



OCCOQUAN TOWN COUNCIL
Regular Meeting Minutes
Town Hall – 314 Mill Street, Occoquan, VA 22125
Wednesday, May 2, 2018
7:00 p.m.

Present: Mayor Liz Quist, Vice Mayor Pat Sivigny, Councilmembers Matthew Dawson, Jim Drakes, and Cindy Fithian.

Absent: Councilmember Joe McGuire

Staff: Kirstyn Jovanovich, Town Manager; Christopher Coon, Town Clerk; Martin Crim, Town Attorney; Adam Linn, Chief of Police

1. Call to Order

Mayor Quist called the meeting to order at 7:01 p.m.

2. Pledge of Allegiance

3. Citizens Time

Cecilia Blacksheer, The Good News Community Kitchen, requested a waiver for River Mill Park rental fee for Back to School Picnic and Supply Giveaway.

It was moved to waive the fee for River Mill Park for the Back to School Picnic and Supply Giveaway event on August 08, 2018.

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

Sharon Terrill, 109 River Rd., asked for an exception for the Town Code section relating to shielding of refuse containers. She stated that there has never been an issue before her neighbor moved in. She also pointed out that the Town Code needs to be updated because the town no longer provides 31-gallon cans, which is the maximum capacity allowed by the Town Code.

Patricia Lynn, 407 Union Street, requested a committee be created on the issue of speeding on Tanyard Hill Road. She also reported that Saluka Jones passed away recently and it was not in the newsletter.

Mark Light, 113 River Rd., stated that the issue with the trash containers has been caused by one neighbor.

4. Approval of Minutes

It was moved to approve the minutes of the April 3, 2018 Regular Meeting, the April 17, 2018 Work Session, and the April 24, 2018 Special Meeting.

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

5. Councilmember Reports

Cindy Fithian thanked town residents for their support during the campaign and election. She stated that she received several suggestions and comments from town residents and she intends on compiling all of them and having a meeting with town staff.

6. Mayor's Report

Mayor Quist updated Council on the status of the Tanyard Hill property rezoning and comprehensive plan update process. It will go before the Board of County Supervisors May 15, 2018, and the Town Engineer will be attending that meeting to answer any questions. Prince William County Planning Commission has recommended approval.

7. Staff Reports

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

- i. **State Bills** - SB823/HB1427, regulating wireless support structures, the governor proposed amendments which the General Assembly accepted. The amendments make the bill applicable only to VDOT and not to localities. Localities remain free to set fees for use of the right-of-way for wireless support structures.
- ii. **River Mill Park** - Mayor and Town Staff had a meeting with The Engineering Groupe, Miller Brothers, the architect and the engineer regarding the pending Notices of Violation at the restroom facility building.
- iii. **Mobilitie** - Mr. Crim, is continuing to work with the Town Manager on the Mobilitie franchise.
- iv. **Board of Zoning Appeals** - Maryann Phelps' term has expired and she will continue serving until the Circuit Court appoints a replacement.
- v. **Trash on River Road** - There is no waiver currently allowed in the Town Code. He suggested Town staff create an amendment to the Town Code and limit enforcement on River Road until those revisions are made.

B. Town Engineer: Mr. Reese, Town Engineer, submitted a report as part of the meeting agenda. No questions were received.

C. Building Official: The Building Official's report was submitted as part of the meeting agenda.

D. Town Manager: Ms. Jovanovich submitted a manager's report as part of the meeting agenda. She also reported the following:

- i. **Speeding on Tanyard Hill Road**- Ms. Jovanovich reported that she has been communicating with Prince William County and VDOT to request a traffic study and replacement of rumble strips.
- ii. **Vulcan Parking Lot** - Ms. Jovanovich reported that the Vulcan Lot will no longer be available for the Arts and Crafts Show. The Mayor is assisting to identify a new lot to capture the traffic traveling south on Route 123.

Councilmember Dawson stated he would be in favor of a committee, that included the planning commission, to review the information received from VDOT after traffic study regarding speeding in town.

Councilmember Drakes stated that a committee to review and discuss all of the parking and traffic studies would be beneficial. He stated that there needs to be focus on trying to slow down those going the fastest on the road ways.

Mayor Quist stated that there needs to be communication with VDOT and Prince William County about how to make adjustments without meeting VDOT's standards.

Councilmember Fithian volunteered to head a committee for the parking and traffic studies, should the Town Council establish such a committee in the future.

- E. **Town Treasurer:** Ms. Rodriguez, Town Treasurer, submitted a report as part of the meeting agenda.
- F. **Chief of Police:** Chief Linn submitted a report as part of the meeting agenda.

Councilmember Fithian inquired about the inoperable vehicles on Center Lane. Chief Linn stated that the Property Owner has brought all of the vehicles into compliance.

Vice Mayor Sivigny inquired if there are any violations regarding the camper on Center Lane. Chief Linn stated that he will have to review the camper for any violations.

Councilmember Fithian requested more information for the hit and run accident at the intersection of Washington Street and Commerce Street. Chief Linn stated that this was an ongoing investigation and reported that he obtained felony warrants for the individual that struck the pedestrian.

Councilmember Drakes inquired about the Pedestrian Safety Program. Chief Linn indicated that the program's education portion will begin Friday May 4, 2018. Brochures will be provided to both pedestrians and drivers in the Town of Occoquan.

