



**OCCOQUAN TOWN COUNCIL**  
**Regular Meeting Minutes**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, August 2, 2016**  
**7:00 p.m.**

**Present:** Mayor Liz Quist, Vice Mayor Pat Sivigny, Councilmembers Matt Dawson, Jim Drakes, Cindy Fithian, and Joe McGuire  
Staff: Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney; Bruce Reese, Town Engineer; Sheldon Levi, Chief of Police; Chris Coon, Town Clerk; Donna Brown, Events and Community Development Director

**1. Call to Order**

Mayor Quist called the meeting to order at 7:02 p.m.

**2. Pledge of Allegiance**

**3. Citizens Time**

Ken Strafer, Wounded Warriors, witnessed a Coast Guard patrol boat running aground near Madigan's. He stated that the rocks are not on the charts that the Coast Guard was using. He suggested lengthening the Town Dock to cover the rocks, which would also allow extra docking.

Nancy Farmer, 202 Washington Street, stated there is a real problem at night in the Historic District. She stated that there are individuals out from 11 pm to 3 am, in some cases, being very loud and leaving trash on residential porches, and it's very disruptive. She stated that this happens every night of the week. She asked for a police presence to help control the groups of individuals late at night.

Lori Mackenzie, 115 River Road, wanted to reiterate what Ms. Farmer said. She stated that at 4:30 a.m. there were about eleven children ages 13 to 20 years old playing Pokémon Go. She suggested a police presence at the intersection of Route 123 and Commerce Street, during high traffic times.

**4. Approval of Minutes**

It was moved to approve the minutes of the July 12, 2016 Regular Meeting with amendments.

**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**

Councilmember Fithian wanted to thank the Town for sponsoring her attendance at the Virginia Municipal League Institute for Local Elected Officials in Richmond, VA later this month.

Councilmember McGuire stated that the Planning Commission has completed the Comprehensive Plan and the Council will vote to adopt the new Comprehensive Plan later in the meeting.

## 6. Mayor's Report

Congratulated the Council and Town Staff on the opening of River Mill Park. She attended the First Mount Zion Baptist Church with Delegate Luke Torian, who was leading a forum on listening to build stronger communities. On July 20, there was a successful volunteer event and an article in InsideNOVA about Bobbie Frank and her years of dedication. She stated that the Town has been in the media frequently with everything going on in Town and wanted to thank Council and Staff for the positive image that is portrayed. On July 12, the Town hosted the Leadership Prince William Summer Youth Academy session on government and the students conducted a mock Council, Planning Commission, and Architectural Review Board meeting. She stated that the Council needed to nominate a Vice Mayor.

It was moved to appoint Vice Mayor Sivigny to another term as Vice Mayor.

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

## 7. Staff Reports

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

- Kiely property and the appeal of the Building Code ruling. There is a deadline, August 31, for supplemental information to the State Technical Review Board. Mr. Crim stated that the Town does not have any additional information for the Board and stated that the neighbors of the Kiely property are participating in the hearing and may have some information to present. The hearing date is September 16, at 10 a.m. in Richmond, Virginia. New statute that affected erosion and sediment control in the Chesapeake Bay Preservation Act and may require changes in Town ordinances. More information from the state is expected in the way of model ordinances.

Councilmember McGuire inquired about litigation from Mr. Kiely against the Houghton's. Mr. Crim stated that there is a pending civil case in Circuit Court.

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

- Land Disturbance Activity report
  - a. Vistas at Occoquan has completed one inspection
  - b. River Mill Park Phase II

Councilmember Dawson inquired about solutions for erosion of the stone dust path. Mr. Reese stated that there are options and the Engineering Groupe is currently investigating in an effort to identify the best solution for the Town.

- C. **Building Official:** Mr. Barbeau was not present, however, his report was submitted as part of the meeting agenda. No questions were received.
- D. **Town Manager:** Ms. Jovanovich, Town Manager, submitted a manager's report as part of the agenda. She also reported that signage that was previously requested at the intersection of Commerce and Route 123 will be installed shortly by VDOT regarding the allowance of a right turn on red.

Mayor Quist inquired about the status of the Tanyard Hill property. Ms. Jovanovich stated that she is working with the Town Engineer to draft necessary documents required for the proffer amendment and the Comprehensive Plan amendment through Prince William County.

- E. **Chief of Police:** Chief Levi provided his July 2016 report with the agenda packet. No questions were received. He stated that he has reached out to several other Police chiefs in localities similar to Occoquan and stated that they are not seeing the same amount of traffic, vehicular or pedestrian, related to the Pokémon activity. He stated that there are several hundred people in town at any given time, and individually the Pokémon players are not loud but, when they congregate they become a disturbance to residents in the Historic District. He stated that he is working to schedule additional patrol during late night hours utilizing grant funding to help support the town's enforcement efforts related to the increased evening and nighttime activity.

Vice Mayor Sivigny asked if the Town is paying extra for the increased patrol. Chief Levi stated that the Town was paying extra to have the officers' patrol the area utilizing available grant funding.

Councilmember McGuire wanted clarification about the Town scheduling non-Town officers. Chief Levi stated that he has responsibilities and priorities outside of the evening hours and can not only work nights.

Vice Mayor Sivigny inquired about the cost of each patrol night. Chief Levi stated that it is \$40 an hour for five hours totaling \$200 per patrol. He also stated that the funding for this patrol is coming out of the Public Safety Grant.

Mr. Crim inquired about the number of Pokémon players that will be traveling to Town when school begins. Chief Levi stated that he hoped there would be a drop in participation during the evening and late hours but, is not sure at this time what the impact will be. He also stated that many of the individuals during the evening and night are college-aged or older. Ms. Jovanovich stated that the additional cost is about \$2,200 and it is coming out of grant funding. The Town currently has about twenty thousand in grant funding.

