



**Franklin City Council Agenda  
September 12, 2022  
Council Chambers  
207 West Second Avenue  
Franklin, Virginia 23851**

**6:00 P.M.**

Work session Court Appointed Special Advocates (CASA)

**7:00 P.M.**

**Regular Meeting**

**CALL TO ORDER. . . . . MAYOR FRANK M. RABIL**  
**PLEASE TURN OFF CELL PHONES. . . . . MAYOR FRANK M. RABIL**  
**PLEDGE OF ALLEGIANCE**  
**CITIZEN'S TIME**  
**AMENDMENTS TO AGENDA**

**1. CONSENT AGENDA:**

- A. Approval of August 22, 2022 meeting minutes
- B. Child Welfare Workforce Month Resolution 2022-23

**2. OLD/ NEW BUSINESS:**

- A. Gold Star Veterans
- B. City Manager's Report

**3. COUNCIL/STAFF REPORTS ON BOARDS/COMMISSIONS**

**4. CLOSED SESSION**

I move that the City of Franklin, Virginia City Council adjourn into a closed meeting pursuant to Virginia Code Section 2.2-3711-A-1, 1. discussion of appointments to boards and commissions, and discussion of performance of employees of the public body to discuss the following subject or subjects: Industrial Development Authority, HRPDC Community Advisory Committee, Beautification Commission, Planning Commission, and

2.2-3711-A-5, Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community specifically along Pretlow Industrial Park, Armory Drive, Downtown Franklin, and Franklin Regional Airport.

2.2-3711-A-7, Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely

affect the negotiating or litigating posture of the public body specifically regarding Sanford vs. City of Franklin, Council vs. City of Franklin, Ferguson vs. City of Franklin.

**Motion Upon Returning to Open Session**- I move that the City of Franklin, Virginia City Council certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting held on September 12, 2022; (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the City of Franklin, Virginia City Council; and (iii) no action was taken in closed meeting regarding the items discussed.

## **5. ADJOURNMENT**

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## Regular City Council Meeting Minutes August 22, 2022

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### Call to order

The Franklin City Council held a regular City Council meeting on August 22, 2022 at 7:00 P.M. in the City Council Chambers located at 207 West Second Avenue, Franklin, Virginia 23851.

Council Members in Attendance: Frank Rabil, Mayor; Robert “Bobby” Cutchins, Vice-Mayor; Councilman Linwood Johnson; Councilwoman Wynndolyn Copeland; Councilman Ray Smith; Councilman Gregory McLemore.

Council Members not in Attendance: Councilman Mark Kitchen

Staff in Attendance: Amanda Jarratt, City Manager; Haleigh Pinto, Administrative Assistant, recording minutes.

Other Staff in Attendance: Steve Patterson, Chief of Police; Sarah Rexrode, Director of Social Services; Dinah Babb, Treasurer; Chad Edwards, Director of Public Works; Selena Boone, Commissioner of the Revenue; Zachary Wright, Director of Power & Light; Tracy Spence, Director of Finance; Kara Williams, Treasury.

### Citizen’s Time

No citizens signed up at this time.

### Amendments to Agenda

Mayor Frank Rabil asked if there were any amendments to the agenda. There are no amendments at this time.

### Consent Agenda:

- A. Approval of August 8, 2022 Meeting Minutes

Mayor Frank Rabil asked if there were any corrections or additions to be added to the August 8, 2022 meeting minutes.

**Mayor Frank Rabil entertained a motion to approve the August 8, 2022 meeting minutes as presented. Councilman Linwood Johnson made a motion to approve the August 8, 2022 meeting minutes with a second from Councilwoman Wynndolyn Copeland.**

**The motion carried the vote 6-0.**

**The vote was as follows:**

<b>Councilman Linwood Johnson</b>	<b>Aye</b>
<b>Councilwoman Wynndolyn Copeland</b>	<b>Aye</b>

<b>Councilman Mark Kitchen</b>	<b>Absent</b>
<b>Vice Mayor Bobby Cutchins</b>	<b>Aye</b>
<b>Mayor Frank Rabil</b>	<b>Aye</b>
<b>Councilman Ray Smith</b>	<b>Aye</b>
<b>Councilman Gregory McLemore</b>	<b>Aye</b>

**Mayor Frank Rabil affirmed the motion carried unanimously.**

**B. Introduction of New Employees**

City Manager Amanda Jarratt asked for Ms. Dinah Babb, Treasurer to come forward to present her new employee, Ms. Kara Williams, Accounting Clerk.

