



**Franklin City Council Agenda
August 10, 2020
Franklin City Hall Council Chambers
207 West 2nd Avenue**

**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 July 13, 2020, and July 27, 2020 regular meeting minutes
- B. Declaration of Emergency
- C. June Departmental Reports (Separate File)

2. FINANCIAL MATTERS

- A. Budget Amendment 2020-17

3. OLD/ NEW BUSINESS:

- A. Ward 6 School Board Public Hearing
- B. SPSA Update
- C. Elected School Board Discussion
- D. Planning Commission Discussion
- E. Courthouse Update
- F. City Manager's Report

4. COUNCIL/STAFF REPORTS ON BOARDS/COMMISSIONS

5. CLOSED SESSION

6. ADJOURNMENT

The Franklin City Council held a Regular City Council Meeting on July 13, 2020 at 7:00 p.m. in the City Council Chambers.

Council Members in Attendance: Frank Rabil, Mayor; Councilman Linwood Johnson; Councilman Bobby Cutchins; Councilwoman Wynndolyn Copeland, Councilman Gregory McLemore; Councilman Ray Smith and Councilman Mark R. Kitchen

Staff in Attendance: Amanda Jarratt, City Manager and Leesa Barnes, Executive Assistant, Recording Minutes

Other Staff in Attendance: Steve Patterson, Franklin City Police Chief; Steve Newsome, Information Technology Specialist; Dinah Babb, City Treasurer; Gerald Griffith, Deputy Chief of Emergency Services; Vernie Francis, Chief of Emergency Services; Sarah Rexrode, Director of Social Services; Sammara Green-Bailey, Director of Parks & Recreation; Dan Howe, Director of Downtown Franklin Association; Robert Porti, Deputy Director of Franklin City Police Department; Patrick Wilson, Lieutenant in the Franklin City Police Department and Tracy Spence Director of Finance

Call to Order

Mayor Frank Rabil called the July 13, 2020 regular City Council meeting to order at 7:00 p.m.

Oaths of Office

Following a discussion with Council, Mayor Frank Rabil stated that due to social distancing and the newly elected officials' family members in attendance that Council would do the Oaths of Office before Citizens Time so that some individuals could leave Council Chambers and others could come in to the Council Chambers.

Judge Westbrook Parker performed the Swearing-In Ceremony and the following newly elected officials took the Oath of Office:

Ward 1 – Mark R. Kitchen
Ward 2 – Ray Smith
Ward 4 – Linwood Johnson
Mayor – Frank M. Rabil

Former Vice-Mayor Barry Cheatham presented newly elected Councilmen Ray Smith and Councilman Mark R. Kitchen with two of his pins that he has worn while serving throughout his term. As he presented the newly elected Councilmen his pin, he stated he hoped Councilman Ray Smith and Councilman Kitchen would wear the pins with honor and know that they have been elected by the citizens in their Wards and that they are elected to represent all of the citizens of the City of Franklin as a whole.

As former Councilman Benny Burgess presented newly elected Councilmen Ray Smith and Councilman Mark Kitchen with his pins he told them to wear them with pride and always remember they have their full support and are behind them every step of the way.

Mayor Frank Rabil called a short recess in order that some of the attendants could leave and allow others to come into Council Chambers for the remainder of the meeting.

Mayor Frank Rabil called the July 13, 2020 regular meeting back to order.

Citizen's Time

Citizen 1

Audrey Lee, resides at 507, Franklin, Virginia; stated she is a descendant of many individuals who went through slavery and hard times. She is in favor of removing the monument in Memorial Park located on Clay Street.

Citizen 2

Edward Sumblin resides at 408 South High Street, Franklin, Virginia; is in favor of removing the monument located in Memorial Park.

Citizen 3

Peter Helms resides at 906 Kimberly Drive, Franklin, Virginia; he asked City Council if they had a fiscal responsibility to the citizens of the City of Franklin. There is a huge cost associated with moving the monument located in Memorial Park and financially it would cost every citizen as well as the businesses of the City of Franklin. He added it would cost \$50,000.00 to \$75,000.00 to move the monument a quarter of a mile. He stated he thought the decision of moving the monument would be fiscally irresponsible. If you read the monument it clearly states "love makes memory eternal", if anyone can find a message of hate in that statement maybe they are the problem.

Citizen 4

Carla Sumblin resides at 408 South High Street, Franklin, Virginia; She is in favor of removing the monument located in Memorial Park. She stated we can no more change the ideology of Confederacy than the stain of slavery but we can make the decision in 2020 to move the government in the City of Franklin forward in the best interest of the City not personal opinions. Each of you represent the voice of your ward but you are called to govern in the best interest of the City as a whole. Council has the legislative, executive and administrative authority of the City of Franklin. The laws of the Commonwealth of Virginia now support the removal of Confederate Statues and I am asking you to remove this one.

Citizen 5

C. Earl Blythe resides at 104 Woodland Circle, Franklin, Virginia; The Confederate monument located in Franklin Memorial Park was dedicated on June 3, 1911 and was originally erected at Second Avenue and High Street. This semicentennial monument to the dead, both black and white, was moved several times before it was placed here, after the grounds were given to the City as Franklin Memorial Park in 1946.

The monument is a private soldier, in marble, standing at parade rest and its inscription reads: "1911 Erected by Agnes Lee Chapter U.D.C. "Love Makes Memory Eternal" To Our Confederate Dead 1861 C.S.A. 1865. Of the 360 monuments to the common soldier in Virginia, the monument in Franklin Memorial Park is the only one with the word "Love" in its inscription.

