



TOWN OF OCCOQUAN
Circa 1734 • Chartered 1804 • Incorporated 1874

314 Mill Street
PO BOX 195
Occoquan, VA 22125
(703) 491-1918
www.OccoquanVA.gov
info@occoquanva.gov

Occoquan Town Council
Regular Meeting
January 5, 2016 | 7:00 p.m.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Citizens' Time** - Members of the public may, for three minutes, present for the purpose of directing attention to or requesting action on matters not included on the prepared agenda. These matters shall be referred to the appropriate town official(s) for investigation and report. Citizens may address issues as they come up on the agenda if advance notice is given during 'Citizens' Time'.
4. **Approval of Minutes**
 - a. December 1, 2015 Regular Meeting Minutes
 - b. December 22, 2015 Special Meeting Minutes
5. **Councilmember Reports**
6. **Mayor's Report**
7. **Staff Reports**
 - a. Town Attorney
 - b. Town Engineer
 - c. Building Official
 - d. Town Manager
 - e. Chief of Police
 - f. Boards and Commissions
 - o ARB Position Reappointments
8. **Regular Business**
 - a. Request to Reconsider Conditional Approval of Kiely Court Final Subdivision Plat
 - b. Request to Approve 308 Commerce Street Site Plan
 - c. Request to Approve Request to Place Dumpster and Enclosure in Town ROW
 - d. Request to Approve Emergency Water Heater Replacement in Town Hall

Portions of this meeting may be held in closed session pursuant to the Virginia Freedom of Information Act.
A copy of this agenda with supporting documents is available online at www.occoquanva.gov.

- e. Request to Purchase Replacement Traffic Cones
- f. Request to Accept Used Police Cruiser from Town of Quantico

9. Closed Session

10. Adjournment



OCCOQUAN TOWN COUNCIL
Regular Meeting Minutes - DRAFT
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, December 1, 2015
7:00 p.m.

Present: Mayor Liz Quist, Vice Mayor Pat Sivigny, Joe McGuire, J. Matthew Dawson, Jim Drakes and Tyler Brown
Staff: Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney; Bruce Reece, Town Engineer; Matt Williams, Assistant Town Engineer/Zoning Administrator; Greg Holcomb, Town Clerk.

Absent: None

1. Call to Order

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

2. Pledge of Allegiance

3. Citizen's Time

None

4. Approval of Minutes

It was moved to approve the minutes of the November 4, 2015 Regular Meeting and the November 17, 2015 Work Session Meeting minutes.

A motion was made by Vice Mayor Sivigny, seconded by Council Member McGuire that the Action Item be approved. The motion carried by poll vote, unanimous.

5. Council Member Reports

None.

6. Mayor's Report

Mayor Quist reported that the Town will be participating in the Occoquan River Communities' Winter Fest on December 12, 2015. The festival is a regional effort that includes the Work House Arts Center, the Town of Occoquan and other various groups. There will be a parade at Tackett's Mill at 11:00 a.m., followed by fire pits and extended shopping in the Occoquan Historic District from 4:00 to 7:00 p.m. and fireworks, presented by Prince William Marina, between 7:00 and 8:00 p.m.

7. Staff Reports

A. Town Attorney: Mr. Crim, Town Attorney, reported on the following:

1. The Town Association of Northern Virginia will be presenting a bill to the General Assembly to allow towns to post legal advertisements online if a newspaper does not operate within the town. Mr. Crim asked the Council to support their effort and speak with elected officials. He added that this potentially could save the town money.
2. Nominated Chief Levi for a lifesaving award with Virginia Chiefs Association. The deadline was missed for this year, but the entry will be submitted for next year.
3. Discussion with Fairfax Water's attorney regarding the special events issue at the River Mill Park, expect to hear from them during the week of December 7, 2015.
4. Had a very productive meeting with the Town Manager, Ms. Seefeldt and Mr. Marshall regarding the new signage ordinance.

B. Town Engineer: Mr. Reese, Town Engineer, reported on the following activities:

1. Land Disturbance Activities Report:
 - a. The Vistas of Occoquan is the one remaining project
2. New Flood Plain Ordinance - continuing to move forward on a new flood plain ordinance, last draft was sent down to the Department of Conservation and Recreation (DCR), who are acting as an intermediary with FEMA, and discussed in a meeting on November 23, 2015. The Planning Commission will see the draft in January 2016 and the Council will see it in February 2016.
3. Occoquan Heights - recommended to Town Manager that the bond be released. The last item of the contingency that the Council placed on the property during the November meeting was that there needed to be growth occurring on a section that had been eroded by the construction activity. The land was seeded and the grass is growing in nicely.
4. River Mill Park Update - provided by Mr. Williams, Assistant Town Engineer/Zoning Administrator - The bathroom is well underway, the roof is well underway with the stone façade going up. The demolition and reconstruction of the retaining wall has begun.
 - a. Question from Vice Mayor Sivigny - is it possible to receive a tour of the Park? Per Mr. Williams, please contact the Town Manager or him directly to schedule a site tour.
 - b. Question from Councilmember Drakes - what is the current status of the foot bridge? Per Mr. Williams - the foot bridge is currently closed due to construction on the retaining wall and bridge; it is unsafe for people to use the footbridge at this time. It will likely remain closed until the end of Phase I of the project, which was scheduled to be completed by December 14, per the contract; however, Phase I is expected to be completed by mid-January. Slight delays have occurred due to some retaining wall issues and a few other items, and we are

working closely with the contractors to approve their schedules to move the project along. Question from Councilmember Drakes - is there a cost overrun, per Mr. Williams, potentially yes.

5. Final closing questions for Mr. Reese – from Councilmember Brown -has Elm Street Development taken care of the hazard trees? Per Mr. Reese – not yet, waiting until after the December 10, 2015 meeting with the Occoquan Heights HOA to ensure that the HOA is fully aware of what is happening and what their responsibilities will be, but we anticipate the identified trees will be down by Christmas.

C. Building Official: Mr. Barbeau was not present, however, his report was submitted as part of the meeting agenda.

1. Change to Building Official Report – per Town Manager, Ms. Jovanovich - not 208 Commerce Street, it is 304 Commerce Street.

D. Town Manager: Ms. Jovanovich, Town Manager, submitted a manager's report as part of the agenda and held further discussion on the following:

1. Town Clerk Vacancy – Greg Holcomb's last day will be on Friday, December 4, 2015. In order to have support and coverage during the hiring process, we brought on a temporary person to assist with the Clerk's role, Kelly White.

It was moved to appoint Ms. Jovanovich the Acting Town Clerk until a permanent replacement is found.

A motion was made by Councilmember Drakes, seconded by Councilmember McGuire that the Action Item be approved. The motion carried, unanimous.

2. Update regarding the Washington Street Sidewalk Signage – the project is complete, VDOT is open to troubleshooting with the town to discover a way to make the signage more visible but are against placing any signage in the middle of the street due to liability issues. They presently have four signs installed, two at the crosswalk going in each direction and two others warning of pedestrian crossings. The Town Manager also inquired with VDOT regarding lights, made a request to the Council for their input and guidance regarding the project and expectations.
 - a. Question from Council Member Drakes – what is VDOT's criteria for liability due to automobiles hitting the signage? Per Ms. Jovanovich, VDOT only places signage like that in very high volume and high traffic areas. The town doesn't meet the criteria of VDOT, but did ask VDOT if the town is willing to maintain, will they install it? Need to determine if that is something the town would like, being responsible for the liability.
 - b. Question from Mr. Crim – I do see those at the crosswalks at the Court House and other streets in Manassas, is that not an option?

Per Ms. Jovanovich – those streets are owned by Manassas. Per Mr. Crim – did they give you an idea of what the traffic count needed to be? Per Ms. Jovanovich – no, they did not, but do believe that Chief Levi has the information. Ms. Jovanovich is going to further investigate the regulations and requirements with VDOT as an action item.

- c. Question from Mayor Quist – is it too late to install reflective discs? Per Ms. Jovanovich – those would be easy to install, the town will be responsible for replacement. Per Council Member Brown – white stripes would be very helpful as well. Per Ms. Jovanovich – additional research will be completed and will provide an update at the next meeting.

3. ARB Request to Change Appointments – request to appoint Mr. Dan Braswell (alternate) who is the Planning Commission Member to a regular appointment seat and appointing Ms. Carol Bryant to an alternate appointment seat.

It was moved to appoint Dan Braswell from the alternate ARB appointment to a regular appointment, and Carol Bryant from a regular appointment to an alternate.

A motion was made by Council Member Dawson, seconded by Council Member Drakes that the Action Item be approved. The motion carried, unanimous.

4. Final closing questions for Ms. Jovanovich – from Vice Mayor Sivigny - there is a resident concerned with a cut through on West Locust Street over to Tanyard Hill, is there any evidence of that? Per Ms. Jovanovich – No, there was a Prince William County public hearing notice posted on the corner of West Locust and Washington Streets that was for a lot on Halls Road where they are splitting the lot into two separate lots, which is outside of Occoquan town limits. From Vice Mayor Sivigny – the Town Hall tree looks wonderful. Per Ms. Jovanovich – Polka Dot Divas donated all the ornaments, and the landscaping crew donated most of the man hours to install the decorations. Per Councilmember Drakes – it would be nice if a thank you note was sent to everyone who assisted and donated their time and materials. From Vice Mayor Sivigny – there are gas lamps out in Mamie Davis Park. Per Ms. Jovanovich – those are the lamps that are having some issues, but will look into it.