Ms. Dinah Babb introduced Ms. Kara Williams, who started with the City of Franklin on May 31<sup>st</sup>, Ms. Kara has been amazing. Ms. Williams came to the City from BB&T, she is one of six children, raised in Norfolk. Ms. Williams received her Bachelor’s degree from Liberty University in 2017. Ms. Williams has hit the ground running since starting here at the City, a quick learner with a great personality, with great customer service skills. It has been a pleasure to have Ms. Williams here.

City Council welcomed Ms. Williams to the City.

**C. Constitution Week Resolution 2022-21**

Read by Councilman Gregory McLemore



**Constitution Week September 17<sup>th</sup> – 23<sup>rd</sup>  
Proclamation #2022-21**

**WHEREAS**, it is the privilege and duty of the American people to commemorate the two hundred and thirty-fifth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as Constitution Week,

**NOW, THEREFORE I**, Frank Rabil by virtue of the authority vested in me as Mayor of the City of Franklin, Virginia, do hereby proclaim the week of September 17th through 23rd as

**CONSTITUTION WEEK**

And urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Franklin, Virginia to be affixed this 22nd day of August of the year of our Lord two thousand 2022.

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Frank Rabil, Mayor

**Mayor Frank Rabil entertained a motion to approve the Constitution Week Resolution 2022-21. Councilman Linwood Johnson made a motion to approve Constitution Week Resolution 2022-21 with a second from Councilwoman Wynndolyn Copeland.**

**The motion carried the vote 6-0.**

**The vote was as follows:**

<b>Councilman Linwood Johnson</b>	<b>Aye</b>
<b>Councilwoman Wynndolyn Copeland</b>	<b>Aye</b>
<b>Councilman Mark Kitchen</b>	<b>Absent</b>
<b>Councilman Ray Smith</b>	<b>Aye</b>
<b>Councilman Gregory McLemore</b>	<b>Aye</b>
<b>Vice Mayor Bobby Cutchins</b>	<b>Aye</b>
<b>Mayor Frank Rabil</b>	<b>Aye</b>

**Mayor Frank Rabil affirmed the motion carried unanimously.**

**Financial Matters:**

**A. Budget Amendment 2022-24 and 2023-3**

City Manager stated that both budget amendments are accounting issues and ask for Ms. Tracy Spence, Director of Finance to come forward in case of any questions from Council. It is moving American Rescue Plan monies to the General Fund. This is a part of the annual clean up that is done each year.

Ms. Tracy Spence stated that the 2021-2022 City Budget is amended to reallocated American Rescue Plan revenue to the General Fund and adjust transfers to funds. Budget amendment 2023-3 is amended to

1. Reallocate American Rescue Plan revenue to the General Fund and adjust transfers to funds;
2. Recognize grant revenue from Byrne/Justice Assistance Grant Program for the Franklin Police Department and to appropriate such revenue for new use; and
3. Recognize revenues from Franklin Southampton Charities and to appropriate such revenue for new uses.

Mayor Frank Rabil asked if Council had any questions. Council will vote on each Budget Amendment individually.

**Councilman Linwood Johnson made a motion to approve Budget Amendment 2022-24 with a second from Vice Mayor Bobby Cutchins.**

**The motion carried the vote 6-0.**

**The vote was as follows:**

<b>Councilman Linwood Johnson</b>	<b>Aye</b>
<b>Councilwoman Wynndolyn Copeland</b>	<b>Aye</b>
<b>Councilman Mark Kitchen</b>	<b>Absent</b>
<b>Councilman Ray Smith</b>	<b>Aye</b>
<b>Councilman Gregory McLemore</b>	<b>Aye</b>
<b>Vice Mayor Bobby Cutchins</b>	<b>Aye</b>
<b>Mayor Frank Rabil</b>	<b>Aye</b>

**Mayor Frank Rabil affirmed the motion carried unanimously.**

**Councilman Linwood Johnson made a motion to approve Budget Amendment 2023-3 with a second from Councilwoman Wynndolyn Copeland.**