Franklin Memorial Park was originally part of the James L. Camp home place and was given to the town of Franklin in 1946 by the children of Mr. and Mrs. James L. Camp Rena Camp Rawls, Sallie Camp Ray, Elizabeth

Camp Smith, James L. Camp, Jr., William M. Camp and Hugh D. Camp. The bronze plaque is inscribed with these words: "Dedicated to those who gave their lives in defense of our state and our nation."

While doing research on the Joint Expedition Against Franklin in October 1862, I found in the "Official Records of the Union and Confederate Armies" a report by Union naval officer, Lt. Cmdr. Flusser on the gunboat Commodore Perry, that on October 3, 1862 during the Battle of Crumpler's Bluff, just down the Blackwater River outside of Franklin, "that rebel defenders included some nonuniformed irregulares and even some Negroes."

I decided to do more research to see if more African-Americans has served in the Confederacy from our area and according to Ervin L. Jordan, in his book "Black Confederates and Afro-Yankees in Civil War Virginia," during February and March 1863, 24 counties in Virginia were issued quotas of 1,029 free black men to help in the defenses of Richmond and Petersburg. Southampton had to offer the most, 142 free black men." According to the 1860 United States Census, Southampton County had one of the largest number of free colored populations, 1794 so that is probably why Southampton was asked to send the most.

Because African-Americans defended Franklin during the Joint Expedition in 1862 and 142 free blacks left to help defend Richmond and Petersburg in 1863, it is safe to assume that not all those men made it back to their homes and lost their lives in defense of Richmond and Petersburg. Therefore, the Confederate monument in our Franklin Memorial Park is just as much a memorial to their honor and sacrifice as it is to the white soldiers who lost their lives during the War Between the States.

What more appropriate place of honor and respect could a monument to all of the soldiers, both black and white, be located than in the beautiful setting of Franklin Memorial Park as both plaques state: "Dedicated to those who gave their lives in defense of our state" and remember that "Love makes memory eternal."

I think this information places our monument in a new perspective and should allow our community to come together knowing that we, both black and white, have a reason to be united over the monument issue and set an example for other communities even though they may not have the same motivation that we do in the City of Franklin and Southampton County.

C. Earl Blythe
104 Woodland Circle
Franklin, Virginia 23851
Eblythe4@verizon.net

Citizen 6

Jim Councill resides at 621 Hunterdale Road, Franklin, Virginia; Mr. Councill congratulated the new members of City Council. He stated in the beginning he was a bit offended by the talk of removing the monument that is located in Franklin Memorial Park, but I understand there is pain associated with the monument. He recommends modify the monument to honor all who have given their lives for this country. He added he would like to serve on a panel to help look at ways this can be done.

Citizen 7

Henri Porter who is a resident of Franklin, Virginia; dated July 13, 2020. Good Evening Mayor Rabil, Members of City Council and City Manager Mrs. Jarratt. I write this letter to ask that City Council vote in the very near future to remove the Confederate statue located at Memorial Park on Clay Street. Whenever one has to deal with something of this magnitude, emotions will be strong on either side of the community as with different opinions not only within the City, but also throughout the state. The World Confederate Monuments have been a symbol of division to the African community. When you look back at what we have endured through hundreds of years of intolerance and not being made to feel worthy, you will understand the memories this type of object makes us relive. I further understand those nominations in opposition to the removal of the monument because of your allegiance to it and anything associated with it. I will speak for anyone that may feel my pain of hurt that racism has done to us in our lifetime. In closing, I ask you to vote your conscience and that you pray for the right decision to make not for your particular ward but for the healing of the entire City. Give your votes to relocate the monument to a location of your choosing. I thank you for allowing me the time to offer my opinion. God Bless the City of Franklin.
Henry Porter

Amendments to the Agenda

Mayor Frank Rabil asked City Council if there were any amendments to the agenda.

There were no amendments to the agenda.

Consent Agenda

Approval of June 22, 2020 Regular City Council Meeting Minutes

Mayor Frank Rabil asked City Council if there were any additions or corrections to the minutes from the June 22, 2020 regular City Council meeting.

There being no additions or corrections to the minutes from the June 22, 2020 regular City Council meeting Mayor Frank Rabil asked for a motion for approval.

Councilman Linwood Johnson made a motion to approve the minutes from the June 22, 2020 regular City Council meeting. The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 4-2.

The vote was as follows:

Mayor Frank Rabil	AYE
Councilman Linwood Johnson	AYE
Councilman Bobby Cutchins	AYE
Councilwoman Wynndolyn Copeland	AYE
Councilman Ray Smith	ABSTAIN
Councilman Mark R. Kitchen	ABSTAIN

Biennial Council Organizational Meeting

Mayor's Organizational Remarks

Mayor Frank Rabil welcomed the newly elected officials, Councilman Ray Smith and Councilman Mark R. Kitchen and stated he was looking forward to working with them. He also congratulated Councilman Linwood Johnson on his reelection and told him he was looking forward to working with him as well. He stated that all Council members need to work together for the betterment of the City. Even though we are elected by our Wards, we need to make sure we are doing what is best for the overall City. He asked Council members to come to City Council meetings prepared. Mrs. Jarratt and staff do a wonderful job providing Council with information. If Council members do their homework, it will assist in making the City Council meetings more efficient. Mayor Rabil proposed some changes to the City Council process. He proposed that the first City Council meeting of the month be for information sharing, to schedule work sessions, to get background information for taking potential action items and no voting action will take place unless there is an emergency situation. The second City Council meeting of the month will be to vote on action items. He stated he thought these proposed changes would make it easier on staff as well as Council.

