



OCCOQUAN TOWN COUNCIL
Regular Meeting Minutes
Town Hall – 314 Mill Street, Occoquan, VA 22125
Tuesday, December 4, 2018
7:00 p.m.

Present: Mayor Earnie Porta, Vice Mayor Pat Sivigny, Councilmembers Matthew Dawson, Cindy Fithian, Laurie Holloway, and Eliot Perkins.

Staff: Kathleen Leidich, Town Manager; Christopher Coon, Town Clerk; Martin Crim, Town Attorney; Bruce Reese, Town Engineer; Adam Linn, Chief of Police;

1. Call to Order

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

2. Citizens Time

Ryan Somma, Washington Square Court, reported on the Prince William County School Board's proposed changes to elementary school boundaries, which would result in Occoquan children being moved from Occoquan Elementary to Rockledge Elementary. The Prince William County School Board has had two public meeting on the issue and many parents have expressed the view that they would like Occoquan residents to continue to attend Occoquan Elementary. Mr. Somma also wanted geographic progression to be a factor in the Town Council's decision whether to support or oppose the boundary change. Geographic progression is the idea that students will attend elementary, middle and high school with the same or similar individuals. Mayor Porta thanked Mr. Somma for bringing this matter to the attention of the Town Council, noted that he, too, had attended part of the first public meeting the County School Board had on this matter, and that, if possible, he would like Mr. Somma to remain for a time so that they could discuss this matter further after addressing some other issues on the agenda.

3. Mayor Porta asked for unanimous consent to move item 8B up on the agenda and allow public comment on the issue at that time; no Council objection.

8B. Town Code Section 66-10 Zoning Code Amendment Discussion, Uses Permitted in the B-1, R-1, R-2, and R-3 District, home Occupation Certificate

Councilmember Fithian stated that the goal for this item is to start the discussion and provide Town Staff with direction in amending the Zoning Code regarding home occupations. Her goal is to be more flexible regarding clients/employees on premises while preventing significant negative impacts.

Elizabeth Quist, 116 Edgehill Drive, spoke in support of the change. She has been a resident for 11 years and has a CPA business in town. She wanted to express how having an employee and clients able to come to her home would change her business significantly for the better. She would be able to increase her business and thus the business license fees she pays to the Town. She also stated that the Town needs to be careful with the changes to prevent negative impacts. She encouraged staff to work with zoning and legal staff to help the businesses outside of the Historic District flourish.

Jenn Mathis, Town resident and a previous business owner in Town, expressed her appreciation for this item on the agenda. She was surprised to see some of the restrictions for home-based businesses, in particular those regarding parking and deliveries. She stated that she believes the Town Council has a real opportunity to help improve Occoquan and she is looking forward to the discussion.

Joy Hermann, 210 West Locust Street, moved to Occoquan a year ago and has a CPA home-based business. Previously she has lived and worked in a similar town as Occoquan and they allowed one person in the home at a time. She thinks this would help her business and help her establish clients in Virginia. She also indicated that she would like to be able to have one employee to help during tax season.

Mayor Porta stated that the amendments to the Zoning Code should be relatively easy to make and encouraged that the process be expedited.

Councilmember Holloway inquired if she would need to recuse herself on this agenda item since she is impacted. Mr. Crim stated that she would not because she is a member of a group of three or more individuals affected by the potential change in the ordinance. He stated that she could participate by completing a form with the Town Clerk.

Councilmember Perkins stated that he would like to see reasonable examples before making a final decision.

Councilmember Holloway wanted Town Staff to clearly define the requirements of a Home Occupation Permit.

4. Approval of Minutes

Councilmember Perkins moved to approve the minutes of October 2, 2018 Regular Meeting.

A motion was made by Councilmember Perkins, seconded by Councilmember Holloway that the Action Item be approved. Motion passed, unanimous.

Councilmember Perkins moved to approve the minutes of October 25, 2018 Work Session Meeting.

A motion was made by Councilmember Perkins, seconded by Vice Mayor Sivigny that the Action Item be approved. Motion passed, unanimous.

5. Mayor's Report

Mayor Porta asked for unanimous consent to discuss further Mr. Somma's report on the elementary school boundary change issue; there was no objection. Mayor Porta briefed the Town Council on the details of the proposed boundary changes, including the goals and impacts. He asked Mr. Somma to comment on several items related to the

change, including the number of Occoquan children affected and Mr. Somma's view of the best course of action. Mayor Porta noted that he had been contacted by individuals within the Town as well as outside of Town but within the Occoquan magisterial district, who are opposed to the changes. He also noted that he has spoken to both the Occoquan District School Board representative, Lillie Jessie, and School Board Chair, Babur Lateef, regarding the issue. There is precedent, Mayor Porta reported, for making small adjustments to such boundary changes to accommodate specific circumstances, and that if opposing the changes the Town Council would thus need to make a decision as to whether it was opposing the changes more broadly or advocating for a specific change for children in the Town of Occoquan. There was a general consensus that the latter was the most appropriate action for the Town Council, though it was suggested that consideration should be given to include those children along Occoquan Road outside of Town boundaries. Mayor Porta reported that the County School Board is scheduled to make a decision in mid-January and the Town Council will thus need to submit its views before then.