**The motion carried the vote 6-0.**

**The vote was as follows:**

<b>Councilman Linwood Johnson</b>	<b>Aye</b>
<b>Councilwoman Wynndolyn Copeland</b>	<b>Aye</b>
<b>Councilman Mark Kitchen</b>	<b>Absent</b>
<b>Councilman Ray Smith</b>	<b>Aye</b>
<b>Councilman Gregory McLemore</b>	<b>Aye</b>
<b>Vice Mayor Bobby Cutchins</b>	<b>Aye</b>
<b>Mayor Frank Rabil</b>	<b>Aye</b>

**Mayor Frank Rabil affirmed the motion carried unanimously.**

**B. Public Hearing Regarding Interim Financing**

Mayor Frank Rabil gave the floor to City Manager Amanda Jarratt. City Manager Amanda Jarratt stated that she will provide some introductory remarks then have the Financial Advisors from Davenport to provide the presentation before opening the public hearing.

City Manager Amanda Jarratt stated that as Council knows there has been discussion over a year now to borrow funds for several projects. The most time sensitive one being the roof replacement for the schools. The other two projects are the Armory and the Courthouse. The City is planning to do interim financing of \$4 million to pay for those upfront cost and the time sensitive projects, the City is also pursuing Literary Loan Funds and that application has been submitted, which is also a lengthy process and it is important that the roofs are replaced as soon as possible. Council will need to take several action items. First, the presentation, then the public hearing and following that a resolution to approve

to be able to pursue and close on the interim financing. Mr. Kyle Laux, Senior Vice President of Davenport Financial will present the presentation.

Mr. Kyle Laux stated that the City is in the process of funding two school roof replacements in the amount of approximately \$1.86 million as well as approximately \$2 million for other identified Capital Projects that vary in terms of priority. In order to secure funding for the project, Davenport distributed a request for proposals (RFP) to local, regional, and national lending institutions on behalf of the City for purpose of obtaining interim, interest-only financing as evidenced by the City's 2022 Bond Anticipation Note. The City intends to permanently finance the 2022 Note with proceeds from a future Literary Loan Program borrowing, and other City issued bond funding. In the RFP, Davenport requested that bidders provided proposals for a borrowing structured as either of the options listed: a Drawdown Line of Credit (money borrowed as needed); and All Proceeds Drawn at Closing (money borrowed all up front). In the event that the City wishes to move forward with the 2022 Note, Davenport's recommended proposal is the 2.88% fixed-rate Drawdown Line of Credit option from Powell Valley National Bank.

Mayor Frank Rabil asked Council if there were any questions or concerns.

No further actions were taken at this time.

### **Mayor Frank Rabil opened up the Public Hearing Regarding Interim Financing.**

**Ms. Pearlle Banks of 336 Robinhood Road, Franklin, Virginia**, stated after listening to Mr. Kyle, Senior Vice President of Davenport Financial, when talking about the Literary Program, Ms. Banks immediately thought of the School Board and attended a meeting, the CPA stated that they intentionally keep a deficit. Ms. Banks asked how does the Literary Program tie in with the School Board.

Mayor Frank Rabil stated that the School Board had to approve the Resolution, same as Council, to apply for those funds, the School Board did approve the Resolution to apply for those funds. If the City is reimbursed with the Literary fund, then that would reduce the debt that is owned on the Interim Financing.

Ms. Pearlle Banks asked if they are intentionally keeping a deficit on some of the records, is that so they can get a Literary grant. Mayor Frank Rabil stated that Ms. Banks would have to speak to the School Board on that matter.

Mayor Frank Rabil continued the Public Hearing for anyone to speak. No other resident spoke at this time. Mayor Frank Rabil closed the Public Hearing, turning the floor over to Council for discussion.

### **Mayor Frank Rabil entertained a motion to approve Resolution 2022-22 providing for the issuance of Interim Financing as presented. Councilman Linwood Johnson made a motion to approve Resolution 2022-22 with a second from Vice Mayor Bobby Cutchins.**

Mayor Frank Rabil stated there is a motion and second, does Council have any discussion.

Councilman Gregory McLemore stated almost every year, the Council entertains a loan through Davenport. How much has the City's debt increased over the last 5 years. City Manager Amanda Jarratt stated that information can be provided to Council, however, items the City have borrowed money for are items that have been in the Capital Improvement Plan, which is a part of the budget every year and Council authorizes any borrowing on behalf of the City.