Councilman Johnson asked Mayor Rabil if he was making a suggestion or was this something that Council needed to vote on.

Mayor Rabil replied Council did not need to vote on these proposed changes.

Councilman Johnson stated he thought that these proposed changes needed further discussion among Council.

Mayor Rabil stated that Council would try and conduct the City Council meetings with the proposed changes and see if this was a more efficient way of conducting Council meetings.

Mayor Rabil thanked Councilman Johnson for his input but these proposed changes were discussed in the City Council retreat.

Councilman Gregory McLemore agreed with Mayor Rabil's proposed changes but did not remember discussing the changes in the Council Retreat.

Mayor Rabil also recommended that each Council member get with City Manager Amanda Jarratt once a month to discuss any potential issues or items that need to be on the Agenda. He stated he thought this would be a more efficient way of handling issues that arise. He then reminded Council that they are a City Manager form of government not a City Council, Mayor form of government. It is not up to Council members to give instruction or direction to the department heads. He added that Council needs to go through City Manager Jarratt with any employee issues. Council members need to make sure that they are not only using their time well but are using the citizen's time well.

Selection of Vice-Mayor

Mayor Frank Rabil asked for recommendations to serve as Vice-Mayor for the City of Franklin.

Councilman Mark R. Kitchen made a motion to recommend Councilman Bobby Cutchins to serve as Vice-Mayor for the City of Franklin. The motion was seconded by Councilman Ray Smith.

Mayor Rabil opened the floor for discussion.

Councilman Gregory McLemore stated as a senior member of Council, I have seen a lot of meetings transpire and a lot of people do many different things and I think this rush to make Councilman Cutchins Vice-Mayor is consistent with what has been going on. Councilman Bobby Cutchins has not served a complete term. He already serves on many other boards at the moment. It is as if other members are not even considered for the Vice-Mayor position. He expressed that if Council was going to be in the spirit of being fair and moving forward, Council needs to take these things in consideration. It makes no difference what he votes because Council is going to vote the other way. Four members of Council control the votes. He expressed that he did not think that that was fair and just to the citizens of the City of Franklin.

The motion carried the vote by 4-3.

The vote was as follows:

Mayor Frank Rabil	AYE
Councilman Linwood Johnson	ABSTAIN
Councilman Bobby Cutchins	AYE
Councilwoman Wynndolyn Copeland	NAY
Councilman Gregory McLemore	NAY
Councilman Mark R. Kitchen	AYE
Councilman Ray Smith	AYE

Boards and Commission Council Assignments

Mayor Frank Rabil informed the newly elected Council members and the existing Council members that the City of Franklin consists of numerous Boards and Commissions and nominations for the board are discussed in close session and then voted upon coming out of closed session. He added that Council would be seeing some new Boards and Commissions that would need to have members assigned.

FY 2019 – 2020 Regular Meeting Calendar

City Manager Amanda Jarratt reviewed the FY 2019 – 2020 regular meeting calendar. She added that this calendar did not include any additional work sessions or budget sessions and needs to be adopted by Council.

Councilman Ray Smith made a motion to adopt the FY 2019 – 2020 regular meeting calendar. The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 5-1.

The vote was as follows:

Mayor Frank Rabil	AYE
Councilman Linwood Johnson	AYE
Councilman Bobby Cutchins	AYE
Councilwoman Wynndolyn Copeland	AYE
Councilman Gregory McLemore	ABSTAIN
Councilman Ray Smith	AYE
Councilman Mark R. Kitchen	AYE

Old / New Business

Public Hearing Ward 3 and Ward 6 School Board Members

City Manager Amanda Jarratt informed Council that the term for the Ward 3 Franklin City School Board Seat expired on June 30, 2020. The individual selected for this seat will serve a four-year term. Ms. Jessica Grant who previously served in the Ward 6 seat resigned leaving a three-year term remaining. All individuals wishing to serve on the City of Franklin School Board must be nominated at a public hearing. The public hearing was properly advertised in the Tidewater News. Nominations will be accepted in person and also via e-mail due to COVID-19 concerns.

Mayor Frank Rabil opened the public hearing for nominations for the Ward 3 and Ward 6 school board seats.

There were no nominations for the Ward 3 or Ward 6 school board seats other than the nominations that were previously turned in.

City Manager Jarratt informed Council of the following nominations that were sent in previously:

Jamaal Whitehurst resides at 308 Madison Street, Franklin, Virginia 23851, nominated for Ward 3 School Board seat. He is a 1996 graduate of Franklin High School. I have had the honor of being a commencement speaker for a Franklin High School graduate ceremony. I was privileged to be educated by some of the best teachers within the Franklin City schools. If selected for the Ward 3 Franklin City School Board seat, it will give me the opportunity to give back to an entity that gave so much to me. After graduating I earned my Bachelor's Science Degree in Inner Disciplinary Studies with an endorsement in education.

Tonya L. Smith resided at 411 Hogart Street, Franklin, Virginia 23851, nominated for Ward 3 School Board seat. She submitted her name to be considered as a candidate for the Franklin School Board in her district. She stated she felt that she could serve with respect for the people of her district. She stated she has a good repore within the community and has been an outstanding citizen in the City of Franklin. She is a mother of three, one who is a graduate of Franklin High School, Class of 2013 and two currently attending high and middle school. She is a grandmother and her grandson is attending S.P. Morton School.