E. Chief of Police: Chief Levi was not present, however, his November 2015 report was provided with the meeting agenda.

1. Auxiliary Police –Ms. Jovanovich stated that the FY2016 budget allocated for two additional auxiliary positions and two candidates are present tonight.

First, Adam Linn, a Certified Law Enforcement Officer who has 15 years of experience and most recently worked with the Falls Church Sherriff's Office for last 12 years. He also has experience with traffic enforcement and community policing activities. Second, George Feliciano, is also DCJS certified and has worked at George Mason University and for the Fredericksburg City Police Department. He was also a MPO in the US Army and also has experience with community policing and has also served as a bicycle officer.

2. Final closing questions for the Chief of Police – from Vice Mayor Sivigny, was unaware of the death under the rt. 123 bridge, heard from a resident. It is critical that the Council be made aware of significant issues such as these. Per Councilmember Drakes, notifications should be made for all significant events to the full Council. Per Councilmember Drakes, what is the auxiliary Officer plan moving forward? Per Ms. Jovanovich, the plan is to bring on two auxiliaries that would work with the Chief, 20 hours per month, coverage for weekends, nights, and holidays, to fill in the gaps and work with the Chief on traffic enforcement. There was an off-duty Police Officer in on Small Business Saturday and Officer Butterfield was in on Black Friday. There will be a training period with the Chief and this meeting was to obtain the Council's input so that the hiring process can progress. The next step is to run background checks and check references.

F. Boards and Commissions – Ms. Seefeldt submitted her November 2015 report.

8. Regular Business

A. Request to Approve the River Mill Park Phase II Site Plan

It was moved to approve the River Mill Park Phase II Site Plan contingent on resolution of minor outstanding comments from outside agencies.

A motion was made by Vice Mayor Sivigny, seconded by Council Member Dawson that the Action Item be approved. The motion carried, unanimous.

B. Request to Approve Kiely Court Subdivision Plat

Mr. Reese stated that staff is recommending approval of the subdivision plat, pending resolution of a recently discovered, unrecorded easement for a sanitary lateral that runs through the property that services adjacent properties. We believe that Mr. Kiely is working with the Prince William Service Authority and possibly the neighboring property owners to identify a resolution to this issue. The approval is requested to have a sunset of one year in order to provide Mr. Kiely with adequate time to resolve the issue, without having to come to Town Council again for approval of the plat once the lateral issue is resolved.

It was moved to approve the Kiely Court Subdivision Plat for one year contingent upon addressing outstanding comments and that the Plat not be released for recordation until all deeds are fully executed and the appropriate project bonds have been posted with the Town. If the Sunset clause and all recorded issues have not been completed within a year, then the Town Council will retract approval.

A motion was made by Council Member McGuire, seconded by Council Member Dawson that the Action Item be approved. The motion carried, unanimous.

C. Request to Approve Participation in DCR Floodplain Management Training

It was moved to set a not-to-exceed amount of \$1,100 from Training and Travel for the Town Manager to attend the floodplain management course in Blacksburg, VA in January 2016 and pass the certification test.

A motion was made by Council Member Drakes, seconded by Council Member Brown that the Action Item be approved. The motion carried by poll vote, unanimous.

D. Request to Set Not-to-Exceed Amount for Purchase of Equipment Trailer

It was moved to set a not-to-exceed amount of \$1,200 for the purchase of an equipment trailer using Public Safety Grant funds.

A motion was made by Council Member Brown, seconded by Council Member Drakes that the Action Item be approved. The motion carried by poll vote, unanimous.

E. Request to Approve Not-to-Exceed Amount for Conference Room Table and Chairs

It was moved to set a not-to-exceed amount of \$2,000 for the purpose of a table and chairs for the lower level conference room.

A motion was made by Council Member Brown, seconded by Council Member Drakes. The motion carried by poll vote, unanimous.

9. Adjournment

The meeting was adjourned at 7:50 p.m.

Kirstyn Jovanovich
Town Manager/ Acting Town Clerk



OCCOQUAN TOWN COUNCIL
Special Meeting Minutes
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, December 22, 2015
7:00 p.m.

Present: Mayor Liz Quist, Vice Mayor Pat Sivigny, Councilmembers Joe McGuire, J. Matthew Dawson, Jim Drakes and Tyler Brown.
Staff: Kirstyn Jovanovich, Town Manager/ Acting Town Clerk; Kelly White, Temporary Town Clerk

Absent: None

Special Meeting

1. Call to Order

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

Vice Mayor Sivigny moved that the Council convene in closed session to discuss the following as permitted by Virginia Code Section 2.2-3711(A) (3), a matter involving acquisition of real property for public purposes. Councilmember McGuire seconded. The motion carried unanimously.

The Council came out of closed session at 7:35 p.m. Vice Mayor Sivigny moved that the Council 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 under the provisions of the Virginia Freedom of Information Act cited in that motion. Councilmember McGuire seconded. Motion passed, Ayes – Councilmember Brown, Councilmember Drakes, Councilmember Dawson, Councilmember McGuire and Vice Mayor Sivigny, by roll call vote.

It was moved to authorize the Mayor to approach the owners of the Jennings property with the Council's proposed Letter of Intent and to sign it, with the stipulation that the Council will be advised of any changes that are deemed appropriate by counsel.

A motion was made by Vice Mayor Sivigny, seconded by Councilmember Drakes. The motion carried unanimously.

2. Adjournment

The meeting adjourned at 7:38 p.m.

Kirstyn Jovanovich, Acting Town Clerk



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J. Matthew Dawson
Jim Drakes
Joe McGuire

TOWN MANAGER
Kirstyn Barr Jovanovich

BUILDING OFFICIAL
Joseph E. Barbeau, Jr.

DECEMBER 2015 REPORT TO THE TOWN COUNCIL BUILDING OFFICIAL REPORT

PERMITS ISSUED

12/16/15 Issuance of Mechanical Permit to for 125 Mill St (BarJ) to install a hood system.
12/16/15 Issuance of Electrical Permit to for 125 Mill St (BarJ) to install related wiring.

CERTIFICATES OF OCCUPANCY ISSUED

No Certificates of Occupancy have been issued in this month.

INSPECTIONS

Date	Activity
12/4/15	458 Mill St., Partial Façade Installation Inspection, Approved
12/4/15	208 Commerce St., Partial Wall Closure Inspection, Approved
12/4/15	Woodlee Terrace, Partial Inspection for retaining wall construction, Approved
12/8/15	458 Mill St., Plumbing Rough Inspection, Approved
12/11/15	Woodlee Terrace, Final Inspection for retaining wall project, Approved
12/17/15	125 Mill St., Partial Rough Plumbing and Partial Rough Electrical Inspections, Approved
12/17/2015	458 Mill St., Roof Truss Installation Inspection, Approved
12/29/15	125 Mill St., Partial Rough Plumbing Inspection for Additional sink installation, Approved

DOCUMENT REVIEW

Final review and compilation of all documents, including engineering reports, photographs, and third party reports for the Woodlee Terrace retaining wall project for inclusion in the street file for this property.

ACTIONS

No actions are underway at this time.

RECOMMENDATIONS

In the coming year it is advised that we consider the adoption of the Property Maintenance Code (Part 3) of the VSBC, as this provides many additional options regarding the care and maintenance of properties within the town. When the VSBC was required for adoption, this section was optional (and still is).

OTHER

No other issues are before us at this time.

End of Report, submitted on 12/30/15.



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Town Manager's Report Town Council Meeting - January 5, 2016

Delinquencies

Meals Tax Delinquencies: Pink Bicycle (August, September, October, November), Occoquan Inn (November), Wolfe & Beene (August, September, October, November) and Riverside Coffee and Mini Mart (September, October, November). Continuing to work through VFW meals tax issue.

Town Hall Water Heater Replacement

The Town's water heater failed overnight on December 4, 2015. The unit was replaced at a cost of \$2,475 and staff is currently obtaining quotes on water remediation for the basement as the lower level was flooded due to the unit's failure. The Town's insurance will cover the cost for remediation and repairs, minus the Town's \$1,000 deductible.

Town Clerk Hiring Process

The position announcement closed on January 3, 2016. The hiring committee will be reviewing applications and interviewing candidates this month. The top candidates will be brought to Town Council during their February regular meeting.

Canoe/Kayak Ramp

Continuing process to obtain proper permitting and paperwork in order to have DCR approve the ADA Kayak Ramp project and release grant funds. We are intending on having all paperwork completed by the beginning of 2016.

Leadership Prince William

Attended Leadership Prince William session on December 3, 2015. The session's focus was on tourism and economic development. Continued work on class project. Next session is January 21, 2016, and will focus on education.

CFM Training

Per Town Council approval in December, I have registered for the Certified Floodplain Manager Course and Exam from January 25-29, 2016.

Occoquan Heights

The bonds have been released for the Occoquan Heights development project. The Town Manager and Town Engineer attended the HOA meeting on December 10, and discussed the removal of hazardous trees from the resource protection area, the maintenance of the Stormwater management system and the house numbering issue along Washington Street.

