



OCCOQUAN TOWN COUNCIL
Regular Meeting Minutes
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, July 7, 2015
7:00 p.m.

Present: Mayor Liz Quist, Vice Mayor Pat Sivigny, Joe McGuire, J. Matthew Dawson, Jim Drakes and Tyler Brown
Staff: Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney; Bruce Reece, Town Engineer; Matt Williams, Assistant Town Engineer/Zoning Administrator; Chief Sheldon Levi, Town Sergeant/Chief of Police; Greg Holcomb, Town Clerk.

1. Call to Order

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

2. Pledge of Allegiance

3. Citizen's Time

Ms. Nancy Whaley, President of the Barrington Pointe and Occoquan Point Homeowners Association, requested that the Town paint the road striping down McKenzie Dr. She also requested that the Town trim the overgrown trees and bushes that are coming onto the roadway on McKenzie Dr. and Center Lane. She finally noted that the HOA will be providing Chief Levi with a list of residents from their community that have vehicles that do not have Virginia license plates or Town decals. She asked that the Town take measures to enforce those rules.

4. Approval of Minutes

It was moved to approve the minutes of the June 2, 2015, Regular Meeting and June 16, 2015 Work Session Meeting minutes;

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

5. Council Member Reports

None

6. Mayor's Report

Mayor Quist met with Supervisor Mike May on June 23, 2015 regarding the closing of the Visitor Center. She noted that he met with the Board of Discover Prince William and Manassas on July 3, 2015 to discuss the issue. She stated that she is sending a letter to the Board of Discover Prince William County and Manassas outlining the Town's concerns. She notified the residents and Council that the Discover Prince William County and Manassas Board will be discussing the issue at the July 20 meeting, at 5:30 p.m. in the McCoart Building.

Mayor Quist then stated that she and Ms. Jovanovich will be meeting with Fairfax Water to discuss turning over the park, the ability to construct a temporary public entrance to the park during construction and the barbed wire fence installed by Fairfax Water.

7. Staff Reports

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

1. Requested a closed session to discuss the craft show banner issue.
2. Noted that the Kiely's have hired an attorney to represent them at the Board of Zoning Appeals (BZA) meeting regarding the Kiely Court appeal filed by Ron Houghton. Mr. Crim stated he will be filing an opinion on behalf of the Town that the BZA is not the correct place for the appeal. The meeting will be on July 20, 2015 at 6:30 p.m. at Town Hall.
3. Working on a draft ordinance to better align the Town Code with the Virginia Code regarding the BZA.
4. Drafting MOU for the public art project, between the property owner and the town regarding maintenance responsibilities.
5. Revising the Town's standard formal contract.
6. Working with the Town Manager and the Town Engineer regarding the hazardous conditions at Occoquan Heights. The property owner has filed a Freedom of Information Act request regarding the issue.
7. Reviewed the Virginia Municipal League and VACO's cooperative investment pool contract.
8. Discussed the Veterans of Foreign War meals tax issue. Stated that he does not believe that there is an allowable exemption for the organization. However, he stated the Town could make a charitable contribution to the organization based on the amount of tax they would owe.
9. Discussed Reed v. Town of Gilbert Supreme Court Case and its repercussion on the Town's sign ordinance. Will be meeting with the Town Manager and Zoning Administrator to discuss impact on the Town's ordinances.

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

1. Land Disturbance Report:
 - a. Fairfax Water River Station tank demolition
 - b. Occoquan Heights
 - c. Gaslight Landing
 - d. Vistas of Occoquan
 - e. Rivertown Overlook
2. Approved one deck request.
3. Analyzed the VSMP and Chesapeake Bay ordinances and determined they were fully incorporated and no changes will be needed.

4. Fairfax County approved the Vulcan Quarry amendment and Fairfax Water Authority amendment.
5. Occoquan Heights bond release is still pending. They have not accomplished everything they need to do, including the overflows from storm events.
6. River Mill Park Update- Matt Williams, Assistant Town Engineer/Zoning Administrator.
 - a. Phase I of the project was resent for bidding due to high quotes received on the initial bid request. Five bids were received, with the lowest, responsible bid being around \$690,000. The Engineering Groupe is recommending Miller Brothers Incorporated for Phase I construction. Mr. Williams discussed what changed between bids and the timeline of construction in relation to the Town's Arts and Crafts Show. He also discussed how the footbridge would be shut down temporarily during construction and would be reopened when it was safe to do so.

Report of Town Manager: Ms. Kirstyn Jovanovich, Town Manager, reported on the following:

1. Commented on Ms. Whaley's request during citizens' time. She noted that the Town was taking measurements to obtain quotes for restriping Town properties and roadways, including re-striping the center line on McKenzie Drive, Town parking lots and curbing. She further stated she would work with the owners of properties that have over grown vegetation.
2. River Road repaving was completed. No agreement was reached with property owners regarding the paving of their parking spaces. However, the sub-contractor paved one parking spot due to a hole that they thought would impact the stability of the pavement. They were advised to not pave the space and remain within the scope of the project. For fairness and equity for the property owners, the sub-contractor paved all of the spaces at no cost to the Town or the property owners.
3. Began working with Mr. Reese on sketches to improve the intersections for Ellicott St. and Mill St. and Washington St. and Mill St. in order to install crosswalks. The plans are being sent to VDOT for permitting.
4. Received two quotes for the removal of the tree near 304 Mill St.; requested a not-to-exceed amount of \$1,500 for the removal of the tree.

It was moved to set a not-to-exceed limit of \$1,500 for the removal of the tree near 304 Mill St.