Mayor Rabil asked if there were any additional nominees for Ward 3 and Ward 6.

Former Mayor Jim Councill asked if he could speak before closing the Public Hearing.

Mayor Rablil granted Former Mayor permission to speak.

Former Mayor Councill stated that it was sad that there were not more nominees for the Ward 3 and Ward 6 School Board seats. He stated he thinks that it should be incumbent for each Ward representative to nominate someone from their Ward to represent School Board seats.

Councilman Gregory McLemore thanked the Former Mayor Councill for participating in the City Council meeting.

Hearing no more nominees he closed the public hearing.

Mayor Frank Rabil closed the public hearing and asked City Manager Amanda Jarratt to schedule the interviews for the two nominations.

City of Franklin Confederate Statue Discussion

Earlier this year Governor Ralph Northam, signed a law allowing individual localities to remove, relocate or contextualize Confederate statues and monuments within their communities. Localities can begin using these powers starting July 1, 2020. Prior to removing, relocating, contextualizing, or covering any such publicly owned monument or memorial, the local governing body shall publish notice of such intent in a newspaper having general circulation in the locality. The notice shall specify the time and place of a public hearing at which interested persons may present their views, not less than 30 days after publication of the notice. After the completion of the hearing, the governing body may vote whether to remove, relocate, contextualize, or cover the monument or memorial. If the governing body votes to remove, relocate, contextualize, or cover the monument or memorial, the local governing body shall first, for a period of 30 days, offer the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield. The local governing body shall have sole authority to determine the final disposition of the monument or memorial.

A locality may, prior to initiating the provisions of subsection B, petition the judge of a circuit court having jurisdiction over the locality for an advisory referendum to be held on the question of the proposal to remove, relocate, contextualize, or cover any monument or memorial located on the locality's public property. Upon the receipt of such petition, the circuit court shall order an election to be held thereon at a time that is in conformity with § 24.2-682. The ballots shall be prepared, distributed, and voted, and the results of the election shall be ascertained and certified, in the manner prescribed by § 24.2-684.

The governing body may appropriate a sufficient sum of money out of its funds to complete or aid in the erection, removal, relocation, contextualizing, or covering of monuments or memorials to the veterans of such wars or conflicts, or any engagement of such wars or conflicts.

Mayor Frank Rabil opened the floor for discussion concerning the Confederate Statue Discussion.

Councilman Linwood Johnson stated there are two topics identified with the Confederate Statue and they were social justice and social equality. All people if we are going to govern the City we must have social justice and social equality. It is important for all of us to grow together. The City will not continue to grow until Council votes to move the monument.

Councilwoman Wynndolyn Copeland stated she would like to see City Council vote on holding a public hearing concerning the monument.

Mayor Rabil stated we can do one of following four things with the monument:

1. Cover the monument
2. Take it down and store the monument
3. Relocate the monument
4. Recontextualize the monument

Councilman Gregory McLemore stated he was under the impression that Council needed to vote on how to move forward concerning the monument.

Mayor Rabil stated that in order to have the monument removed a public hearing would have to take place. He asked City Manager Jarratt to confirm with legal counsel to get the correct interpretation.

City Manager Jarratt stated legal counsel informed her that Council can vote to remove the monument but cannot actually remove it without holding a public hearing first. After the public hearing has been conducted, Council would have to vote again. She informed Council that it would cost \$50,000.00 to remove the monument.

Councilman Linwood Johnson made a motion to remove the monument located in Memorial Park and to schedule a public hearing. The motion was seconded by Vice-Mayor Bobby Cutchins.

Mayor Frank Rabil opened the floor for discussion.

Councilman Mark R. Kitchen stated he does not know how Council can vote to remove the monument when they have not reached out to our Wards first for their opinions.

Mayor Rabil clarified that a yes vote would generate the start of the proceedings for a public hearing which would give Council thirty days to gather information and public opinions concerning the monument.

Vice-Mayor Cutchins stated the purpose he seconded the motion was to start proceedings in order to hopefully keep someone from vandalizing the monument.

The motion carried the vote by 6-1.

The motion was as follows:

Mayor Frank Rabil	AYE
Vice-Mayor Bobby Cutchins	AYE
Councilman Linwood Johnson	AYE
Councilwoman Wynndolyn Copeland	AYE
Councilman Greg McLemore	AYE
Councilman Ray Smith	AYE
Councilman Mark R. Kitchen	NAY

City Manager Amanda Jarratt stated tentatively the public hearing would be scheduled for August 24, 2020.

Courthouse Update

Southampton County Courthouse

City Manager Jarratt stated the conceptual plan attached was presented to the Courthouse broad stakeholder committee and all written comments were due on July 6, 2020. None of the comments received are considered fatal flaws and we are hopeful that we have a plan that can be approved by all bodies. City Council will approve the concept plan on July 27, 2020 and the Southampton County Board of Supervisors will approve the plan at their meeting on July 28, 2020. Once those formal approvals are issued we will begin full architectural design and the development of construction plans.

City of Franklin Courthouse

City Manager Jarratt informed Council the fence project and sally port expansion is complete.

