



TOWN OF OCCOQUAN

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Occoquan Town Council

Joint Public Hearing – Town Council and Planning Commission

August 5, 2014 | 6:45 p.m.

1. Call to Order
2. Public Hearing
 - a. Joint Public Hearing – Town Council and Planning Commission
Virginia Stormwater Management Program (VSMP) Ordinance
3. Close the Public Hearing
Adjourn until 7:00 p.m. for regular meeting.

Occoquan Town Council

Regular Meeting

August 5, 2014 | 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. June 17, 2014 Special Meeting Minutes
 - b. June 24, 2014 Special Meeting Minutes
 - c. July 1, 2014 Regular Meeting Minutes
 - d. July 9, 2014 Town Council Orientation Minutes

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.

5. Councilmember Reports

6. Mayor's Report

7. Staff Reports

- a. Town Attorney
- b. Town Engineer
- c. Town Manager
- d. Chief of Police
- e. Treasurer
- f. Boards and Commissions

8. Regular Business

- a. Request to Initiate Zoning Text Amendment to Address Ramps, Structures and Equipment for Emergency Services Access
- b. Request to Endorse Concept Plan and Project Schedule for River Park
- c. Proposed Ordinance to Amend Section 2-124 of the Town Code, Treasurer Attendance at Town Council Meetings
- d. Request to Replace Meeting Recording System
- e. Request to set "Not To Exceed" Amounts for Fall Arts and Crafts Show

9. Closed Session

10. Adjournment



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

2. Public Hearing	Meeting Date: August 5, 2014
2 A: Virginia Stormwater Management Program (VSMP) Ordinance	

Explanation and Summary:

In order to remain in compliance with state and federal laws requiring reductions in nutrient pollution to the Chesapeake Bay, the Town needs to adopt a new ordinance regulating non-point source pollution from site runoff. This is a joint public hearing of the Town Council and Planning Commission to give the public an opportunity to comment on the proposed ordinance.

Engineer's Recommendation: Engineer recommends Council adopt the proposed VSMP regulations, subject to final approval by the Department of Environmental Quality (DEQ).

Town Attorney's Recommendation: Recommend forwarding draft ordinance to DEQ for review and approval, after which to be referred to the Planning Commission for recommendation to Council.

Town Manager's Recommendation: Concur with Town Attorney and Engineer's recommendations.

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

"I move to close the public hearing."

"I further move to forward the draft ordinance, as provided by the Town Attorney, to the DEQ for approval, after which it will be referred to the Planning Commission for further consideration and a recommendation to the Town Council."

OR

Other action Council deems appropriate.

Attachments: (1) Model Ordinance

ORDINANCE #0-20__ - __

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, TOWN OF OCCOQUAN, VIRGINIA (1998), AS AMENDED, BY ADDING IN CHAPTER 18 AN ARTICLE III RELATING TO VIRGINIA STORMWATER MANAGEMENT PROGRAM;

WHEREAS, Virginia law implementing Federal policy and honoring Virginia’s commitment to cleaning up the Chesapeake Bay requires the Town to implement the Virginia Stormwater Management Program, and

WHEREAS, The Town prefers to adopt an ordinance to have its own agents implement the Virginia Stormwater Management Program, given the alternatives of having either Prince William County or the Virginia Department of Environmental Quality implement it;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Occoquan, Virginia, meeting in _____ session this _____ day of _____, 20__:

1. That the Town Council hereby amends the Town Code to add as follows:

ARTICLE III. VIRGINIA STORMWATER MANAGEMENT PROGRAM

DIVISION 1. GENERAL

18-51. PURPOSE AND AUTHORITY.

- (a) Pursuant to the authority and mandates of the Virginia Stormwater Management Act, Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia, and the Virginia Stormwater Management Program (VSMP) Permit Regulations (9VAC25-870 et seq.), this Ordinance is adopted as part of an initiative to integrate the Town of Occoquan stormwater management requirements with the Town’s Erosion and Sediment Control ordinance, Floodplain Management ordinance, and Chesapeake Bay Preservation Overlay District ordinance into a unified stormwater program. The unified stormwater program is intended to facilitate the submission and approval of plans, issuance of permits, payment of fees, and coordination of inspection and enforcement activities into a more convenient and efficient manner for both the Town and those responsible for compliance with these ordinances.
- (b) The purpose of this Ordinance is to ensure the general health, safety, and welfare of the citizens of the Town and protect the quality and quantity of state waters from the potential harm of unmanaged stormwater, including protection from a land disturbing activity causing unreasonable degradation of properties, water quality, stream channels, and other natural resources, and to establish procedures whereby stormwater requirements related to water quality and quantity shall be administered and enforced.

- (c) All references to the Virginia Code, acts of the General Assembly, and Virginia Administrative Code herein are expressly intended to include future amendments to the provisions of the Code, acts of the General Assembly or state regulations, pursuant to the authorization of Virginia Code § 1-220.

18-52. DEFINITIONS.

In addition to the definitions set forth in 4VAC50-60-10 of the Virginia Stormwater Management Regulations, as amended, which are expressly adopted and incorporated herein by reference, the following words and terms used in this Ordinance have the following meanings unless otherwise specified herein. Where definitions differ, those incorporated herein shall have precedence.

"Administrator" means the VSMP authority including the Town staff person or department responsible for administering the VSMP on behalf of the locality. The Town Council shall designate an Administrator by name or position and any designation by position includes an interim or acting appointee. Town Council may appoint one or more Deputy or Assistant Administrators who shall have the full authority of the Administrator. The senior Deputy or Assistant Administrator shall, without further action of the Town Council, serve as Acting Administrator in the event of any vacancy in the office of Administrator.

"Applicant" means any person submitting an application for a permit or requesting issuance of a permit under this Ordinance.

"Best management practice" or "BMP" means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

"Chesapeake Bay Preservation Act land-disturbing activity" means a land-disturbing activity including clearing, grading, or excavation that results in a land disturbance equal or greater than 2,500 square feet and less than one acre in all areas of jurisdictions designated as subject to the regulations adopted pursuant to the Chesapeake Bay Preservation Act, *Code of Virginia*, § 62.1-44.15:67, et seq.

"Common plan of development or sale" means a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules.

"Control measure" means any best management practice or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

"Clean Water Act" or "CWA" means the federal Clean Water Act (33 U.S.C §1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

"Department" means the Department of Conservation and Recreation.

"Development" means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes.

"General permit" means the state permit titled GENERAL PERMIT FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITIES found in Part XIV (4VAC50-60-1100 et seq.) of the Regulations authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.

"Land disturbance" or *"land-disturbing activity"* means a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation except that the term shall not include those exemptions specified in Section 18-53 (c) of this Ordinance.

"Layout" means a conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

"Minor modification" means an amendment to an existing general permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter general permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

"Operator" means the owner or operator of any facility or activity subject to regulation under this Ordinance.

"Permit" or *"VSMP Authority Permit"* means an approval to conduct a land-disturbing activity issued by the Administrator for the initiation of a land-disturbing activity, in accordance with this Ordinance, and which may only be issued after evidence of general permit coverage has been provided by the Department.

"Permittee" means the person to whom the VSMP Authority Permit is issued.

"Person" means any individual, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, governmental body, including federal, state, or local entity as applicable, any interstate body or any other legal entity.

"Regulations" means the Virginia Stormwater Management Program (VSMP) Permit Regulations, 4 VAC 50-60, as amended.

"Site" means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the

facility or land-disturbing activity. Areas channelward of mean low water in tidal Virginia shall not be considered part of a site.

"State" means the Commonwealth of Virginia.

"State Board" means the Virginia Soil and Water Conservation Board.

"State permit" means an approval to conduct a land-disturbing activity issued by the State Board in the form of a state stormwater individual permit or coverage issued under a state general permit or an approval issued by the State Board for stormwater discharges from an MS4. Under these state permits, the Commonwealth imposes and enforces requirements pursuant to the federal Clean Water Act and regulations, the Virginia Stormwater Management Act and the Regulations.

"State Water Control Law" means Chapter 3.1 (§62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia.

"State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

"Stormwater" means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

"Stormwater management plan" means a document(s) containing material describing methods for complying with the requirements of Section 18-56 of this Ordinance.

"Stormwater Pollution Prevention Plan" or *"SWPPP"* means a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meets the requirements of this Ordinance. In addition the document shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of, an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

"Subdivision" means the same as defined in Section 54-1 of the Town Subdivision Ordinance.

"Total maximum daily load" or *"TMDL"* means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or

other appropriate measure. The TMDL process provides for point versus nonpoint source trade-offs.

"Virginia Stormwater Management Act" or "Act" means Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

"Virginia Stormwater BMP Clearinghouse website" means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

"Virginia Stormwater Management Program" or "VSMP" means a program approved by the State Board after September 13, 2011, that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations.

"Virginia Stormwater Management Program authority" or "VSMP authority" means an authority approved by the State Board after September 13, 2011, to operate a Virginia Stormwater Management Program.

Sec. 18-53. - STORMWATER PERMIT REQUIREMENT; EXEMPTIONS.

- (a) Except as provided herein, no person may engage in any land-disturbing activity until a VSMP authority permit has been issued by the Administrator in accordance with the provisions of this Ordinance.
- (b) A Chesapeake Bay Preservation Act Land-Disturbing Activity shall be subject to an erosion and sediment control plan consistent with the requirements of the Erosion and Sediment Control Ordinance, a stormwater management plan as outlined under Section 1-6, the technical criteria and administrative requirements for land-disturbing activities outlined in Section 18-59, and the requirements for control measures long-term maintenance outlined under Section 18-60.
- (c) Notwithstanding any other provisions of this Ordinance, the following activities are exempt, unless otherwise required by federal law:
 - (1) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia;
 - (2) Clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the State Board in regulations, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour

cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.18-6100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in Subsection B of § 10.18-6163 of Article 9 of Chapter 11 of Title 10.1 of the Code of Virginia;

- (3) Single-family residences separately built and disturbing less than 2,500 square feet and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures;
- (4) Land disturbing activities that disturb less than 2,500 square feet of land area;
- (5) Discharges to a sanitary sewer or a combined sewer system;
- (6) Activities under a State or federal reclamation program to return an abandoned property to an agricultural or open land use;
- (7) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this Subsection; and
- (8) Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the Administrator shall be advised of the disturbance within seven days of commencing the land-disturbing activity and compliance with the administrative requirements of Subsection (a) is required within 30 days of commencing the land-disturbing activity.

Sec. 18-54. - STORMWATER MANAGEMENT PROGRAM ESTABLISHED; SUBMISSION AND APPROVAL OF PLANS; PROHIBITIONS.

