



OCCOQUAN TOWN COUNCIL
Regular Meeting and Public Hearing Minutes
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, July 12, 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; Bruce Reese, Town Engineer; Sheldon Levi, Chief of Police; Chris Coon, Town Clerk; Bob Beard, Vanderpool, Frostick and Nishanian

1. Call to Order

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

2. Citizens Time

Kristyn Gleason, 405 Mill Street, owner of Polka Dot Divas, stated that as a business owner, she welcomes the recent activity related to Pokémon. She stated that during the past couple days, there has been a great impact on Polka-A-Dot Divas and Puzzle Palooza. She stated that parking may be an issue but, when you go to bustling business areas there is always trouble finding parking. She also asked for police to keep an eye out on traffic to ensure that everyone stays safe.

James Phelps, 409 Union Street, stated that he was disturbed because of incidents that have recently happened in Occoquan, near his home. First, a family member had the fire department called for burning in a contained fire pit. Next, a party where a band was playing was reported to the Police for a noise complaint at 4:30 p.m. He stated that he remembered when the community came together and had parties frequently. He stated that he could, but chooses not to, complain about multiple lawn care services or traffic concerns. He asked Council to remind people that, to live in a small town is to live in a community and to be understanding of their neighbors and those activities.

Lance Houghton, 127 Washington Street, stated that he is excited about River Mill Park opening and the planned concert series. He stated that the concert series and park opening are well marketed online, but there is no signage in within the town. He suggested banners or signage for the concert series. He stated that on July 30, 2016, there will be an open house at the Rockledge Mansion after the park opening. He also wanted residents to know Rockledge Mansion is a commercial property.

Johnathan Torres, 301 Commerce Street, stated that he thought that Council was doing a great job and wanted to let the Mayor know that during the recent town election he was not running against her, but ran to encourage citizen participation in the election process. He further expressed to Council the need to talk with the citizens and not to expect the citizens to come to Town Hall.

- 3.** It was moved to move items 8A, 8B, 9A, and 9B to the beginning of the Agenda and discussed immediately.

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

4. Public Hearing

8A. Joint Town Council and Planning Commission Public Hearing on 2016-2026 Comprehensive Plan

Mayor Quist opened the Town Council public hearing at 7:24 p.m. and invited the public to provide comments on the proposed 2016-2026 Comprehensive Plan.

Councilmember McGuire open the Planning Commission public hearing at 7:26 p.m. A roll call for the Planning Commission was conducted: Ann Kisling, David Irwin, and Joe McGuire were present; Dan Braswell, Heather Ozuna and Ramsey Baerga were absent.

James Phelps, 409 Union Street, expressed concern about the number of “down zonings” illustrated on the proposed Future Land Use Map. He stated that he thinks “down zoning is a bad idea.” Stated that the document focuses more heavily on the Historic District; the entire town should have the same level of detail given throughout the document.

Letty Lynn, Property Owner 126 Mill Street, stated that a site plan has been submitted to the Town for 126 Mill Street. Expressed concern about the proposed Future Land Use Map as it shows 126 Mill St. as park and open space. She expressed concern about its impact on future possible financing for the project. She also stated the Current Land Use Map shows 126 Mill Street as “undeveloped” and stated that this is not true because there are utility hookups on the property and commercial entities have rented that property in the past.

Wanda McKenzie Massie, Property Owner 406 Union Street, stated she has letters form the Town and County stating her property is zoned as high density. She stated that the current Comprehensive Plan’s Future Land Use Map has her property listed as low density and she objects to that designation.

Councilmember McGuire closed Planning Commission public hearing at 7:35 p.m.

It was moved to close the Town Council public hearing on the Comprehensive Plan.

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.

9A. Request to Approve 2016-2026 Comprehensive Plan

Discussion was conducted between Town Council and Planning Commission.

Councilmember McGuire, regarding 126 Mill Street, stated he had concerns about designating private property as park land. He inquired the Town Attorney if private property was designated as park land if that would limit what the owner could do with

the property. Mr. Beard stated that the Comprehensive Plan is a ten year plan and if it is designated as park then that does not make it a park until zoning is changed. Once zoning is changed then it is a limitation on what the property owner do with the property.

Councilmember McGuire then stated that if this could harm the property owners' ability to receive financing and it will be difficult to change in the future, they should consider not putting that in the Comprehensive Plan.

Mayor Quist stated that the future land use map was developed from a workshop that involved members of the community in an open meeting designating what they wanted the Town to look like in the future. She believes the intent of the future land use map was for the Town to continue to try and incorporate green space into the Historic District and other areas of town and that can be accomplished through many different ways.

David Irwin, Planning Commission, stated that the surveys were heavily represented by the business community and wanted to go on the record stating that fact. He stated that he believed that with the new park opening, that many people wanted to embrace more park space. He also stated that currently, the space is an open area and has been for quite some time. He stated that incorporating park land in that lot was attractive because it has been open area and they were unaware of the preliminary site plan.

Councilmember Fithian inquired about the designation of park negating its current multi-use status. Councilmember McGuire responded that the Comprehensive Plan is aspirational, and that the zoning would be what would negate it if it should change in the future. He inquired about purpose of putting something in the Comprehensive Plan knowing there will be difficulty achieving those aspirations in the future.