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

5. An enclosure was built for the dumpster located in the parking lot located at the end of Poplar Alley. . This opened up two new public parking spaces.
6. The transition to the new building official and work order system has been smooth.
7. Working with Mr. Reese on the needed improvements to the Annex. The fencing has been removed.
8. Meeting with Fairfax Water Authority regarding access to River Mill Park during construction.
9. Noted that the investment pool discussion will be in August.
10. Requested guidance from Council regarding the VFW Meals Tax issue. She stated that the donation option can be incorporated into the budget process. However, the past years taxes cannot be forgiven. She stated that there will need to be more discussion with the Town Attorney on the matter.
11. Delinquencies for the month include Pink Bicycle being one month late on Meals Tax, nine properties delinquent on property taxes, Town Clerk sent notice to 36 entities that are registered with Virginia as a business entity but are not registered in Town. He is working on bringing them into compliance or noting their exemption.

As of last meeting 29 businesses were delinquent or out of business, 6 businesses have come into compliance. Finally, Riverside Coffee House sold to a new owner.

12. Applied for grant through VML for security cameras for Town Hall.
13. National Main Street Center is accepting three new communities. We are an affiliate. She noted that there is a meeting on July 23rd that she will be attending to learn more about the program benefits and application requirements.
14. Applied for Leadership Prince William's next class. It will impact September through June of next year, if selected.

Report of Chief of Police: Chief Levi provided a report on public safety activities during June 2015.

Vice Mayor Sivigny asked if everything worked well during the Spring Craft Show. Chief Levi stated that things ran very smooth and only minor incidents occurred.

Councilmember Drakes asked for clarification on the 5k races in his report. Chief Levi stated that the event organizers would contract for additional support and pay for that support. Chief Levi also noted that VDOT permits the use of the roadways but a discussion is had with the Town Manager and himself for approval of the races.

Councilmember McGuire questioned the mechanics of the police calls. Chief Levi noted that if a call comes through and he is on duty then the Prince William County police will dispatch him. If he is not on duty they send a unit.

Councilmember Dawson stated that he called the police on July 4th and waited a half hour before anyone showed up. He noted that there needs to be a better presence in Town during holidays. He witnessed three cars go the wrong way down Mill Street and kids were lighting fireworks off all over. Ms. Jovanovich stated that she and the Chief are working on the job descriptions for the auxiliary officers with an emphasis on weekends, nights and holidays.

Craft Show Report: Ms. Krista Forcier, Craft Show Director, provided a report on the Spring 2015 Arts and Craft Show.

She stated that there were more vendors, crafters and town merchants' participation over last spring's show. There was a drop in revenue because of a drop in buy/sell vendors and that she is no longer accepting service vendors unless they become a sponsor. She also noted that bus revenues were up \$4,000 over spring of last year.

Vice Mayor Sivigny asked about the increase in expenses between last spring's show and this spring's show. She noted that there were small increases in police, trash and other contracted services. She also increased the advertising.

Councilmember Dawson asked if we are losing vendors to the new Craft Show at the Work House Arts Center. Ms. Forcier said she does not believe we are and is not worried about losing any vendors to it. She did note she is worried about the parking logistics.

Councilmember Brown stated that there was a 10% decrease in revenue. He asked if she thought this trend would continue. Ms. Forcier stated that she thought it would only increase.

Councilmember McGuire asked about enforcing that only residents with Town Decals would be allowed driving up to their homes on McKenzie Dr. Chief Levi stated that only using the decals could cause tie ups on Tanyard Hill Rd. He further stated that we could not do this because it is an open public street and people may be visiting. He did not believe people were illegally parking in that area during the show.

Architectural Review Board Report:

No Report

Planning Commission Report:

Councilmember McGuire noted that Mr. Reese resigned from the board.

8. Regular Business

8A. Request to Appropriate Funds for Fiscal Year 2016

It was moved to appropriate funds in the Fiscal Year 2016 Budget.

A motion was made by Councilmember Drakes, seconded by Councilmember Dawson. The motion carried, 4-1, Councilmember Brown voting Nay.

8 B. Request to Approve Building Fee Schedule

It was moved to approve the building fee schedule.

A motion was made by Councilmember McGuire, seconded by Councilmember Drakes. The motion carried by poll vote, unanimous.

8 C. Request to Appoint Members to Vacancies on Planning Commission

It was moved to appoint Mr. Daniel Braswell to fill the unexpired term of Bryan Reese, effective July 7, 2015 through March 31, 2018.

A motion was made by Councilmember Dawson, seconded by Councilmember McGuire. The motion carried by poll vote, unanimous.

8 D. Request to Upgrade Firewall and Purchase Additional Town Hall Server

It was moved to approve the purchase of a business-grade firewall and an application server in an amount not to exceed \$1,630.

A motion was made by Councilmember McGuire, seconded by Councilmember Drakes. The motion carried by poll vote, unanimous.

8 E. 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 Williamsburg, VA from August 30 to September 2, 2015 for an amount not to exceed \$750.

A motion was made by Councilmember Drakes, seconded by Councilmember Sivigny. The motion carried by poll vote, unanimous.

9. Closed Session

Vice Mayor Sivigny moved that the Council convene in closed session to discuss as permitted by Virginia Code Section 2.2-3711(A)(7), another matter requiring advice of counsel regarding Craft Show banners. Councilmember McGuire seconded. Ayes: all by voice vote.

The Council came out of closed session at 8:23 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 McGuire seconded. **Motion passed, Ayes: Councilmember Drakes, Councilmember Dawson, Councilmember McGuire, and Vice Mayor Sivigny. Nays- Councilmember Brown, by roll call.**

10. Adjournment

The meeting adjourned at 8:24 p.m.

Greg Holcomb
Town Clerk