



OCCOQUAN TOWN COUNCIL
Meeting Minutes
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, May 7, 2024
7:00 p.m.

Present: Mayor Earnie Porta; Vice Mayor Jenn Loges, Councilmembers Nancy Freeborne Brinton, Cindy Fithian, and Theo Daubresse

Absent: Councilmember Eliot Perkins

Staff: Adam Linn, Town Manager / Chief of Police; Matt Whitmoyer, Deputy Town Manager; Philip Auville, Town Clerk; Julie Little, Events Director; Jason Forman, Deputy Chief of Police; Asma Rupani, Town Treasurer; Bruce Reese, Town Engineer (remote); Martin Crim, Town Attorney (remote)

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. CITIZENS' TIME

No one spoke during citizens' time.

4. PUBLIC HEARING

a. Public Hearing on FY2025 Budget

Mayor Porta opened the public hearing at 7:02 p.m.

Mayor Porta invited the public to speak. No one spoke at the public hearing.

Councilmember Freeborne Brinton moved to close the public hearing at 7:03 p.m. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

Mayor porta asked for unanimous consent to move up on the agenda item 10A the Request to Adopt Police Week 2024 Proclamation. There being no objection, the item was moved up on the agenda.

5. REGULAR BUSINESS

a. Request to Adopt Police Week 2024 Proclamation

Vice Mayor Loges moved to adopt the Police Week 2024 Proclamation. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Fithian, Councilmember Daubresse,
Councilmember Freeborne Brinton

Nays: None

6. CONSENT AGENDA

a. Request to Accept April 16, 2024, Town Council Meeting Minutes

Councilmember Daubresse moved to approve the Consent Agenda. Councilmember Freeborne Brinton seconded. Motion passed unanimously by voice vote.

7. MAYOR'S REPORT

Mayor Porta reported the following:

- On April 12th, he attended the ribbon cutting for Waters Way Counseling.
- On April 15th, he chaired the final Riverwalk Expansion Special Committee meeting.
- On April 16th, he met with a town resident proposing additional events for next year.
- On April 24th, he served as a celebrity waiter for the Lake Ridge Rotary luncheon fundraiser and attended the LOVEworks sign dedication in River Mill Park.
- On April 26th, with the Town Manager/Chief of Police, attended an event with Senator Mark Warner at the Rappahannock Regional Criminal Justice Academy.
- On April 27th, he attended the services for Officer Ralston.
- On May 1st, he attended an elected officials briefing with VDOT on the I-95/Route 123 interchange project.

8. COUNCILMEMBER REPORTS

Councilmember Freeborne Brinton noted that she attended the ribbon cutting for Waters Way Counseling and Vizia Art Gallery.

Councilmember Daubresse noted that he attended the ribbon cutting for Waters Way Counseling and attended the LOVEworks sign dedication.

Vice Mayor Loges noted that she attended the ribbon cutting for Vizia Art Gallery and the LOVEworks sign dedication. She also noted that she attended the firearms qualification training with the Town Police and began preliminary discussions with staff on hosting a summer job fair for Town Businesses.

Councilmember Fithian noted that she attended the ribbon cutting for Waters Way Counseling and Vizia Art Gallery. She also noted that she attended the memorial service for Officer Ralston.

9. BOARDS AND COMMISSIONS

Councilmember Daubresse reported that the ARB met on April 23rd and the board had one exterior elevation application that was tabled from the last meeting for the applicant to answer questions. Due to the applicant not being present at the meeting, the application was tabled until the next meeting.

10. ADMINISTRATIVE REPORTS

a. Administrative Report

Mr. Linn provided a written report as part of the agenda packet.

Mr. Linn added that after staff reviewed the potential for a proclamation calendar and talking to other localities, staff is recommending against having a yearly calendar for proclamations. Instead, staff is working on providing council with a proposed policy or guidelines regarding proclamations that will be brought to council at a later meeting.