City Manager's Report

City Manager Jarratt gave Council the following updates:

General Updates

- The COVID-19 cases in the City of Franklin continue to slowly increase. This morning the City was reported at 77 cases and Southampton County was reported at 184 cases. Precautions remain in place and we ask that all citizens continue to follow the recommendations of the Virginia Department of Health and Center for Disease Control. Test for COVID-19 will be available in the City of Franklin on the following dates and times:

July 13, 2020

1:00p.m.-3:00p.m. Franklin City Health Department

July 14, 2020

9:00a.m.-11:00 a.m. Sportsman's Association
1300-1500 Dorchester Square Apartments

July 15, 2020

9:00a.m.-11:00a.m. Forest Pines Apartments
1:00p.m.-3:00p.m. Hunterdale Volunteer Fire Department

- The Chalk It Up Franklin Event was a great success with broad community participation.
- Attached are the CARES Act proposed expenditures developed and vetted by Department Heads. Staff would request a formal motion to proceed as presented.

Councilman Linwood Johnson made a motion to proceed with the CARES Act expenditures. The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 7-0.

Community Events

- The Chalk-It-Up event was a success.
- National Night Out has been rescheduled for October 6, 2020 as a result of COVID-19. The planning process will continue throughout the summer into the fall.

Council / Staff Reports on Boards / Commissions

Mayor Frank Rabil asked if there were any reports on Council Staff on Boards and Commissions.

Councilman Linwood Johnson commented on the Chalk-It-Up event and how positive the comments were. He also thanked the Chief of Police for being proactive in policing throughout the community.

Councilman Greg McLemore asked when the basketball goals would be replaced.

City Manager Amanda Jarratt stated the basketball goals are being replaced so it would take a little more time and would send it out in her Friday update.

Closed Session

There being nothing further to discuss Mayor Frank Rabil asked for a motion to go into 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-A-1, to discuss appointments to boards and commissions, to discuss the following subject or subjects: Eastern Virginia Regional Industrial Facility Authority, HREDA, HRTAC, HRPDC, Franklin Business Center Advisory Board, Western Tidewater Regional Jail Authority, HRMFA, Hampton Roads Workforce Council, Social Services Advisory Board, Board of Zoning Appeals, Beautification Commission, Community Development Block Grant Advisory Committee, and the City of Franklin Planning Commission.

And 2.2-3711A-7 briefings by staff members 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 regarding a law suit filed in the United States District Court Eastern District of Virginia.

The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

City Council went into closed session at 8:56 p.m.

Motion Upon Returning to Open Session

Councilwoman Wynndolyn Copeland moved that the City of Franklin, Virginia City Council adopt the attached closed meeting resolution to 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 July 27, 2020; (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.

The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

Other Actions of Council

Councilwoman Wynndolyn Copeland made a motion to appoint the following citizens to the Race Relations Committee:

- David Dillon
- Andrea Holloman
- Davida Fenner
- Nathan Decker
- Mona Murphy
- Councilman Greg McLemore

The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

Councilwoman Wynndolyn Copeland made a motion to appoint Dr. Gwendolyn Shannon to the Camp Community Local College Board. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

Adjournment

Councilman Greg McLemore made a motion to adjourn the July 14, 2020 regular City Council meeting.

The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

The July 14, 2020 regular City Council meeting adjourned at 10:05 p.m.

Clerk to City Council

Mayor

The Franklin City Council held a Regular City Council Meeting on July 27, 2020 at 7:00 p.m. in the City Council Chambers.

Council Members in Attendance: Frank Rabil, Mayor; Bobby Cutchins, Vice-Mayor Councilman Linwood Johnson; Councilwoman Wynndolyn Copeland, Councilman Gregory McLemore; Councilman Ray Smith and Councilman Mark R. Kitchen

Staff in Attendance: Amanda Jarratt, City Manager and Leesa Barnes, Executive Assistant, Recording Minutes

Other Staff in Attendance: Steve Patterson, Franklin City Police Chief; Steve Newsome, Information Technology Specialist; Dinah Babb, City Treasurer; Gerald Griffith, Deputy Chief of Emergency Services; Vernie Francis, Chief of Emergency Services; Sarah Rexrode, Director of Social Services; Sammara Green-Bailey, Director of Parks & Recreation; Dan Howe, Director of Downtown Franklin Association; Robert Porti, Deputy Director of Franklin City Police Department; Tracy Spence Director of Finance, Jennifer Maynard Voter Registrar; Trevelyn Linton, Airport Manager; Brenda Rickman, Commissioner of the Revenue; Deborah Boone, Inspector for Community Development; Beth Lewis, Deputy Director of Community Development; Shelia Baker, Office Manager for Community Development; Wills Scott, Inspector for Community Development; Freddie Gray, Inspector and Plan Reviewer for Community Development; Jessica Drewry, Permit Technician for Community Development; Regan Prince, Environmentalist Specialist for Community Development; Donald Goodwin, Director of Community Development and Leslie Pearce, Administrative Assistant for Emergency Services

Call to Order

Mayor Frank Rabil called the July 27, 2020 regular City Council meeting to order at 7:00 p.m.

Citizen's Time

Citizen 1

Amy Phillips, resides at 108 Robinhood Road, Franklin, Virginia. She serves as the chair on the Franklin City School Board. She reinforced how important wearing a mask is through the COVID-19 pandemic and she introduced masks that are being made and sold by Franklin High School. She presented one to each of the Council members and thanked Council for all of their support.

City Manager Amanda Jarratt shared that due to social distancing requirements public comment was received via email in advance of the meeting. The following emails were received:

Citizen 2

Linda Smith; a resident of Ward 3 she supports and recommends Tonya Smith for the seat on the school board for Ward 3

I do apologize for being unable to attend, but due to COVID 19 and cannot attend the meeting in person.

Thank you
Linda Smith

Citizen 3

Almeta Davis; resides at 715 Gardner Street, Franklin, VA 23851.