Councilmember McGuire, Councilmember Dawson, and Mayor Quist agreed that the Planning Commission should discuss changing that particular property in the Future Land Use Map since there are now preliminary site plans submitted for that property.

The Town Council and Planning Commission then discussed the McKenzie property. Mayor Quist stated that high density on that property led to concerns regarding storm water management issues and traffic on McKenzie. She then inquired about the Planning Commission's reasoning the property was changed from high density to reflect low density in the Future Land Use Map.

Mr. Irwin stated that the Planning Commission was concerned about erosion and runoff on that property. Councilmember McGuire stated that is true and if it was developed, those concerns would have to be addressed by engineers through the site plan process.

Councilmember McGuire stated these items will be discussed at the next Planning Commission meeting.

8B. Town Council Public Hearing on Zoning Text Amendment Regarding Child Care Centers

Mayor Quist opened the public hearing at 7:52 p.m. and invited the public to provide comments on the Zoning Text Amendment Regarding Child Care Centers within the B1 Zoning District. No citizens spoke.

It was moved to close the public hearing on the Zoning Text Amendment Regarding Child Care Centers at 7:53 p.m.

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

9B. Request to Adopt An Ordinance to Amend Chapter 66, Zoning of the Town Code, to Permit Child Care Facilities in the B-1 Zoning District with Special Use Permits

Ms. Jovanovich stated that this is in response to a potential business owner that had interest in opening a child care facility within the Historic District. This was discussed with Town Council at a previous work session and at their direction, a Zoning Text Amendment was initiated. This is a request to permit this use within the B1 Zoning District with special permit.

It was moved to adopt an ordinance to amend Chapter 66, Zoning of the Town Code, to permit child care facilities with special permit in the B-1 Zoning District.

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

5. Approval of Minutes

It was moved to approve the minutes of the June 7, 2016 Regular Meeting and June 21, 2016 Special and Work Session Minutes.

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

6. 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 Drakes stated that there will be an upcoming dock committee meeting.

7. Mayor's Report

No Report.

8. Staff Reports

A. Town Attorney: Mr. Beard, Acting Town Attorney, reported on the following:

No report.

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

Land Disturbance Activity report

- a. Vistas at Occoquan has requested to started the bond release process
- b. River Mill Park Phase II

Councilmember Dawson inquired about the status of River Mill Park. Mr. Reese stated that he believes the park is on schedule. Ms. Jovanovich verified that the park is on schedule to open July 30, 2016.

- 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.

Councilmember Drakes stated that on the Fairfax County side of the footbridge there is a sign near Route 123 that states the bridge is still closed. Ms. Jovanovich stated that it will be removed.

Vice Mayor Sivigny wanted to express gratitude to the Town Manager. He stated that he called Ms. Jovanovich about a water pipe that was broken on the Town dock late on Friday and she responded to the dock to turn off the water until it could be repaired.

- E. Chief of Police:** Chief Levi provided his June 2016 report with the agenda packet. No questions were received.

- F. Boards and Commissions:**
No report.

9. Regular Business

9C. Request to Approve Not to Exceed Amount for Town Hall Renovations and Equipment

It was moved to approve a not-to-exceed amount of \$34,000 for Town Hall Renovations and direct the Town Manager to obtain bids and contract accordingly for outlined services.

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

9D. Request to Approve FY 2017 Refuse Collection Contract

It was moved to 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 \$52,298, contingent on final Town Attorney review.

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

9E. Request to Approve FY 2017 Landscaping Contract

It was moved to approve the FY 2017 Extension with Amendment 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 Vice Mayor Sivigny, seconded by Councilmember McGuire that the Action Item be approved. The motion carried by poll vote, unanimous.

9F. Request to Approve Volunteer Recognition Event Contract

It was moved to approve the proposal with Bottle Stop for the Volunteer Recognition Event and set a not-to-exceed amount of \$1,500 for the total event cost.

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

9G. Request to Appoint FOIA Officer

It was moved to appoint Chris Coon, Town Clerk, as the Town's FOIA Officer.

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

9H. Request to Appoint Town Member to Occoquan River Communities Board

It was moved to appoint Cindy Fithian as the Town's representative on the Occoquan River Communities (ORC) Board.

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

9I. Request to Approve Revised Facility Use Agreement

It was moved to approve the revised Facility Use Agreement and Fee Structure effective July 12, 2016. To include making Mamie Davis Park free to Town residents and allow chairs in Mamie Davis.

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.

9J. Request to Approve Town Administrative Manual

It was moved to approve the Town Administrative Manual, effective July 1, 2016, contingent of final review by the Town Attorney. It was further moved to approve an initial allotment of 16 hours each of annual leave to Town Clerk, Events and Community Development Director, Town Treasurer and Maintenance Supervisor.

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

9K. Request to Approve Not to Exceed Amount for Electronic Door Locks for River Mill Park Restrooms

It was moved to approve amount not-to-exceed \$3,500 for electronic door locks for River Mill Park restrooms.

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

10. Adjournment

The meeting was adjourned at 8:35 p.m.

Christopher Coon
Town Clerk