



## OCCOQUAN TOWN COUNCIL

### Meeting Minutes

Town Hall - 314 Mill Street, Occoquan, VA 22125

Tuesday, January 20, 2026

7:00 p.m.

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

**Absent:** None

**Staff:** Adam Linn, Town Manager / Chief of Police; Megan Lubash, Town Clerk / Assistant Town Manager; Jason Forman, Deputy Chief of Police; Tracy Gallehr, Assistant Town Attorney

### 1. CALL TO ORDER

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

Mayor Porta noted that Councilmember Love was attending remotely from a boat between St. Lucia and Barbados for personal reasons. The mayor also noted that Assistant Town Attorney Tracy Gallehr was attending remotely.

### 2. CITIZENS' TIME

Mayor Porta added Citizen's Time with unanimous consent. One resident spoke during Citizens' Time.

Laine S., an artist at a shop in Occoquan and creator of Swords, Brooms & Magical Beasts, an event that has happened twice a year over the past three years spoke. She has formed an LLC for this event and is in the process of getting her Business, Professional, Occupational License. Her goal is to create a curated day of experiences with businesses in Town and have outside vendors at private properties. Laine plans on paying for a shuttle to lessen the impact to the Town parking. She recently became aware that there is an itinerant vendor event fee imposed by the Town that would cost \$2,500.00 dollars and asked if the fee could be waived so that the funds can be put back into the event.

Since there were no further citizen comments, Citizens' Time was closed.

### Discussion on Swords, Brooms, and Magical Beasts

Mayor Porta asked to place a discussion item on Sword, Brooms, and Magical Beasts with unanimous consent.

Mayor Porta explained that the itinerant vendor event permit was designed to compensate for the various general town services (e.g., trash, traffic control, etc.) that events involve and that existing town businesses are already helping pay for through their yearly Business, Professional, Occupational License (BPOL) fee. He indicated his belief that to not charge such a fee for such events would be unfair to existing town businesses.

Councilmember Fithian thought that given the large amount of visitors that are brought into the Town businesses by this event that she would be amenable to waiving the itinerant vendor event fee.

Councilmember Perkins asked about the history of the fee. Mayor Porta explained that the itinerant

vendor event fee was established many years before his first term as mayor. He noted that for approximately seventeen years, a private property owner sold spaces on their property during the Town's Craft Shows to more than 60 vendors, but ignored the requirement that individual vendors who were not town businesses pay a \$500 itinerant vendor fee. The itinerant vendor "event" fee was designed to accommodate such large events by capping the fee for multiple vendors at \$2,500. The fee helps cover the staff time and resources required to manage larger events, as these vendors were not otherwise paying taxes that town businesses were paying. Mayor Porta cautioned that waiving the fee, as suggested by Councilmember Fithian, would set a precedent that virtually any outside group could set up their own "craft show" or similar event on private property, generating an additional impact on town services, traffic, parking, etc, without contributing to covering the cost of those services, which he felt would be fundamentally unfair to tax-paying town businesses.

Vice Mayor Loges wanted to clarify that this event fee covers the real costs for traffic and public safety services of the Town. In trying to pursue a way forward, she asked if the itinerant vendor fee of \$500.00 could be used in some way instead of the itinerant vendor event fee of \$2,500.00.

Mayor Porta said if all payments went through Town businesses with a Business, Professional, Occupational License or a single business with Business, Professional, Occupational License, he thought it could be treated as a consignment arrangement. He suggested it be done on a consignment arrangement. The Mayor's main goal was that taxes on all levels would be captured legally.

Councilmember Fithian asked if they would need a Town address or if a Post Office Box would suffice; Town Manager Linn noted that ideally there would be a physical in Town address for the business.

Councilmember Perkins asked how this event had been allowed to occur in the past and Town Manager Linn noted that this was the first time that outside vendors were invited to the event.

The Mayor stated that he would like to help make the event work. He asked Laine S. if there were Town businesses or a single business that would agree to run the sales through that business. Vice Mayor Loges asked if the 30 vendors could help mitigate the permit cost through the fee they paid the organizer to participate in the event. Mayor Porta answered that in talking with Town Manager Linn earlier, he learned that part of the vendor fee is going to the Town businesses that are hosting the vendors.

Mayor Porta did not like the look of waiving the itinerant vendor event fee if the event provides a "kick-back" to a Town business hosting the event. The Mayor circled back to the idea of having Town businesses run the artists' and vendors' sales through their accounts. Laine S. noted the high time cost to keeping track of all of those sales and vendors preferring to have money in hand after a sale.

Councilmember Daubresse asked if Laine S. could go back to the vendors asking for another \$80.00 to cover the itinerant vendor fee and Laine noted there would be no support for a higher fee.