Greeting Mayor Rabil, Members of Council and City Manager Jarratt.

She is a voting resident of Ward 3 and wanted to make it known that she supports Ms. Tonya Smith for the Ward 3 School Board Seat. Thank you for your time and good night.

Respectfully Submitted,
Almeta Davis

Citizen 4

Mayor, Vice-Mayor and Council members,

Jason Hook wrote Good Evening Mayor, Vice-Mayor and Council members,
He wanted to take the opportunity to bring light a lack of maintenance on City property and several adjoining residences within and along the "alleyway" located between Clay Street and Sycamore Drive, which extends from College Drive to just shy of Meadow Lane.

This alleyway, unlike so many others within the City is not and has not been used as a thoroughfare of any sort. As such, it has essentially gone forgotten by the City, except when it comes to obtaining zoning variances by residences. Unfortunately, neither the zoning inspectors nor the Public Works Streets division seem to have bothered to even inspect this area in many years, as some residents have taken it upon themselves to fence in this alley as part of their own property both physically and electronically.

Additionally, the vegetation has become so overgrown and dense that it has begun to resemble a wooded area (thus leading PW to believe that maintenance is not required) and is a haven for multitudes of disease carrying pests. This is not the time to disregard concerns of public health and safety toward your citizens.

I have previously communicated these concerns and have yet to see or hear about any action the City intends to take. In the meantime, you as leaders have taken the time to consider and vote on the removal of the statue in Memorial park. While I understand that is a sensitive topic with a current national spotlight in general, it is my opinion that health and safety for the residents of the City should take priority, yet this concern has not been addressed to the same level from what I have seen.

My wife and I do our best to maintain our own property, and genuinely take pride in ownership and our property. One of the things that attracted us to Franklin almost two years ago is the sense that so many other residents do as well. Our hope is that the City feels the same, and will do what can be done to resolve this expeditiously.

Thank you for the time.
Jason Hook

Amendments to Agenda

Mayor Frank Rabil asked if there were any amendments to the agenda.

There were no amendments to the agenda.

Consent Agenda

Approval of July 13, 2020 Regular Meeting Minutes

The approval of the minutes from the July 13, 2020 regular City Council meeting were deferred to the August 10, 2020 City Council meeting due to Council did not have time to review them.

Introduction of New Employees

City Manager Amanda Jarratt recognized Sarah Rexrode, Director of Social Services to come forward and introduce her new employees.

Director Rexrode introduced the following employees:

Sarah Allen, Family Services Specialist
Threann Herbert, Family Services Specialist
Rochelle Johnson, Benefit Programs Specialist
Juliette Whyte, Fraud Investigator / Benefit Programs Specialist

Mayor Frank Rabil welcomed the new employees and stated that Council was looking forward to working with them in their new positions.

Resolution in Honor of Donald E. Goodwin

Mayor Frank Rabil asked Councilwoman Wynndolyn Copeland to read Resolution #2020-14 in honor of Donald E. Goodwin's retirement after serving many years as the Director of Community Development.

Mayor Rabil asked Director Goodwin if he wanted to say anything.

Director Goodwin thanked his current staff, past staff, City Council and City Manager Amanda Jarratt for their dedication to the City of Franklin.

Mayor Frank Rabil asked for a motion to approve Resolution #2020-14.

Councilman Ray Smith made a motion to accept Resolution #2020-14 honoring Director Goodwin's retirement. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

Attached Resolution:



Resolution #2020-14

Resolution of Appreciation

To

Donald F. Goodwin

WHEREAS, The City of Franklin would like to recognize the retirement of Donald E. Goodwin, who has served as the Building Official/Zoning Administrator/Planner during his tenure with the City; and

WHEREAS, Mr. Goodwin came to the City in 1991 equipped with innovative and forward thinking ideology that helped propel the City into a community that promotes commercial, industrial and residential development; and

WHEREAS, Mr. Goodwin extended his time, knowledge and skill to bring restoration after the City was devastated by Hurricane Dennis, Hurricane Floyd and Hurricane Isabel; and

WHEREAS, Mr. Goodwin recognized the vision and the wisdom of co-joining the City of Franklin with Southampton County, thereby successfully creating the first shared services department within the region; and

WHEREAS, Donald E. Goodwin retired on July 30, 2020 as the Building Official/Zoning Administrator/Planner after serving the City of Franklin for 29 continuous years; and

NOW, THEREFORE, BE IT RESOLVED, that the Franklin City Council honors the exceptional dedication and service given by Mr. Goodwin.

AND, BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the minutes of this meeting of the Franklin City Council as visible evidence of the high esteem in which this Council and the citizens of the City of Franklin hold Donald E. Goodwin thereby forever preserving and recording its gratitude.

Adopted: July 27, 2020

Mayor Frank M. Rab

Resolution #2020-15 in Honor of Richard S. Grizzard

Mayor Frank Rabil asked Councilman Mark R. Kitchen to read Resolution #2020-15 in honor of Richard (Ricky) S. Gizzard's retirement after serving many years as Captain in the City of Franklin's Fire Department.

Mayor Rabil asked for a motion to approve Resolution #2020-15.

Councilwoman Wynndolyn Copeland made a motion to approve Resolution #2020-15 honoring Captain Grizzard's retirement. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0 vote.

