



**OCCOQUAN TOWN COUNCIL**  
**Regular Meeting Minutes**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, March 7, 2017**  
**7:00 p.m.**

**Present:** Mayor Liz Quist, Vice Mayor Pat Sivigny, Councilmembers Matthew Dawson, Cindy Fithian, and Joe McGuire  
**Absent:** Councilmember Jim Drakes  
**Staff:** Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney; Bruce Reese, Town Engineer; Stan Orndorff, The Engineering Groupe; Chris Coon, Town Clerk; Adam Linn, Interim Chief of Police

**1. Call to Order**

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

**2. Pledge of Allegiance**

**3. Citizens Time**

Lori MacKenzie, 115 River Rd., stated that since moving to Occoquan, her and her husband have been involved in two vehicle accidents. She stated that there is an overflow of traffic in town. She stated that she hopes that the Town is hiring an Auxiliary officer in addition to the Chief. She stated that she would like to see additional police presence patrolling traffic coming down Route 123 into Town, Washington Street, and Commerce Street. Councilmember McGuire inquired about the time of the accidents. Ms. MacKenzie stated that one was in the evening around 6:30 pm and the other was in the morning around 8:00 am.

Chris Kiely, 430 Mill St., stated that he would like the resignation of the Councilmember under sanction for embezzlement.

**4. Approval of Minutes**

It was moved to approve the minutes of the February 7, 2017 Regular Meeting and February 21, 2017 Work Session Meeting.

**A motion was made by Councilmember Fithian seconded by Vice Mayor Sivigny that the Action Item be approved. The motion carried by poll vote, unanimous.**

**5. Councilmember Reports**

Councilmember Fithian reported that she attended an Occoquan River Communities (ORC) meeting and that Riverfest will be held on Saturday May 13, 2017. She stated that she needed to perform fundraising efforts to host a band in River Mill Park during Riverfest. She also indicated that she would like to reach out to the business community in Town for support. She stated that the event would be larger in 2018 when the Occoquan Regional Park construction is completed and those facilities can be utilized. She also stated that she

informed the ORC that any participation by the Town of Occoquan would not be supported by Town staff due to current vacancies and limited available resources.

Vice Mayor Sivigny reported he attended the Small Business Saturday event at South County High School. He stated that the South County High School Marketing students did an insightful study on the Craft Show in Occoquan.

## 6. Mayor's Report

No Report.

## 7. Staff Reports

**A. Town Attorney:** Mr. Crim, Town Attorney, reported on the following:

- i. Kiely litigation-** There has been no action regarding the appeal from the State Technical Review Board; that item is still pending in the Circuit Court with no significant changes.
- ii. Rivertown Overlook-** The development is moving forward and receiving final signatures from the necessary entities.
- iii. Monitoring General Assembly Bill** - Mr. Crim reported on the following bills
  - a. The Checkbook Bill, which would have required the town to post check and transactions on the Town's website, has been left in the house committee; no other action will be taken this year.
  - b. The Cellphone Infrastructure Bill, which would take local authority on placement of cellphone towers, is on the Governor's desk with an action deadline of March 27, 2017.
  - c. The Short-term Rental Bill, known as the AirBnb Bill, has passed both the House and the Senate and will make it to the Governor's desk for the final decision.
  - d. The Party ID Bill, which would have required local elected officials and candidates of elected positions to be identified by their party affiliation on ballots, was defeated in the House. Mr. Crim stated that there was concern in Virginia because of the number of residents that are federal employees that would be impacted by the federal law that prevents federal employees from running in partisan elections.
- iv. Miller Brothers Appeal** - Mr. Crim stated that he corresponded with Miller Brothers at the guidance of Town Council and he has yet to hear a response.
- v. Prosecutions** - Mr. Crim stated that Interim Chief Linn has been very active and this has required that the Town hold prosecutions every month opposed to every two months.
- vi. Canoe/Kayak Ramp** - The Invitation for Bid (IFB) and the contract have been drafted. He stated that the ad has been prepared using previous forms that were updated. Mr. Crim stated that the drafted documents prepared for this project would help prevent a similar scenario to what occurred with Miller Brothers and the River Mill Park project.
- vii. BZA Appointment** - The names have been filed with the Circuit Court and the Town should have a response shortly.
- viii. Upcoming Items** - Mr. Crim stated that there are some items and policy decisions that need to be made in the near future. He stated that there has been discussion regarding

food trucks in town. He asked Council to consider what regulations they would want to impose and if there would be different regulations if those food trucks would be on private or public property. He also stated that there have been preliminary discussions about regulations on chickens in Town.

Councilmember Fithian inquired if the discussion regarding food trucks began because of Bar-J's request for their one-year anniversary. Mr. Crim stated that Bar-J's is what started the discussion. He stated that this shows that food trucks are a reality in Occoquan and that there needs to be rules established for those food trucks.