Councilwoman Wynndolyn Copeland stated as Council, we are responsible for maintenance of the schools. City Manager Amanda Jarratt stated that the Council is responsible, the School Board does not have any borrowing or taxing authority, and that is vested with the Council. Council is responsible to assist them in maintaining their facilities.

Mayor Frank Rabil stated that the vote will be done in roll call style.

**The motion carried the vote 6-0.**

**The vote was as follows:**

<b>Councilman Linwood Johnson</b>	<b>Aye</b>
<b>Councilwoman Wynndolyn Copeland</b>	<b>Aye</b>
<b>Councilman Mark Kitchen</b>	<b>Absent</b>
<b>Councilman Ray Smith</b>	<b>Aye</b>
<b>Councilman Gregory McLemore</b>	<b>Aye</b>
<b>Vice Mayor Bobby Cutchins</b>	<b>Aye</b>
<b>Mayor Frank Rabil</b>	<b>Aye</b>

**Mayor Frank Rabil affirmed the motion carried unanimously.**

### Old/New Business:

#### A. City Managers Report

City Manager Amanda Jarratt stated as discussed in the Work Session, staff spending time on two larger capital projects, the Parks and Recreation gym facility and the Courthouse. The City has also been working with the DHCD and Summit Engineering on the Laurel Street project. There is an individual from Summit on site every Thursday. The grant meeting held this week also went well for the Laurel Street project. Staff is working on drafting the ordinance for the Gold Star Veterans, which will be on the September 12<sup>th</sup> meeting agenda. The City has received the Certificate of No Objection from the Officer of the Attorney General, which is great news that it is completed. Information from the Blackwater Regional Library Director came in today that the hours for Thursday will be changed following the Labor Day holiday. The hours are going from 9-5 to 12-8, this is based on the request of constituents and for later evening hours. The pool will close September 5<sup>th</sup>, which is in alignment with the regular schedule. There will be a back to school bash planned for August 26<sup>th</sup> from 4pm-8pm at Armory Field. The last Wednesday Farmer's Market will be scheduled for November 16<sup>th</sup>.

### General Updates

- Staff continues to work on various capital projects approved by City Council.
- Staff continues to work with DHCD and Summit Engineering on the Laurel Street CDBG Grant. Client intake and income verifications have begun.
- Staff is working to draft the ordinance regarding the Gold Star Veterans and have it on the September 12<sup>th</sup> City Council agenda for consideration.



Community Events

- Riverfront Soul Fest September 9<sup>th</sup> – 11<sup>th</sup>
- Fall Festival September 30<sup>th</sup> and October 1<sup>st</sup>
- Franklin Cruise In finale October 8<sup>th</sup>
- Holiday Parade December 2<sup>nd</sup>

Council/Staff Reports on Boards/Commissions:

No reports at this time.

Closed Session:

Councilwoman Wynndolyn Copeland moved that the City of Franklin, Virginia City Council adjourn into a closed meeting pursuant to Virginia Code Section 2.2-3711-A1, 1. Discussion of appointments to boards and commissions, and discussion of performance of employees of the public body to discuss the following subject or subjects: Industrial Development Authority, HRPDC Community Advisory Committee, Beautification Commission, FAPT, and,

2.2-3711-A-5, Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community specifically along Pretlow Industrial Park, Armory Drive, and Franklin Regional Airport.

2.2-3711-A-7, Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body specifically regarding Sanford vs. City of Franklin, and Porter vs. Vargo, Council vs. City of Franklin, Ferguson vs. City of Franklin.

**Councilwoman Wynndolyn Copeland made a motion to appoint Heysha Pope to the FAPT Committee with a second from Councilman Linwood Johnson.**

**The motion carried the vote 6-0**

**The vote was as follows:**

<b>Councilman Linwood Johnson</b>	<b>Aye</b>
<b>Councilwoman Wynndolyn Copeland</b>	<b>Aye</b>
<b>Councilman Mark Kitchen</b>	<b>Absent</b>
<b>Vice Mayor Bobby Cutchins</b>	<b>Aye</b>
<b>Mayor Frank Rabil</b>	<b>Aye</b>
<b>Councilman Ray Smith</b>	<b>Aye</b>
<b>Councilman Gregory McLemore</b>	<b>Aye</b>

**Adjournment**

Councilwoman Wynndolyn Copeland made a motion to adjourn and certify the August 22, 2022 City Council meeting with a second from Councilman Linwood Johnson.

