



OCOCOQUAN TOWN COUNCIL
Meeting Minutes
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, September 17, 2024
7:00 p.m.

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

Absent: None

Staff: Adam Linn, Town Manager / Chief of Police; Matt Whitmoyer, Deputy Town Manager; Philip Auville, Town Clerk; Asma Rupani, Town Treasurer; Bruce Reese, Town Engineer (remote); Tolley Gwinn, Assistant Town Attorney (remote)

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Kevin Poorman, an artist from Art a la Carte, presented and donated an original painting he created called "Streets and Structures of Occoquan." Mr. Linn advised staff was planning on placing the artwork in the entrance to town hall. A print of the artwork will also be raffled off during the Fall Arts and Crafts Show for the Occoquan Historical Society.

3. CITIZENS' TIME

No one spoke during citizens' time.

4. CONSENT AGENDA

- a. Request to Accept August 6, 2024, Town Council Meeting Minutes
- b. Request to Adopt Arbor Day 2024 Proclamation

Councilmember Fithian moved to approve the Consent Agenda. Vice Mayor Loges seconded. Motion passed unanimously by voice vote.

5. MAYOR'S REPORT

Mayor Porta reported the following:

- On August 9th, he attended the viewing of a community leader who passed away, Joyce Eagles.
- On August 9th, he emceed Trivia Night in River Mill Park.
- On August 20th, he met with a Northern Virginia Conservation Trust Representative before their inspection of the conservation easement at Tanyard Hill Park.
- On August 21st, he gave a brief welcome to the Marine Corps Professionals Associations at their annual meeting.
- On August 28th, he was a speaker at the Prince William Chamber of Commerce Policy Maker Series.
- On August 28th, with Councilmember Perkins, met with Fairfax County Supervisor Stork

regarding trail connectivity issues.

- On August 29th, with the Town Manager, met with the new incoming owners of D'Rocco's Restaurant.
- On September 12th, he attended the ribbon cutting for Brandon's Flowers.
- On September 13th, he emceed Trivia Night in River Mill Park.
- On September 14th, he attended with several staff members the bench dedication in honor of Town Resident Louis Soscia.

Mayor Porta noted that he has sent a formal letter to Supervisor Boddye requesting that the county considering purchasing the town's Tanyard Hill Park for use as county park space.

6. COUNCILMEMBER REPORTS

Councilmember Freeborne Brinton noted that she attended the ribbon cutting for Brandons Flowers.

7. BOARDS AND COMMISSIONS

Architectural Review Board (ARB) Chair Seefeldt reported that the ARB met on August 27th and the board reviewed and approved one exterior elevation application.

Councilmember Perkins reported that the Planning Commission did not meet on August 27th as a result of no agenda items.

8. ADMINISTRATIVE REPORTS

a. Administrative Report

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

Mr. Linn added that there is a lighting issue on Washington Street that staff is attempting to resolve with Dominion Power. In September of 2023, Dominion Power received a request from the Prince William County Department of Transportation to place a light pole to help with pedestrian safety at the crosswalk on Washington Street. The week prior to the council meeting a new light was installed at the crosswalk. That installation illuminated the entire area and staff received complaints from the residents across the street about the brightness of the light. Staff has contacted Dominion and as of this meeting have not received a response on a solution.

Vice Mayor Loges noted that originally Dominion had updated the lighting on the existing poles on Washington Street and that the new installation by Dominion was an industrial style pole that you would see on the interstate.

Mr. Linn added that during the meeting in September 2023 with Prince William County DOT and VDOT regrading crosswalk safety, the agreement was to add additional lighting to the area on Washington Street at the crosswalks. Dominion updated the existing lights to LEDs and the Town had thought the additional lighting request had thus been fulfilled. Unknown to the Town, Prince William County DOT requested an additional pole be installed by Dominion.

Vice Mayor Loges noted that it wasn't what the Town had envisioned. The Town did not expect Dominion to install an industrial style light pole that is completely different than the other streetlights on the street.

Mayor Porta noted that he had received complaints from Town Businesses regarding the previous

Craft Show, specifically with regard to parking spaces being blocked off for vendors before the vendor's arrival time. One complaint alleged that a show sponsor's large vehicle and trailer had blocked numerous spaces on Mill Street prior to the show. He wanted to make sure that sponsorship vendors are not receiving special privileges to block town businesses prior to their arrival time and specifically asked staff to make sure they discuss any such situations with affected restaurants or other businesses.

Mr. Linn advised that staff will continue to notify businesses in advance and would make sure that spaces were not blocked off in front of businesses before the appropriate times.

Councilmember Perkins asked for an update on the glass recycling.

Mr. Linn replied that staff had not received any further update on the glass recycling collection from the County.

Councilmember Perkins asked on any updates on the Mill at Occoquan.

Mr. Linn replied that their final site plan has been approved, and staff is currently waiting on the developer to apply for their demolition permit from the County.

Councilmember Perkins asked if the developer could be asked to provide a date well in advance of when they plan to proceed with demolition so that the community can receive adequate notice and the potential impact on any public parking spaces can be evaluated.

