



OCCOQUAN TOWN COUNCIL
Regular Meeting Minutes
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, January 5, 2016
7:00 p.m.

Present: Mayor Liz Quist, Vice Mayor Pat Sivigny, Councilmembers Joe McGuire, J. Matthew Dawson, and Tyler Brown
Staff: Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney; Ned Marshall, Zoning Administrator; Matt Williams, Assistant Town Engineer/Zoning Administrator; Sheldon Levi, Chief of Police
Absent: Councilmember Jim Drakes; Bruce Reese, Town Engineer

1. Call to Order

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

2. Pledge of Allegiance

3. Citizen's Time

None.

4. Approval of Minutes

It was moved to approve the minutes of the December 1, 2015 Regular Meeting and the December 22, 2015 Special Meeting Minutes.

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

5. Council Member Reports

None.

6. Mayor's Report

None.

7. Staff Reports

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

1. Requested to remove Item 8A., Reconsideration of Kiely Court Subdivision Plat Conditional Approval, from the agenda. Town Attorney worked with the Kielys' attorney to resolve the issue. The Kielys are not going to contest the contingent approval of the plat, notwithstanding their previous statements that approval or denial are the only options with a subdivision plat. The Kielys are reserving their objection to one of the conditions being the resolution of the sewer lateral problem.

2. There is a pending application for a plumbing permit with the Town for a request to cap the sewer lateral that runs through the Kiely Court property. The Town is waiting for a plumbing report to be provided by the Kiely's within the next few days, which will provide additional information. Allegedly, the sewer line is open to the air and is a potential nuisance. The two options are to deny the permit, in which case the Kiely's have indicated that they will file suit or approve the permit, after which it would be expected that the neighboring property owners would file suit. We have requested that the Kiely's attorney leave the Town out of the middle of it and resolve the issue. Ultimately, it is a question of whether it is a matter of health and safety. The Town's Building Official is responsible for determining whether or not to issue the permit.
 3. Advised that there are currently no bills issued in the General Assembly regarding the use of body worn cameras. The bill is needed to address the document retention issue that comes with the use of body worn cameras. The amount of data that will be produced across the Commonwealth from the use of body worn cameras is going to be very expensive to maintain. Policy guidance is needed on how long to retain the files and data, as well as how to store data. Currently a model policy is being developed and Prince William County currently has a draft policy, of which our policy will be modeled after should the Town move forward with body worn cameras. If the Town collects this data and does not follow the Virginia Library of Congress laws regarding document retention, the Town will be in violation. Currently, each video, depending on the issue, would need to be retained in accordance of VA Library of Congress schedules as it relates to the content.
 4. Spoke with the Attorney from Fairfax Water regarding the Town events issue at River Mill Park; they have requested a list of what the Town events are that will be held in the park. They have said that they can include weddings and other events within that calendar.
- B. Town Engineer:** Mr. Marshall, Zoning Administrator, reported on the following engineering activities:
1. Land Disturbance Activity report
 - a. Vistas at Occoquan – revised plans to extend sidewalk to Rivertown project.
 2. Floodplain Ordinance has been revised and will be before Planning Commission next week and to Council in February.
 3. Occoquan Heights – the hazardous trees have been removed and we are working with Elm Street in regards to the installation of the by-pass system for the Stormwater facility. The timeline is unknown at this time of when it will be installed.
 4. River Mill Park
 - a. Retaining wall work is completed.
 - b. The masonry work on the outside of the building is completed.

- c. Work on the footbridge is currently underway; the footbridge will be closed until work is completed.
 - d. Working through some plumbing and electrical issues.
 - e. Current schedule shows Phase I being completed by end of January.
 - f. Advised Town Council that Mr. Williams submitted his resignation to the Engineering Groupe effective the end of January. He and his family will be relocating to Oregon.
 - g. Mr. Brown inquired about the status of the brick paver program. Ms. Jovanovich stated that the program is ongoing and there is space for approximately 1,100 bricks and currently, approximately 100 have been sold.
- C. Building Official:** Mr. Barbeau was not present, however, his report was submitted as part of the meeting agenda. Mr. Dawson noted an error of an address in the building report; 208 Commerce Street is not the correct address - correct address reference is 304 Commerce Street.
- D. Town Manager:** Ms. Jovanovich, Town Manager, submitted a manager's report as part of the agenda and held further discussion on the following:
- a. Reminder that Town Manager will be out of the office during the last week of January for Certified Floodplain Manager training in Blacksburg, VA.
 - b. Mr. Dawson asked if they were going to repave repair area on Mill Street in front of the hair salon as it was not compacted correctly and the area is sinking. Ms. Jovanovich advised that it was done by the PW Service Authority and she would inquire as to if the area is going to be repaved.
- E. Chief of Police:** Chief Levi provided his December 2015 report with the agenda packet. No questions.
- F. Boards and Commissions:** Council Member Dawson, serving as Council representative on the ARB, submitted the December 2015 ARB report. ARB approved one sign application.

It was moved to reappoint Carol Bailey, Carol Bryant, Bobbie Frank and Brenda Seefeldt to the Architectural Review Board. Their respective terms will be for three years from the date of the end of their current terms.

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

8. Regular Business

A. Request to Reconsider Conditional Approval of Kiely Court Final Subdivision Plat

Item was removed from the agenda. No action taken.

B. Request to Approve 308 Commerce Street Site Plan

It was moved to approve the final site plan for 308 Commerce Street.

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

C. Request to Approve Request to Place Dumpster and Enclosure in Town ROW

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

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

D. Request to Approve Emergency Water Heater Replacement in Town Hall

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

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

E. Request to Purchase Replacement Traffic Cones

It was moved to approve the purchase of 50 safety cones from Traffic Safety Store for \$1,225 from Public Safety Grant funds.

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

F. Request to Accept Used Police Cruiser from Town of Quantico

It was moved to purchase the used police vehicle from the Town of Quantico for the amount of \$1.00 and to set a not-to-exceed amount of \$2,500 for initial maintenance and vehicle marking costs.

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

9. Adjournment

The meeting was adjourned at 7:47 p.m.

Kirstyn Jovanovich
Town Manager/ Acting Town Clerk