

OCOQUAN TOWN COUNCIL MEETING
TOWN HALL - 314 MILL STREET
November 12, 2013

Present: Mayor Porta, Vice-Mayor Quist, Council members Bush, Walbert and Sivigny, Mr. Crim, Ms. Breeding, Mr. Reese, Mr. Levi and Ms. Blackwell. **Absent:** Council Member Barry Dean.

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

Citizens' Time: Kristyn Gleason of Polka Dot Divas said the Halloween Parade on October 26 was a huge success and also thanked Mayor Porta for his participation in the dunking booth. She did, however, express concern about a small group of adolescents near the cul-de-sac during evening hours who were harassing some residents walking their dogs. She wanted to say that police presence is very important, especially during the holiday months.

Mr. Brown expressed concern regarding the Prince William County police who are patrolling Occoquan. He said he saw a few cars going through stop signs and the police did nothing about it. He feels it is wasteful spending for the Town to pay for extra hours for police in the Town.

Mayor Porta introduced Joe McGuire as the Town's newly-elected council member. Also, he thanked Mr. Dean for stepping in as the interim Council member when Mr. Brunsvold resigned.

Consent Agenda: Vice Mayor Quest moved to approve the minutes of the October 1, 2013, with two minor corrections; Mr. Sivigny seconded. Ayes: All, by voice vote.

Vice Mayor Quist moved to suspend the rules and move up on the agenda "ARB Report," and "Report on the Craft Show;" seconded by Mr. Sivigny. Ayes: All, by voice vote.

ARB Report: Ms. Seefeldt reported that the ARB approved two exterior elevation applications and reviewed five Certificates of Appropriateness. She wanted to nominate Carol Bryant (268 Gaslight Landing) as volunteer to fill the empty seat on the ARB.

Ms Bush moved to approve Carol Bryant as a member of the ARB, seconded by Vice Mayor Quist. Ayes: All by voice vote.

Ms. Seefeldt noted certain promotional signs she had seen in town that are prohibited and the Mayor directed Mr. Brill to take them down.

Craft Show Report: Ms. Thomas reported after all bills were paid, the net profit from the Fall Craft Show is \$66,427.86. She also reported that she had attended two craft shows in the last two weeks (one at the Hampton Convention Center and the other at Fairfax High School) and talked to a large number of pure crafters about participating in the upcoming Occoquan Arts and Crafts Show in June. She said she would give all new crafters a \$100 discount for attending either the upcoming June or September show.

She also reported that she had a discussion with the bus company who said that we should add at least one or two more busses for the upcoming June show to alleviate the long lines that were experienced at the September show.

Mayor Porta asked to make available at Town Hall copies of the craft show vendor packet for staff who might attend various craft shows and wish to convey information about the Occoquan show. In discussing the Craft Show he noted that the Town is revamping its entire website and plans to integrate Craft Show information with the new town site. He said that Mr. Crim has brought up in the past Council interest in registering a trademark for the Occoquan Craft Show. Part of the impetus for that is the desire to prevent the proliferation of sites claiming to be the Occoquan Craft Show site. In that context, Mayor Porta wished to make it clear that Mr. Reese, who currently operates a Craft Show web site that he (Mr. Reese) has maintained ownership of, was initially asked to develop such a site by Mr. Smith, a former council member who oversaw the Craft Show in the past. Once the new town web site goes live, however, it will now house craft show information, and the show will no longer rely on third-party sites to convey craft show information.

Vice Mayor Quist moved to suspend the rules and move up on the agenda "Draft Vending Machine Ordinance," seconded by Ms. Bush. Ayes: All, by voice vote.

Draft Vending Machine Ordinance: Ms. Bush proposed an ordinance to keep vending machines out of the public view in the historic district by adding them to the list of prohibited signs in the Sign Ordinance. This will not affect an existing vending machine. Ms. Bush said that maybe we should extend the prohibited vending machines not only to the historic district but also the business district.

Ms. Bush voted to forward the Draft Vending Machine Ordinance to the Planning Commission for their recommendation; seconded by Mr. Sivigny. Ayes: All by voice vote.

Vice Mayor moved to suspend the rules and move up on the agenda "Review of Ordinance on Decks;" seconded by Ms. Bush. Ayes: All by voice vote.

Review of Ordinance on Decks: Mayor Porta noted that we have not had the actual Public Hearing on the changes to the deck ordinance. He said the Planning Commission has met but when holding the Public Hearing, was not able to get a quorum.

Dr. Walbert reported the Planning Commission met in public session and recommended "Version B" to the Town Council. "Version B" states: *Each main building shall have a rear yard of at least 20 feet, of which no more than 10 feet may be occupied by an unroofed deck.*

Mayor Porta expressed concern about the situation confronted by Mr. Ryba. According to the zoning ordinance, all units in Mr. Ryba's subdivision must have at least a 20' rear yard. Yet, if he understands correctly, Mr. Ryba was denied a deck because his rear yard is a few inches less than 20', which would indicate that the house itself was in violation, yet had nevertheless been approved. By definition, it would seem, Mr. Ryba should be permitted to have a deck. The Town Engineer, Bruce Reese, indicated that these issues of inches sometimes occur and normally the inspector is flexible.

Mayor Porta said to make it clear for the public hearing, another alternative is having a minimum yard size and you set a minimum distance from the property line. Mayor Porta said we need to formally schedule another Public Hearing which will be a Joint Planning Commission/Town Council Meeting, and a Planning Commission and Town Council Meeting on December 3, beginning at 6:30 p.m.