Mayor Porta noted the increase in trespassing in the area of the mill stone ruins and staff's replacement of signs. He indicated that at a future meeting, there will be a discussion on whether the council should or shouldn't allow people to fish from the ruins and looking into finding an expert to look to see if the ruins are worth protecting.

Vice Mayor Loges noted that she noted that the grant related to the Riverwalk was denied and asked if that would affect the Riverwalk Plan as proposed by the Riverwalk Expansion Special Committee.

Mr. Linn noted that staff applied for that grant in hopes it will reduce the engineering costs associated with some of the Riverwalk Plan; however, not receiving the grant did not affect the plan. Mr. Linn advised that staff had proposed the FY2025 CIP budget based on not receiving the grant.

Vice Mayor Loges next asked if there are going to be any changes or updates to the Visit Occoquan Agreement for next year.

Mr. Linn replied that staff does not anticipate any changes or updates to the agreement at this time other than the amount and period changing from 6 months to a full year.

Vice Mayor Loges asked if the town had an ability to offer incentives for commercial property owners to lease to business that the town believes would be the types of businesses that would generate more revenue to the town. She suggested some kind of real estate tax incentive.

Mayor Porta replied that the town has multiple times in the past considered potential incentives in the form of real estate tax relief and low-interest loans, both to incentivize new businesses and encourage renovation of existing structures. However, it found that given the town's low real estate tax rate, real estate tax rebates even over a period of 10 years or more would generate very little tax relief to incentivize a business or homeowner. Only if the county also provided tax relief (something they are understandably reluctant to do), would a material amount of incentive be created. As to low-interest loans, when the town did have more in reserves that it could use for such a purpose (it no longer has such reserves) interest rates were so low that a low rate from the town was essentially meaningless. The only relief the town seems to have that could be meaningful is some form of regulatory relief, which it has periodically attempted in the past. Staff will continue to examine the issue.

b. Treasurer's Report

Ms. Rupani provided a written report as part of the agenda packet.

Mayor Porta noted that when straight lining the budget Council should expect about 75% of the budget to be spent, which has been the case except for the few categories where expenses occur upfront during the year.

Mayor Porta asked when businesses close and leave town, is there a time when the BPOL taxes owed can be written off as a loss.

Mr. Crim replied that the tax cannot be written off as a loss but can be declared uncollectable and be removed from the books. He also indicated that he has an attorney in his firm that specializes in business tax collection and had discussed this with staff.

Mr. Linn added that a criminal summons was filed against one of the two businesses delinquent on meals tax.

c. Town Attorney Report

Mr. Crim provided a written report as part of the agenda packet.

Mr. Crim discussed the Supreme Court decision in Sheetz vs El Dorado County.

11. DISCUSSION ITEMS**a. Report on Riverwalk Expansion from RESC**

Councilmember Daubresse moved acknowledgement of receipt of the Riverwalk Expansion Special Committee Report and acceptance of the recommendations of the report. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

b. Update on Riverfest & Craft Show

Mr. Linn briefed council on the April 18th email that was sent out requesting volunteers for longer hour shifts, the economic analysis of using Commerce Street for additional vendors rather than using it for parking, and an analysis of vendors admitted and those turned away due to a lack of space available.

12. CLOSED SESSION

Vice Mayor Loges moved that the Council convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving: discussion or consideration of the acquisition of real property for a public purpose; specifically involving property within town boundaries, because discussion in an open meeting would adversely affect the Town's bargaining position or negotiating strategy. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

The Council went into closed session at 8:02 p.m.

The Council came out of closed session at 8:25 p.m.

Vice Mayor Loges moved to 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 in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion. Seconded by Councilmember Freeborne Brinton. The motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Daubresse, Councilmember Freeborne Brinton,
Councilmember Fithian

Nays: None

13. ADJOURNMENT

The meeting was adjourned at 8:26 p.m.



Philip Auville, Town Clerk