

**OCCOQUAN TOWN COUNCIL**  
**Regular Meeting**  
**Town Hall – 314 Mill Street**  
**January 7, 2014**

**Present:** Mayor Porta, Vice-Mayor Quist, Council members Bush, McGuire, Sivigny.  
**Staff:** Mr. Crim, Mr. Reese, Ms. Breeding, and Ms. Blackwell.  
**Absent:** Dr. Walbert and Chief Levi

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

**Citizen's Time:** No one spoke.

**Consent Agenda:** Vice Mayor Quist moved to approve the minutes of the December 3, 2013, Mr. Sivigny seconded. Ayes: All, by voice vote.

**Report of Town Engineer**

Occoquan Heights

Mr. Reese reviewed the report by certified arborist, Avi Sareen, with TNT Environmental. The report has been requested by Council Member Sivigny, who expressed concern about the potential safety hazard posed by some of the trees to houses in the adjoining subdivision. Mr. Sareen recommended 16 of the 22 trees surveyed near the southern property of Occoquan Heights be removed. Mr. Reese suggested a letter/email be forwarded to Elm Street, the developer, advising them of the need to remove the trees as recommended by the arborist. The letter would first be reviewed by the Town Attorney. Council agreed with that course of action. Mayor Porta asked if the developer would be required to replace the trees with suitable vegetation. Mr. Reese indicated that suitable landscaping is necessary, but that the town might not be able to force the developer to plant new trees. Mayor Ported noted that some of the residents of the adjoining subdivision may not necessarily wish to see the trees removed, regardless of the conclusions of the arborist, and suggested that the Town Council members who are residents of the adjoining subdivision make certain that they have conveyed the relevant information to the subdivision's HOA.

BB&T Site Plan for New ATM Kiosk

The Town Engineer and Town Attorney met with VDOT on 12/9/13 to discuss the right of way encroachment by the BB&T automatic teller machine kiosk. The issue of the right of way was resolved as VDOT only recognized a 50 foot wide right of way on Mill Street in that location. As long as BB&T agreed to move the kiosk outside that 50 foot right of way, then VDOT would not have any issues with approval.

15 MPH Speed Limit in Town

In addition to the BB&T site plan, the Town Engineer and Attorney also questioned methods for allowing a reduced speed limit to be posted on Mill Street. Such would only be allowed after a "speed study" which would be performed by VDOT and would observe traffic travelling on Mill Street and compiling average traffic speeds. If those speeds were low enough, a reduced speed limit might be allowed. The speed study can be requested through Maria Sinner, Transportation

and Land Use Director, or to Helen Cuervo, District Administrator. Council decided not to pursue a study at this time, noting that impact of reducing the speed limit would depend greatly on the ability to devote additional financial resources to enforcement.

#### Site Plan Approval on PWCSA Lift Station.

After reporting, the Planning Commission voted to recommend approval of the Prince William County Service Authority lift station site plan (plan last revised on 3/19/13, last signed on 3/20/13).

Vice Mayor Quist moved to approve the PWCSA Lift Station Site Plan; seconded by Mr. McGuire. Ayes: All, by voice vote.

#### Riverfront Park Site Plan by FCWA

The Town Engineer stated the site plan for the Riverfront Park had been submitted by the Fairfax County Water Authority (FCWA). As part of the review process, several issues had come to light which will make the construction of the park difficult, if not impossible, based on current regulations. To resolve this, Mr. Reese suggested that since the newly annexed area containing the Riverfront Park was not yet assigned a zoning designation by the Town Council, that a new zoning designation be established in the Town which would accommodate the interim use as a park and the possible reversion to a utility facility. The Council agreed to have Mr. Crim and Mr. Reese research those options.

#### Access to Triangular Property from Mill Street

The Mayor questioned whether a site plan had been submitted for 430 Mill Street (triangular property in front of Rockledge). Mr. Reese responded negatively and pointed out access to that parcel would be difficult. Mayor Porta noted that a representative of the owner had indicated to him that they would like to build townhouses on the property and access it from Mill Street, which would result in the loss of public parking spaces on Mill Street. Mayor Porta reported that he had responded by indicating that he was confident there would be substantial, if not nearly unanimous opposition from the community to such a proposal.