- (a) Pursuant to § 62.1-44.15:24 et seq. of the Code of Virginia, the Town hereby establishes a Virginia stormwater management program for land-disturbing activities and adopts the applicable Regulations that specify standards and specifications for VSMPs promulgated by the State Board for the purposes set out in Section 18-51 of this Ordinance. The Town Council hereby designates the Town Engineer as the Administrator of the Virginia stormwater management program.
- (b) No VSMP authority permit shall be issued by the Administrator, until the following items have been submitted to and approved by the Administrator as prescribed herein:

- (1) A permit application that includes a general permit registration statement;
 - (2) An erosion and sediment control plan approved in accordance with the Town's Erosion and Sediment Control Ordinance; and
 - (3) A stormwater management plan that meets the requirements of Section 18-56 of this Ordinance.
- (c) No VSMP authority permit shall be issued until evidence of general permit coverage is obtained.
 - (d) No VSMP authority permit shall be issued until the fees required to be paid pursuant to the uncodified ordinance are received, and a reasonable performance bond required pursuant to Section 18-65 of this Ordinance has been submitted.
 - (e) No VSMP authority permit shall be issued unless and until the permit application and attendant materials and supporting documentation demonstrate that all land clearing, construction, disturbance, land development and drainage will be done according to the approved permit.
 - (f) No grading, building or other local permit shall be issued for a property unless a VSMP authority permit has been issued by the Administrator.

Sec. 18-55. - STORMWATER POLLUTION PREVENTION PLAN; CONTENTS OF PLANS.

- (a) The Stormwater Pollution Prevention Plan (SWPPP) shall include the content specified by Section 4VAC50-60-54 and must also comply with the requirements and general information set forth in Section 4VAC50-60-1170, Section II [stormwater pollution prevention plan] of the general permit.
- (b) The SWPPP shall be amended by the operator whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters which is not addressed by the existing SWPPP.
- (c) The SWPPP must be maintained by the operator at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site. Operators shall make the SWPPP available for public review in accordance with Section II of the general permit, either electronically or in hard copy.

Sec. 18-56. - STORMWATER MANAGEMENT PLAN; CONTENTS OF PLAN.

- (a) The Stormwater Management Plan, required in Section 18-54 of this Ordinance, must apply the stormwater management technical criteria set forth in Section 18-59 of this Ordinance

to the entire land-disturbing activity, consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to subsurface runoff, and include the following information:

- (1) Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters or karst features, if present, and the predevelopment and postdevelopment drainage areas;
- (2) Contact information including the name, address, and telephone number of the owner and the tax reference number and parcel number of the property or properties affected;
- (3) A narrative that includes a description of current site conditions and final site conditions;
- (4) A general description of the proposed stormwater management facilities and the mechanism through which the facilities will be operated and maintained after construction is complete;
- (5) Information on the proposed stormwater management facilities, including:
 - (i) The type of facilities;
 - (ii) Location, including geographic coordinates;
 - (iii) Acres treated; and
 - (iv) The surface waters or karst features, if present, into which the facility will discharge.
- (6) Hydrologic and hydraulic computations, including runoff characteristics;
- (7) Documentation and calculations verifying compliance with the water quality and quantity requirements of Sections 4VAC50-60-62 through 4VAC50-60-92 of the Regulations.
- (8) A map or maps of the site that depicts the topography of the site and includes:
 - (i) All contributing drainage areas;
 - (ii) Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;
 - (iii) Soil types, geologic formations if karst features are present in the area, forest cover, and other vegetative areas;
 - (iv) Current land use including existing structures, roads, and locations of known utilities and easements;
 - (v) Sufficient information on adjoining parcels to assess the impacts of stormwater from the site on these parcels;
 - (vi) The limits of clearing and grading, and the proposed drainage patterns on the site;

- (vii) Proposed buildings, roads, parking areas, utilities, and stormwater management facilities; and
 - (viii) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.
- (b) If an operator intends to meet the water quality and/or quantity requirements set forth in Section 18-59 of this Ordinance through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included. Approved off-site options must achieve the necessary nutrient reductions prior to the commencement of the applicant's land-disturbing activity except as otherwise allowed by the Code of Virginia.
- (c) Elements of the stormwater management plans that include activities regulated under Chapter 4 (§54.1-400 et seq.) of Title 54.1 of the Code of Virginia shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.
- (d) A construction record drawing for permanent stormwater management facilities shall be submitted to the Administrator. The construction record drawing shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia, certifying that the stormwater management facilities have been constructed in accordance with the approved plan. An Administrator may elect not to require construction record drawings for stormwater management facilities for which maintenance agreements are not required pursuant to Section 18-60 (b).

Sec. 18-57. – POLLUTION PREVENTION PLAN; CONTENTS OF PLANS.

- (a) Pollution Prevention Plan, required by 4VAC50-60-56, shall be developed, implemented, and updated as necessary and must detail the design, installation, implementation, and maintenance of effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:
- (1) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
 - (2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and
 - (3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

- (b) The pollution prevention plan shall include effective best management practices to prohibit the following discharges:
 - (1) Wastewater from washout of concrete, unless managed by an appropriate control;
 - (2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
 - (3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
 - (4) Soaps or solvents used in vehicle and equipment washing.
- (c) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls.

Sec. 18-58. - REVIEW OF STORMWATER MANAGEMENT PLAN.

- (a) The Administrator shall review stormwater management plans and shall approve or disapprove a stormwater management plan according to the following:
 - (1) The Administrator shall determine the completeness of a plan in accordance with Section 18-56 of this Ordinance, and shall notify the applicant, in writing, of such determination, within 15 calendar days of receipt. If the plan is deemed to be incomplete, the above written notification shall contain the reasons the plan is deemed incomplete.
 - (2) The Administrator shall have an additional 60 calendar days from the date of the communication of completeness to review the plan, except that if a determination of completeness is not made within the time prescribed in subdivision (1), then plan shall be deemed complete and the Administrator shall have 60 calendar days from the date of submission to review the plan.
 - (3) The Administrator shall review any plan that has been previously disapproved, within 45 calendar days of the date of resubmission.
 - (4) During the review period, the plan shall be approved or disapproved and the decision communicated in writing to the person responsible for the land-disturbing activity or his designated agent. If the plan is not approved, the reasons for not approving the plan shall be provided in writing. Approval or denial shall be based on the plan's compliance with the requirements of this Ordinance.
 - (5) If a plan meeting all requirements of this Ordinance is submitted and no action is taken within the time provided above in subdivision (2) for review, the plan shall be deemed approved.

- (b) Approved stormwater plans may be modified as follows:
 - (1) Modifications to an approved stormwater management plan shall be allowed only after review and written approval by the Administrator. The Administrator shall have 60 calendar days to respond in writing either approving or disapproving such request.
 - (2) The Administrator may require that an approved stormwater management plan be amended, within a time prescribed by the Administrator, to address any deficiencies noted during inspection.
- (c) The Administrator shall require the submission of a construction record drawing for permanent stormwater management facilities. The Administrator may elect not to require construction record drawings for stormwater management facilities for which recorded maintenance agreements are not required pursuant to Section 18-60 (b).

Sec. 18-59 - TECHNICAL CRITERIA FOR REGULATED LAND DISTURBING ACTIVITIES.

- (a) To protect the quality and quantity of state water from the potential harm of unmanaged stormwater runoff resulting from land-disturbing activities, the Locality hereby adopts the technical criteria for regulated land-disturbing activities set forth in Part II B of the Regulations, as amended, expressly to include 4VAC50-60-63 [water quality design criteria requirements]; 4VAC50-60-65 [water quality compliance]; 4VAC50-60-66 [water quantity]; 4VAC50-60-69 [offsite compliance options]; 4 VAC 50-60-72 [design storms and hydrologic methods]; 4VAC50-60-74 [stormwater harvesting]; 4VAC50-60-76 [linear development project]; and, 4VAC50-60-85 [stormwater management impoundment structures or facilities], which shall apply to all land-disturbing activities regulated pursuant to this Ordinance, except as expressly set forth in Subsection (b) of this Section.
- (b) Until June 30, 2019, any land-disturbing activity for which a currently valid proffered or conditional zoning plan, preliminary or final subdivision plat, preliminary or final site plan or zoning with a plan of development, or any document determined by the Locality as being equivalent thereto, was approved by the Locality prior to July 1, 2012, and for which no coverage under the general permit has been issued prior to July 1, 2014, shall be considered grandfathered by the Administrator and shall not be subject to the technical criteria of Part II B [of the Regulations], but shall be subject to the technical criteria of Part II C [of the Regulations] for those areas that were included in the approval, provided that the Administrator finds that such proffered or conditional zoning plan, preliminary or final subdivision plat, preliminary or final site plan or zoning with a plan of development, or any document determined by the Locality as being equivalent thereto, (i) provides for a layout and (ii) the resulting land-disturbing activity will be compliant with the requirements of Part II C. In the event that the Locality-approved document is subsequently modified or amended in a manner such that there is no increase over the previously approved plat or plan in the amount of phosphorus leaving each point of discharge of the land-disturbing activity through stormwater runoff, and such that there is

no increase over the previously approved plat or plan in the volume or rate of runoff, the grandfathering shall continue as before.

- (1) Until June 30, 2019, for local, state, and federal projects for which there has been an obligation of local, state, or federal funding, in whole or in part, prior to July 1, 2012, or for which the Department has approved a stormwater management plan prior to July 1, 2012, such projects shall be considered grandfathered by the Town and shall not be subject to the technical requirements of Part II B of the Regulations, but shall be subject to the technical requirements of Part II C of the Regulations for those areas that were included in the approval.
 - (2) For land-disturbing activities grandfathered under this Subsection, construction must be completed by June 30, 2019, or portions of the project not under construction shall become subject to the technical requirements of Subsection (a) above.
- (c) In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical requirements Part IIC of the Regulations, as adopted by the Locality in Subsection (b) of this Section.
- (d) The Administrator may grant exceptions to the technical requirements of Part II B or Part II C of the Regulations, provided that (i) the exception is the minimum necessary to afford relief, (ii) reasonable and appropriate conditions are imposed so that the intent of the Act, the Regulations, and this Ordinance are preserved, (iii) granting the exception will not confer any special privileges that are denied in other similar circumstances, and (iv) exception requests are not based upon conditions or circumstances that are self-imposed or self-created. Economic hardship alone is not sufficient reason to grant an exception from the requirements of this Ordinance.
- (1) Exceptions to the requirement that the land-disturbing activity obtain required VSMP authority permit shall not be given by the Administrator, nor shall the Administrator approve the use of a BMP not found on the Virginia Stormwater BMP Clearinghouse Website, or any other control measure duly approved by the Director.
 - (2) Exceptions to requirements for phosphorus reductions shall not be allowed unless offsite options otherwise permitted pursuant to 4VAC50-60-69 have been considered and found not available.
- (e) Nothing in this Section shall preclude an operator from constructing to a more stringent standard at their discretion.

Sec. 18-60 - LONG-TERM MAINTENANCE OF PERMANENT STORMWATER FACILITIES

- (a) The Administrator shall require the provision of long-term responsibility for and maintenance of stormwater management facilities and other techniques specified to manage the quality and quantity of runoff. Such requirements shall be set forth in an instrument

recorded in the local land records prior to general permit termination or earlier as required by the Administrator and shall at a minimum:

- (1) Be submitted to the Administrator for review and approval prior to the approval of the stormwater management plan;
- (2) Be stated to run with the land;
- (3) Provide for all necessary access to the property for purposes of maintenance and regulatory inspections;
- (4) Provide for inspections and maintenance and the submission of inspection and maintenance reports to the Administrator; and
- (5) Be enforceable by all appropriate governmental parties.