Attached Resolution:



Resolution #2020-15

Resolution of Appreciation

Jo

Richard S. Grizzard

WHEREAS, The City of Franklin would like to recognize the retirement of Richard S. Grizzard, who has served with the City of Franklin Fire Department during his tenure with the City; and

WHEREAS, He started his career with the City of Franklin as Fire Shift Supervisor in September 1, 1987 and was promoted to Captain in 2002; and

WHEREAS, Captain Grizzard has been instrumental in numerous emergency response efforts during his years of services; and

WHEREAS, Captain Grizzard has always maintained a high level of professionalism that has gained him great respect with his staff, City officials, and surrounding agencies; and

WHEREAS, his warm personal demeanor has facilitated many accomplishments and has earned for him the respect of his peers; and

WHEREAS, the City of Franklin commends Richard S. Grizzard for his generous and devoted service to this City and wishes him well in all his future endeavors.

NOW, THEREFORE, BE IT RESOLVED, that the Franklin City Council Honors the Exceptional Service of Richard S. Grizzard.

AND, BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the minutes of this meeting of the Franklin City Council as visible evidence of the high esteem in which this Council and the citizens of the City of Franklin hold Richard S. Grizzard thereby forever preserving and recording its gratitude.

Adopted: July 27, 2020

Mayor Frank Rabil

Financial Matters

Budget Amendment 2020-17, 2021-01, 2021-02 and 2021-3

City Manager Amanda Jarratt introduced Tracy Spence to come forward and review the following budget amendments:

Budget Amendment 2021 -01

Director Spence informed Council that the 2020-2021 City Budget is to be amended upon approval to recognize additional revenues related to the COVID -19 grant and sale of fuel related to the new skydiving operation and appropriate such revenue in the amount of \$335,614.00 and transfer \$126,344.00 from General Fund to the expenditures line item.

Budget Amendment 2021-02

Director Spence informed Council that the 2020-2021 City Budget is to be amended upon approval to authorize changes in the School’s appropriations of Federal, State, grant and local revenues. This budget amendment is to just allocate the funds throughout the grants.

Budget Amendment 2021-03

Director Spence informed Council that the 2020-2021 City Budget is to be amended upon approval in the following amounts:

General Fund Revenue		Expenditures	
Arts Grant	\$ 4,500.00	Contributions to Comm. Organizations	\$ 4,500.00
Virginia DHCD Grant	\$ 2,000.00	Computer Equipment	\$ 2,000.00
Coronavirus Relief Revenue Fund	\$52,580.00	COVID-19 Expenditures	\$52,580.00
Foundation Grants Funds Revenue	\$10,000.00	Fire Prevention – Other Grants	\$ 5,000.00
		Hunterdale Volunteer Fire	\$ 5,000.00
Solid Waste Fund	\$45,000.00	Garbage Containers	\$45,000.00

Councilman Greg McLemore asked for clarification that the garbage containers were going to cost \$45,000.00.

Director Spence replied yes that is typical, the City pays that amount for them every year.

Councilman McLemore asked when do the citizens receive the new garbage containers.

City Manager Amanda Jarratt stated the City gets calls on a weekly basis about garbage containers getting damaged.

Councilman McLemore stated he understands but \$45,000.00 seems like a lot of money for garbage containers.

Mayor Frank Rabil stated the funds are coming out of the Solid Waste Fund which is self-funding and Council approved the budget with that figure included.

Budget Amendment 2020-17

City Manager Jarratt stated that Budget Amendment 2020-17 was deferred until the August 10, 2020 City Council meeting.

Mayor Rabil asked for a motion of approval on the budget amendments.

Councilman Ray Smith made a motion to approve Budget Amendment 2021-01. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

Councilman Linwood Johnson made a motion to approve Budget Amendment 2021-02. The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 7-0.

City Manager Jarratt informed Council that the garbage cans cost \$58.00 each.

Councilman Linwood Johnson made a motion to approve Budget Amendment 2021-03. The motion was seconded by Councilman Mark R. Kitchen.

Mayor Rabil asked if there was any discussion concerning Budget Amendment 2021-03.

Councilman McLemore expressed his concern about spending \$45,000.00 on garbage containers.

The motion carried the vote by 6-1.

The vote was as follows:

Mayor Frank Rabil	AYE
Vice-Mayor Bobby Cutchins	AYE
Councilman Linwood Johnson	AYE
Councilwoman Wynndolyn Copeland	AYE
Councilman Greg McLemore	NAY
Councilman Ray Smith	AYE
Councilman Mark R. Kitchen	AYE

Interim COVID-19 Revenue Update

Director Spence gave a brief update on the effects that the COVID-19 pandemic has had on the City’s budget.

Meals Taxes – Monthly Payments

April 2019	\$157,044.00	April 2020	\$114,304.00
May 2019	\$125,677.00	May 2020	\$102,282.00
June 2019	\$129,937.00	June 2020	\$161,077.00

Lodging Taxes – Monthly Payments

April 2019	\$ 11,927.00	April 2020	\$ 11,630.00
May 2019	\$ 15,117.00	May 2020	\$ 7,709.00
June 2019	\$ 12,018.00	June 2020	\$ 7,795.00

Sales Taxes – Monthly

April 2019	\$130,563.00	April 2020	\$134,777.00
May 2019	\$173,851.00	May 2020	\$175,122.00
June 2019	\$157,842.00	June 2020	\$164,654.00

Projections for vulnerable taxes yield a \$87,000.00 shortfall in revenue collections. Due to the Council’s Reserve and Vacancy Savings, the City will still be able to meet its obligations on June 30, 2020.

Councilman Greg McLemore asked how could the meals taxes figures not be drastically changed due to the COVID-19 pandemic.