-END-



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Chief of Police; Town Sgt.
Sheldon E. Levi

December Report to the Town Council - 01/05/2016

- Met with residents about stop sign compliance and enforcement.
- Assisted Fire & Rescue with a medical emergency at the Church.
- Escorted Santa from the Town dock and provided traffic control as needed while Santa received children at Town Hall.
- Represented the OPD in the Lake Ridge Christmas parade.
- Maintained a highly visible presence during the Holiday Fest on 12/12/2015.
- Completed preliminary budget work as requested by the Town Manager.
- Conducted traffic compliance and enforcement at Washington & Commerce and Washington & Mill.
- Assisted Fire & Rescue with a medical emergency at the Visitor Center.



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Kirstyn Barr Jovanovich

Architectural Review Board Board Reappointments – January 5, 2016

The following positions are up for reappointment on the Town's Architectural Review Board:

1. Carol Bailey – Term Expiration, January 31, 2016
2. Carol Bryant – Term Expiration, February 28, 2016 (*Alternate*)
3. Bobbie Frank – Term Expiration, January 1, 2015 (*Alternate*)
4. Brenda Seefeldt – Term Expiration, December 31, 2015

Suggested Motion:

"I move to reappoint Carol Bailey, Carol Bryant, Bobbie Frank and Brenda Seefeldt to the Architectural Review Board. Their respective terms will be for a period of three years from the date of the end of their current term."

New Term Expiration Dates:

1. Carol Bailey – Term Expiration, January 31, 2019
2. Carol Bryant – Term Expiration, February 28, 2019 (*Alternate*)
3. Bobbie Frank – Term Expiration, January 31, 2018 (*Alternate*)
4. Brenda Seefeldt – Term Expiration, December 31, 2018



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

8. Regular Business	Meeting Date: January 5, 2016
8 A: Request to Reconsider Conditional Approval of Kiely Court Final Subdivision Plat	

Explanation and Summary:

At its regular December meeting, Town Council gave conditional approval to the Kiely Final Subdivision Plat, based on meeting certain conditions within one year. Mr. Kiely, one of the owners of the Kiely property, has objected to the conditional approval, writing that the Town's "contingent approval" ... is in essence a partial disapproval." He has also written that his 60 day appeal period to challenge the Town's decision "will start once we receive the town's comments on our plat or a signed document." He has specifically objected to the Town's conditioning of approval on the resolution of the sewer lateral conflict which was discovered just prior to the December meeting. Staff has informed Mr. Kiely that failure to resolve the sewer lateral conflict would violate State Health Department Regulations found at 12VAC5-610-80, which prohibits discharge of sewage onto land, into the soil or into the waters of the Commonwealth without a permit, and which requires sewer service for all occupied buildings. He has asserted that, "the applicable health and safety regulation applies, there is therefore no need for town interference."

Town Attorney's Recommendation: Reconsider the conditional approval and reject the Final Subdivision Plat based on the proposed development interfering with the existing sewer lateral serving nearby property or properties, failing to meet the requirements of the staff report dated December 30, 2015, specifically execution and approval of the deeds accompanying the subdivision plan, posting of all required bonds, payment of review fees, and resolution of the sewer lateral conflict."

Engineer's Recommendation: Concur with Town Attorney's recommendation.

Town Manager's Recommendation: Concur with Town Attorney's recommendation.

Cost and Financing: N/A
Account Number: N/A

Proposed/Suggested Motion:

"I move to reconsider the Town Council's conditional approval of the Kiely Court Final Subdivision Plat."

If the motion to reconsider is approved, then the form of the follow-up motion would be:

"I move to reject the Kiely Court Final Subdivision Plat for the reasons stated in the December 30, 2015 Staff Report, and because the proposed development conflicts with an existing sewer lateral such that development as shown would violate State Health Regulations."

OR

Other action Council deems appropriate.

Attachments: (1) December 30, 2015 Staff Report



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Kirstyn Barr Jovanovich

STAFF REPORT TOWN OF OCCOQUAN Kiely Court

Applicant: Christopher & Jillian Kiely

Date: December 30, 2015

PART I

A. EXECUTIVE SUMMARY

The applicant proposes the subdivision and development of 430 Mill Street as two detached single family dwellings, road network, and associated infrastructure. This staff report evaluates the proposed application as it pertains to town ordinances for conformity.

B. DESCRIPTION OF PETITION

The applicant requests approval of the Final Subdivision Plat submission for the above referenced property.

B. APPLICABLE REGULATIONS

1. Chapter 46 – Site Plan
2. Chapter 54 - Subdivisions
3. Chapter 66 – Zoning

PART II

A. ANALYSIS OF EXISTING CONDITIONS

1. Site Area: +/- 5,917 SF
2. Use: Vacant
3. Zone: B-1
4. Location: The referenced property is located below the Rockledge Mansion at the western end of Mill Street.
5. Buildings/Structures: Stone retaining walls associated with adjoining properties encroach onto the site, as does the historic icebox on Mill Street.
6. Additional Overlay Districts: This site falls within the Old & Historic District.

B. ANALYSIS OF PROPOSED FINAL SITE PLAN

1. Use: Residential (SFD)

2. Buildings/Structures: Two single family homes are proposed, along with an entrance driveway/courtyard and retaining walls.

3. Access: Vehicular access is proposed via Mill Street.

The proposed application would subdivide the existing parcel to allow two single family homes (each measuring approximately 24'x36') with a common driveway. As a result of the development and improvements on surrounding parcels, the site is enclosed on all sides by buildings, retaining walls, and on-street parking. Each will be affected by this development.

The site plan was previously approved by Town Council in May 2015. Since this site falls within the Old & Historic District, a Certificate of Appropriateness from the Architectural Review Board has been sought and granted.

PART III

STAFF CONCLUSIONS

The proposed Final Subdivision Plat, having been duly reviewed and accepted by Town Staff, has been deemed consistent with the applicable provisions of the Town Code. PWCSA and VDOT have provided no objection to the development. However, subsequent to Staff's previous recommendation for a contingent approval, the Applicant has recently indicated an inability to resolve a health and safety issue associated with the property.

In a letter to the Prince William County Service Authority dated 11/3/15 from Samuel Irvin, with Walsh Colucci Lubeley & Walsh, PC, an attorney representing the Applicant, copied to the Town Engineer, a previously unknown sewer lateral was discovered on the subject property. The lateral is in a location which would require it be moved for construction of the subject development. In the previous Council approval, resolution of the lateral location, so as not to violate state administrative code regarding the "discharge of untreated sewage onto the land," was proposed as a contingency for the release of the plat for recordation.

The Applicant has stated in email correspondences an inability to resolve the relocation of the sanitary lateral, and has, in effect, indicated the contingent approval is preventing him from pursuing certain legal remedies. **Therefore Staff recommends the previous contingent approval be rescinded until the following issues are resolved;**

Section 46-83 (2) e. Review of subdivision plans and site plans by approving authorities – *Required action:* Adequate sanitary sewage facilities must be provided, including adjoining properties if the development of the subject site will disrupt service of those facilities.

Section 54-127. Owner's Statement – *Required action:* All deeds shall be fully executed and approved by the town attorney.

Section 54-131. Fees – *Required action:* Any fees associated with the review and approval of the final subdivision plat shall be paid.

Section 54-169 (j). Bonding – *Required action:* Any bonds required by this project shall be posted prior to approval of the plat and its issuance for recordation.

Section 54-206. Final Plat – *Required action*: The location, type, profile, pipe size and location for all sewers must be shown. The recently discovered laterals are not shown on the plat.

12VAC5-610-80. Sewerage Systems and/or Treatment Works Required. – *Required action*: Provisions must be made to accommodate the existing sanitary sewer laterals, currently serving offsite properties, before development can be allowed to proceed

PREPARED BY: Bruce A. Reese, Town Engineer, December 30, 2015 

APPROVED BY: Ned A. Marshall, Zoning Administrator, December 30, 2015



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

8. Regular Business	Meeting Date: January 5, 2016
8 B: Request to Approve 308 Commerce Street Site Plan	

Explanation and Summary:

This is a request to approve the site plan for 308 Commerce Street. The Planning Commission reviewed the site plan during their December 8, 2015 meeting and recommend approval to the Town Council. The Staff Report is attached to this agenda item.

Engineer's Recommendation: Recommend approval.

Town Attorney's Recommendation: Recommend approval.

Town Manager's Recommendation: Recommend approval.

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

"I move to approve the final site plan for 308 Commerce Street."

OR

Other action Council deems appropriate.

Attachments: (2) Staff Report - November 11, 2015
Final Site Plan - 308 Commerce Street



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Joe McGuire

TOWN MANAGER
Kirstyn Barr Jovanovich

STAFF REPORT 308 Commerce Street Parking Addition, Retaining Wall and Wood Deck

Applicant: SDE, Inc.

Date: Nov. 11, 2015

PART I

A. EXECUTIVE SUMMARY

The applicant proposes to construct a retaining wall, asphalt parking and a wood deck at 308 Commerce Street. This staff report evaluates the proposed application as it pertains to town ordinances for conformity.