**The motion carried the vote 6-0**

**The vote was as follows:**

<b>Councilman Linwood Johnson</b>	<b>Aye</b>
<b>Councilwoman Wynndolyn Copeland</b>	<b>Aye</b>
<b>Councilman Mark Kitchen</b>	<b>Absent</b>
<b>Vice Mayor Bobby Cutchins</b>	<b>Aye</b>
<b>Mayor Frank Rabil</b>	<b>Aye</b>
<b>Councilman Ray Smith</b>	<b>Aye</b>
<b>Councilman Gregory McLemore</b>	<b>Aye</b>

**Mayor Frank Rabil stated the meeting stands adjourn.**

The August 22, 2022 City Council meeting was adjourned at 7:40 P.M.

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Mayor

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Clerk to City Council



Commonwealth of Virginia State Board of Social Services  
Child Welfare Workforce Month September 2022  
Resolution of Recognition #2022-23

**WHEREAS**, the State Board of Social Services recognizes the investment and commitment of Virginia’s public child welfare workforce-local departments of social services’ Family Services Specialists and Supervisors- toward preserving safety, supporting permanency and increasing well-being of children and families; and who, during State Fiscal Year 2021, handled over 30,223 completed Child Protective Services referrals, supported 4,064 active In-Home cases, transferred custody of 420 children and youth to relatives, placed 508 children and youth in kinship homes, achieved the reunification of 658 children and youth, and the adoption of 845 children and youth from foster care;

**WHEREAS**, the child welfare workforce experiences high exposure to secondary trauma in the course of performing daily job duties and responsibilities, requiring support to address vicarious trauma, recognition for their successes, realistic ways to maintain work-life balance, and agency climate and culture that promotes retention and best practice;

**WHEREAS**, local departments of social services play an integral role in supporting Virginia’s child welfare workforce, in partnership with state and local partners, communities and jurisdictions;

**NOW THEREFORE BE IT RESOLVED**, on this 12<sup>th</sup> day of September, I, Frank Rabil, Mayor of the City of Franklin do hereby recognize September 2022 as Child Welfare Workforce Month; and,

**BE IT FURTHER RESOLVED**, the State Board of Social Services do hereby call on all departments of social services and communities to plan to recognize September as Child Welfare Workforce Development Month by promoting and highlighting those staff and leaders who advocate for and serve Virginia’s children, youth and families every day; and, call attention to opportunities and continued need for a specially trained, highly educated, fairly compensated and well-supported child welfare workforce in Virginia.

Signed this 12<sup>th</sup> day of September 2022.

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Frank Rabil, Mayor  
City of Franklin, Virginia



*Office of the City Manager  
Amanda C. Jarratt*

September 8, 2022

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Gold Star Veteran Spouse Bill

**Background Information**

As previously discussed, HB 957 was approved April 5, 2022 by the General Assembly. Also known as, “Gold Star Spouse” this bill provides that beginning with taxable year 2022, any locality may declare real property owned by a surviving spouse of a member of the Armed Forces of the United States who died in the line of duty with a line of duty determination from the U.S. Department of Defense, where the spouse occupies the real property as his principal place of residence and does not remarry.

Attached for your consideration is an ordinance creating this exemption for Gold Star Spouses in the City of Franklin. The authorizing statute, 58.1-3228.2, provides in subsection B that the tax rate cannot be zero (the rate "shall not be zero and shall not exceed the rate of tax on other real property"). As such, the ordinance and the tax rate resolution were drafted separately. This will allow City Council to first vote on whether to create the separate classification of property, and then, if they adopt that ordinance, vote on the rate for the newly created classification. Staff let the rate blank for City Council discussion. The rate may be as low as \$.01 but may not be zero.

**Needed Action**

Consider action on the proposed ordinance and tax rate for Gold Star Spouses.