Mayor Porta reported on some of the meetings and events he had participated in as Mayor over the last month. These included: (1) the successful test on November 14 of the Occoquan High Dam warning siren, (2) the Guild Open House and Town Tree Lighting on November 16, (3) a meeting with Seth Hendler-Voss of the County Tourism Office on November 20, and on which he will brief staff, (4) Santa's arrival by boat on December 1, (5) the Town Blessing and Holiday Party on December 2, and a (6) a presentation event at the VFW on December 4, which he attended with Vice Mayor Sivigny. Mayor Porta also reported that, assuming no council objection, he would allow staff to close Town Hall the week of December 23 in order to have a staff work week.

6. Councilmember Reports

Councilmember Holloway reported that she will be attending her first ASAP Meeting on December 5, 2018. She also attended the Hitchcock Paper opening and Santa's visit. She stated that the logo is in the last round of revisions. She indicated that the Town should consider adopting a set of brand usage guidelines..

7. Staff Reports

A. Town Attorney: Mr. Crim reported on the following item:

- i. **Miller Brothers** - An agreement has been reached and the information to order the heaters has been provided. Once the heaters are ordered then they will need to be installed along with the drywell to finish the items required by Town Building Official.

8F. Approve Not-To-Exceed Amount for River Mill Park Heaters

Councilmember Holloway moved to set a not-to-exceed amount for \$1,750 to order River Mill Park Heaters.

Moved by Councilmember Holloway, seconded by Councilmember Fithian. Motion passed, unanimous by voice vote.

- ii. **Board of Zoning Appeals** – Mr. Crim submitted MaryAnn Phelps as the chairman of the BZA and it was accepted by the Circuit Court.
- iii. **Town Manager Contract** – Mr. Crim worked on the contract for the new Town Manager
- iv. **Kiely Court Project** – Mr. Crim worked with the Mayor and the Zoning Administrator on a number of issues with that development.

B. Town Engineer: Mr. Reese submitted a report as part of the meeting agenda. He also reported that there was a preliminary site plan for The Mill at Occoquan development. There are 88 residential units and 6,600 square feet of commercial space and there will need to be special exceptions approved by the Town Council.

8D. Infiltration Ditch Discussion

Mayor Porta reported that the contracting company provided a quote to clean up the infiltration ditch and replace the gravel in that system. The quote was significantly more expensive than he was expecting. Town staff will receive a quote from the Lawn Service providers to remove the debris and stone. Once that quote is received then the item will come to Town Council for final determination.

C. Building Official: The Building Official's report was submitted as part of the meeting agenda. No questions were received.

D. Town Manager: Ms. Leidich did not have a report for the agenda but, was ready to answer questions.

Town Council welcomed her to the Town and stated they were happy she was the new Town Manager.

E. Town Treasurer: Ms. Rodriguez submitted the Treasurer's report as part of the meeting agenda.

Mayor Porta stated that he would like a column in the report to show the percentage of actual to budget.

F. Chief of Police: Chief Linn submitted a report as part of the meeting agenda. He also reported the following:

- i. **Selling Vehicle** – he stated that now that the Town Manager has been hired he would like selling the Crown Victoria to be a priority.
- ii. **Mechanical Issues** – he reported that the SUV is having some issues that he will need to have evaluated. He will provide an update at a later Town Council Meeting.

G. Boards and Commissions: Councilmember Perkins reported that the Planning Commission will be completing their parking recommendations shortly and they have completed a draft of their Annual Report and he expects the final draft will be in front of Town Council in January. He also stated that the Planning Commission has been

reviewing the C.I.P. Budget to make recommendations and to present those recommendations to Town Council.

Chairperson Seefeldt reported the ARB approved the final draft of the Revised Signage Design Guidelines and that is on the Agenda tonight.

8. Regular Business

8A. Architectural Review Board Revised Signage Design Guidelines

Councilmember Perkins moved to approve the Revised Signage Design Guidelines.

Moved by Councilmember Perkins, seconded by Councilmember Fithian. Motion passed, unanimous by voice vote.

8C. Budget Work Session - FY2020 Goal Setting/Financial Policies

Town Council discussed these goals and determined that for the fiscal year 2020 they would like to remove Riverwalk Access and Usages and Pedestrian Safety as budget goals. They were goals last fiscal year and the benefits will continue through this fiscal year. They wanted to make Maintenance of public buildings and areas a priority. They also wanted to keep Stormwater Management as a goal as well as, including developing three categories of stormwater management.

8E. Public Safety Goals

Councilmember Dawson moved to approve the presented Public Safety Goals.

A motion was made by Councilmember Dawson, seconded by Vice Mayor Sivigny that the Action Item be approved. Motion passed, unanimous by voice vote.

9. 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 assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with members of boards or commissions. Councilmember Fithian seconded. The motion passed, unanimous. Closed Session began at 9:38 p.m.

The Council came out of closed session at 9:43 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 Perkins, Councilmember Holloway, Councilmember Fithian, Councilmember Dawson, and Vice Mayor Sivigny, by roll call vote.

11. Adjournment

The meeting was adjourned at 9:43 p.m.

Christopher Coon
Town Clerk