Sec. 18-61. - MONITORING AND INSPECTIONS.

- (a) The Administrator shall inspect the land-disturbing activity during construction for:
 - (1) Compliance with the approved erosion and sediment control plan;
 - (2) Compliance with the approved stormwater management plan;
 - (3) Development, updating, and implementation of a pollution prevention plan; and
 - (4) Development and implementation of any additional control measures necessary to address a TMDL.
- (b) The Administrator may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this Ordinance.
- (c) In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement or instrument, the Administrator may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.
- (d) Pursuant to § 62.1-44.15:40 of the Code of Virginia, the Administrator may require every VSMP authority permit applicant or permittee, or any such person subject to VSMP authority permit requirements under this Ordinance, to furnish when requested such application materials, plans, specifications, and other pertinent information as may be

necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this Ordinance.

- (e) Post-construction inspections of stormwater management facilities required by the provisions of this Ordinance shall be conducted by the Administrator pursuant to the Locality's adopted and State Board approved inspection program, and shall occur, at minimum, at least once every five (5) years except as may otherwise be provided for in Section 18-60.

Sec. 18-62. – HEARINGS

- (a) Any permit applicant or permittee, or person subject to this Ordinance's requirements, aggrieved by any action of the Town taken without a formal hearing, or by inaction of the Town, may demand in writing a formal hearing by the Town council. A petition requesting a hearing based on Town action must be filed with the Administrator within 30 days after notice of such action is given by the Administrator. A petition based on Town inaction must be filed within thirty days after the Town's deadline for action, if there is one, or if there is no deadline then within thirty days of the date the petitioner had actual or constructive notice that the Town should have acted.
- (b) The hearings held under this section shall be conducted by the Town council at a regular or special meeting of the Town council, or by at least one member of the Town council designated by the Town council to conduct such hearings on behalf of the Town council at any other time and place authorized by the Town council. The Town shall give at least 15 days notice of the date, time and location of the hearing to the party filing the appeal and to the property owner or record. In reviewing the Administrator's actions, the Town Council or its designee(s) shall consider evidence and opinions presented by the aggrieved applicant and the Administrator. After considering the evidence and opinions, the Town Council or its designee(s) may affirm, reverse or modify the action. Such decision shall be final, subject only to appeal under Section 58-111 of the Code.
- (c) A verbatim record of the proceedings of such hearings shall be taken and filed with the Town council. Depositions may be taken and read as in actions at law.
- (d) The Town council or its designated member(s), as the case may be, shall have power to issue subpoenas and subpoenas duces tecum, and at the request of any party shall issue such subpoenas. The failure of a witness without legal excuse to appear or to testify or to produce documents shall be acted upon by the Town council, or its designated member(s), whose action may include the procurement of an order of enforcement from the circuit court. Witnesses who are subpoenaed shall receive the same fees and reimbursement for mileage as in civil actions.

Sec. 18-63. - APPEALS.

- (a) Final decisions of the Town under this article shall be subject to appeal to the Prince William Circuit Court, provided that an appeal is filed within 30 days from the date of any written decision

adversely affecting the rights, duties or privileges of the person engaging in or proposing to engage in land disturbing activities.

- (b) The burden shall be upon the party complaining of Town action to designate and demonstrate an error subject to review by the court. Allegations of error may be based upon: (i) accordance with constitutional right, power, privilege, or immunity, (ii) compliance with statutory authority, jurisdiction limitations, or right as provided in the Act, the stated objectives for which regulations may be made, and the factual showing respecting violations or entitlement in connection with case decisions, (iii) observance of required procedure where any failure therein is not mere harmless error, and (iv) the substantiality of the evidentiary support for findings of fact. The determination of the substantiality of the evidence shall be made upon the whole evidentiary record provided by the Town and the court shall determine whether there was substantial evidence in the Town's record to support its decision.
- (c) The court shall take due account of the presumption of official regularity, the experience and specialized competence of the Town, and the purposes of the Act.
- (d) The court may dismiss the appeal, order the Town to take any nondiscretionary action that the Town has withheld, or remand the matter to the Town for further proceedings as the court may permit or direct in accordance with law. The court shall not itself undertake to supply Town action committed by the Act to the Town.

Sec. 18-64. - ENFORCEMENT

- (a) If the Administrator determines that there is a failure to comply with the VSMP authority permit conditions or determines there is an unauthorized discharge, notice shall be served upon the permittee or person responsible for carrying out the permit conditions by any of the following: verbal warnings and inspection reports, notices of corrective action, consent special orders, and notices to comply. Written notices shall be served by registered or certified mail to the address specified in the permit application or by delivery at the site of the development activities to the agent or employee supervising such activities.
 - (1) The notice shall specify the measures needed to comply with the permit conditions and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, a stop work order may be issued in accordance with Subsection (b) or the permit may be revoked by the Administrator.
 - (2) If a permittee fails to comply with a notice issued in accordance with this Section within the time specified, the Administrator may issue an order requiring the owner, permittee, person responsible for carrying out an approved plan, or the person conducting the land-disturbing activities without an approved plan or required permit to cease all land-disturbing activities until the violation of the permit has ceased, or an approved plan and required permits are obtained, and specified corrective measures have been completed

- (3) Such orders shall be issued in accordance with local procedures, if adopted. In the absence of local procedures, such orders shall provide sufficient information for the recipient(s) to understand and comply with the order. Such orders shall become effective upon service on the person by certified mail, return receipt requested, sent to his address specified in the land records of the locality, or by personal delivery by an agent of the Administrator. However, if the Administrator finds that any such violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth or otherwise substantially impacting water quality, it may issue, without advance notice or hearing, an emergency order directing such person to cease immediately all land-disturbing activities on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such person, to affirm, modify, amend, or cancel such emergency order. If a person who has been issued an order is not complying with the terms thereof, the Administrator may institute a proceeding for an injunction, mandamus, or other appropriate remedy in accordance with Subsection 18-64 (c).
- (b) In addition to any other remedy provided by this Ordinance, if the Administrator or his designee determines that there is a failure to comply with the provisions of this Ordinance, they may initiate such informal and/or formal administrative enforcement procedures in a manner that is consistent with the public interest.
- (c) Any person violating or failing, neglecting, or refusing to obey any rule, regulation, ordinance, order, approved standard or specification, or any permit condition issued by the Administrator may be compelled in a proceeding instituted in Prince William Circuit Court by the Locality to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.
- (d) Any person who violates any provision of this Ordinance or who fails, neglects, or refuses to comply with any order of the Administrator, shall be subject to a civil penalty not to exceed \$32,500 for each violation within the discretion of the court. Each day of violation of each requirement shall constitute a separate offense.
- (1) Violations for which a penalty may be imposed under this Subsection shall include but not be limited to the following:
- (i) No state permit registration;
 - (ii) No SWPPP;
 - (iii) Incomplete SWPPP;
 - (iv) SWPPP not available for review;
 - (v) No approved erosion and sediment control plan;
 - (vi) Failure to install stormwater BMPs or erosion and sediment controls;
 - (vii) Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
 - (viii) Operational deficiencies;
 - (ix) Failure to conduct required inspections;
 - (x) Incomplete, improper, or missed inspections; and

- (xi) Discharges not in compliance with the requirements of Section 4VAC 50-60-1170 of the general permit.
- (2) The Administrator may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.
- (3) In imposing a civil penalty pursuant to this Subsection, the court may consider the degree of harm caused by the violation and also the economic benefit to the violator from noncompliance.
- (4) Any civil penalties assessed by a court as a result of a summons issued by the Locality shall be paid into the treasury of the Town to be used for the purpose of minimizing, preventing, managing, or mitigating pollution of the waters of the locality and abating environmental pollution therein in such manner as the court may, by order, direct.
- (e) Notwithstanding any other civil or equitable remedy provided by this Section or by law, any person who willfully or negligently violates any provision of this Ordinance, any order of the Administrator, any condition of a permit, or any order of a court shall, be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months or a fine of not less than \$2,500 nor more than \$32,500, or both.

18-65. Performance Bond

Prior to issuance of any permit, the Administrator may require a reasonable performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement acceptable to the [local government attorney], to ensure that measures could be taken by the Town at the Applicant's expense should he fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him by the permit conditions as a result of his land disturbing activity. If the Town takes such action upon such failure by the Applicant, the Locality may collect from the Applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, such bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the Applicant or terminated.

- 2. That fees to cover costs associated with implementation of a VSMP related to land disturbing activities and issuance of general permit coverage and VSMP authority permits shall be imposed by uncodified ordinance.

3. That this ordinance shall take effect upon adoption.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

CERTIFIED COPY _____

Town Clerk

DRAFT

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OCCOQUAN TOWN COUNCIL
Special Meeting Minutes - DRAFT
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, June 17, 2014
Joint Public Hearing - 6:30 p.m.
Regular Meeting - 7:00 p.m.

Present: Mayor Earnie Porta, Vice Mayor Liz Quist, Councilmembers Denise Bush, Joe McGuire, Pat Sivigny, Jim Walbert
Staff: Kirstyn Barr, Town Manager; Martin Crim, Town Attorney; Bruce Reece, Town Engineer; Chief Sheldon Levi, Town Sergeant/Chief of Police; Peggy Blackwell, Town Clerk

Presentation

Prior to the start of the meeting, Vice Mayor Quist presented plaques of appreciation for their years of service to the Town of Occoquan to retiring Councilmembers Denise Bush and Dr. Jim Walbert, and to Mayor Earnie Porta.

1. Call to Order

Mayor Porta called the meeting to order at 6:30 p.m.

2. Public Hearings

2A. Proposed Fiscal Year 2015 Tax Rates Public Hearing

A public hearing was held on the proposed tax rates for Fiscal Year 2015 to obtain citizen input. One citizen spoke during the public hearing.

Tyler Brown, Occoquan resident, urged the Town Council to not raise taxes as they had in the previous year.

The public hearing was closed by Mayor Porta.

2B. River Park Zoning Text Amendment - Town Council and Planning Commission Joint Public Hearing

A joint public hearing of the Occoquan Town Council and Planning Commission was held to provide an opportunity for public comment on the adoption of a new zoning district and the rezoning of the portion of the Fairfax County Water Authority parcel that falls inside the Town boundary of that new district.

Planning Commission member Ramsey Baerga asked about uses permitted and their applicability during the time of the lease.

No members of the public spoke.

The public hearing was closed by Mayor Porta.

3. Regular Business

3A. Adoption of Fiscal Year 2015 Budget and Tax Rates

Steve Vonderheide, Occoquan resident, asked what prompted the Town to advertise a proposed increase in the real estate tax rate. Specifically, he requested information on whether or not an anticipated shortfall existed that required an increase in the rate.

Mayor Porta explained that it has often been the practice of the Town Council, as well as other bodies such as the County Board of Supervisors, to advertise a higher potential tax rate than what is likely to be adopted. Such a practice takes into account that the Town cannot adopt a higher rate than advertised, and provides flexibility in the event new cost or other information becomes available between the time of advertisement and the time of adoption.