B. DESCRIPTION OF PETITION

The applicant requests approval of the Final Site Plan for 308 Commerce Street, last signed and sealed on October 2, 2015.

C. APPLICABLE REGULATIONS

1. Chapter 46 – Site Plans
2. Chapter 66 – Zoning

PART II

A. ANALYSIS OF EXISTING CONDITIONS

1. Site Area: +/-0.09 acres
2. Use: Office/Residential
3. Zone: B-1
4. Location: The referenced property is located at 308 Commerce Street.

5. Buildings/Structures: Retaining wall, asphalt parking and wood deck with handicap access from the parking.
6. Access: Access is from Commerce Street and Center Lane.

B. ANALYSIS OF PROPOSED PLAN

This site plan proposes removal of one 27" deciduous tree, wood retaining wall and existing stairs on the side of the building. The site plan constructs a new retaining wall, asphalt parking, wood deck and the planting of 3 dogwood trees. Due to the area of disturbance of 1227 square feet (less than 2,500 SF of area), more stringent regulations involving the Chesapeake Bay Preservation Overlay District do not apply.

**Any fees associated with the review and approval of this plan must be paid.
Permits for the retaining wall and wood deck to be issued by the Building Official.
If the walkway can be seen from a public street, the applicant shall request a Certificate of Appropriateness from the ARB.**

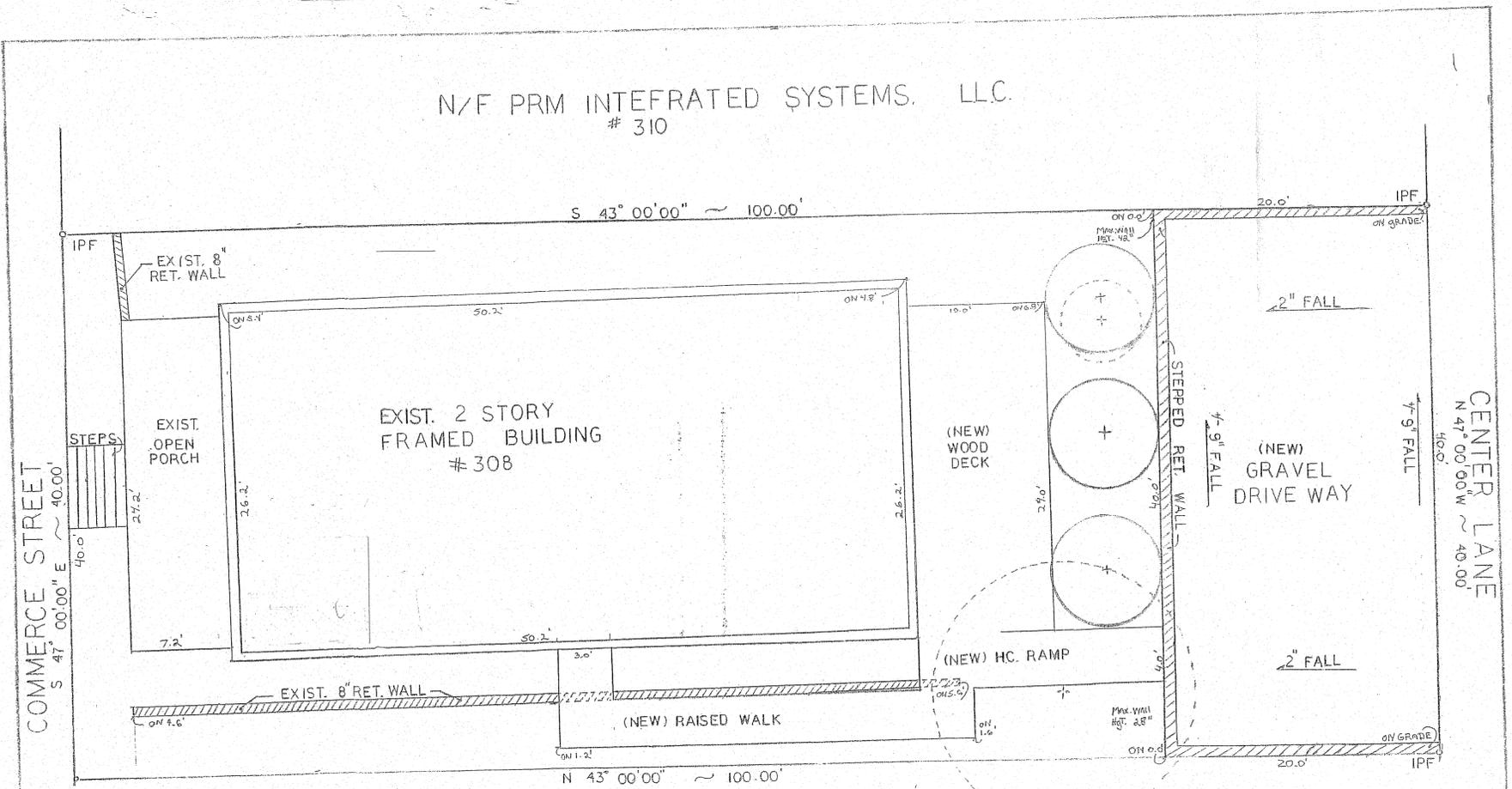
PART III

STAFF CONCLUSIONS

The proposed site plan, having been duly reviewed and accepted by Town Staff, has been deemed consistent with the applicable provisions of the Town Code. It is therefore Staff's recommendation to grant **approval** to the above referenced plan.

PREPARED BY: Ned A. Marshall, Zoning Administrator, November 12, 2015

APPROVED BY: Bruce A. Reese, Town Engineer, November 12, 2015
Matthew A. Williams, Asst. Town Engineer, November 12, 2015. 



N/F DONALD & PATRICIA LYNN
306

APPROVED
TOWN OF OCCOQUAN, VA

BY: _____ Date _____
Mayor

BY: *[Signature]* Date _____
Assoc. Town Engineer

BY: _____ Date _____
Chair, Planning Commission

SITE PLAN	# 308 COMMERCE STREET TOWN OF OCCOQUAN PRINCE WILLIAM CO. VA.	LEGEND ⊕ EXIST. CYPRESS TO BE REM. ⊙ NEW DOGWOODS (2" DIA) ▨ 8" CONCRETE WALL (NEW)	PAGE S-1
(NEW WORK)			
SCALE: 3/16" = 1'-0"	OWNERS: DAVID SULLIVIN & WANDA WATCHER		





TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

8. Regular Business	Meeting Date: January 5, 2016
8 C: Request to Approve Request to Place Dumpster and Enclosure in Town ROW	

Explanation and Summary:

Town Code Section 30-33(b)(3) requires that commercial refuse storage areas be enclosed by adequate walls or opaque fencing. The Secret Garden (404 Mill Street) maintains a dumpster for their restaurant operations at the rear of the property on Poplar Alley. During zoning enforcement activities, it was discovered that the dumpster currently sits within the Town right-of-way. In order to come into compliance with the Town Code requirement, the owners have submitted a zoning request to enclose the dumpster and maintain its location on Poplar Alley. The Town Council must approve any structures built within the Town's right-of-way. The Town Attorney has drafted a license agreement should Town Council allow the dumpster to remain within the alley and be enclosed.

Engineer's Recommendation: Recommend approval.

Town Attorney's Recommendation: Recommend approval.

Town Manager's Recommendation: Recommend approval.

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

"I move to approve the placement of a commercial dumpster and appropriate enclosure within the Town's right-of-way on Poplar Alley and authorize the Mayor to sign the license agreement."

OR

Other action Council deems appropriate.

Attachments: (3) License Agreement
Zoning Request - Dumpster Enclosure
Zoning Notification

Prepared by and return to:
Martin Crim, VSB 33385
Vanderpool, Frostick & Nishanian, PC
9200 Church St., Suite 400
Manassas, VA 20110

TAX EXEMPT PER VA. CODE § 58.1-811 D.

ENCROACHMENT LICENSE

THIS ENCROACHMENT LICENSE (the "License") made on this ____ day of _____, 20__, ("Effective Date") by and between the TOWN OF OCCOQUAN, a municipal corporation of the Commonwealth of Virginia (the "Town"), GRANTOR, and David DeVight (the "Licensee"), GRANTEE, (each a "Party", and collectively referred to as the "Parties").

RECITALS

1. The Town is empowered to remove or authorize encroachments upon public rights-of-way in Occoquan, Virginia, under Virginia Code § 15.2-2009.
2. The Licensee is the tenant of property at 404 Mill Street, Occoquan Virginia ("the Property"), further identified as GPIN 8393-64-3784.
3. The Licensee wishes to enclose an existing dumpster that is encroaching into Poplar Alley, a public right-of-way belonging to the Town.
4. The Town is willing to grant a limited license to Licensee to permit the continued encroachment by the dumpster and the new encroachment of the enclosure under the terms and conditions set forth in this License.
5. This License is made without consideration between the Parties and may be recorded as a deed of gift for purposes of Virginia Code § 58.1-811 D.

WITNESSETH

That, subject to the limitations, terms and conditions hereinafter provided, the Town hereby grants this License to use and occupy the property described below according to the terms and conditions set forth herein:

1. Recitals: The Recitals are incorporated herein and made a material part of this License.
2. Description of the Licensed Property: Exhibit A and illustrative photograph, attached, show the location and extent of the licensed encroachment granted in this License.