Councilmember Fithian inquired if the regulations could determine allowable length of stay. Mr. Crim stated that is a decision for Council to make but he will provide other localities' policies for food trucks to help Council make an informed decision.

Ms. Jovanovich stated that the chicken issue is going to be discussed in a future work session and she can add the food truck discussion to a future work session meeting agenda.

- B. Town Engineer:** Mr. Reese, Town Engineer, submitted a report as part of the meeting agenda. No questions were received.
- C. Building Official:** Mr. Barbeau was not present, however, his report was submitted as part of the meeting agenda. No questions were received.
- D. Town Manager:** Ms. Jovanovich submitted a manager's report as part of the agenda. Ms. Jovanovich went into further discussion regarding a Town resident's letter she received regarding parking along Ellicott Street. Ms. Schaffer requested that the no parking be extended on Ellicott Street due to difficulty for two-way traffic passing. Ms. Jovanovich stated that she sent the letter to Council. She also stated that Mr. Reese and Chief Linn have inspected the issue and took measurements to determine if parking is possible utilizing VDOT standards. A recommendation will be provided at the April meeting.

Vice Mayor Sivigny inquired about the status of the signs on West Locust Street and if the curbs have been painted. Ms. Jovanovich stated that the signs have been posted and they are being enforced. She also stated that the curb painting would be completed during the summer when the Town contracts to have all of the curbs in town refreshed. Vice Mayor Sivigny inquired about if VDOT has completed work on Washington Street. Ms. Jovanovich stated that there is still some work that needs to be completed in regards to restriping. She also indicated that she has reached out to VDOT regarding angled parking spaces to help alleviate the wrong way traffic up Washington Street and has not received a response yet.

Councilmember Fithian inquired if parking on West Locust Street has stopped. Ms. Jovanovich stated that there have been some disregard for the signs that Chief Linn has had to enforce and stated that when the curb is painted it should help alleviate parking along the no parking zone.

- E. **Town Treasurer:** Ms. Jovanovich, Acting Town Treasurer, submitted the treasurer's report as part of the meeting agenda. No questions were received.
- F. **Chief of Police:** Interim Chief Linn provided his February 2017 report with the agenda packet.

Councilmember McGuire inquired about Chief Linn's enforcement activities on Route 123. Chief Linn provided a detailed response to Councilmember McGuire's question. Councilmember Fithian stated that based on the complaints received during Citizens Time, that she believed Chief was acting appropriately in enforcing traffic violations along Route 123.

## 8. Regular Business

### **8A. Request to Approve Construction and Maintenance Agreement for 430 Mill Street (Kiely Court Project)**

It was moved to approve the proposed Construction and Maintenance Agreement with Christopher and Jillian Kiely and authorize the Mayor to sign.

**A motion was made by Councilmember Dawson, seconded by Councilmember Fithian that the Action Item be approved. The motion carried by poll vote, unanimous.**

### **8B. Request to Award Contract for Drain Installation at River Mill**

It was moved to award a contract to Prince William County Public Works Department for the installation of a drainage system along the trail and concrete overlook area in the amount not to exceed of \$32,365 from Fiscal Year 2017 CIP Fund and direct the Town Manager to report back to Town Council in April with the cost of paving the entire trail at that time.

**A motion was made by Councilmember McGuire, seconded by Councilmember Dawson that the Action Item be approved. The motion carried by poll vote, unanimous.**

## 9. Work Session

### **a. FY 2018 Budget Discussion #3 (Final)**

Ms. Jovanovich presented the newly updated figures, with explanations for the updates. Notable expenditures include Health Insurance Program Option, Employee Merit Increase Option, and Seasonal Maintenance Position (Dockmaster). Council held a discussion on the position of Dock Master and the responsibilities for that position. Ms. Jovanovich also stated that there has been funding added to the budget for Town business support in the amount of \$10,000, and community support requests in the amount of \$2,000. Ms. Jovanovich also noted that the approach taken in the development of the Capital Improvement Plan was to budget expenditures to match closely to anticipated revenues from the annual craft show. Mayor Quist provided with a reserve analysis and stated that the Town's Reserves must maintain a minimum of \$420,000 to maintain four months of operating reserves, permanent funds, and the following year's CIP.

**10. 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: salary or other compensation of all employees. Councilmember Dawson seconded. The motion carried unanimously. Closed Session began at 8:45 p.m.

The Council came out of closed session at 8:54 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 Fithian, Councilmember Dawson, Councilmember McGuire and Vice Mayor Sivigny, by roll call vote.

It was moved to advertise the following proposed FY 2018 Real Estate Tax Rate of \$0.13 per \$100 of assessed value, Meals Tax Rate of 3%, and Transient Occupancy Tax Rate of 2%.

**A motion was made by Vice Mayor Sivigny, seconded by Councilmember Fithian that the Action Item be approved. The motion carried by poll vote, unanimous.**

**11. Adjournment**

The meeting was adjourned at 9:01 p.m.

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Christopher Coon  
Town Clerk