Councilmember Walbert further clarified that it is standard practice to advertise the possibility of a higher rate and that a higher rate does not necessarily reflect the sentiments of the Town Council as to what should be adopted.

The Town Council discussed the implications of increasing the tax rate and maintaining the current rate and the impact on the Town's budget and service delivery.

Ms. Barr, Town Manager, provided updated budgetary information to Town Council with regard to estimated additional revenue generated by a .005 cent and .01 cent tax increase. The updated information included the costs associated with the addition of a part-time, temporary administrative position, which was included based on the direction of the Town Council during a previous meeting during which the Town Manager proposed the additional position.

Councilmember McGuire inquired as to whether or not the revenue generated by real estate tax that will be collected from the new town homes in Occoquan Heights and Gas Light Landing will cover the costs associated with the new position, without increasing the current tax rate.

Ms. Breeding, Town Treasurer, stated that there were small increases throughout the budget on the expense side. Mayor Porta added that there were also small decreases in expected revenues. He noted that together these appeared to offset the expected incremental revenue from real estate taxes on the new town homes under the .11 cent tax rate.

Mayor Porta expressed concern about the long-term viability of current staffing levels, noting that he believed the proposed part-time, temporary administrative position was unlikely to be sufficient beyond the short-term. In his opinion, future growth, increasing citizen expectations regarding the quality and quantity of staff services, and the need to

modernize a significant number of town processes, would likely require serious consideration of making the part-time Clerk, Treasurer and Maintenance Supervisor positions full-time in the not-to-distant future. He further clarified that when discussing real estate taxes it is important to consider both the rate and assessments. Assertions about taxes being raised, reduced or maintained, are often inaccurate because the person making the claim is only looking at the tax rate.

Vice Mayor Quist expressed her concern about the current organizational structure of the staff, noting in particular that bringing in additional help, whether on a temporary or permanent basis, to address administrative tasks would allow the Town Manager to address core issues that would increase organizational efficiency and professionalism.

Councilman McGuire inquired if temporary assistance could be contracted to assist with data entry and other administrative tasks, as opposed to creating a position within the organization.

Ms. Barr stated that contracting a person on a temporary basis is a viable option, but other issues currently exist within the budget that make it difficult to move forward in the coming year. She stated that it would be beneficial for staff if Council identified what its priorities are for the coming year.

Councilmember Sivigny expressed concern about increasing the real estate tax rate and did not see a need to do so at this time. He stated that in previous years, craft show revenues were transferred to the operating budget in order to offset costs. Mayor Porta noted that during the time that he and Dr. Walbert have been on the Town Council, year-end financial results have often been better than budgeted. He suggested that the Town Council consider giving the Town Manager discretion to hire part-time, temporary, administrative help at her discretion during the course of the year, provided she could do so within the parameters of the overall budget.

After discussion, the Town Council directed the Town Manager to hire a part-time, temporary administrative position at her discretion, provided she could do so within the overall FY 2015 operating budget.

It was moved to set the Real Estate Tax Rate for the Fiscal Year beginning July 1, 2014 at \$.11 per \$100 of assessed valuation.

A motion was made by Councilmember Walbert, seconded by Councilmember Sivigny, that the Action Item be approved. The motion carried by the following vote:
Aye: Vice Mayor Quist, Councilmembers Bush, McGuire, Sivigny, Walbert

It was moved to set the Meals Tax Rate at 2% for Fiscal Year 2015.

A motion was made by Councilmember Walbert, seconded by Councilmember McGuire, that the Action Item be approved. The motion carried by the following vote:
Aye: Vice Mayor Quist, Councilmembers Bush, McGuire, Sivigny, Walbert

It was moved to set the Transient Occupancy Tax Rate at 2% for Fiscal Year 2015.

A motion was made by Councilmember Walbert, seconded by Vice Mayor Quist, that the Action Item be approved. The motion carried by the following vote:

Aye: Vice Mayor Quist, Councilmembers Bush, McGuire, Sivigny, Walbert

It was moved for the adoption of the FY2015 Proposed Budget with the discussed modifications in the amount of \$505,296.

A motion was made by Vice Mayor Quist, seconded by Councilmember Walbert, that the Action Item be approved. The motion carried by the following vote:

Aye: Vice Mayor Quist, Councilmembers Bush, McGuire, Sivigny, Walbert

It was moved for the adoption of the FY 2015 Capital Improvement Plan as presented by the Town Manager in the total amount of \$1,640,000.

A motion was made by Vice Mayor Quist, seconded by Councilmember Walbert, that the Action Item be approved. The motion carried by the following vote:

Aye: Vice Mayor Quist, Councilmembers Bush, McGuire, Sivigny, Walbert

It was moved to adopt the Mamie Davis Account with \$2,000 for Revenues and \$2,000 for Expenses for Fiscal Year 2015.

A motion was made by Vice Mayor Quist, seconded by Councilmember Walbert, that the Action Item be approved. The motion carried by the following vote:

Aye: Vice Mayor Quist, Councilmembers Bush, McGuire, Sivigny, Walbert

It was moved to adopt the Craft Show Account budget with \$210,000 for Revenues and \$90,000 for Expenses for Fiscal Year 2015.

A motion was made by Vice Mayor Quist, seconded by Councilmember Walbert, that the Action Item be approved. The motion carried by the following vote:

Aye: Vice Mayor Quist, Councilmembers Bush, McGuire, Sivigny, Walbert

3B. Adoption of River Park Zoning Text Amendment

It was moved to amend the Town of Occoquan official zoning map by adopting the draft zoning map dated June 12, 2014, prepared by Matthew Williams, Town of Occoquan Assistant Zoning Administrator.

A motion was made by Vice Mayor Quist, seconded by Councilmember Walbert, that the Action Item be approved. The motion was carried by poll vote, unanimous.

3C. Adoption of Dangerous Conditions Ordinance

It was moved to adopt the proposed Town Code Section 30-1, Dangerous Conditions.

A motion was made by Councilmember McGuire, seconded by Councilmember Sivigny, that the Action Item be approved. The Motion was carried by poll vote, unanimous.

3D. Potomac Heritage National Scenic Trail Memorandum of Understanding

It was moved to approve the Town's participation in the Potomac Heritage Scenic Trail and direct the Mayor to sign the Memorandum of Understanding.

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

4. Closed Session

Vice Mayor Quist moved that the Council convene in closed session to discuss as permitted by Virginia Code Section 2.2-3711(A)(1), a personnel matter involving performance evaluation or job assignments of a specific employee. Councilmember Walbert seconded. **The motion carried by poll vote, unanimous.**

The Council came out of closed session at 9:05 p.m. Ms. Quist 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. Dr. Walbert seconded. Ayes: Sivigny, McGuire, Bush, Walbert and Quist by roll call.

5. Adjournment

The meeting adjourned at 9:06 p.m.

Kirstyn Barr, Town Manager



OCCOQUAN TOWN COUNCIL
Special Meeting Minutes - DRAFT
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, June 24, 2014
7:00 p.m.

Present: Mayor Earnie Porta, Vice Mayor Liz Quist, Councilmembers Joe McGuire, Pat Sivigny, Jim Walbert

Staff: Kirstyn Barr, Town Manager

Absent: Councilmember Denise Bush

1. Call to Order

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

2. Regular Business

2A. Vacant Town Clerk Position

Mayor Porta stated that the purpose of this meeting was to discuss the filling of the currently vacant Town Clerk position, potentially as a full time position, within the existing budget.

3. Closed Session

Vice Mayor Quist moved that the Council convene in closed session to discuss as permitted by Virginia Code Section 2.2-3711(A)(1), a personnel matter related to the position of Town Clerk. Dr. Walbert seconded. Ayes: all by voice vote.

The Council came out of closed session at 7:42 p.m. Ms. Quist 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. Dr. Walbert seconded. Ayes: Sivigny, McGuire, Walbert and Quist by roll call.

It was moved to advertise for the position of Town Clerk as a part time position, with the potential for full time, contingent upon Council approval and budgetary opportunity.

The motion was made by Vice Mayor Quist, seconded by Councilmember McGuire, that the Action Item be approved. The motion carried by poll vote, unanimous.

4. Adjournment

The meeting adjourned at 7:45 p.m.

Kirstyn Barr, Town Manager



OCCOQUAN TOWN COUNCIL
Regular Meeting Minutes DRAFT
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, July 1, 2014
7:00 p.m.

Present: Mayor Liz Quist, Councilmembers Pat Sivigny, Joe McGuire, J. Matthew Dawson, Jim Drakes and Tyler Brown
Staff: Kirstyn Barr, Town Manager; Martin Crim, Town Attorney; Bruce Reece, Town Engineer; Chief Sheldon Levi, Town Sergeant/Chief of Police

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

Councilmember McGuire moved to approve the minutes of the June 3, 2014 Regular Meeting as presented; Councilmember Sivigny seconded. The motion carried by poll vote, unanimous.

5. Staff Reports

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

1. A schedule for the pump station was provided by Prince William County Service Authority: Week of July 14, Complete paving and install site fence. Abandon the existing pump station; Week of July 28, Demobilize and clean-up site; Week of August 18, Install permanent generator.
2. The Town Manager and Town Engineer visited 106 Washington Street at the request of the homeowners, who were experiencing erosion issues under their deck and fence. Engineer suggested waiting to see what owner does to mitigate the erosion on their own. Homeowners expressed a concern that upstream construction caused increased runoff. Town Engineer could find no evidence of such construction, but something could have been done years ago and had since re-vegetated itself. Runoff eventually comes onto Town property after passing thru HOA open space.
3. Landscape escrow has been posted by the developer for Occoquan Heights. Now that the Landscape Escrow and Agreement have been posted, the Town can reduce remaining bonds. Previous motion by Town Council set amounts of the approved reduction. Developer will provide reduced sureties in the amounts set by Council, which will be checked as to form, after which the existing sureties will be returned to the developer.

4. Land Disturbance Activity report (submitted to the Department of Environmental Quality, monthly):
 - a. Occoquan Heights
 - b. 124 Poplar Alley
 - c. Gaslight Landing
 - d. Vistas at Occoquan
 - e. Berrywood Rivertown Overlook
5. Zoning Approvals
 - a. 1429 Occoquan Heights Court - deck, patio, fence
 - b. 1427 Occoquan Heights Court - deck and fence
 - c. Grass and weed violation at Berrywood (Has been cut; in compliance.)
 - d. 1433 Occoquan Heights Court - deck, patio, fence
 - e. 125 Mill Street - change in use
6. Fairfax County
 - a. Vulcan Quarry and FCWA: Board of Supervisors approved Comprehensive Plan Amendment on June 3, 2014. Special Exception hearing before the Planning Commission on July 24, 2014 at 8:15 p.m. The pedestrian trail across the footbridge and along the Occoquan River was accommodated in the last version of the application
 - b. The permit modification for the debris land fill was deferred by the Board of Supervisors until July 29, 2014. Supervisors suggested applicant work to eliminate wind turbines along with eight other suggestions.