Councilmember Perkins lamented this has come to their attention when it is very close to its event date with little time to ameliorate the situation.

Laine S. asked if the itinerant vendor event fee covers five days, if those days had to be consecutive. Town Manager Linn said that an event could be up to five days. The Mayor asked if the fee could cover both days as one event and then directed Staff to investigate if the event fee could be charged for one event for a day in March and a day in August. Town Manager Linn indicated that he would ask the Town Attorney for his opinion, and the Mayor confirmed that Council felt fine based on the Town Code and what was discussed at the meeting that staff could move forward with that approach if they felt comfortable treating the two dates as one annual "event."

### 3. PUBLIC HEARING

- a. Public Hearing on Zoning Text Amendment to Establish Special Use Permit Requirements and Standards for Tobacco, Vape, Cannabis, or Psychoactive Establishment in the Town of Occoquan

Mayor Porta explained the formality of a public hearing. This public hearing was in regard to adding a new section to more clearly define, classify, and regulate § 157.248 et seq. focused on Special Use Permits for tobacco, vape, cannabis, and other psychoactive specialty establishments.

Mayor Porta noted that a quorum is present and invited interested parties to come forward to comment. After period of time and no one coming up, Mayor Porta asked for a motion to close.

Councilmember Perkins moved to close the public hearing. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

### 4. CONSENT AGENDA

- a. Request to Accept the January 6<sup>th</sup>, 2026 Meeting Minutes

Councilmember Fithian moved to approve the request to accept the January 6<sup>th</sup>, 2026, minutes. Councilmember Perkins seconded. Motion passed unanimously by voice vote.

### 5. REGULAR BUSINESS

- a. Request to Appoint Member to the Board of Zoning Appeals

Mayor Porta noted that M. Alexis Wright's name was brought up at the Occoquan Historical Society as a possible applicant for the Board of Zoning Appeals. Councilmember Love moved to adopt Resolution R-2026-02 to submit the following name to the Prince William County Circuit Court for appointment to the Occoquan Board of Zoning Appeals: M. Alexis Wright for a term through January 31, 2031. Councilmember Perkins seconded. Motion passed unanimously by roll call vote.

- b. Request to Adopt Ordinance O-2026-01 to Establish Special Use Permit Requirements and Standards for Tobacco, Vape, Cannabis, or Psychoactive Establishment in the Town of Occoquan

Vice Mayor Loges moved to adopt Ordinance O-2026-01 to establish special use permit requirements and standards for Tobacco, Vape, Cannabis, or Psychoactive establishments in the Town of Occoquan as presented. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

Councilmember Perkins thanked Vice Mayor Loges for her hard work in crafting this ordinance.

Mayor Porta asked if there was the intention to amend the ordinance given the proposed bill in the Virginia legislature. Vice Mayor Loges explained that the legislation was at the bill stage and if it was passed, they would carve out the relevant sections of this ordinance. She also indicated that the ordinance addresses not only marijuana but also tobacco, vape, and psychoactive products that are not in the bill before the legislature.

- c. Request to Adopt Ordinance O-2026-02 Creating Specific Exterior Lighting Prohibitions, Violations, and Penalties

Mayor Porta wanted the minutes to reflect that the Council enacted Town Code §157.285 to protect dark skies and promote the general welfare in 2008 and not in 1998 as noted in the agenda packet.

The Mayor wanted to bring attention to the fact that the ordinance now under consideration is not in the zoning section, and some time in the future would like to make sure there are not inconsistencies between this ordinance, which covers the color temperature of lights, etc., and the lighting requirements in the zoning section.

The Mayor then indicated that he wanted to give the Council notice that he planned to bring up a possible adjustment to the lighting section of the zoning ordinance. He pulled up infographic from the zoning section showing a fully shielded light fixture. A fully shielded light fixture does not allow light to go out or up from a light fixture. The original intention was to prevent light from going up and not necessarily out the sides. The Mayor would like to consider in the future allowing light to go horizontally which would allow the historical lamps in Occoquan. Mayor Porta would also like to include lights that allow light to go up, but are covered by a porch or awning that blocks light from escaping upward.

Vice Mayor Loges asked why there was a need for ordinances in two different sections. Town Manager Linn explained that by putting the ordinance under consideration in general welfare, it would be treated similar to noise issues, rather than as a zoning issue.

Councilmember Love asked how this would impact the Dominion pole lights in town. Assistant Town Attorney Gallehr noted that there was an exemption section that luminaires installed on public utility poles, on a public right-of-way, town parks facilities, and public areas are exempt.