Ms. Jovanovich stated that the decision for extra patrol was made after there was an increased number of people in the Town during the evening hours. This patrol will help the Town achieve the goals set forth by Council including pedestrian safety, traffic control, and speed enforcement. She stated that Chief Levi, at the request of Council, has

been tracking Officer Linn because he offers the most auxiliary support. Chief stated that Officer Linn has worked an average of 26 hours per month since February. Ms. Jovanovich stated that he also works some nights and weekends to help the Town and she stated that Chief also rotates his schedule to also work some days, some evenings, and some nights. Ms. Jovanovich stated that those two officers are responsible for the daytime cut-through traffic and evening into early morning for the increase people in town. This is a measure taken to ensure guaranteed coverage.

Councilmember Drakes inquired about the impact of having an officer in Town from 10 p.m. to 3 a.m. Chief Levi stated that there has only been one patrol conducted and he will speak with residents to see if there has been a change. He also stated that during this patrol, the Prince William County officer will be designated to the Town of Occoquan unless there is a nearby emergency that requires the officer to respond.

Vice Mayor Sivigny inquired about a Town or County ordinance regarding curfew. Chief Levi stated that the Prince William County officers cannot enforce the Town Code (they can only enforce State Code within the Town's limits) and they have stated that they cannot enforce County Code in the Town of Occoquan. Mr. Crim stated that he did not agree with the statement that Prince William County officer's cannot enforce the County Code in the Town of Occoquan. He stated that he believes that they stated this to Chief Levi because they do not enforce it anywhere because of deprivation of freedom through the curfew ordinance.

Ms. Jovanovich stated that she has also spoken with Prince William County officers who have stated they cannot enforce Prince William County Code in the Town of Occoquan. She asked if the Town Attorney could find the correct answer.

Vice Mayor then inquired if the Chief was on duty if he could enforce the curfew ordinance. Chief stated that he would be able to, but the town's ordinance allows minors to be out late if they are with their parents. He also stated that the number of people is large enough that strictly enforcing the curfew violators would only be a very small portion of the individuals and the officer's time could be spent being more productive using other methods of patrol and enforcement.

- F. Craft Show:** Donna Brown provided her Spring Craft Show report with the agenda packet. She provided an update on the Fall Craft Show: there were 231 vendors registered as of last week. She also stated that last Fall Craft Show there were 252 vendors and she is trying to reach that number again for this Show.

Councilmember Drakes inquired about the Craft Show expense budget for the Spring. Ms. Jovanovich stated that not having a Craft Show Director saved some indirect expenses regarding payroll.

Councilmember Drakes also inquired about tracking revenues from the Craft Show annually and he wanted to know how this Craft Show compared to others. Ms.

Jovanovich stated that this Craft Show is lower than previous years and she would provide the historical information to Council.

Vice Mayor Sivigny inquired about collecting feedback from volunteers in a meeting after the Craft Show. Ms. Brown Stated that she would try and incorporate this into this upcoming Craft Show.

**G. Boards and Commissions:**

Ms. Seefeldt, Chair, stated that the Architectural Review Board received three exterior elevation applications; all were approved. On August 9, there will be a work session on the sign ordinance review.

**8. Regular Business**

**8A. Request to Approve 2016-2026 Comprehensive Plan**

It was moved to approve the 2016-2026 Town of Occoquan Comprehensive Plan as prepared and presented by the Town's Planning Commission with addition of Action Item 58 as discussed.

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

**8B. Request to Approve ADA Kayak/Canoe Ramp Site Plan**

It was moved to approve the site plan for the ADA Accessible Canoe and Kayak Launch and Riverwalk Boardwalk extension.

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

**8C. Request to Purchase Replacement Sound System for Town Hall**

It was moved to award a contract to Technology Contracting in the amount not-to-exceed \$6,500 for the replacement of Town Hall's sound system.

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

**8D. Request to Approve River Mill Park Restroom Cleaning Contract**

It was moved to award a contract after-the-fact to L.T. Services for a daily cost of \$180 per day for cleaning and janitorial supply services for the River Mill Park restroom.

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

**8E. Request to Purchase LOVE Sign Signage**

It was moved to set a not-to-exceed amount of \$900 and authorize the purchase of signage for the new LOVE sign in River Mill Park.

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

**8F. Request to Attend Annual Virginia Association of Chiefs of Police Conference/Training**

It was moved to allow the Chief of Police to attend the Annual Chief of Police conference and training in Roanoke, VA from September 18-21, 2016 for an amount not to exceed \$850.

**A motion was made by Councilmember Drakes, seconded by Vice Mayor Sivigny that the Action Item be approved. The motion carried by poll vote, 4 Ayes (Dawson, Drakes, Fithian, & Sivigny) and 1 Nay ( McGuire), motion passes.**

**9. Closed Session**

Vice Mayor Sivigny moved that the Council convene in closed session to discuss as permitted by Virginia Code §2.2-37711(A) (1) a personnel matter involving performance evaluation or job assignments involving specific employees and (3) a matter involving acquisition of real property for public purposes. Councilmember Fithian seconded. **The motion carried by poll vote, unanimously**

The Council came out of closed session at 9:08 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 Fithian seconded. **Motion passed, Ayes- Councilmember Fithian, Councilmember Drakes, Councilmember Dawson, Councilmember McGuire, and Vice Mayor Sivigny, by roll call vote.**

**10. Adjournment**

The meeting was adjourned at 9:10 p.m.

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Christopher Coon  
Town Clerk