



**OCCOQUAN TOWN COUNCIL**  
**Regular Meeting Minutes**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Wednesday, November 5, 2014**  
**7:00 p.m.**

**Present:** Vice Mayor Pat Sivigny, Councilmembers Tyler Brown, J. Matthew Dawson, Jim Drakes and Joe McGuire

**Staff:** Kirstyn Barr Jovanovich, Town Manager; Martin Crim, Town Attorney; Sheldon Levi, Chief of Police; Bruce Reese, Town Engineer; Matt Williams, Assistant Town Engineer/Zoning Administrator; Greg Holcomb, Town Clerk

**Absent:** Mayor Elizabeth Quist

**1. Call to Order**

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

**2. Pledge of Allegiance**

**3. Citizens' Time**

Zach Motes spoke to inform the Council that he and his business partners are interested in locating in Occoquan to start a brewery. He urged the Council to allow breweries under the current zoning code or to change the code if it is needed.

**4. Approval of Minutes**

It was moved to approve the minutes of the October 7, 2014 Regular Meeting.

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

Ms. Jovanovich requested that the Council correct the minutes of the June 17, 2014 Council meeting to clarify the amendment to the zoning code and map, as well as make a correction to members in attendance.

It was moved to correct the June 17, 2014 Special Meeting Minutes to strike Bruce Reese, Town Engineer, from the attendance and add Ned Marshall, Zoning Administrator, as well as correct section 3B by adding "and to amend the Town's zoning code to add a new zoning district titled Parks and Public Utility District" to the motion.

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

**5. Council Member Reports**

None

**6. Mayor's Report**

None

**7. Staff Reports**

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

- a. Requested a closed session after the regular order of business to discuss a legal matter regarding the Craft Show Banners.
- b. Updated Council on the River Park lease and the need to update the June 17, 2014 minutes to attach to the lease and execution of the lease.
- c. Prepared an ordinance to add a business representative to the Architectural Review Board.
- d. Reported that the FOIA and COIA meeting on October 22 with the Boards and Commissions was very successful.
- e. Stated that the owner of 302 Commerce Street brought in a scaled down proposal, but is still encroaching on the right of way.
- f. Indicated that he has brought to the attention of the of the Town Manager the issue of Prince William County not allowing for breweries per the zoning code. He researched the issue for Occoquan and determined we have the same language as the City of Manassas, which allows for breweries as a restaurant. He believes the zoning code is sufficient to allow for breweries. The Town Manager will consult the Zoning Administrator for a determination.
- g. Received comments from the Department of Environmental Quality regarding the Chesapeake Bay ordinance. He discussed the issue with the Town Engineer and does not believe further action is needed.
- h. Worked with the Town Manager on the snow removal contract and the tax question related to the Tanyard Hill property.
- i. Working on a franchise renewal with Comcast Cable with the Town Manager.

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

1. Land Disturbance Activity report:
  - a. Occoquan Heights
  - b. 124 Poplar Alley
  - c. Gaslight Landing
  - d. Vistas at Occoquan
  - e. Rivertown Overlook
  - f. River station tank demolition
2. Zoning Approvals:
  - a. 206 Union Street: use change to Kountrie Lane Antiques.
  - b. 23-28 Occoquan Heights for Occupancy Permits.
  - c. 302 Commerce Street: zoning approval for porch removal and interior work.
  - d. 300 Ellicott Street: use change to Real Estate Executives.
  - e. Applications for 106 Washington (new business), 210 Commerce (new business), and 1401 Occoquan Heights Court (fence) have not yet been approved.

3. Vistas of Occoquan
  - a. Missing fence has not been repaired yet; however, there has been communication on the issue.
4. Fairfax County Planning Commission
  - a. Master Bike Plan approved; does not directly impact the Town.
  - b. Vulcan Quarry Planning Commission deferred until November 20, 2014.
5. VSMP
  - a. Revisions were sent, expect possible approval in January or February.
6. VDOT
  - a. Reviewed the VDOT six year plan, no road in Occoquan is affected.
7. Building Official RFP
  - a. Working with the Town Manager to develop a Building Official request for proposal.
8. Riverfront Park
  - a. Matt Williams, Assistant Town Engineer, updated Council on activities involving the park.
  - b. Noted that there are still coordination delays with utility companies and their lines that run across the river.
  - c. Currently still on budget, the Engineering Groupe is bringing on two new sub-contractors to design the retaining wall and an architect for the pavilion.
  - d. Working with Dominion Power to remove a poll, Verizon, Comcast and Cox Communications to move lines.
  - e. The restroom and storage facility is mostly designed and intend on meeting with ARB chair next week.
  - f. The Site Plan is at about 75%, the coordination delays are most of what remains.
  - g. He met with the Service Authority about the existing sanitary sewer line. They have requested that the line be lined for rehabilitation and will no longer maintain it.