**An Ordinance #2022-03 creating a separate classification of real estate real property owned by certain surviving spouses of persons killed in the line of duty.**

THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA DOES ORDAIN AS FOLLOWS:

That Article II, Real Estate Taxes, of Chapter 27, Taxation, is hereby amended to add Division 5, which reads as follows:

**Division 5 Separate Classification of Real Property Owned by Certain Surviving Spouses of Persons Killed in the Line of Duty.**

**Sec. 27-64-10. Definitions.**

“Surviving spouse” means the surviving spouse of a member of the Armed Forces of the United States who died in the line of duty with a line of duty determination from the U.S. Department of Defense, where such death was not the result of criminal conduct, as provided in § 58.1-3228.2(A) of the Code of Virginia, as amended.

**Sec. 27-64-11. Declaration of Separate Classification.**

Pursuant to in § 58.1-3228.2 of the Code of Virginia, as amended, residential real property owned and occupied by a surviving spouse meeting the requirements of this division is hereby declared to be a separate class of real property and constitute a classification for City taxation separate from other classifications of real property. Surviving spouses owning and occupying such real property shall pay tax thereon at the rate levied by City Council for such class of real property, which rate shall not be zero and shall not exceed that applicable to the general class of real property, subject to the limitations and conditions prescribed by this division and by state law.

**Sec. 27-64-12. Administration.**

This division shall be administered by the Commissioner of the Revenue or such officer designated by the City Council, referred to in this section as the "administrator." The administrator is authorized and empowered to prescribe, adopt and enforce rules and regulations, including the requirement of answers under oath, as may be reasonably necessary to determine qualifications for exemption. The administrator may require the production of such documentation as may be required by the administrator as necessary to establish eligibility for an exemption under this division.

**Sec. 27-64-13. Requirements.**

Pursuant to § 58.1-3228.2 of the Code of Virginia, as amended, the special tax rate provided by this division shall be granted to applicants meeting the following requirements:

- (a) The surviving spouse holds title to the real property;
- (b) The surviving spouse occupies the real property as his or her principal place of residence; and
- (c) The surviving spouse does not remarry.

**Sec. 27-64-14. Application.**

- (a) A surviving spouse owning and occupying residential real property meeting the requirements of this division and seeking separate classification thereof shall file with the administrator an application containing the following:
  - (1) An affidavit or notarized written statement:
    - (i) setting forth the surviving spouse's name;
    - (ii) certifying that the surviving spouse owns the real property;
    - (iii) indicating any other joint owners of the real property;
    - (iv) certifying that the real property is occupied as the surviving spouse's principal place of residence; and
    - (v) certifying the surviving spouse has not remarried.
  - (2) The surviving spouse shall also provide a line of duty determination from the U.S. Department of Defense and any other documentation necessary to establish that he or she is the surviving spouse of a member of the Armed Forces of the United States who died in the line of duty and that such death was not the result of criminal conduct.
- (b) No application under this division shall be accepted or approved if, at the time the application is filed, the tax on the real property affected is delinquent. Upon the payment of all delinquent taxes, including penalties and interest, the application shall be treated in accordance with the provisions of this division.

**Sec. 27-64-15. Determination of ownership and value by administrator; Decision.**

- (a) Upon receipt of a completed and timely application, the administrator shall verify the surviving spouse's ownership of the real property through the real estate assessor's office; and
- (b) If after receipt of a completed application under this division and verification of ownership through the real estate assessor's office the administrator determines that the eligibility requirements of this division have been met, the administrator shall approve and certify the application and proceed to assess the real property at the rate authorized by this division for such real property.

**Sec. 27-64-15. Effective date and duration.**

- (a) The separate classification of real property established by this division is for tax years beginning on or after January 1, 2022.

- (b) The surviving spouse shall not be required to revalidate his or her application under this division following its approval by the administrator; provided, however, the surviving spouse shall have an affirmative duty to notify the administrator of any remarriage, any change in ownership, any change in his or her principal place of residency, or any other factor which shall serve to disqualify his or her real property from separate classification under this division.
- (c) Continuance of separate classification under this division shall depend on continued timely payment of real estate taxes and compliance with other requirements of this division.
- (d) The fact that a surviving spouses whose real property otherwise qualifies for separate classification pursuant to this division is residing in a hospital, nursing home, convalescent home, or other such facility for physical or mental care for extended periods of time shall not be construed to mean that the real property for which separate classification is sought does not continue to be the primary place of residence of such persons during such extended periods of other residence, so long as such real property is not used by or leased to others for consideration.