Vice Mayor Quist moved to formally advertise a Joint Public Hearing; seconded by Ms. Bush.
Ayes: All by voice vote.

Dr. Walbert moved to add to the agenda adoption of the Comprehensive Plan; seconded by Vice Mayor Quist. Ayes: All by voice vote.

Vice Mayor Quist asked what items were amended in the Comprehensive Plan. Dr. Walbert responded the date would be changed and the names of the Mayor and Town Council and setbacks were changed.

Dr. Walbert moved to accept the amended Comprehensive Plan; seconded by Ms. Bush.
Ayes: Sivigny, Bush, Walbert and Quist.

Attorney's Report: Mr. Crim reported the Boundary Line Adjustment has been completed with the court entering the order. He said this can be put on the back burner for the time being.

Mayor Porta stated that he feels that the Town will get some pressure from Fairfax Water to consider getting our own building official. He said we will need to begin discussing this issue in the near future.

Mr. Crim also reported Mr. Granville-Smith dropped off the signed Gaslight Pole Relocation Agreement to him and now the Mayor will also need to sign the Agreement.

Town Engineer's Report: Mr. Reese said he had nothing to report.

Mayor's Report: Mayor Porta reported on his attendance at the following events in his capacity as Mayor:

10/3 – Gave kayak tour of town to a travel writer; arranged by CVB

10/4 – Participated with Liz Quist in the arrival of the CAUSE bicycle riders in town

10/6 – Road the final leg with the CAUSE bicycle riders

10/7 – Met with Fairfax Water and Prince William County regarding Riverfront Park

10/10 – Had a conference call with VDOT officials regarding improvements to US Bike Route 1

10/15 – Met with travel writer about Occoquan; arranged by CVB

10/16 – Attended Project Mend-A-House Annual Dinner

10/18 – Attended Prince William Academy Playground Dedication

10/22 – Met with Parks Department and LRPR staff

10/24 – Spoke before Occoquan Pointe HOA

10/26 – Participated in Occoquan Halloween Parade and Dunking Booth

10/28 – Spoke before Barrington Pointe HOA

11/7 – Gave morning bus tour of Occoquan to 34 people from Leadership Prince William

11/8 – Attended preview opening the Bottle Stop

Mayor Porta also reported that the Town's new web site is moving toward completion -- that the vendor is awaiting additional information from the Town that is being compiled. He also noted that he will be participating in the Old Bridge Santa Parade on Saturday, November 16, and will be distributing flyers and bags from merchants to some 200 residences outside of Occoquan to promote the Guild Open House and Town Tree Lighting on November 22.

Council Reports: Mr. Sivigny reported that Ms. Thomas (Director, Occoquan Arts and Crafts Show) invited all the volunteers at the Shows to a meeting a few weeks ago for their feedback and received a lot of good comments. Mr. Sivigny said that Occoquan Heights web site shows only three models, all of which include an optional deck. However, according to the Occoquan Heights site plan, a fourth model, apparently the one not displayed on the web site and representing approximately one fourth of the units, would not meet current town regulations allowing decks."

Mr. Crim said that we could call them and tell them they are misleading future homebuyers.

Mayor Porta asked that we copy a screen shot of the website and have Chief Levi contact D.R Horton to fix this problem immediately and also reiterate the noise ordinance regarding the time to begin work on weekends.

Dr. Walbert moved to appoint Mr. Leo Smith (326 Overlook) to the Planning Commission; seconded by Ms. Bush. Ayes: All by voice vote.

Ms. Bush and Vice-Mayor Quist had nothing to report.

Treasurer's Report: Ms. Breeding reported Cash has increased \$88,000 over last year and Total Assets has increased \$86,000 over last year. She reported Occoquan Coffee House is three months past due in the Meals Tax payment and Sugar Buzz is two months past due. She noted that a check should be coming soon from the lien on the Pink Bicycle Tea Room.

Acting Town Manager's Report: Chief Levi stated that he will be taking vacation the weeks of November 25-29, 2013 and December 9-13, 2013. (He noted that all this vacation is comp time.) In 2014, he said he will be taking vacation January 6-10 and then 13-17, 2014.

Chief Levi noted that he had Berrywood corded off and tried to set up a meeting with Mr. Berry but he was ill and has not gotten back to him at this time. He said there was a question about the legality of sign spinners.

Mr. Crim stated that as long as the sign spinners are on sidewalks, they are legal. Chief Levi was instructed to call D.R. Horton to discourage them from using sign spinners in Occoquan.

Chief Levi reported that FSAs need to be done in conjunction with health benefits plans. Mayor Porta asked Chief Levi to call VML and ask them about FSAs.

Mayor Porta said that he has not seen or heard of any complaints regarding the PWC police here in Occoquan. He did raise the issue that the police hired to work in Occoquan may need some supervisor or instruction from Chief Levi regarding expectations.

Snow Removal Contract: Chief Levi reported that he received three RFPs for the Snow Removal Contract. He said that he received a quote from JLC Enterprise who had the contract last year and whose bid was the lowest. Chief Levi said they know the Town streets and felt that they did a good job.

Dr. Walbert moved to approve JLC Enterprise as the contractor for the Town's snow removal; seconded by Mr. Sivigny. Ayes: All by voice vote.

The meeting adjourned at 8:30 p.m.



Peggy Blackwell, Town Clerk