3. Term: This License expires at the earlier of: (a) 10 years from the Effective Date, or, (b) the date when the Licensee's operation of a restaurant on the Property ceases. The Town may terminate the License before its expiration date as provided below.

4. Use of Premises: The Town hereby authorizes Licensee to maintain the existing dumpster and to erect and maintain the enclosure on the encroachment as shown in Exhibit A. No other or additional use of the right-of-way is authorized by this License.

5. Assignment: Assignment of this License is strictly prohibited, and any attempt to transfer this License shall void it.

6. Insurance and Indemnification:

A. Licensee agrees to maintain liability insurance in an amount satisfactory to the Town, naming the Town as an additional insured. The minimum liability insurance coverage required shall be Three Million Dollars and 00/100 (\$3,000,000); however, the Town, in its sole discretion, may increase this amount by notice to Licensee.

B. Licensee agrees to indemnify, defend, save and hold harmless the Town, its officers, agents, servants and employees (the "Indemnified Parties") of and from any and all costs of suit, together with the Indemnified Parties' reasonable expenses of legal services, by reason of all claims, demands, or judgments asserted or recovered, whether justly, unjustly, falsely, fraudulently or frivolously, by a person, firm or entity by reason of injury to, or death of, any person or persons, and damage to, destruction or loss of use of any and all property, directly or indirectly arising from, or resulting from, any operations, works, acts or omissions of Licensee, its agents, employees, contractors, guests or invitees. Upon the filing with the Town by anyone of a suit, demand, or claim for damages arising out of incidents for which Licensee herein agrees to indemnify and hold the Town harmless, the Town shall notify Licensee of such claim and in the event that Licensee does not settle or compromise such claim, Licensee shall undertake the legal defense of such claim both on behalf of Licensee and on behalf of the Town. It is specifically agreed, however, that the Town may participate in the legal defense of any such claim. Any final judgment rendered against the Town for any cause for which Licensee is liable hereunder shall be conclusive against Licensee as to liability and amount upon the expiration of the time for appeal.

C. Licensee represents that it is the owner of, or fully authorized to use, any and all services, processes, machines, articles, marks, names or slogans used by it in its operations under or in any way connected with the License. Licensee agrees to save and hold the Indemnified Parties free and harmless from any loss, liability, expense, suit or claim for damages in connection with any actual or alleged infringement of any patent,

trademark or copyright, or arising from any alleged or actual unfair competition or other similar claim arising out of the operations of Licensee or in any way connected with this License.

7. Notices: All communications hereunder with the Licensee shall be in writing and shall be delivered by hand, or sent by the United States mail, certified, postage prepaid, return receipt requested, to the Property and to the address designated below:

Licensee's Additional Address for Notice:

David DeVight
P.O. Box 353
Occoquan, VA 22125

Licensee may change the additional address for service of notice by giving notice to the Town. Notice to the Town shall be given or directed to the Town Clerk at the Town Hall, and it shall only be effective upon actual receipt.

8. Termination: The Town may terminate this License by notice to the Licensee upon any of the following events: (1) Licensee's failure to insure, hold harmless, indemnify or defend the Town as required in paragraph 6, above, (2) Licensee's unauthorized expansion, enlargement, or extension of the encroaching dumpster or enclosure in the public right-of-way, or (3) development of plans for public use of the encroachment area. Upon termination, Licensee shall promptly remove the encroaching dumpster and enclosure and restore the property to its condition prior to the encroachment.

9. Governing Law: This License shall be construed and enforced in accordance with the laws of the Commonwealth of Virginia.

10. No Amendment: This License represents the entire agreement between the Parties as to its subject matter, and may only be amended or waived by a writing, signed by the Parties hereto.

11. Interpretation: The paragraph headings used herein are for reference and convenience only, and shall not enter into the interpretation hereof. Whenever herein the singular number is used, the same may include the plural, and the masculine gender may include the feminine and neuter genders, and vice-versa, if the context shall require.

12. Partial Invalidity: If any term, covenant, clause, or condition of this License or the application thereof to any person or circumstance shall be found to be invalid or

unenforceable, the remainder of this License or the application thereof to any person or circumstance other than those to which it has been held invalid or unenforceable shall not be affected thereby. If any term, covenant, or condition exceeds what is legally permissible, then the Parties' intent is that the offending term, covenant, or condition be interpreted as being the maximum permitted by law.

13. No Partnership or Agency. This License creates no partnership between the Parties, and neither Party is made an agent of the other by this License.

LICENSEE

By: _____
Title: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, to-wit:

Subscribed and sworn to before me by _____,
authorized agent for _____ on this ____ day of _____,
20__.

Notary Public

My Commission Expires:

ON BEHALF OF THE TOWN COUNCIL OF OCCOQUAN, VIRGINIA

ATTEST:

Town Clerk

By: _____
Elizabeth Quist, Mayor

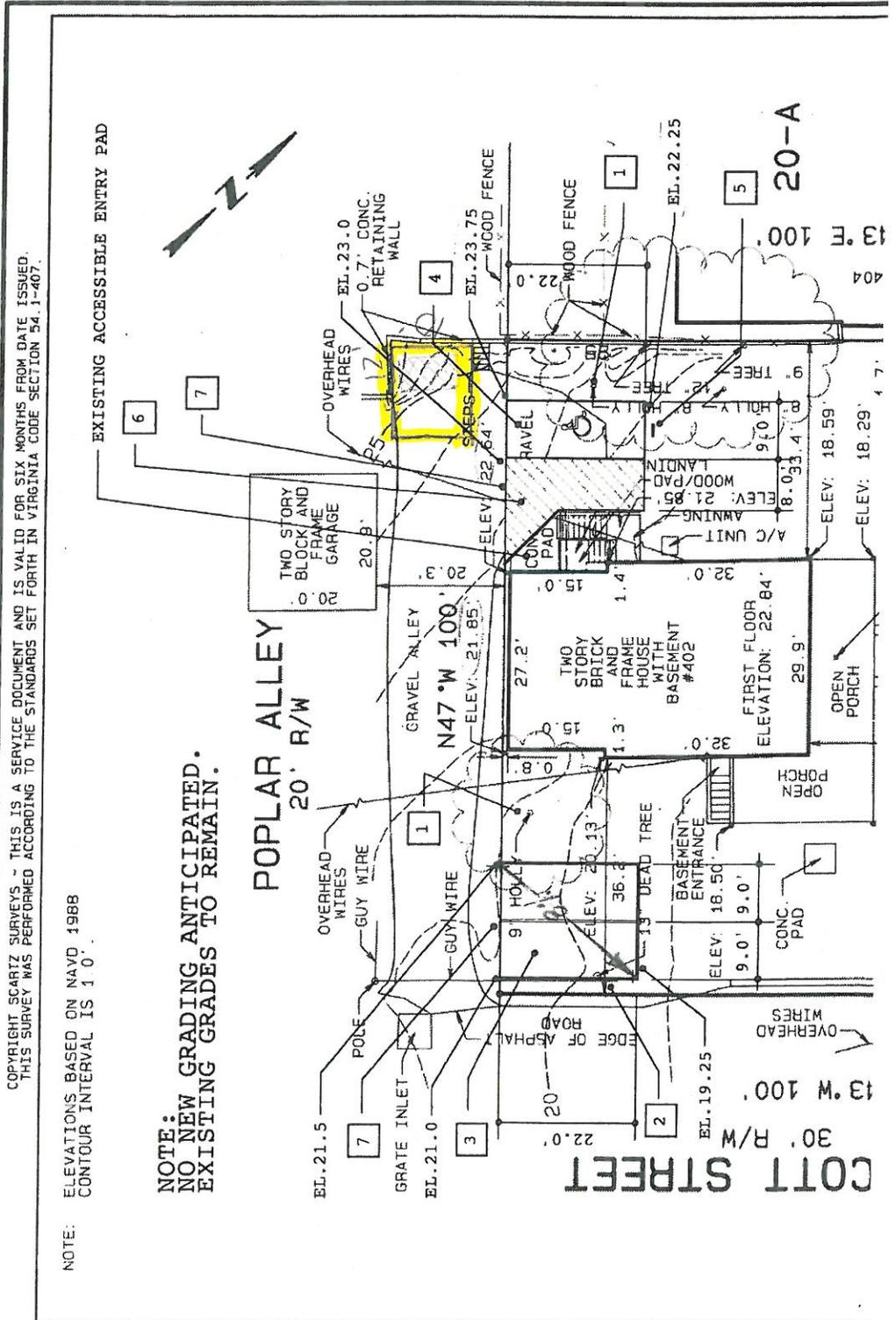
1" = 20'

COPYRIGHT SCARIZ SURVEYS - THIS IS A SERVICE DOCUMENT AND IS VALID FOR SIX MONTHS FROM DATE ISSUED.
THIS SURVEY WAS PERFORMED ACCORDING TO THE STANDARDS SET FORTH IN VIRGINIA CODE SECTION 54.1-407.

NOTE: ELEVATIONS BASED ON NAVD 1988
CONTOUR INTERVAL IS 1.0'

NOTE:
NO NEW GRADING ANTICIPATED.
EXISTING GRADES TO REMAIN.