#### Vulcan Quarry Comprehensive Plan Amendment (CPA) Issue

The Town had been notified by Fairfax County of a Comprehensive Plan Amendment for property surrounding the Vulcan quarry across the Occoquan River in Fairfax County. A Fairfax County Planning Commission meeting was scheduled for January 15, 2014 on the subject. The Mayor suggested the Town might want to support Vulcan in this endeavor because of the relationship they have with the Town. Mr. Reese suggested he review the Fairfax County staff report to determine the nature of the CPA, and could then report to the Mayor the nature of the CPA. If necessary, Mr. Reese suggested he could attend the Planning Commission hearing or a letter of support could be written. The Council agreed with that course of action.

**Report of Town Attorney:** Mr. Crim reported that he will work with Mr. Reese on all issues relating to the Riverfront Park site plan which was submitted by the Fairfax County Water Authority and their lawyers. A council member asked why the Town has allowed for townhouses to be built in the historic district. Mr. Crim responded that the Town ordinances have always allowed mixed-use and residential units in the business district. If the town wishes to change this then the comprehensive plan and the ordinances should be changed accordingly. Mayor Porta noted that he feels confident that a number of property owners in the business district are likely

considering building townhouses on their properties, and that while the county has business zoning that prohibits residential development, the town does not. Consequently, if it wishes to prevent the proliferation of townhouses in the historic district, then the town would need to make some substantial ordinance changes that likely will be perceived by those property owners as a “taking” for which they are entitled to compensation.

Mr. Crim reported on a meeting that he and Mr. Reese had with VDOT regarding the BB&T ATM, which resulted in a solution by which BB&T could move its ATM a few feet out of the VDOT right of way.

**Mayor’s Report:** Mayor Porta reported that the O.W.N. Optimist Club will again be holding its Frigid February 5K on Saturday, February 8, starting at 8:30, and they will be paying for extra police support. He also reminded the Town Council members that the first two public input meetings on the draft Strategic Plan will be held on January 9 at 7:30 p.m. and January 17 at 9:00 a.m. at the Occoquan Pointe/Barrington Pointe and Secret Garden Cafe, respectively. Council member McGuire requested that Saturdays also be considered for some of the future public input meeting dates.

Mayor Porta reported on his attendance at the following events in his capacity as Mayor:

12/7 – Santa’s Arrival by Boat

12/8 – MARS Tour Group

12/12 – Cardinal Bank Photo Shoot

12/16 – John Alexander Chapter of the DAR Visit to Loft Gallery

12/31 – Met with two Individuals interested in opening a restaurant in Occoquan

**Council Reports:** Messrs. Sivigny, McGuire and Ms. Quist had no reports. Ms. Bush reported on ARB. She said at the last meeting, three signs were approved. She also reported that the Appearance Committee is working on a new sign in front of Mamie Davis Park. It was suggested that the Appearance Committee look into replacing signs at multiple entrances of the Town of Occoquan.

**Town Manager Search Update:** Mayor Porta suggested scheduling interviews with approximately five applicants on Sunday, January 26, which gives Ms. Bush more flexibility since she works at her shop on Saturdays.

**Dock Improvements:** Mayor Porta said the price list for the dock improvements submitted by Mr. Smith and Mr. Ragland will not exceed \$1,500.00.

Vice Mayor Quist moved to approve the cost of no more than \$1,500.00 to cover the costs of dock improvements; Mr. Sivigny seconded. Ayes: All, by voice vote.

**Salt/Sand Spreader:** Mayor Porta said he was reporting on the potential purchase of a Salt/Sand Spreader in lieu of Mr. Levi who was on vacation. He said the spreader has a 400 lb. capacity and would need to be refilled during even light snow events, but it would give the Town the opportunity to treat Town roads when just a quick treatment is needed, possibly eliminating or reducing time spent by the snow removal contractor. He reported the snow removal contractor charges a three hour minimum. He said the spreader would not be meant to be the primary source of road treatment, but a supplement with potential cost savings.

Council suggested that this purchase be tabled and discussed at a later date when Mr. Levi could answer questions from Council members.

**Treasurer's Report:** Ms. Breeding reported Cash has increased \$1,200 over last year and Total Assets has increased \$13,900 over last year. She also reported Total Liabilities has decreased by \$12,300. Total Net Income has decreased by almost \$51,200 made up mainly of the CIP expenses of the Town Truck and computers.

Ms. Breeding reported the 2013 BPOL Audit is finished. She stated that 20 percent of the population was audited. She said that overall the Town had an 80 percent compliance rate in the 2012 BPOL application process. Council suggested keeping the audit to 20 percent again this year.

**Acting Town Manager's Report:** Chief Levi distributed his Manager's report in advance. He was on vacation for this meeting.

The meeting adjourned at 8:35 p.m.

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Peggy Blackwell, Town Clerk