**Town Manager Report:** Ms. Jovanovich, Town Manager, reported on the following activities:

- a. Noted that the new recording system is installed and operational.
- b. Meals Tax delinquencies include Occoquan Inn- 1 month and Pink Bicycle (New Owner)- 2 months, and the Pink Bicycle's former owner.
- c. The lights on the Rt. 123 Bridge have been repaired and refurbished by Prince William County and they are now on a maintenance schedule.
- d. The pump station project is complete. The contractors will be vacating the old pump station soon and transferring it to the Town for use as a storage facility.
- e. Bike racks have arrived through a grant that was obtained by former Mayor Earnie Porta. They will be installed this week with a set at Town Hall, the Visitors Center and on an easement at the end of Mill Street. There are a set of racks that are planned to be installed on Mill Street in front of Mamie Davis Park, thereby removing the two parking spaces that currently exist and replacing with a loading zone and bike racks. Town Council confirmed their support of this plan in an effort to visually open up the entrance to the park.
- f. Ordered a replacement concrete ornament for the brick pillar at Mamie Davis Park.

- g. Noted that Leo Smith resigned from the Planning Commission and that he is also on the Board of Zoning Appeals. Mr. Crim stated that the BZA is appointed by the Circuit Court and the Council will need to send recommendations for the new appointment.

**Report of the Chief of Police:** Provided Town Council with a report on public safety activities in October 2014.

### **Boards and Commissions**

**Architectural Review Board Report:** Brenda Seefeldt, Architectural Review Board Chair, reported on the following activities:

- a. The ARB approved one sign relocation and a new sign. The new sign was approved pending its proper placement as it was already mounted and was done so in a manner not permitted by the Town Code. In addition, three Certificates of Appropriateness were approved.
- b. Mr. Dawson asked if the Town was able to review the ARB and Site Plan documents for Gaslight Landing because of the ongoing questions regarding the pavement and sidewalks. Ms. Jovanovich stated that they are still being reviewed.

## **8. Regular Business**

### **8A. Request to Budget and Appropriate Funding for Annual Town Holiday Party**

It was moved to budget and appropriate \$1,500 for the annual holiday party on Sunday, December 7, 2014.

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

### **8B. Request to Budget and Appropriate Funding for Installation of Pole Decorations and Conversion of Electrical Outlets on Dominion Poles**

It was moved to budget and appropriate \$5,500 for the purpose of mounting holiday wreaths and updating the remaining electrical outlets, with \$3,500 appropriated from the CIP Fund and \$2,000 appropriated from the Operating Fund.

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

### **8C. Request to Revise Parking Fines and Print Notices of Violation**

It was moved to increase the Town's parking fines from \$25 to \$50 for all parking violations except handicapped parking violations, and increase handicapped parking violations from \$100 to \$250 per violation. It was further moved to approve a not to exceed limit of \$1,000 for the printing of new 'Notice of Violation,' and authorize the Town Attorney to make any necessary changes to the fine schedule to comply with state law and be consistent with the uniform fine schedule adopted by the Prince William County courts.

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

**Aye: 4 - Councilmembers Dawson, Drakes, McGuire and Vice Mayor Sivigny**

**Nay: 1 - Councilmember Brown**

#### **9. Closed Session**

It was moved that the Council convene in closed session as permitted by Virginia Code § 2.2-37711 (A)(7) another matter requiring advice of counsel regarding Craft Show banners.

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

The Council came out of closed session at 8:07 p.m. It was moved that Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters specifically identified in the motion to convene in closed session and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in that motion.

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

#### **10. Adjournment**

Vice Mayor Sivigny adjourned the meeting at 8:08 p.m.

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Greg Holcomb, Town Clerk