Mr. Linn replied that he will ask the developer for sufficient notice of when he plans to begin demolition.

Mr. Reese noted that under the Special Use Conditions the developer can't use public parking spaces during the demolition and building phase of the project without approval from the Town. He also noted that the Town Manager can request construction to be temporarily suspended during Town Events.

Councilmember Freeborne Brinton asked for updates on the Mill House Museum flooding remediation.

Mr. Linn replied that the Town has engaged Servpro and that they had come out earlier in the day to do the initial clean out and sanitize the basement of the Mill House Museum. They will return to finish repairs by next week.

Councilmember Daubresse asked for a reminder of when the TAP Grant is due for funding of the riverwalk.

Mr. Linn replied that the grant due date is in July 2025.

b. Treasurer's Report

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

Mayor Porta noted that the one business who owes a large amount in meals tax and is still operating is essentially stealing from the customers since they are collecting the tax but not transmitting it to the Town.

Mayor Porta noted that he saw the CIP Fund balance transfer from the Events Fund from last fiscal

year.

c. Town Attorney Report

Mr. Crim provided a written report as part of the agenda packet. There were no questions.

Mayor Porta asked for unanimous consent to add to the agenda item 9c Amended Terms on Refuse Contract with Bates Trucking Trash Removal, Inc. There being no objection, the item was added to the agenda.

9. REGULAR BUSINESS

a. Request to Adopt Ordinance O-2024-03 Relating to Accessory Dwellings and Accessory Buildings

Vice Mayor Loges asked if the Home Occupancy Certificate rules will come into conflict with anything else in the code.

Mr. Linn replied that the Home Occupancy rules should not cause a conflict since the code changes still would not permit people to come into a residence.

Vice Mayor Loges moved to adopt O-2024-03 as presented. Councilmember Freeborne Brinton seconded. Motion passed unanimously by roll call vote.

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

Nays: None

b. Request to Adopt Ordinance O-2024-05 Relating to Utility License Tax

Mr. Linn noted that the original ordinance authorizing the tax cannot be located for Utility License Taxes and this ordinance is to recodify that ordinance.

Councilmember Perkins moved to adopt O-2024-05 as presented. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

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

Nays: None

c. Amended Terms on Refuse Contract with Bates Trucking Trash Removal, Inc.

Mr. Linn noted that Bates, the trash contractor, had notified the Town in April of a proposed rate increase of thirty-eight percent (38%) alleging the increase was due to the increase in the County's tipping fees. Staff reached out in writing asking for additional clarification and justification. Bates had not responded to the requests and in August, the Town received an invoice with the proposed amount. The Town Manager refused the invoice only authorizing the prior amount plus a three and half percent (3.5%) increase. Bates contacted the Town Manager and after a negotiation, Bates agreed to an increase around eight to nine percent (8 to 9%). Since any changes in excess of 3.5 percent (%) has to be approved by the Council, staff was bringing the amendment to Town Council.

Councilmember Daubresse moved to authorize the Town Manager to accept and/or execute an amendment to adopt an increase in cost to the Town's "Contract for Trash, Recycling, Bulk and Yard Waste Collection" with Bates Trucking & Trash Removal, Inc. in an amount not-to-exceed an 9% annual increase over Fiscal Year 2024 actuals. Motion passed unanimously by voice vote.

10. DISCUSSION ITEMS

a. Council Compensation Discussion

The Council discussed the potential advantages and disadvantages of adopting the staff's proposal to increase council compensation from the current \$1 per month. Among the items discussed was the effort expected of council members, the impact on the town budget of an increase, the perception of the town and its staff as a result of the essentially volunteer nature of council service, and the attractiveness of council service. Mayor Porta thanked staff for taking the initiative in raising the issue and noted that all the members appreciated the staff's recognition of the substantial commitment exhibited by members of the Town Council. Given that the Council did not wish to propose a compensation increase (which by law would not take effect until after the next election for town council), the matter was tabled indefinitely.

b. NWS StormReady® Certification Discussion

Mr. Forman presented to Council on the National Weather Service's (NWS) StormReady® Certification that the Town has received. Signage on StormReady® will be posted at the entrances into Town. The benefits to the Town from this certification include review and potential improvement of the Town's hazardous weather plans, public recognition, and the potential for residents to qualify for rate reductions in the National Flood Insurance Program (NFIP).

c. Planning Commission Strategic Planning Recommendations Discussion

The Council provided the requested feedback memo to the Planning Commission on the latter's Strategic Plan.

11. 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)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to: probable litigation involving lease of public property, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Town. Councilmember Perkins seconded. Motion passed unanimously by voice vote.

The Council went into closed session at 8:40 p.m.

The Council came out of closed session at 9:04 p.m.

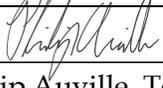
Vice Mayor Loges moved to certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion. Seconded by Councilmember Fithian. The motion passed unanimously by roll call vote.

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

Nays: None

12. ADJOURNMENT

The meeting was adjourned at 9:05 p.m.



Philip Auville, Town Clerk