Report of Town Attorney: Mr. Martin Crim, Town Attorney, reported on the following matters:

1. NRA is ready to go to closing on the Tanyard Hill Road property. We are working on administrative details to accomplish that this week.
2. On the River Park, staff is working with Prince William County and Fairfax Water to get the lease finalized this month.
3. On Rivertown Overlook, Mr. Crim met with Mr. Kessler, Mr. Berry and Mr. Reese June 11 and the approval process is moving forward.
4. With regard to the VSMP ordinance, we are working with the Town Manager to get Planning Commission comments on the model ordinance.
5. There will be an orientation for Council July 9, 2014.
6. Mr. Crim will be on vacation July 14 through July 25, but other members of his firm will be available for assistance.
7. The Town received notice that a parcel had not been taxed for real estate taxes, and staff worked to address that and to collect the back taxes.

Report of Town Manager: No report.

Report of Chief of Police: Stated that there were two incidents involving bows and arrows during June and noted that while no laws exist locally (state, county or town) that prohibit the use of bow and arrows, he recommended that Town look into this issue. He

further noted that the County is currently looking at adjusting laws associated with bow and arrows to be in line with firearm use.

Architectural Review Board Report: Brenda Seefeldt, Chair of the Architectural Review Board (ARB), reported that at the last meeting of the ARB, the Board approved one sign and one exterior elevation. The ARB is continuing its discussion on adding a merchant member and plans to bring that to Council for consideration later this summer. The ARB is working with the Town staff to develop a new business packet to be provided to new businesses in town.

Planning Commission Report: No report.

6. Council Member Reports

No report.

7. Mayor's Report

No report.

8. Regular Business

8A. Appointment of Vice Mayor

It was moved to appoint Councilmember Pat Sivigny as Vice Mayor of the Town of Occoquan Town Council, effective July 1, 2014, through June 30, 2016.

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

8 B. Appointment of Town Council Representatives to the Architectural Review Board and Planning Commission

It was moved to appoint Councilmember Dawson as the Council representative for the Town of Occoquan Architectural Review Board, effective July 1, 2014, through June 30, 2016.

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

It was moved to appoint Councilmember McGuire as the Council representative for the Town of Occoquan Planning Commission, effective July 1, 2014, through June 30, 2016.

A motion was made by Councilmember Sivigny, seconded by Councilmember Dawson, that the Action Item be approved. The motion carried by poll vote, unanimous.

8 C. HVAC Replacement at Town Annex

It was moved to approve the replacement of the HVAC unit at the Town's Annex in an amount not to exceed \$4,825 and authorize the Town Manager to research and acquire the most reliable and dependable unit.

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

9. Closed Session

No closed session was held.

10. Adjournment

The meeting adjourned at 7:34 p.m.

Kirstyn Barr, Town Manager



OCCOQUAN TOWN COUNCIL
Special Meeting Minutes - DRAFT
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, July 9, 2014
6:30 p.m.

Present: Mayor Elizabeth Quist, Vice Mayor Pat Sivigny, Councilmembers Tyler Brown, J. Matthew Dawson, Jim Drakes and Joe McGuire
Staff: Kirstyn Barr, Town Manager; Martin Crim, Town Attorney; Sheldon Levi, Chief of Police/Town Sergeant; Abigail Breeding, Treasurer
Other: Mike Vanderpoole

1. Call to Order

Mayor Quist called the meeting to order at 6:35 p.m.

2. New Council Orientation

Mr. Crim, Town Attorney, Mike Vanderpoole and Kirstyn Barr, Town Manager presented materials and information important to newly elected officials to the Town of Occoquan Town Council.

Mr. Crim discussed legal topics including those related to attorney client privilege, ethical responsibilities, roles of Council, Mayor and staff and interacting with the Town Attorney. In addition, Mr. Crim provided a brief overview of ongoing legal issues.

Mr. Crim and Mr. Vanderpoole provided detailed information on the Virginia Freedom of Information Act, the Public Records Act, Data Act and Conflict of Interest Act. Staff was directed to work with the Town Attorney to provide training to the Town's Planning Commission and Architectural Review Board on FOIA and COIA.

Ms. Barr and Mr. Crim discussed the various roles within the Council-Manager form of government including Town Council providing oversight, vision and leadership; the Mayor serving as CEO and presiding officer; the Town Manager executing policy provided by the Town Council; and staff meeting the day-to-day needs of the organization and the community.

Ms. Barr discussed the opportunity for the Town Council to provide direction and develop a vision for the community and mission statement for the organization and suggested holding a Council retreat at an off-site location. The Town Manager was directed to schedule a retreat at an off-site location utilizing a facilitator within the next few months.

3. Adjournment

The meeting adjourned at 8:17 p.m.

Kirstyn Barr, Town Manager



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

8. Regular Business	Meeting Date: August 5, 2014
8 A: Request to Initiate Zoning Text Amendment to Address Ramps, Structures and Equipment for Emergency Services Access	

Explanation and Summary:

Initiation of Zoning Text Amendment to address ramps, structures and equipment for emergency services access as a permitted exception within mandatory setback areas.

This zoning text amendment initiation request was generated from a request by a resident in the R3 zone to install a deck in a side yard, which is not permitted under Section 66-117 (5). See attached materials for additional information regarding this request.

Town Attorney's Recommendation: Refer to Planning Commission for public hearing.

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

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

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

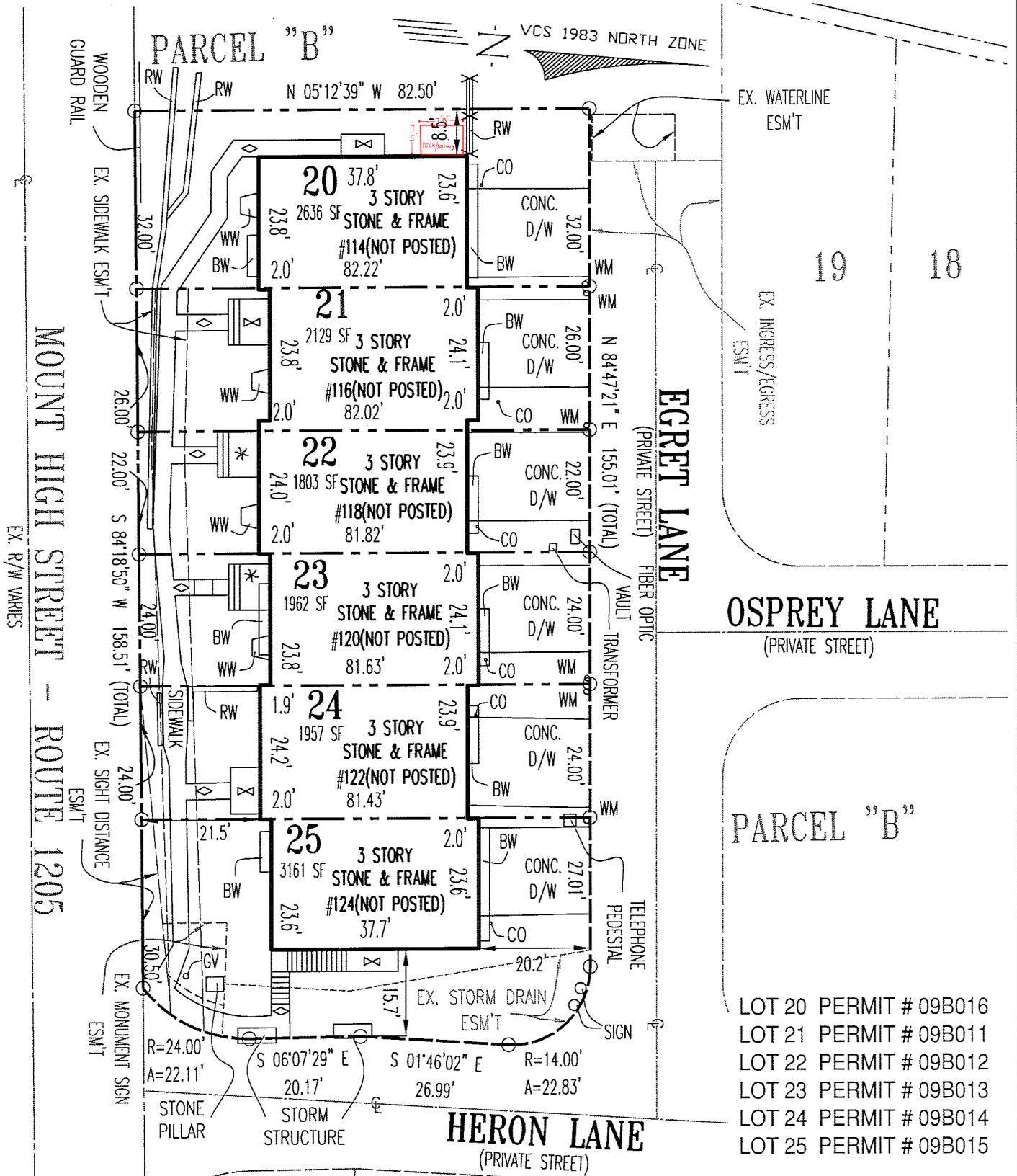
"I move to refer the Proposed Zoning Text Amendment to the Planning Commission for consideration of adoption and a joint public hearing."

Attachments: (3) Draft Zoning Text Amendment Language
Request for Deck in Side Yard, 114 Mount High Street
Letter from Prince William County Fire Marshall

- (a) Notwithstanding the setback requirements set forth in this Ordinance, upon application and demonstration to the satisfaction of the Zoning Administrator that the same is reasonably necessary to allow for access or egress or for emergency services (“Modification”), the Zoning Administrator shall allow a reasonable modification of setback requirements by permitting ramps, structures, and equipment needed to provide access or egress or for emergency services for a specific, identified individual with disabilities under the United States Americans with Disabilities Act of 1990 to encroach into any setback to the minimum distance necessary to provide the access or egress or for emergency services.
- (b) The Zoning Administrator may seek guidance from appropriate governmental building and life safety officials when considering the application for Modification. The Zoning Administrator shall report approval of such Modification to the Town Council at the next regularly scheduled meeting.
- (c) Any such Modification approved by the Zoning Administrator shall:
 - 1. Be constructed in accordance with the Virginia Uniform Statewide Building Code and is subject to all applicable review permitting and inspections requirements and fees.
 - 2. Be promptly removed and the setback restored to conform to this Ordinance upon discontinuance of the need.
- (d) The Zoning Administrator may require reasonable documentation and access to the property to substantiate the extent of the need for the Modification.

NOTES

THIS HOUSE LOCATION SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO REFLECT ALL EASEMENTS, ENCUMBRANCES OR OTHER CIRCUMSTANCE AFFECTING THE TITLE TO THIS PROPERTY. THIS SURVEY IS NOT INTENDED TO BE USED AS AN AID FOR THE CONSTRUCTION OF FENCES OR OTHER IMPROVEMENTS. AUTHORIZED REPRODUCTIONS OF THIS SURVEY ARE AFFIXED WITH AN ORIGINAL SEAL AND SIGNATURE. THOSE REPRODUCTIONS NOT BEARING ON ORIGINAL SEAL AND SIGNATURE ARE NOT THE PRODUCTS OF THE UNDERSIGNED LAND SURVEYOR AND NO CONSIDERATION SHOULD BE GIVEN TO THE INFORMATION CONTAINED HEREIN.