EXISTING ACCESSIBLE ENTRY PAD





TOWN OF OCCOQUAN
 314 Mill Street, PO Box 195
 Occoquan, VA 22125
 (703) 491-1918 info@occoquanva.gov
 www.occoquanva.gov

Town of Occoquan
 Virginia
DEC 01 2015
RECEIVED

Zoning Review Application

FOR TOWN USE ONLY			
Zoning Permit No.: <u>TZP 2015-033</u>	Issue Date: <u>12.4.15</u>	Zoning Official: <u>AM</u>	
SECTION 1: APPLICANT AND OWNER INFORMATION			
APPLICANT INFORMATION		OWNER INFORMATION	
<u>The Secret Garden Cafe</u> Applicant Name		<u>David DeVight</u> Owner Name	
<u>404 Mill St. Occoquan VA 22125</u> Business Name (if applicable) Address (No., City, Address, Zip)		<u>P.O. Box 353 Occoquan VA 22125</u> Address (No., City, Address, Zip)	
<u>thesgcafe@yahoo.com</u> Email		Email	
<u>703-494-2848</u> Phone No.:		Phone No.:	
SECTION 2: ZONING ACTIVITY			
<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Alteration/Repair	<input type="checkbox"/> Addition	
<input type="checkbox"/> New Tenant/Use	<input type="checkbox"/> Change of Use	<input type="checkbox"/> Other	
Proposed Use and/or Improvements: <u>Dumpster Enclosure</u>		Size (Sq. Ft./Length) of Construction:	
SECTION 3: SITE INFORMATION			
Site Address: <u>404 Mill Street → Poplar Alley</u>		Parcel No.:	
Subdivision Name:		Lot Size:	
Zoning District: <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input checked="" type="checkbox"/> B-1 <input type="checkbox"/> PPU	PWC GPIN:	Use:	
Special Use Permit Required? <input type="checkbox"/> Yes <input type="checkbox"/> No		HOA Approval? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Historic District: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <small>(NOTE: ARB Approval for exterior modifications and signage is required for activities located within the Historic District.)</small>	RPA on Site: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IDA: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site Plan Required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Supporting Documentation (Attached): <input type="checkbox"/> Plan/Plat <input type="checkbox"/> Narrative <input checked="" type="checkbox"/> Specification Sheet <input checked="" type="checkbox"/> Other: <u>photo</u> Please ensure all exhibits are drawn to scale.			
SECTION 4: NOTICES TO APPLICANT/PROPERTY OWNER			
Prior to construction and/or installation of improvements, it is your responsibility to determine the existence of any restrictive covenants and/or deed restrictions governing property improvements. In some cases, such covenants may be more restrictive than the Occoquan Town Code, and the issuance of permits will not relieve you of complying with any			

applicable private restrictions. We recommend that you contact your Home/Business Owners Association to determine the existence and applicability of any such covenants.

Additionally, it is the responsibility of the applicant/owner to obtain permission from applicable easement holders before placing any structure within an established easement.

Please note that any changes to the exterior of buildings and/or properties located within the Historic District require approval by the Architectural Review Board prior to work beginning. The ARB meets on the second Tuesday of each month; applications are due to Town Hall by noon on the Wednesday before a scheduled meeting. It is the responsibility of the applicant/owner to apply for ARB approval through Town Hall PRIOR to installing any exterior modifications as requested in this zoning request.

INFORMATION PROVIDED BY THE APPLICANT/OWNER ON BUSINESS LICENSE APPLICATIONS, SITE PLANS, PLATS, RELATED DOCUMENTS, VERBALLY OR WRITTEN SHALL BE ASSUMED TO BE TRUE AND ACCURATE (I.E. PROPOSED/EXISTING USES & STRUCTURES, SETBACKS, EASEMENTS, ETC.) IF INFORMATION PROVIDED IS INACCURATE, INCOMPLETE OR OTHERWISE MISREPRESENTED, THIS APPROVAL WILL BE CONSIDERED NULL & VOID.

Applicant/Property Owner Signature

D. L. N. T

11/30/15

Authorized Signature

Date

FOR TOWN USE ONLY

Date Filed: *11/30/15*

Fee Amount: *wanted*

Check/Receipt No.:

Date Paid:

Date to Zoning Administrator:

12.2.15

Approved Disapproved

Ad G Mankell
Signature (ZA)

12.4.15
Date

Conditions:

SINCE THIS FALLS WITHIN THE TOWN OWNED ALLEY, TOWN COUNCIL SHOULD REVIEW. THIS WILL BE SEEN FROM ELKOTT ST AND REQUIRES ARB REVIEW/APPROVAL

Date to Architectural Review Board:

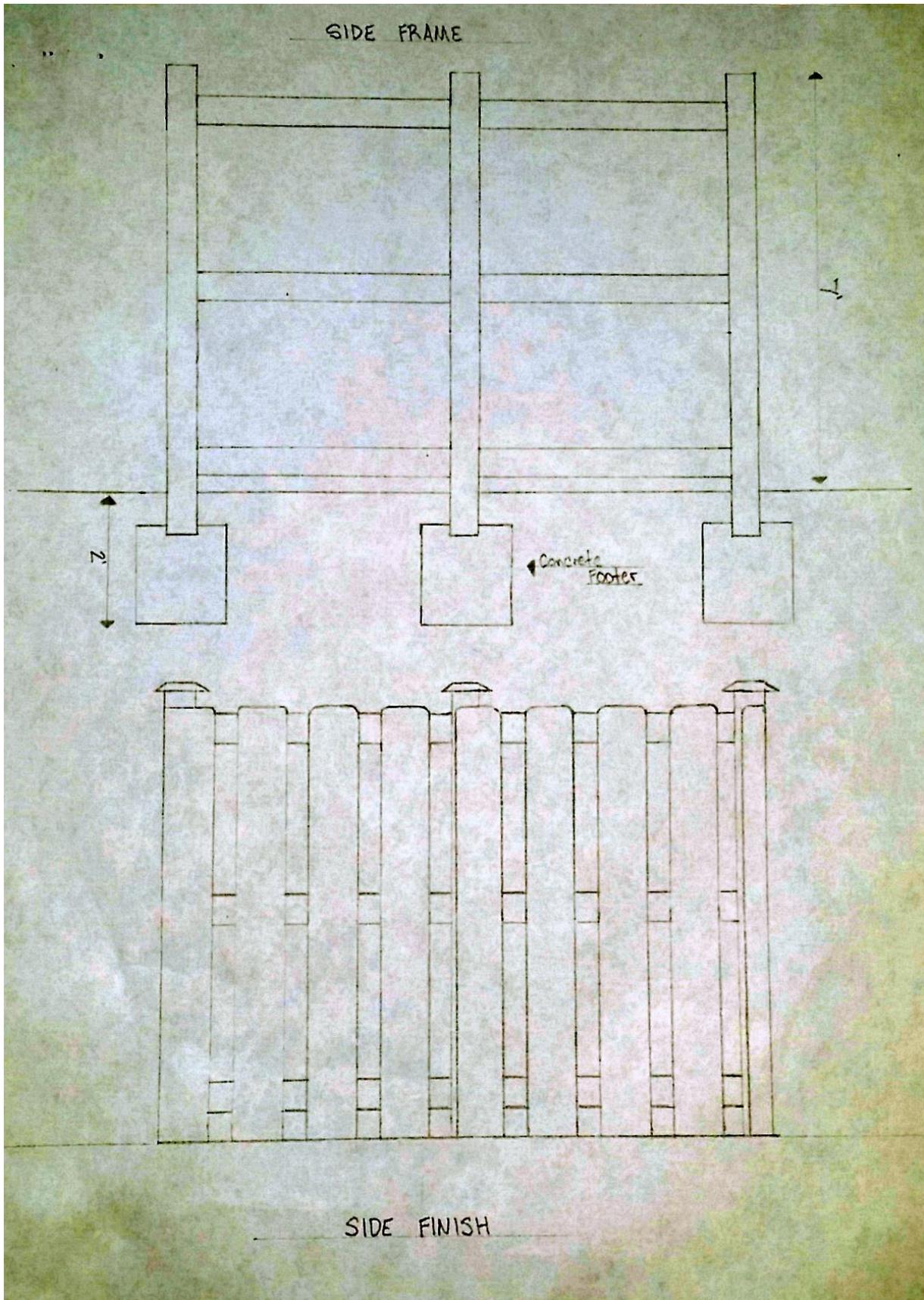
Approved Disapproved

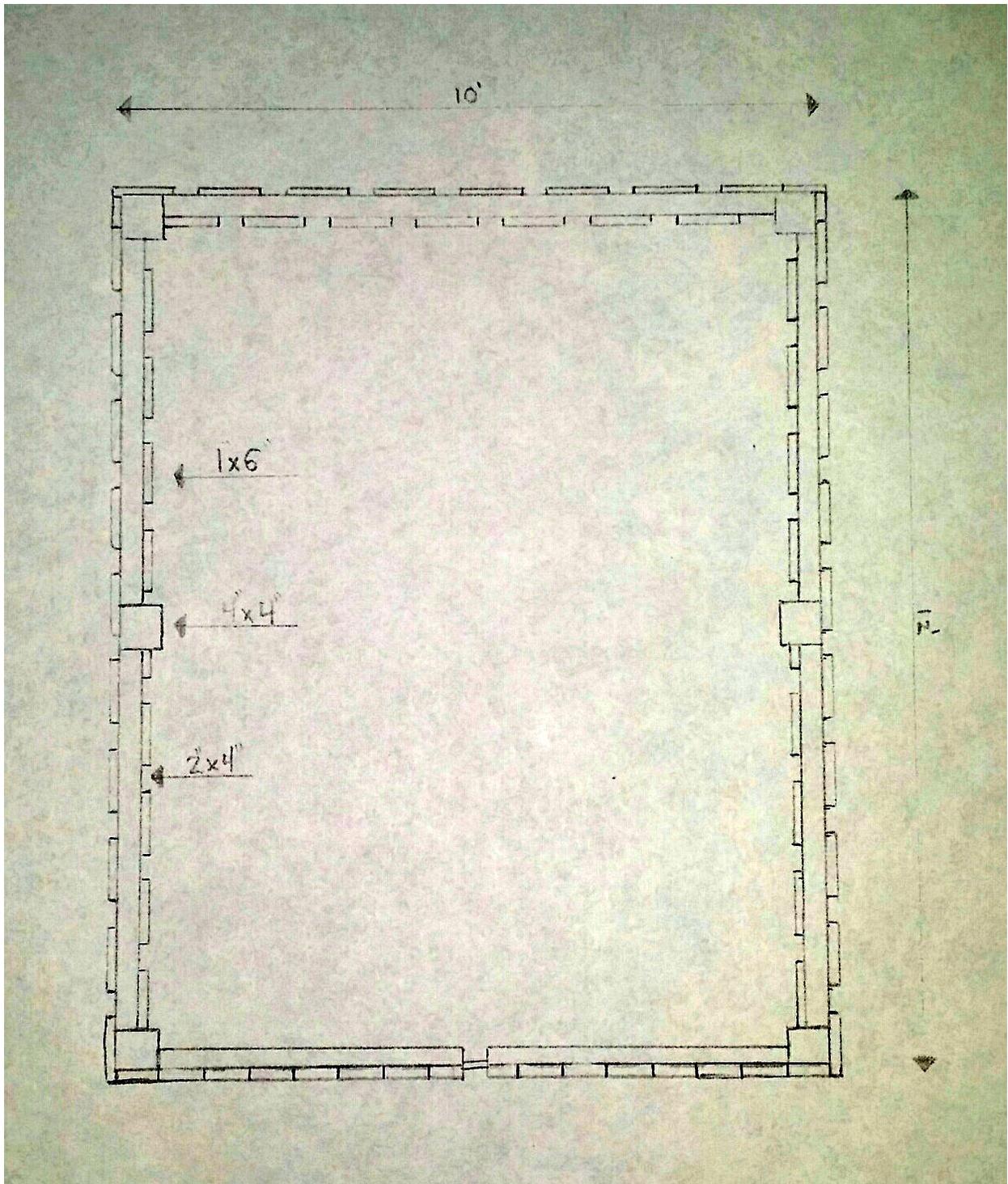
Signature

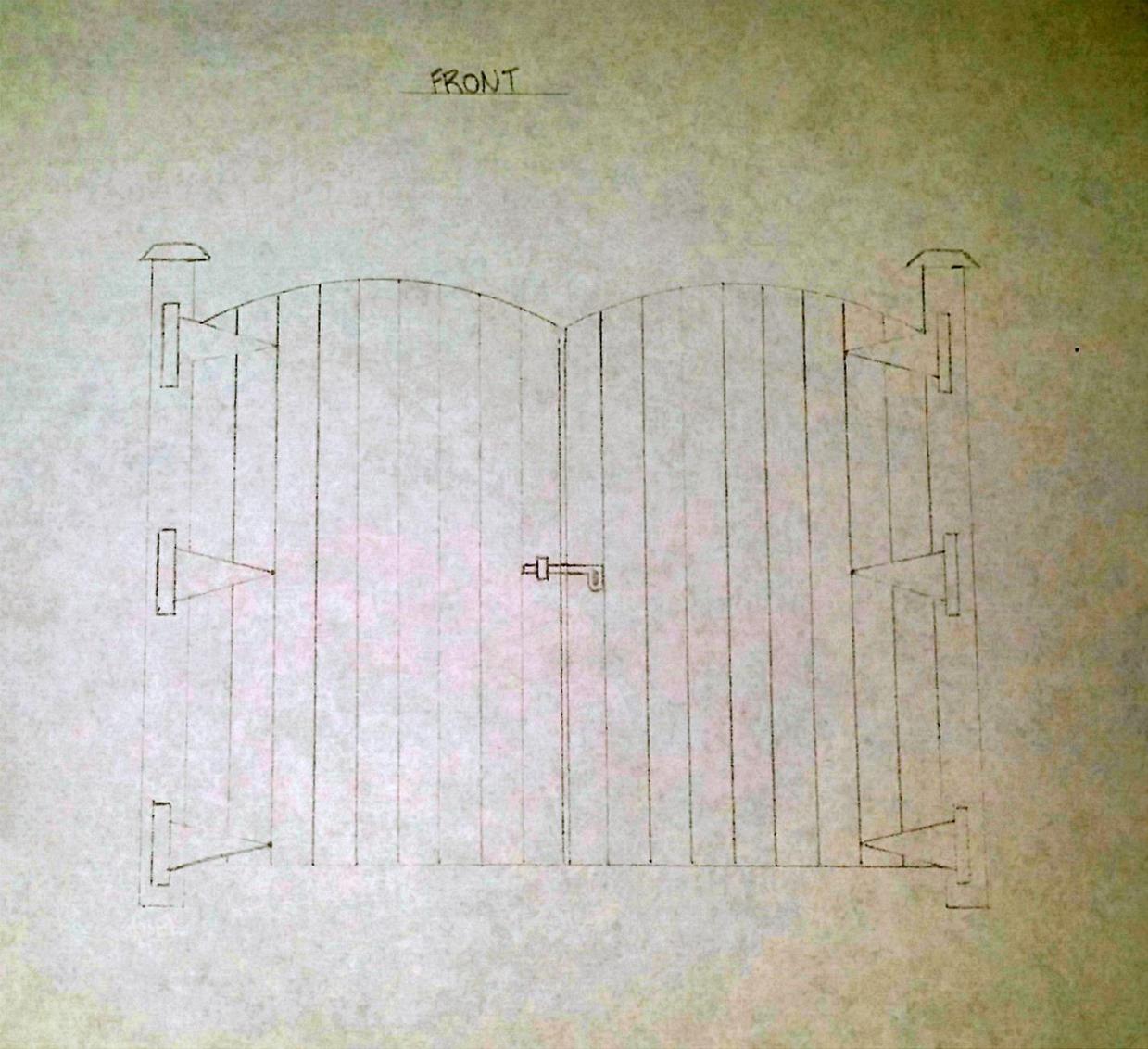
Date

Conditions:

NOTES









TOWN OF OCCOQUAN

Circa 1734 • Chartered 1804 • Incorporated 1874
314 Mill Street • PO Box 195 • Occoquan, Virginia 22125
(703) 491-1918 • Fax (703) 491-4962 • info@occoquanva.gov
www.occoquanva.gov

TOWN COUNCIL
Elizabeth A. C. Quist, Mayor
Patrick A. Sivigny, Vice Mayor
Tyler C. Brown
J. Matthew Dawson
Jim Drakes
Joe McGuire

TOWN MANAGER
Kirstyn Barr Jovanovich

SECOND NOTICE

October 9, 2015

Stonehouse Restaurant Group LLC
Attn: David and Sarah DeVight
404 Mill Street
PO Box 353
Occoquan, VA 22125

RE: 404 Mill Street - Commercial Refuse Storage Area (Secret Garden)

Dear David and Sarah,

This letter is in follow up to the violation notice sent to you regarding your commercial refuse container dated July 15, 2015. Your commercial refuse container remains in violation of the Town Code, Section 30-33 (b) as it is not enclosed by adequate walls or opaque fencing.

I understand that your situation is unique in that your refuse container is positioned on Town right-of-way. In order to permit the dumpster to remain in its location, as well as allow a permanent structure to be built to enclose the dumpster, Town Council must grant permission to do so. Please contact me to discuss the process to proceed and other options that may be available to address the dumpster and public right-of-way issues. I can be reached directly at kjovanovich@occoquanva.gov or (703) 491-1918 Ext. 2.

Thank you for your prompt attention to this matter as we work to beautify our community.

Sincerely,

Kirstyn Barr Jovanovich
Town Manager

Enclosure (1)

cc: Ned Marshall, Zoning Administrator



TOWN OF OCCOQUAN

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Jim Drakes
Joe McGuire

TOWN MANAGER
Kirstyn Barr Jovanovich

July 15, 2015

Stonehouse Restaurant Group LLC
404 Mill Street
Occoquan, VA 22125

RE: 404 Mill Street - Commercial Refuse Storage Area

Dear Owner,

As the Zoning Administrator for the Town of Occoquan, I am sending this notice of violation concerning the above referenced property. Specifically, your commercial refuse container is not shielded or enclosed.

