, Mayor Porta announced that during RiverFest there will be a contest for people to suggest a name for the island and that the Council would choose from the entries and name the island for a year. At the end of the year, the winner would receive the naming plaque the Town would place on the island. The island naming contest would continue with each Riverfest.

6. 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: assignment, appointment, promotion, performance, demotion, salaries, discipling, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with the Town Attorney. And 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 8:10 p.m.

The Council came out of closed session at 8:29 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 Daubresse. The motion passed unanimously by roll call vote.

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

Nays: None

Councilmember Perkins moved to retain Martin Crim as the Town Attorney after his transition to the Sands Anderson, P.C., law firm and authorize the Town Manager to notify Mr. Crim and request the Town's legal files with Vanderpool, Frostick & Nishanian, P.C. be transferred to Sands Anderson, P.C. Seconded by Councilmember Fithian. The motion passed unanimously by roll call vote.

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

Nays: None

7. ADJOURNMENT

The meeting was adjourned at 8:31 p.m.



Philip Auville, Town Clerk