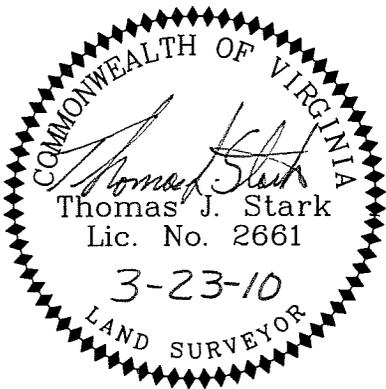


- LOT 20 PERMIT # 09B016
- LOT 21 PERMIT # 09B011
- LOT 22 PERMIT # 09B012
- LOT 23 PERMIT # 09B013
- LOT 24 PERMIT # 09B014
- LOT 25 PERMIT # 09B015

LEGEND

BW	— BOX BAY WINDOW	◇	— LEADWALK
CO	— SANITARY CLEAN OUT	⊗	— STONE PORCH
GV	— GAS VALVE	— X —	— FENCE
RW	— RETAINING WALL	*	— STONE STOOP
WM	— WATER METER		
WW	— WINDOW WELL		
YL	— YARD LINE		

FINAL HOUSE LOCATION SURVEY
LOTS 20-25
HERNDON ADDITION TO
OCCOQUAN WALK
 TOWN OF OCCOQUAN
 PRINCE WILLIAM COUNTY, VIRGINIA



urbanTM

Planners · Engineers · Landscape Architects · Land Surveyors

Urban, Ltd.
 4200 D Technology Court
 Chantilly, Virginia 20151
 Tel. 703.642.2306
 www.urban-ltd.com

WALLCHECK DATE: MARCH 17, 2010 SC

SCALE: 1"=25'

DRAWN: WC-EL/FHLS-EL

FINAL DATE: MARCH 18, 2010 SC

CHK'D:

INST #200506270103862



COUNTY OF PRINCE WILLIAM

Fire Marshal's Office

5 County Complex Court, Suite 160, Prince William, Virginia 22192
(703) 792-6360 Metro 631-1703, Ext. 6360, Fax (703) 792-6492

DEPARTMENT OF
FIRE & RESCUE

Kevin J. McGee
Chief

May 7, 2014

To: Chester Nunyez
Veterans Benefits Coordinator

Subject: Requested evaluation of the residence located at:
114 Mount High Street
Occoquan VA, 22125

Dear Mr. Nunyez,

The Office of the Fire Marshal received a request from Ms. Liza Caron asking that we provide a letter to you stating that we have evaluated and are aware of her limited egress from the above address, her primary residence. An onsite visit was conducted by the local fire station (Station 2) who would be responding to any emergency at this address. They report that Ms. Caron lives in a four story end until town home with motorized stair chair throughout for access to each level. In the event of a fire on the lower levels of the home it would be difficult and possibly dangerous for anyone to attempt to evacuate down from the fourth floor using this means of egress. Based on the plans provided to the fire crew, the proposed deck would offer a viable option for emergency egress via Fire Department ground ladders.

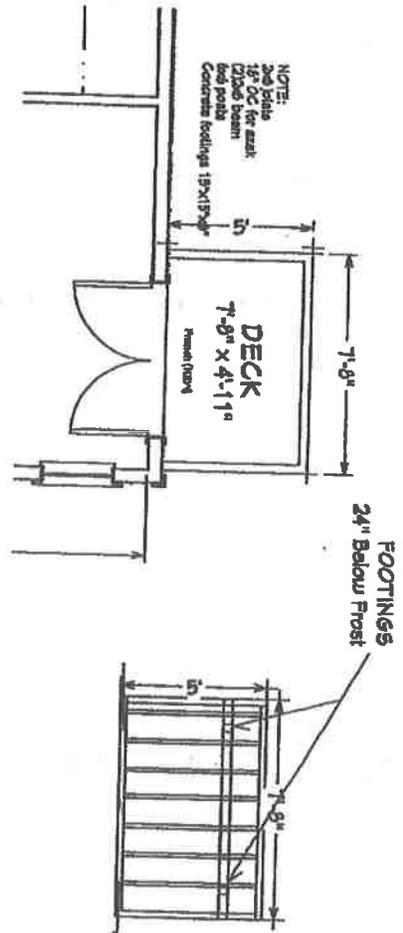
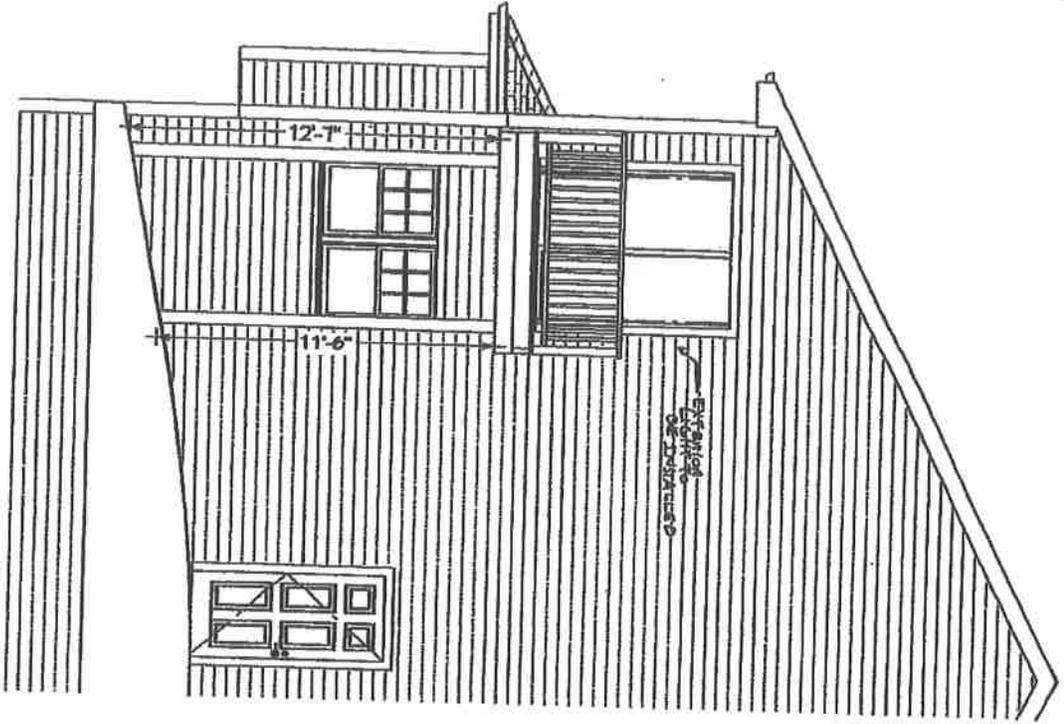
Very truly yours,

Captain Brian Ferguson

Assistant Fire Marshal

5/7/14

House Exterior Side Elevation



CARON DECK DETAILS

MASTER BEDROOM WINDOW TO DOOR CONVERSION

- Demo and remove existing windows where door will be installed.
- Open wall to accommodate new French door.
- Model # 6040 9190VBR door includes locking mechanism and lever handle.
- ADA height sill (1/2" or less)
- Adjust framing and header if necessary to support new door.
- Install flashing; install door, hardware, and trim
- Repair drywall and baseboard trim as needed.
- Paint door.

MASTER BEDROOM DECK

- Dig, and install concrete footings.
- Set 6x6 posts in footings for deck support.
- Construct an approx. 7 1/2 x 5' deck frame (pressure treated / galvanized hardware)
- Install Asak (PVC) brownstone flooring planks.
- Install w/ w/ white composite rails.
- 1 exterior light with sucker; attach to sliding w/ sliding block.
- Final backfill (posts); dirt removal.

SHEET: B-6	DATE: 3/24/14	CUSTOM HOME ELEMENTS 21931 Freedom Dr, #13 Reston VA 20190 (703) 327-1180 info@thecustomhome.com	Liza Caron 114 Mount High Street Occoquan VA 22125	<i>[Signature]</i> 3/24/14	<table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DESCRIPTION	DATE									
	NO.	DESCRIPTION	DATE														
SCALE: 1/4"=1'-0"	CUSTOM HOME																



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

8. Regular Business	Meeting Date: August 5, 2014
8 B: Request to Endorse Concept Plan and Project Schedule for River Park	

Explanation and Summary:

Development and funding of the River Park require delineation of a Concept Plan and Project Schedule. To promote a common vision and project expectations amongst all parties involved, the Council is asked to endorse these documents in accordance with the motions given below.

Engineer's Recommendation: Recommend endorsement of the Concept Plan and proposed Project Schedule.

Town Manager's Recommendation: Endorsement of the Concept Plan and Project Schedule.

Cost and Financing: Prince William County Reimbursement. See Project Schedule.

Account Number: N/A

Proposed/Suggested Motion:

"I move to approve the River Park Concept Plan, prepared by The Engineering Groupe, Inc., dated July 30, 2014, as may be modified to accommodate construction issues as they arise."

and

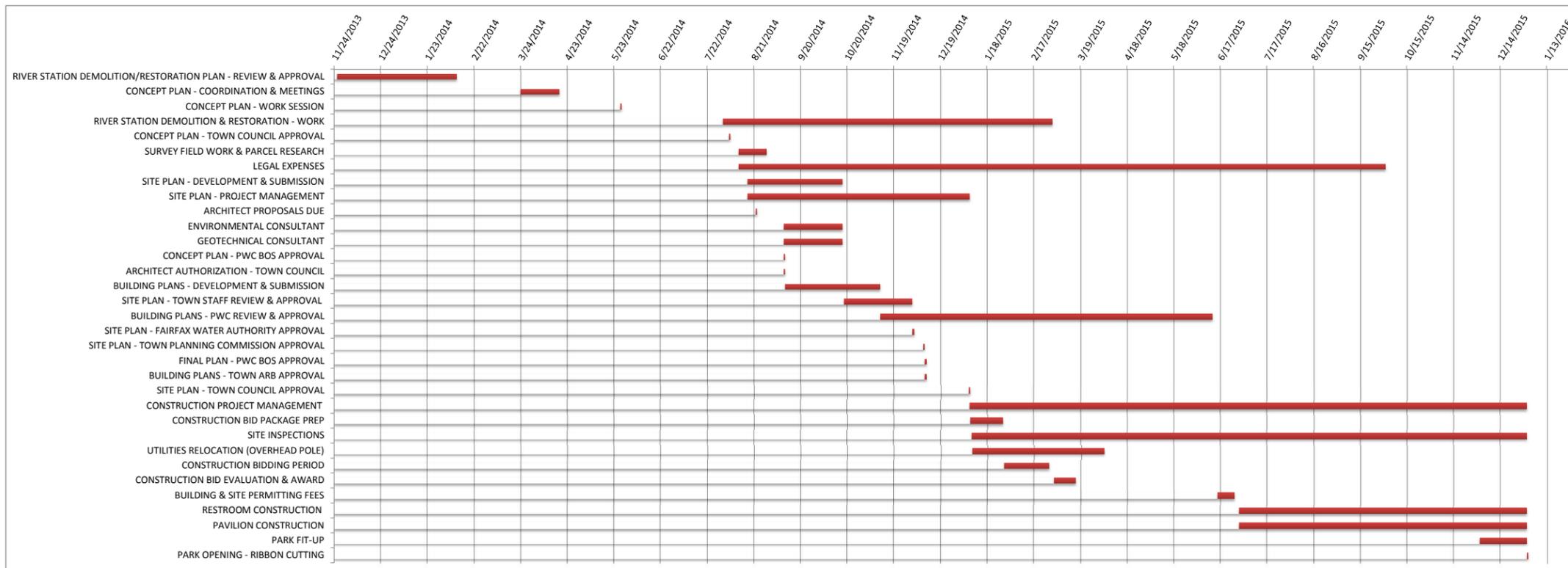
"I move to approve the River Park Project Schedule, prepared by The Engineering Groupe, Inc., dated July 30, 2014, as may be modified to accommodate construction issues as they arise."