Town Code, Section 30-33 (b) Commercial Refuse:

- (1) Each business establishment shall be equipped with adequate refuse containers or storage areas. All containers, except those for storage of bulky refuse, shall be verminproof and waterproof, of noncorrosive material and equipped with tight lids, which shall be kept closed at all times except when filling or emptying the container.
- (2) Containers and storage areas shall be emptied regularly and cleaned sufficiently often to keep them free of obnoxious odors and vermin.
- (3) All storage areas shall be enclosed by adequate walls or opaque fencing and shall be well drained and fully accessible to collection equipment and to public health inspection. These areas shall protect refuse from dispersal by wind or otherwise, and must be kept free of litter and refuse overflow.

It has been noted that your refuse storage area is in violation of the above provisions. Therefore, under the authority of Section 2-188 of the Town Code, you are hereby notified of a violation of Section 30-33. Furthermore, you are hereby ordered to correct the violation within 14 days of the date of this notice. The penalty for violations of this provision of the Town Code can be found under Section 30-37 of the Town Code.

The above referenced chapter of the Town Code regarding refuse storage and collection, can be found online at www.occoquanva.gov. Should you have any questions regarding this notice, please contact me directly at (703) 670-0985.

Sincerely,

Ned Marshall
Zoning Administrator

cc: Kirstyn Barr Jovanovich, Town Manager



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

8. Regular Business

Meeting Date: January 5, 2015

8 D: Request to Approve Emergency Water Heater Replacement in Town Hall

Explanation and Summary:

On December 4, 2015, it was discovered that the water heater located in the basement of Town Hall had failed overnight and flooded a majority of the basement level. As a result, an emergency replacement of the unit was required. Town staff obtained three quotes and contracted with DB's Plumbing and Drain to remove the old unit and install the new unit, as well as a new expansion tank for \$2,475. The unit has a 6 year manufacturer warranty, with one year on parts and labor through DB's Plumbing. The previous water heater was installed in 1996.

Town staff is currently in the process of obtaining quotes for water remediation and repairs due to flooding in the basement level. The costs for repairs caused by the flooding is covered by the Town's insurance policy, except a \$1,000 deductible.

Town Manager's Recommendation: The water heater has been replaced; recommend after-the-fact approval.

Cost and Financing: \$3,475

Account Number: Capital Improvement Plan Funds

Proposed/Suggested Motion:

"I move to approve after-the-fact replacement of the water heater in Town Hall in the amount of \$2,475 and payment of a \$1,000 insurance deductible to make necessary repairs associated with the damage caused by the failed water heater."

OR

Other action Council deems appropriate.

Attachments: (1) Invoice



2615 Morse Lane
 Woodbridge, VA 22192
 703-441-2345
 www.FixMyLeakNow.com

Invoice 6272
 Invoice Date 12/8/2015
 Completed Date
 Customer PO

Billing Address
 Occoquan Town Hall
 314 Mill Street
 Occoquan, VA 22125 USA

Job Address
 Occoquan Town Hall
 314 Mill Street
 Occoquan, VA 22125 USA

Description of Work

Task #	Description	Quantity	Your Price	Your Total
T71670	Installed 50 Gallon power vent water heater in basement of town hall with new expansion tank. Heater carries a 6YR warranty with 1 full year covered (parts and labor) under DB's.	1.00	\$2,475.00	\$2,475.00

Paid On	Type	Memo	Amount
12/8/2015	Check	#13884	\$2,475.00

Sub-Total	\$2,475.00
Tax	\$0.00
Total Due	\$2,475.00
Payment	\$2,475.00
Balance Due	\$0.00

"Done Right the First Time"

RESPONSIBILITY OF CUSTOMER: CUSTOMER represents that all water and waste disposal systems are in good working order and condition and agrees to hold DB's Plumbing & Drain (COMPANY) harmless for the discovery of any of the following defective conditions: improper or faulty plumbing, rusted or defective pipes, acids in the drain system, lines that are settled or broken, existing conditions that do not meet current code specifications, defective floors, walls, or tile. CUSTOMER is required at his expense to do all work and other acts to meet all conditions necessary to allow COMPANY to complete the work as provided in this agreement. CUSTOMER agrees to remove or to protect any personal property, inside and outside, but not limited to: carpets, rugs, shrubs, and plantings, as COMPANY will not be responsible for said items. Nor shall COMPANY be held liable for the COMPANY's work which may lead to damage to real property, including but not limited to: curbs, sidewalks, walks, driveways, garages, patios, lawns, shrubs, sprinkler systems and other incidental residential or real property. Nor COMPANY is liable for the retention or safety CUSTOMER, children or animals while performing said work/service. In the event payment is returned or declined by COMPANY's financial institution the CUSTOMER agrees to additional fee in the amount of \$45.00. If for any reason, the CUSTOMER does not satisfy the balance in full the COMPANY reserves the right to any of the following remedies: 1% monthly service charge on any balances past thirty (30) days, obtain legal counsel, or efforts of an outside collection agency, for the collection of the outstanding balance. The CUSTOMER agrees to pay any collection fees, attorney fees, court costs, and court ordered interest as applicable in order to secure the outstanding balance.

RESPONSIBILITIES OF COMPANY: COMPANY shall do all work in a professional and workmanlike manner. COMPANY is not responsible for any existing conditions that do not meet current code specifications.

LIMITED WARRANTY: COMPANY warrants its work to be free from defects in labor or materials for the warranty period of one hundred eighty (180) days from completion unless otherwise stated in writing on the face hereof. All drain stoppages are warranted for a period of thirty (30) days from completion unless stated in writing on the face hereof. All warranties are void if payment is not made upon completion of work/services. Warranties extend only to the original CUSTOMER and are not transferable. If a defect in labor or materials covered by this warranty occurs, COMPANY will, with reasonable promptness during normal business hours, remedy the defect. In no event shall COMPANY be held liable for water or other damage caused by any delay in remedying a defect. In the event of the need for warranty remedy, please contact 703-962-7900 upon onsite and for appropriate scheduling/resolution.

EXCLUSIONS AND LIMITATIONS: CUSTOMER's right to repair and replacement are the exclusive remedies and COMPANY shall not be liable for incidental or consequential damages resulting from the materials provide for in this contract. COMPANY not responsible for the following which are excluded from the coverage of the warranty: defective conditions as detailed under the RESPONSIBILITY OF THE CUSTOMER, work performed by or materials installed by others not originally in this agreement, defects and failures from mistreatment or neglect.

ENTIRE AGREEMENT: This entire agreement constitutes the final agreement of both the CUSTOMER and COMPANY. No oral or additional statements will be considered: by execution on the face hereof this entire agreement is final.



I acknowledge that the following work was started and completed to my satisfaction.





TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
 Agenda Communication

8. Regular Business	Meeting Date: January 5, 2016
8 E: Request to Purchase Replacement Traffic Cones	

Explanation and Summary:

This is a request to purchase replacement traffic cones utilizing public safety grant funds. Staff obtained three quotes for the purchase of 50 cones.

Vendor	Price Per Cone	Shipping	Total Price (50)	Other
Traffic Safety Store	\$22.55	\$95.07	\$1,222.57	Includes custom stencil "OCC"
Grainger	\$24.00	Free	\$1,200	Prince William County PD Vendor; special pricing
Global Industrial	\$78.00	\$265.95	\$3,900	N/A

Staff is recommending the purchase of cones from the Traffic Safety Store as the pricing per cone is the lowest, and the total price includes custom stenciling.



Currently, the Town has approximately 100 cones that have been acquired over the years from other agencies and are currently in poor and deteriorating condition. The purchase of these cones will replace the most damaged cones, which will be sold on GovDeals as surplus items. Traffic cones are used during events and construction work in Town.

Police Chief's Recommendation: Recommend approval.

Town Manager's Recommendation: Recommend approval.

Cost and Financing: \$1,225
Account Number: Public Safety Grant Funds

Proposed/Suggested Motion:

"I move to approve the purchase of 50 safety cones from Traffic Safety Store for \$1,225 from Public Safety Grant funds."

OR

Other action Council deems appropriate.

Attachments: None.



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

8. Regular Business	Meeting Date: January 5, 2016
8 F: Request to Accept Used Police Cruiser from Town of Quantico	

Explanation and Summary:

The Town of Quantico recently purchased a replacement vehicle for use by the Town's police department. Quantico has offered to give the used vehicle now out of service by the department to the Town of Occoquan for the cost of one dollar (\$1.00). This vehicle would be used by the Town's auxiliary personnel while on duty in the Town. Some initial maintenance and marking costs are expected and estimated at approximately \$1,000. These costs can be covered by the Public Safety grant funds.

Police Chief's Recommendation: Recommend acceptance of police vehicle from the Town of Quantico.

Town Manager's Recommendation: Concur with Police Chief's recommendation.

Cost and Financing: \$1,000
Account Number: Public Safety Grant Funds

Proposed/Suggested Motion:

"I move to purchase the used police vehicle from the Town of Quantico for the amount of \$1.00 and to set a not-to-exceed amount of \$1,000 for initial maintenance and vehicle marking costs."

OR

Other action Council deems appropriate.

Attachments: (1) Vehicle Photos