Councilmember Daubresse moved to adopt Ordinance O-2026-02 regarding lighting as presented. Vice Mayor Loges seconded. Motion passed unanimously by roll call vote.

## **6. DISCUSSION ITEMS**

Mayor Porta asked for unanimous consent to move the Visit Occoquan Quarterly Report to the last item to which the councilmembers and presenter consented.

### **a. Front-in Only Parking in Angled Parking on One-Way Streets Discussion**

Town Manager Linn noted a citizen asked about this topic at the last Town Council's Citizen's Time. Town Staff researched the number of accidents on Mill Street and Commerce Street over the past twelve months. Of the eight accidents on those streets, five involved angled parking. Section 46.2-889 of the Virginia Code indicates that vehicles must be oriented with the direction of traffic flow on that side of the street. Town Staff spoke with the Town Prosecutor who feels that since one would have to drive against the flow of traffic to park with the front-out in an angled parking spot, judges would understand why parking violations would be issued for this behavior.

Mayor Porta asked if the enforcement would start with warnings to which Town Manager Linn indicated they would not. Town Manager Linn explained that there are few people who park this way and enforcement is at the discretion of the Occoquan Police Department. Town Manager Linn was contemplating changing the Town Code, but believes it is legally defensible to keep things the way they are. Town Staff will reach out to a Town resident they are aware of that parks front-out in Town and will include an announcement in the Town newsletter.

**b. Union Street and Center Lane Parking Space Removal Discussion**

Town Manager Linn made two onsite visits, talked to business owners & landlords, and pulled accident reports from 2019 to today. In that time, there were two accidents at Union Street and Center Lane, where VDOT estimates that approximately 5,000 cars pass every day. Town Engineers and VDOT believe this parking space works as a traffic calming measure and recommend keeping the parking space.

Mayor Porta explained the history of traffic calming measures on Center Lane to add speed bumps.

Councilmember Perkins noted that while the number of accidents is incredibly low he wanted to emphasize that when that accident happens to your car it is still an impactful number.

Councilmember Fithian wanted to note that when at that spot, the vantage point of standing is far higher than sitting in a car. She herself has experienced fear and hardship when using this intersection and does not use this intersection. Town Manager Linn noted this was the traffic calming measures at work. Councilmember Fithian requested it to be changed to a motorcycle parking spot only.

Vice Mayor Loges asked if instead of a motorcycle spot, if the distinction of a compact car spot would be beneficial. Mayor Porta asked if this parking spot was changed to a compact spot, what is the rationale to for not having compact car spots at other locations in the alleys and near Town Hall. Town Manager Linn noted there would need to be a code change and a definition of compact cars. Based on consensus of Council, Mayor Porta directed staff to look into changing the parking space into compact parking and acknowledged resident Justin L. who brought this matter up at the previous Town Council Meeting.

**c. Visit Occoquan Quarterly Report**

Sarah Burzio, Executive Director of Visit Occoquan, started her presentation by updating the number of email marketing by 351 names from the Fall Craft Show, Murder Mystery and Holiday Artisan Market. She then opened the floor to questions.

Mayor Porta asked why it was written as Quarter one. Executive Director Burzio noted this was an error and that Visit Occoquan is operating in the same quarter as the Town.

Councilmember Fithian applauded the high open rate and asked what led to the decline of Instagram views in the second quarter. Executive Director Burzio explained that advertising on Instagram for the Fall Craft Show heavily inflates the views on Visit Occoquan's Instagram feed.

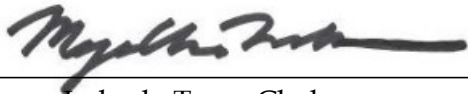
**7. ADJOURNMENT**

Mayor Porta noted that this year is the 250<sup>th</sup> anniversary of the Declaration of Independence and continues the commemoration of the 250<sup>th</sup> anniversary of American Revolution. He would like the Town of Occoquan to do something for this anniversary, noting events taking place elsewhere in the county. He indicated that there is very little history directly linking the Town of Occoquan and the American Revolution, noting that the Town was not chartered until 1804. The Mayor would like to look at the list of Prince William County residents who received pensions as Revolutionary War Veterans and see if any of them lived in Occoquan via the 1810 or later census records. Mayor Porta asked Councilmembers to think of how to best recognize these people once they are identified.

Mayor Porta also indicated that he plans for the Town to recognize Jerry's Occoquan Jewelers on the

occasion of their fiftieth year in Business in the Town of Occoquan, making them the longest continuously operating business in the Town of Occoquan.

The meeting was adjourned at 8:05 p.m.

A handwritten signature in black ink, appearing to read "Megan Lubash", written over a horizontal line.

Megan Lubash, Town Clerk