Attachments: (2) Concept Plan, dated July 30, 2014
Project Schedule, dated July 30, 2014

RIVER PARK PROJECT SCHEDULE
TOWN OF OCCOQUAN, VIRGINIA
July 30, 2014

TASKS	START DATE	DURATION (CALENDAR DAYS)	COMPLETION DATE	PHASE COST	NOTES
RIVER STATION DEMOLITION/RESTORATION PLAN - REVIEW & APPROVAL	11/26/2013	77	2/11/2014	\$13,120	STAFF REVIEW, PC/TC APPROVAL*
CONCEPT PLAN - COORDINATION & MEETINGS	3/24/2014	25	4/18/2014	\$2,975	COORD. MTGS**
CONCEPT PLAN - WORK SESSION	5/27/2014	1	5/28/2014	\$3,835	CONCEPT & PRESENTATION DOCUMENT DEVELOPMENT (BILLED TO DATE)
RIVER STATION DEMOLITION & RESTORATION - WORK	8/1/2014	212	3/1/2015	\$15,000	TRAIL & LANDSCAPING (REIMBURSABLE TO FWA - CONFIRM COST WITH FWA)
CONCEPT PLAN - TOWN COUNCIL APPROVAL	8/5/2014	1	8/6/2014	N/A	COST INCLUDED IN OTHER ITEMS
SURVEY FIELD WORK & PARCEL RESEARCH	8/11/2014	18	8/29/2014	\$7,500	
LEGAL EXPENSES	8/11/2014	416	10/1/2015	\$10,000	
SITE PLAN - DEVELOPMENT & SUBMISSION	8/17/2014	61	10/17/2014	\$15,000	
SITE PLAN - PROJECT MANAGEMENT	8/17/2014	143	1/7/2015	\$13,000	
ARCHITECT PROPOSALS DUE	8/22/2014	1	8/23/2014	N/A	COST INCLUDED IN OTHER ITEMS
ENVIRONMENTAL CONSULTANT	9/9/2014	38	10/17/2014	\$3,000	
GEOTECHNICAL CONSULTANT	9/9/2014	38	10/17/2014	\$12,000	SOILS STUDIES, RETAINING WALL DESIGN, ETC.
CONCEPT PLAN - PWC BOS APPROVAL	9/9/2014	1	9/10/2014	N/A	COST INCLUDED IN OTHER ITEMS
ARCHITECT AUTHORIZATION - TOWN COUNCIL	9/9/2014	1	9/10/2014	N/A	COST INCLUDED IN OTHER ITEMS
BUILDING PLANS - DEVELOPMENT & SUBMISSION	9/10/2014	61	11/10/2014	\$25,000	
SITE PLAN - TOWN STAFF REVIEW & APPROVAL	10/18/2014	44	12/1/2014	\$5,000	
BUILDING PLANS - PWC REVIEW & APPROVAL	11/10/2014	214	6/12/2015	N/A	COST INCLUDED IN OTHER ITEMS
SITE PLAN - FAIRFAX WATER AUTHORITY APPROVAL	12/1/2014	1	12/2/2014	N/A	COST INCLUDED IN OTHER ITEMS; PLACEHOLDER - DATE TBD
SITE PLAN - TOWN PLANNING COMMISSION APPROVAL	12/8/2014	1	12/9/2014	N/A	COST INCLUDED IN OTHER ITEMS
FINAL PLAN - PWC BOS APPROVAL	12/9/2014	1	12/10/2014	N/A	COST INCLUDED IN OTHER ITEMS
BUILDING PLANS - TOWN ARB APPROVAL	12/9/2014	1	12/10/2014	N/A	COST INCLUDED IN OTHER ITEMS
SITE PLAN - TOWN COUNCIL APPROVAL	1/6/2015	1	1/7/2015	N/A	COST INCLUDED IN OTHER ITEMS
CONSTRUCTION PROJECT MANAGEMENT	1/7/2015	358	12/31/2015	\$13,000	
CONSTRUCTION BID PACKAGE PREP	1/7/2015	21	1/28/2015	N/A	COST INCLUDED IN OTHER ITEMS
SITE INSPECTIONS	1/8/2015	357	12/31/2015	10,000	VSMP, E&S
UTILITIES RELOCATION (OVERHEAD POLE)	1/8/2015	85	4/3/2015	\$75,000	
CONSTRUCTION BIDDING PERIOD	1/29/2015	29	2/27/2015	N/A	COST INCLUDED IN OTHER ITEMS
CONSTRUCTION BID EVALUATION & AWARD	3/2/2015	14	3/16/2015	N/A	COST INCLUDED IN OTHER ITEMS
BUILDING & SITE PERMITTING FEES	6/15/2015	11	6/26/2015	\$20,000	
RESTROOM CONSTRUCTION	6/29/2015	185	12/31/2015	\$350,000	
PAVILION CONSTRUCTION	6/29/2015	185	12/31/2015	\$100,000	OPTIONAL INCLUSION - REQUIRES FWA APPROVAL
PARK FIT-UP	12/1/2015	30	12/31/2015	\$30,000	LIGHTING, BENCHES, TABLES, INTERPRETIVE SIGNAGE, LANDSCAPING, TRAIL CONNECTION
PARK OPENING - RIBBON CUTTING	12/31/2015	1	1/1/2016	N/A	COST INCLUDED IN OTHER ITEMS

TOTAL ITEMIZED COST:	\$723,430
CONTINGENCY (10%):	\$72,343
TOTAL PROJECT COST:	\$795,773





TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

8. Regular Business	Meeting Date: August 5, 2014
8 C: Proposed Ordinance to Amend Section 2-124 of the Town Code, Treasurer Attendance at Town Council Meetings	

Explanation and Summary:

As stated in the Town Code, the Treasurer attends every Town Council meeting and provides monthly financial reports to the Town Council and public. This proposed Code revision will allow the Council flexibility in determining when the Treasurer should attend meetings and provide financial reports.

In an effort to develop more comprehensive financial reports, the Town Manager has proposed that the Treasurer attend Town Council meetings quarterly and provide quarterly reports to the Town Council and public. By moving from a monthly to a quarterly reporting schedule, the Treasurer is able to utilize three months' worth of financial information to communicate the Town's financial standing. Quarterly reporting also coincides with the Town's budget process and will include an end of fiscal year financial report in August of each year. With the adoption of this proposed ordinance, the Treasurer will attend the November (First Quarter Report), February (Second Quarter Report), May (Third Quarter Report) and August (end of FY financial report and Fourth Quarter Report) Town Council meetings, and any other meetings Town Council requests.

Outside of quarterly reporting, the Treasurer will provide budget reports to the Town Manager throughout the year in order to effectively manage the Town's budget.

Town Manager's Recommendation: Adopt the proposed ordinance to amend Section 2-124 of the Town Code to allow flexibility in the Treasurer's attendance at meetings.

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

"I move to adopt the ordinance to amend Section 2-124 of the Town Code, generally relating to duties of the Treasurer."

Or

Other action Council deems appropriate.

Attachments: (2) Proposed Ordinance
Town Code 2-214 (Current)

ORDINANCE # O-2014-_____

**AN ORDINANCE TO AMEND SECTION 2-124 OF THE TOWN CODE
GENERALLY RELATING TO DUTIES OF THE TREASURER**

BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in regular session this fifth day of August, 2014:

1. That the Town Council hereby amends Town Code § 2-124 as follows:

Sec. 2-124. Town treasurer.

The town treasurer shall attend ~~all~~ meetings of the council when requested by the mayor or the council and provide monthly reports of the receipts and disbursements in the town's accounts.

2. That this ordinance is effective upon passage.

MOTION:

SECOND:

RE:

ACTION:

Date: _____
Regular Meeting
Ord. No. _____

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

CERTIFIED COPY _____

Town Clerk

such office. The town clerk or his designee shall attend all meetings, hearings and sessions of the council as requested.

(Code 1981, § 2-25)

Sec. 2-123. Town attorney.

The town attorney shall attend meetings, hearings and sessions of the council as requested, either in person or by a deputy. Any member of the council may call upon the town attorney, through the mayor, for an oral or written opinion on any question of law, but not on any question of parliamentary procedure. The town attorney shall be afforded the privilege of the floor to explain any matter of legal significance to the pending business.

(Code 1981, § 2-26)

Sec. 2-124. Town treasurer.

The town treasurer shall attend all meetings of the council and provide monthly reports of the receipts and disbursements in the town's accounts.

(Code 1981, § 2-27)

Sec. 2-125. Town sergeant.

The town sergeant or his designee shall attend regular meetings of the council and other meetings as requested.

(Code 1981, § 2-28)

Secs. 2-126--2-145. Reserved.

DIVISION 5. ORDER OF BUSINESS AND AGENDA ITEMS

Sec. 2-146. Order of business.

The business of all regular meetings of the town council shall be transacted in the following order, except that the town council by a majority vote of members present and voting may change the order:

- (1) Citizen time.
- (2) Approval of minutes.
- (3) Staff, Mayor, and Council reports.



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

8. Regular Business

Meeting Date: August 5, 2014

8 D: Request to Replace Meeting Recording System

Explanation and Summary:

This is a request to replace the Town's meeting recording system, which includes the TEAC W-865R Cassette Deck that is currently used to record Town Council meetings to aid in the production of minutes.

Based on limited documentation, it is estimated that the current tape deck and lectern were purchased by the Town in the late 80's or early 90's. The tape deck was discontinued by the manufacturer in 1993. The sound system, which includes the sound-o-sphere, mixing board and ten gooseneck mics, were purchased in 2004.

Within the Town's approved FY 2015 Capital Improvement Plan, \$15,000 has been identified for use during FY 2016 to upgrade Town Hall's audio visual equipment to include replacing the Town's sound system and recording solution, and the addition of presentation equipment for use during public meetings. The current recording system is antiquated and unreliable, and there is a need to address this issue in advance of FY 2016.

This request is to only replace the cassette-based recording unit with a digital audio recording solution called For The Record (FTR) at an estimated cost of \$4,500 to include equipment, installation and on-site training. It is recommended that funding for this project be identified in the current year Capital Improvement Plan for an amount not to exceed \$5,000, and to reduce the "Town Hall A/V Equipment/ Sound System" line item to \$10,000. The attached quote from FTR details the equipment needs and solution capabilities. FTR is utilized by several communities within the region including but not limited to Prince William County Board of Supervisors, Fairfax County Board of Supervisors, Town of Culpepper, City of Fredericksburg, Arlington County Board of Supervisors, Town of Vienna, Town of Leesburg and the Town of Purcellville.