Councilmember Fithian inquired if the Town Code had a regulation regarding a driver having a phone in their hands. Chief Linn stated that there was not. Mr. Crim stated that he believes there will be a new law in the VA State Code effective in July that there will be a new charge for drivers using phones, not only texting, and the violation would not be a reckless driving charge.

- G. **Boards and Commissions:** Ryan Somma reported the Planning Commission approved the update to Town Code Chapter 2 Planning Commission and approved the 2017 Annual Report.

8. Regular Business

8A. Request to Adopt and Appropriate Fiscal Year 2019 Budget and Tax Rates

It was moved to set the following tax rates for the Fiscal Year 2019 beginning July 1, 2018: a Real Estate Tax Rate of \$0.12 per \$100 of assessed valuation; a Meals Tax Rate of three (3) percent; and a Transient Tax Rate of two (2) percent.

It was further moved to adopt the Fiscal Year 2019 Budget beginning July 1, 2018 as presented in the amount of \$755,920 and appropriate the funds for the expenditures shown in the budget.

It was further moved to adopt the fiscal Year 2019 Capital Improvement plan beginning July 1, 2018 as presented in the amount of \$606,100 in expenditures and \$446,300 in revenue, and appropriate the funds for the expenditures shown in the budget.

It was further moved to adopt the fiscal Year 2019 Mamie Davis Fund beginning July 1, 2018 as presented in the amount of \$2,000 in expenditures and \$2,600 in revenue, and appropriate the funds for the expenditures shown in the budget.

It was further moved to adopt the Fiscal Year 2019 Craft Show fund beginning July 1, 2018 as presented in the amount of \$101,954 in expenditures and \$203,950 in revenues, and appropriate the funds for the expenditures shown in the budget.

A motion was made by Vice Mayor Sivigny, seconded by Councilmember Fithian that the Action Item be approved. The motion carried by roll call vote, Councilmember Fithian, Councilmember Drakes, Councilmember Dawson, and Vice Mayor Sivigny.

8B. Request to Approve Resolution for Military Tribute Banner Program

It was moved to approve a resolution for VFW Post 7916 Military Tribute Banners.

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

8C. Request to Adopt Ordinance to Update Occoquan Town Code Chapter 2, Planning Commission and Architectural Review Board

It was moved to adopt an ordinance amending Occoquan Town code Chapter 2, relating to Planning Commission and Architectural Review Board.

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

8D. Request to Accept Planning Commission 2017 Annual Report

It was moved to accept the Planning Commission 2017 Annual Report.

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

8E. Request to Approve FY 2019 Refuse and Recycling Contract

It was moved to approve the FY 2019 Extension to the Town's contract with Bates Trucking and Trash Company, Inc. for weekly refuse, recycling, bulk and yard waste collection within the town of Occoquan for an annual cost of \$49,800.

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

8F. Request to Approve FY 2019 Landscaping Contract

It was moved to approve the FY 2019 Extension to the Town's contract with Virginia Lawn Service, Inc. for landscaping maintenance services (RFP2015-001) for an annual cost of \$17,375.

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

8G. Request to Award Contract and Appropriate Capital Funds for Paving of Commerce/ Washington Streets Public Parking Lot

It was moved to contract with H & H Paving and appropriate an amount not to exceed \$28,500 to pave and stripe the public parking lot, on street parking, and Annex entrance at the corner of Washington and Commerce Streets.

A motion was made by Councilmember Fithian, seconded by Councilmember Drakes that the Action Item be approved. The motion carried, by roll call vote, Councilmember Fithian, Councilmember Drakes, and Vice Mayor Sivigny. Councilmember Dawson, adjacent property owner, abstained from discussion and vote.

8H. Request to Award Contract for Website Design

It was moved to set a not-to-exceed amount of \$10,000 for the redesign of the Town of Occoquan's website and authorize the Town Manager to contract with the lowest responsible bidder.

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

8I. Request to Approve After-the-Fact Snow Removal Expenditures

It was moved to approve after-the-fact snow removal activities in the amount of \$1,273.75

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

9. Closed Session

Vice Mayor Sivigny moved that the Council convene in closed session to discuss the following as permitted by the Virginia Code Section 2.2-3711(A)(1): a personnel matter involving consideration or interviews of candidates for employment or appointment to

Boards, Commissions, and Committees. Councilmember Dawson seconded. The motion carried unanimously. Closed Session began at 8:01 p.m.

The Council came out of closed session at 8:25 p.m. Vice Mayor Sivigny moved that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. Councilmember Drakes seconded.

Motion passed, Ayes - Councilmember Fithian, Councilmember Drakes, Councilmember Dawson, and Vice Mayor Sivigny, by roll call vote.

8J. Request to Appoint Members to Boards and Commissions

It was moved to appoint Eliot Perkins to the Planning Commission and Stewart Emenheiser to the Architectural Review Board, effective May 2, 2018. Further appoint Doug Kastens to the Architectural Review Board effective May 9, 2018.

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

8K. Request to Appoint Members to Arts and Crafts Show Exploratory Committee

It was moved to appoint Betsy Merklein, Cathy Campbell, Donna Carleton, Kim Deal, Krystyna Bienia, Mary Craig, Susan Lee-Merrow, and Elizabeth Quist, in addition to town staff Kirstyn Jovanovich and Julie Little, to the Arts and Crafts Show Exploratory Committee.

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

10. Adjournment

The meeting was adjourned at 8:27 p.m.

Christopher Coon
Town Clerk