



OCCOQUAN TOWN COUNCIL
Meeting Minutes
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, May 6, 2025
7:00 p.m.

Present: Mayor Earnie Porta; Vice Mayor Loges, Councilmembers Robert Love, Cindy Fithian, Eliot Perkins, and Theo Daubresse

Absent: None

Staff: Adam Linn, Town Manager / Chief of Police; Matt Whitmoyer, Deputy Town Manager; Philip Auville, Town Clerk; Jason Forman, Deputy Chief of Police; Asma Rupani, Town Treasurer; 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

Mayor Porta welcomed Robert "Bob" Love to the Town Council after being voted in to fill the term of Nancy Freeborne Brinton who resigned due to new work obligations until the special election in November.

3. CITIZENS' TIME

No one spoke during citizens' time.

4. PUBLIC HEARING

a. Public Hearing on FY2026 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 Perkins moved to close the public hearing at 7:02 p.m. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

5. CONSENT AGENDA

a. Request to Accept April 16, 2025, Town Council Meeting Minutes

b. Request to Adopt Police Week 2025 Proclamation

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

Mayor Porta read the Police Week 2025 Proclamation, and the Council took a photo with members of the Occoquan Police Department.

6. MAYOR'S REPORT

Mayor Porta reported the following:

- On April 16th, he attended the ribbon cutting opening of the Neabsco Creek Kayak Launch.
- On April 18th, Councilmember Perkins and him met with Supervisor Storck of Fairfax County and other interested parties to review the potential trail connections to Occoquan Regional Park.
- On April 19th, he emceed the awards ceremony for the Peeps Contest.
- On April 23rd, he served as a celebrity waiter for the Lake Ridge Rotary Annual Lunch and Fundraiser.
- On May 3rd, he attended the Volunteer Fair.
- On May 4th, he welcomed a bus tour from Pennsylvania to the Town.

7. COUNCILMEMBER REPORTS

Councilmember Fithian mentioned that she participated with Mayor Porta and Councilmember Love at the Volunteer Fair at Town Hall on Saturday, May 3rd.

8. BOARDS AND COMMISSIONS

Architectural Review Board (ARB) Chair Seefeldt reported that the ARB met on April 22nd and approved two applications.

Councilmember Perkins reported that the Planning Commission did not meet in April and noted that the Planning Commission Annual Report was provided to the council at the last council meeting.

9. ADMINISTRATIVE REPORTS

a. Administrative Report

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

Mayor Porta asked to confirm that the Occoquan Greenway Trail Project construction is now 2027.

Mr. Linn replied that it was supposed to start in the fall of 2026, but staff had been advised that construction has been slightly delayed.

Mayor Porta commented on the preventative maintenance of Town Buildings and Assets in the report and indicated that it's identified as a new item. He then asked how this is different from current maintenance being done.

Mr. Linn replied that the item is substantially the same, but the Town now has staff able to routinely monitor and provide that maintenance.

Mayor Porta asked if VDOT has still not identified what is causing the Edgehill Drive water issue.

Mr. Linn replied that is correct. VDOT is not sure of the cause but is planning on installing additional drains along the road to move the water believed to be coming from the Townhomes as well as from under the road.

b. Town Treasurers' Report

Ms. Rupani provided a written report as part of the agenda packet and responded to brief questions

from Council.

Mayor Porta asked if the new business replacing Bann Thai was assuming the liabilities of the old business or was this an unrelated business.

Mr. Linn stated that the new business would not be assuming the liabilities from Bann Thai. He also noted that the owner of Bann Thai had come into Town Hall and paid cash for the bounced check provided to the Town for that original payment of the meals tax and business license. As a result, Bann Thai was only one month behind for meals tax.

Vice Mayor Loges directed everyone to the treasurer report line item regarding “sponsorships” and asked if it’s realistic that we will meet the budgeted goal of \$34,000 with only \$13,000 funded so far.

Mr. Linn replied that the budgeted goal won’t be reached and indicated that is why staff lowered the income from sponsorships in the next budget for FY2026.

Councilmember Perkins asked for an update on the plantings from the landscaper as well as if in the contract, based off their prior performance and lack of timeliness this year, if we could hold them liable for breach of contract.

Mr. Linn replied that the landscapers still have not done any plantings and have been advising staff that the plants have not arrived at the nursery for pickup yet. Mr. Linn advised that with respect to the contract, that it was still the same contract from the prior year. Mr. Linn indicated that the Town only pays for the plantings if we receive them.

Mayor Porta asked if a landscaping contract could contain a liquidated damages clause if they didn’t meet the time schedule or any other method.

Mr. Crim discussed the downsides of having a liquidated damages clause and noted that the only viable option would be termination of the contract.

c. Town Attorney’s Report

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

Mr. Crim noted as a follow-up to his report that on the injunction matter they will be going back to court on June 13th for a potential follow-up hearing.

Vice Mayor Loges asked about the status of the signage violations at 308B Poplar Alley and what other methods are being done besides removing the signs that keep being placed off the actual property premises.

Mr. Linn replied that it has been sent to legal for a cease-and-desist letter to be sent. The owner had already received a Notice of Violation and if they don’t comply with the cease-and-desist letter then a legal suit would be filed against them.

10. REGULAR BUSINESS

a. Request to Adopt Resolution of Appreciation for Julie Little

Mayor Porta noted that Councilmember Fithian has a minor amendment to the Resolution.

Councilmember Fithian noted that under paragraph 5 to add after “residents”: “visitors, artisans (or

vendors), and business owners", because many of the events include people from outside of town who then patronize town businesses.

Councilmember Fithian moved to adopt Resolution R-2025-05 as amended. Councilmember Daubresse seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Daubresse, Councilmember Love,
Councilmember Fithian, Councilmember Perkins

Nays: None

Mayor Porta asked for unanimous consent to add to the agenda a Request to Amend FY2026 Capital Improvement Program Proposed Budget. There being no objection to the item, it was added to the agenda.

Mayor Porta noted that this is to move back the funds for the Riverwalk Project a year.

Mr. Linn noted that the Town Attorney thought this was best practice to update the budget so that it would give staff an opportunity to publish the change on the website prior to the hearing and would not affect the advertising for the public hearings.

Vice Mayor Loges moved to amend the proposed FY2026 Capital Improvement Program budget to move the revenue and expenses related to the Riverwalk Project to FY2027 and FY2028. And specifically change the proposed FY2026 Capital Improvement Program expenses beginning July 1, 2025, to \$1,294,556 and the revenues to \$1,294,556. Councilmember Perkins Seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Daubresse, Councilmember Love,
Councilmember Fithian, Councilmember Perkins

Nays: None

11. ADJOURNMENT

The meeting was adjourned at 7:40 p.m.



Philip Auville, Town Clerk