Town Manager's Recommendation: Recommend two-phased approach to replacing Town Hall A/V equipment with Phase I to include the replacement of the recording system with a digital solution to occur in Fiscal Year 2015 from CIP funding and Phase II to include replacement of the sound system including upgraded presentation equipment to occur during Fiscal Year 2016 from CIP funding. This includes the reduction of the FY 2016 CIP item to \$10,000 and the identification of \$5,000 in current year CIP funding for this project.

Cost and Financing: Not to Exceed \$5,000
Account Number: CIP FY 2015

Proposed/Suggested Motion:

"I move to approve the purchase of replacement recording equipment in an amount not to exceed \$5,000 from CIP funding and direct the Town Manager to research and select the appropriate recording solution."

OR

Other action Council deems appropriate

Attachments: (3) FTR Quote
Computer Equipment Quote
FY 2015 Approved CIP



QUOTE#:TO07302014-001

Date: July 30, 2014

TO Town of Occoquan
314 Mill Street
Occoquan, VA 22125

Attn: Kirstyn L. Barr

SALESPERSON	JOB	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE	
PCH	TOO	VOM Install	FOB Destination	Mutual Agreement	Net 30	Mutual Agreement	
QTY	ITEM #	DESCRIPTION			UNIT PRICE		LINE TOTAL
VOM Digital Interview Recording Solutions							
1	FTR-Aud-2	VOM will provide a FTR Digital Audio Recording Solution including the latest version of FTR Hearings Recording and LogNotes software, a Stereo Headset, a two channel preamplifier, a USB audio interface device, a Uninterrupted Power Supply and a Flash Drive (to prevent loss of data due to power loss or system failure). Pricing includes installation, setup and hands on training onsite at Town of Occoquan offices.			\$3,760.00		\$3,760.00
1	VOM-WRD	WordLink add-In for Microsoft Word - Allows a user to open a Microsoft Word document and create time-stamped notes that describe events as they occur, which can be linked to associated recordings created with FTR's Record Recorder. Users can then open the Word and use the time-stamps to locate and play back the recording.			\$0.00		\$0.00
The Town of Occoquan is providing a computer for FTR Hearings Digital Recording Solution the computer must meet or exceed FTR specifications and be shipped to VOM office in Charlottesville for configuration. VOM will redeliver to the Town of Occoquan offices upon installation					TOTAL		\$3,760.00

This quotation pricing is based upon the quote being accepted in its entirety and is only good for 30 days from the date shown on the quote. Deliveries may be subject to delays from fires, strikes or other causes beyond our control. To accept this quotation as it is please sign your name and date below:

_____ Name

_____ Date



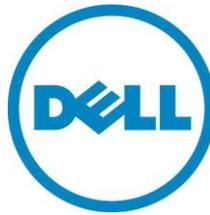
USA 
Small Office

- Product
- Services
- Solutions
- Support
- Purchase Help

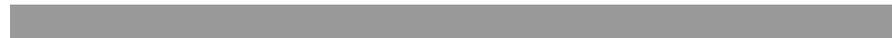
Your Dell Quote

Thank you for your interest in Dell.

This message contains all of the information regarding your products and/or services. Please verify that this quote is accurate and contact your sales professional if you would like to place this order. If you have any further questions regarding our products or services, please visit www.dell.com.



Thanks again for choosing Dell.



Quote Information	
Customer Number:	134800865
Customer Name:	TOWN OF OCCOQUAN
Your Sales Professional:	Debora Downey Debora_Downey@DellTeam.com (800) 456-3355x 5132213
<hr/>	
Quote Number:	687865511
Quote Date:	07/31/2014
Estimated Delivery Date:	If you place your order today, it is estimated to be delivered on or before 8/12/2014 . *
Learn More	

FTR Laptop Quote

Customer Information	
Billing Contact:	ACCOUNTS PAYABLE
Billing Phone Number:	(703) 491-1918
Billing Address:	314 MILL ST OCCOQUAN, VA 22125-8010
Delivery Contact:	RECEIVING DEPT
Delivery Phone Number:	(703) 491-1918
Delivery Address:	314 MILL ST OCCOQUAN, VA 22125-8010

Quote Details		
Quote Number: 687865511		
Item Number	Quantity	Item Description
210-ABBV	1	Dell Latitude 3540, BTX
370-AAQI	1	4GB (1x4GB) 1600MHz DDR3L Memory
583-BBMW	1	Internal English Spill Resistant Keyboard
490-BBMU	1	Intel HD Graphics 4400
555-BBNY	1	Latitude 3540 DW1705 Driver
400-AATU	1	2.5" 500GB Solid State Hybrid Drive
536-BBBD	1	Windows 7 Professional, English, 64bit (includes Windows 8.1 Pro 64bit License and Media)
429-AAIF	1	Internal / Non-Swappable Tray Load 8X DVD+/-RW
555-BBCB	1	Dell Wireless-N 1705 @ 2.4GHz + Bluetooth 4.0
537-BBBD	1	US Power Cord
340-ACOS	1	System Documentation, English
989-34491		Thank you choosing Dell ProSupport. For tech support, visit http://support.dell.com/ProSupport or call 1-866-516-3115

FTR Laptop Quote

994-9391	1	ProSupport: Next Business Day Onsite Service After Remote Diagnosis Initial Year
994-9461	1	ProSupport: 7x24 Technical Support, Initial
995-0071	1	ProSupport: Next Business Day Onsite Service After Remote Diagnosis 2 Year Extended
995-0141	1	ProSupport: 7x24 Technical Support, 2 Year Extended
995-1501	1	Dell Limited Hardware Warranty Plus Service Initial Year
995-1701	1	Dell Limited Hardware Warranty Plus Service Extended Year(s)
900-9987	1	Standard On-Site Installation Declined
338-BEQR	1	IntelCorei3-4030U DualCore,1.9GHz,3M 3540
630-AABP	1	Microsoft Office Trial, MUI, OptiPlex, Precision, Latitude
954-3465	1	No DDPE Encryption Software
525-0015	1	McAfee SecurityCenter 36 month
620-AASU	1	Windows 8.1 DVD OS Recovery(English)
460-BBEX	1	No Carrying Case
319-BBBH	1	Software for Integrated Camera
340-AAUC	1	Dell Digital Delivery Cirrus Client
340-ACYL	1	Royalty for Waves MaxxAudio(R) 4
340-ADFZ	1	Dell Power Manager
340-AEWD	1	Latitude 3540 Software Drivers
421-9982	1	Thank you for buying Dell
422-0007	1	Dell Data Protection Security Tools Digital Delivery/NB
640-BBDI	1	Adobe Reader 11
640-BBEU	1	Dell Data Protection Protected Workspace
640-BBHQ	1	Not Selected in this Configuration
640-BBHR	1	Visit www.dell.com/encryption
658-BBMR	1	Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps),OptiPlex
391-BBHH	1	15.6" HD (1366x768) Anti-Glare WLED-backlit
451-BBDQ	1	4-Cell Battery (40 WHr)
430-XXYG	1	No Resource DVD
340-AASE	1	No Quick-Reference Guideline

FTR Laptop Quote

328-BBDZ	1	Packaging : Brown Box
340-AFDF	1	Latitude 3540 Ship Material
389-BCVQ	1	Latitude 3540 Regulatory Label
387-BBDU	1	EPEAT Bronze Registered / Energy Star 6.0 Qualified
389-BCCH	1	Intel Core i3 Processor Label
492-BBEM	1	65W AC Adapter, 3-pin
319-BBKY	1	Camera Included
998-BFYT	1	Fixed Hardware Configuration
800-BBGD	1	BTS/BTP Shipment
430-XXYY	1	No Power DVD
332-12861		Non-Canada Orders only
389-BCDK	1	GCC SPL only
637-AAAS	1	Dell Backup and Recovery Basic
*		-DISCOUNT/COUPON APPL
<hr/>		
Subtotal:		\$676.40
Shipping & Handling:		\$0.00
Tax:		\$40.58
<u>Environmental Disposal Fee:</u>		\$0.00
Total Price w/Discounts:		\$716.98

* Orders with Configuration Services might require additional processing time.

Please save this Quote Confirmation. To ensure that your quote is complete and accurate, please verify the configuration meets your needs.

Learn more about the [Estimated Delivery Date](#).

Terms of Sale

This quote is valid for 30 days unless otherwise stated. Unless you have a separate written agreement with Dell that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hardcopy from Dell at your request:

FTR Laptop Quote

If this purchase is for your internal use only: Dell's Commercial Terms of Sale (www.dell.com/CTS), which incorporate Dell's U.S. Return Policy (www.dell.com/returnpolicy) and Warranty (www.dell.com/warrantyterms).

If this purchase is intended for resale: Dell's Reseller Terms of Sale (www.dell.com/resellerterms).

If this purchase includes services: in addition to the foregoing applicable terms, Dell's Service Terms (www.dell.com/servicecontracts/global).

If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement – Type A (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement — Type S (www.dell.com/SEULA).

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

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TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

8. Regular Business	Meeting Date: August 5, 2014
8 E: Request to Set "Not to Exceed" Amounts for Fall Occoquan Arts and Crafts Show	

Explanation and Summary:

As was done for the Spring 2014 Occoquan Arts and Crafts Show, this is a request to set not-to-exceed limits on expense categories related to logistics and marketing for the upcoming Fall show, and to authorize the Mayor to sign contracts on behalf of the Town Council for items within these categories.

The proposed not-to-exceed limits are based on costs incurred in previous shows and expected costs.

Proposed Not-To-Exceed Limits Per Category (FY14 - Fall Show Only)

Category	Not-To-Exceed Amount
Advertising	\$10,000
Portable Toilets	\$2,000
Trash Collection	\$2,000
Rental Center (Tables, Chairs)	\$700
Security	\$9,500

Transportation (shuttles) for the Fall show were approved in a previous Town Council meeting in the amount of \$14,040.

Town Manager's Recommendation: Recommend approval.

Cost and Financing: Various
Account Number: Craft Show Operating Account

Proposed/Suggested Motion:

"I move to approve a not-to-exceed limit of \$10,000 for advertising for the Fall 2014 Arts and Crafts Show."

and

"I move to approve a not-to-exceed amount of \$2,000 to contract portable toilets for the Fall 2014 Arts and Crafts Show."

and

“I move to approve a not-to-exceed amount of \$2,000 for trash collection and removal for the Fall 2014 Arts and Crafts Show.”

and

“I move to approve a not-to-exceed amount of \$700 to contract the rental of tables and chairs for the Fall 2014 Arts and Crafts Show.”

and

“I move to approve a not-to-exceed amount of \$9,500 to contract security for the Fall 2014 Arts and Crafts Show.”

and

“I further move to authorize the Mayor to sign contracts related to the Fall 2014 Craft Show on behalf of the Town Council.”

OR

Other action Council deems appropriate

Attachments: None.