**Sec. 27-64-16. Interpretation.**

- (a) Nothing in this division shall be construed to permit the City to alter in any way its method of valuation of real property covered by this division.
- (b) Nothing in this division shall be construed to restrict the surviving spouse from moving to a different principal place of residence.
- (c) The surviving spouse need not have resided in the City or the Commonwealth at the time of death of the member of the Armed Forces of the United States in order to qualify under this division.

This ordinance shall be effective immediately.

Certified copy of the ordinance adopted by the Franklin City Council at its regular meeting held on September 12, 2022.

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Clerk to City Council

# VIRGINIA ACTS OF ASSEMBLY -- 2022 SESSION

## CHAPTER 77

*An Act to amend the Code of Virginia by adding in Article 3 of Chapter 32 of Title 58.1 a section numbered 58.1-3228.2, relating to classification of real property owned by certain surviving spouses for tax purposes.*

[H 957]

Approved April 5, 2022

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 3 of Chapter 32 of Title 58.1 a section numbered 58.1-3228.2 as follows:**

**§ 58.1-3228.2. Classification of real property owned by certain surviving spouses for tax purposes.**

*A. For taxable years beginning on or after January 1, 2022, any real property owned by a surviving spouse of a member of the Armed Forces of the United States who died in the line of duty with a line of duty determination from the U.S. Department of Defense, where such death was not the result of criminal conduct, and where such spouse occupies the real property as his principal place of residence and does not remarry may be declared and classified as a separate class of property and shall constitute a separate classification for local taxation of real property.*

*B. The governing body of such locality may by ordinance levy a tax on the property described in subsection A at a different rate than the tax imposed upon other real property, provided that the rate of tax on the property described in subsection A shall not be zero and shall not exceed the rate of tax on other real property.*

*C. Nothing in this section shall be construed to permit a locality to alter in any way its valuation of real property covered by this section.*

*D. Nothing in this section shall be construed to restrict the surviving spouse from moving to a different principal place of residence and without any requirement that the surviving spouse reside in the Commonwealth at the time of death of the member of the Armed Forces of the United States.*





**RESOLUTION #2022-24 TO APPROVE TAX RATE PURSUANT TO § 27-64-11 OF THE CITY CODE**

**WHEREAS**, pursuant to Division 5, Article II, Chapter 27 of the Code of the City of Franklin, Virginia, residential real property owned and occupied by a surviving spouse of a member of the Armed Forces of the United States who died in the line of duty meeting the requirements of the division is declared to be a separate class of property and constitute a classification for City taxation separate from other classifications of real property; and

**WHEREAS**, such real property is required to be tax at the rate levied by City Council for such class of property, which rate shall not be zero and shall not exceed that applicable to the general class of real property.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council does hereby establish that residential real property owned and occupied by a surviving spouse meeting the requirements of Division 5, Article II, Chapter 27 of the Code of the City of Franklin, Virginia shall be taxed at the rate of:

\$ \_\_\_\_\_

on each \$100.00 of the assessed valuation of such property.

Adopted this 12<sup>th</sup> day of September, 2022.

A true copy, teste:

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Frank Rabil  
Mayor of City of Franklin



*Office of the City Manager  
Amanda C. Jarratt*

September 6, 2022

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: City Manager's Report

### **General Updates**

- Staff continues to work on the various capital projects approved by City Council. Interviews for the Franklin Courthouse project are scheduled for September 26<sup>th</sup>.
- Staff continues to work with DHCD and Summit Engineering on the Laurel Street CDBG Grant. Client intake and income verifications have begun.
- We received three proposals for the City of Franklin Transit Feasibility Study. Staff is in the process of working DRPT to score the proposals.
- Staff continues to meet with regional partners to discuss next steps on the regional radio system as well as violence and crime prevention.
- The City of Franklin collected 18 units of blood in the Mayor's Cup Blood Drive coming in third place. The next blood drive is scheduled for September 19<sup>th</sup> at the Franklin Business Center.

### **Community Events**

- Fall Festival September 30<sup>th</sup> and October 1<sup>st</sup>
- Franklin Cruise In Finale October 8th
- Holiday Parade December 2<sup>nd</sup>