



**OCCOQUAN TOWN COUNCIL**  
**Regular Meeting Minutes**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, February 7, 2017**  
**7:00 p.m.**

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

**Absent:** Councilmember Joe McGuire

**Staff:** Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney; Bruce Reese, Town Engineer; Billy Flynn, The Engineering Groupe; Chris Coon, Town Clerk; Adam Linn, Interim Chief of Police

**Others:** Mike Overton, Glenn Miller and Paul Schrader, Miller Brothers, Inc.

**1. Call to Order**

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

**2. Pledge of Allegiance**

**3. Citizens Time**

Kathy Anderson, 125 Mill Street, owner of Bar-J's, stated that her restaurant is having their one year anniversary on February 25, 2017. Ms. Anderson inquired about having the restaurant's food truck on Mill Street for this one event.

Ms. Jovanovich stated that the Town has received Ms. Anderson's request and should have a response to her by the end of the week.

**4. Hearing on Miller Brothers' Claim for Extended General Conditions Relating to Delays in Construction Contract at River Mill Park**

The Council heard an appeal on a dispute regarding Miller Brother's claim to have suffered expenses due to delays in the construction of the River Mill Park facilities. Council will discuss the claim in closed session and respond with a written decision.

**5. Approval of Minutes**

It was moved to approve the minutes of the January 3, 2017 Regular Meeting and January 17, 2017 Work Session 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.**

**6. Councilmember Reports**

Councilmember Fithian reported that she met with members of the Occoquan River Communities about the Riverfest event, which is scheduled for May 13, 2017.

Councilmember Dawson stated that the ARB met in January and issued three certificates of appropriateness and are working to update the ARB Design Guidelines to bring them in line with the update to the sign ordinance in the Town Code.

## 7. Mayor's Report

No Report.

## 8. Staff Reports

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

- i. **Kiely litigation-** Mr. Kiely filed a motion to dismiss the appeal from the State Technical Review Board. At this time, no hearing has been scheduled.
- ii. **Rivertown Overlook-** Documents have been submitted and reviewed for the development.
- iii. **Monitoring General Assembly Bill** – Mr. Crim stated that Senate Bill 795, would require localities to post checkbook and credit card purchases online for every locality regardless of size. Mr. Crim stated several municipalities and the Virginia Municipal League are asking for exemptions for smaller localities. Mr. Crim also discussed Senate Bill 1282, which overrides local control when dealing with cell phone infrastructure.

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

**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 submitted a manager's report as part of the agenda. Vice Mayor Sivigny inquired about the citizen's complaint regarding speeding on Washington and if we could ask VDOT about a four way stop at Washington Street and East Colonial Dr. Councilmember Drakes also inquired about improving the lighting or awareness of the crosswalk on Washington Street.

Ms. Jovanovich stated she spoke with VDOT and they have directed the Town to contact Prince William County Transportation regarding speed mitigation on Washington Street. She also stated that VDOT recommended not removing the turn lane on Washington Street to increase parking as it was installed as a part of the townhouse development. She also stated that Chief Linn has increase speed enforcement activities in that area.

Vice Mayor Sivigny also inquired about placing a sign on Poplar Alley to prevent people from driving the wrong way on Washington Street towards Commerce Street.

Interim Chief Linn stated that there is currently a sign at the intersection of Poplar Alley and Washington Street indicating a 'no right turn' and one way that is intended for motorists exiting Poplar Alley onto Washington Street.

Ms. Jovanovich also inquired about how Council would like the entrance of Mamie Davis Park to be rebuilt. The Council decided to take this opportunity to widen the Park entrance by removing the first brick pillars on either side of the walkway and improving the landscaping beds at the front of the park.

- E. **Town Treasurer:** Ms. Breeding was not present, however, her report was submitted as part of the meeting agenda. No questions were received.
- F. **Chief of Police:** Interim Chief Linn provided his December 2016 report with the agenda packet.

Vice Mayor Sivigny inquired about a call that stated there was a shooting at Washington Street and Mill Street. Interim Chief Linn stated that he contacted Prince William County Dispatch and the call was input improperly; there was no shooting.

## 9. Regular Business

### **9A. Request to Approve Revised Rivertown Overlook Plat**

It was moved to approve the Rivertown Overlook plat of subdivision and easement prepared by Holmes Smith, Contingent on the submission and approval of appropriate documentation including deeds, Homeowners Association for maintenance of the appropriate improvements, tri-party agreement for maintenance of the public sidewalk, and an updated performance bond in the amount of \$48,420, along with a current surety agreement.

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

### **9B. Request to Award Contract for Drain and Trail Installation at River Mill Park**

It was moved to defer this decision to the March 2017 Regular Meeting.

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

### **9C. Request to Approve an MOU for the NOVA Arts and Cultural District**

It was moved to approve the creation of a multi-jurisdictional Arts and Cultural District in Occoquan's historic business district, in conjunction with the Workhouse Arts Foundation and NOVA Parks, contingent upon the successful amendment to VA Code §15.2-1129.1, and permit the Mayor to sign a memorandum of understanding with the named partners.

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

**9D. Request to approve Certified Planning Commission Training**

It was moved to approve a not to exceed amount of \$3,800 for Planning Commissioner certification training.

**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.**

**9E. Request to Appoint Representative to Board of Zoning Appeals**

It was moved to submit three names to the Prince William County Circuit Court for appointment to the Board of Zoning Appeals: Mr. Kevin Whaley, Ms. Betty Dean, and Mr. Earnie Porta.

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

**10. 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: demotion, discipline or resignation of specific employees. Also, Virginia Code Section 2.2-3711(A)(7), consultation with legal counsel, or another matter requiring advice of counsel, specifically the Miller Brothers claim. Councilmember Fithian seconded. The motion carried unanimously. Closed Session began at 8:08 p.m.

The Council came out of closed session at 8:48 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 and Vice Mayor Sivigny, by roll call vote.

It was moved to direct the Town Attorney to convey Town Council's response to Miller Brother's Incorporated in writing no later than February 19, 2017.

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

It was moved to appoint the Town Manager as the Acting Town Treasurer effective February 8, 2017.

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

**11. Adjournment**

The meeting was adjourned at 8:49 p.m.

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Christopher Coon  
Town Clerk

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