City Manager Amanda Jarratt stated the that our community has been very supportive of our local restaurants, also citizens have not been traveling so they are utilizing local restaurants.

Old / New Business

Appointment of Ward 3 School Board Representative

Councilman Linwood Johnson made a motion that the appointment of a Ward 3 School Board Representative be tabled until more information could be gathered concerning the appointment. The motion was seconded by Councilman Ray Smith.

The motion carried the vote by 7-0.

HOME Consortium Agreement

City Manager Amanda Jarratt informed Council that Resolution #2020-16 would authorize the City of Franklin to continue participating in the Western Tidewater Home Consortium. Belonging to the consortium is a way for local governments that would not otherwise qualify for funding to join with other contiguous units of local government to directly participate in the HOME Investment Partnerships Program (HOME) program. The Western Tidewater HOME Consortium's membership consists of the City of Suffolk (Lead Entity), City of Franklin and the counties of Southampton and Isle of Wight. The City of Franklin has been a member in this program since 1995 and in that period of time has received over \$400,000.00 to assist in home improvements within the City.

Councilman Greg McLemore made motion to adopt Resolution #2020-16 authorizing the City of Franklin to continue to participate in the Western Tidewater Home Consortium for the purpose of obtaining federal funding under the HUD Home Investment Partnership Program. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by 7-0.

Courthouse Update

Southampton County Courthouse

City Manager Amanda Jarratt gave City Council an update concerning the Southampton County Courthouse. She presented a conceptual plan that was presented to the Courthouse broad stakeholder committee. All written comments were due on July 6, 2020. She added that none of the comments received would be considered fatal flaws and hopefully a plan can be approved by all bodies. Once the formal approvals are issued a full architectural design and the development of construction plans will begin.

The revised concept plan includes a total area of 40,000.00 square feet, 12,750 square feet of which is renovated space and 27,250 square feet is new construction on the existing property. The estimated construction budget is \$15,909,381.00.

The total project budget which further includes the cost of design, new fixtures, furnishings and equipment, and the cost of temporary facilities for the courts while the project is under construction is estimated at or below \$20,000,000.00.

The cost of those portions of the project that serve the Circuit Court, the Clerk of the Circuit Court, the Commonwealth's Attorney, and the Sheriff will be shared between the City and County in the proportion that the population of each bears to the aggregate population of both.

Southampton County will be responsible for fully funding those portions of the project that serve the General District Court, the Juvenile and Domestic Relations Court, and the Southampton General District and Juvenile and Domestic Relations Combined Court Clerk's Office.

Should the Southampton County Board of Supervisors and the Franklin City Council adopt the proposed conceptual plans the Judges have agreed to not vacate the Courthouse this month as a previously indicated and will continue to hear cases in the Courthouse until such time as construction is ready to commence. This concession by the Courts will save hundreds of thousands of dollars in the cost of temporary facilities.

City Manager Jarratt presented a proposal from Glave and Holmes to proceed with architectural and engineering services relate to Schematic Design through Construction Phases, including typical basic services and anticipated supplemental services related to the project.

The total cost of their services is a stipulated sum of \$1,735,075.00 with reimbursable expenses to be charged at cost plus 15%, not to exceed \$30,000.00. At this writing it remains uncertain whether certain services associated with development of a Stormwater Prevention Pollution Plan, design of stormwater management facilities, or data conversion associated with floodway modeling will ultimately be required. The cost of these services are currently included, if it is subsequently determined that they are unnecessary, we will remove them from the Agreement and the compensation will be reduced accordingly. The maximum credit the City may receive for eliminating those services is \$14,175.00.

Based upon a Notice to Proceed by August 1, 2020, Glave and Holmes' anticipates the following schedule:

Construction documents completed:	April 30, 2021
Bids Received:	July 1, 2021
Construction Complete	November 2022

Councilman Linwood Johnson made a motion to adopt the proposed concept plan and move forward with the design and engineering of the proposed concept. The motion was seconded by Councilwoman Wynndolyn Copeland.

The motion carried the vote by 7-0.

City of Franklin Courthouse

City Manager Jarratt informed Council that there was no new update at this time.

City Manager's Report

City Manager Amanda Jarratt gave City Council the following updates:

- The COVID-19 cases in the City of Franklin have increased to 109 positive cases. Precautions remain in place, the City asks that all citizens continue to follow the recommendations of the Virginia Department of Health and Center for Disease Control. City staff is working with the Virginia Department of Health to provide additional testing opportunities in the City in the month of August at Camp Community College.
- The City should receive the final closing documents for the Armory property by the middle of August. The documents are currently being routed through the Attorney General's Office. City staff is working with PMA on a feasibility study.
- The public hearing for the Ward 6 School Board seat is scheduled for August 10, 2020. Nominations can be made in person or via an e-mail to publichearing@franklinva.com.
- The public hearing regarding the removal of the statue in Memorial Park is scheduled for August 24, 2020 at the Camp Community College Workforce Development Center. Comments may be made in person or submitted via mail, or e-mailed to publichearing@franklinva.com.
- Governor Northam announced the launch of a new program called Rebuild Virginia. This a program that award grants up to \$10,000.00 and there will be a number of requirements that a business will have to meet in order to become eligible. Applications will go live on August 10, 2020.
- City Manager Jarratt congratulated Mark Bly, Director of Power & Light and Donald Goodwin, Director of Community Development on their retirement.

Community Events

- Franklin Cruise-In has restarted on Wednesday afternoons with social distancing being strongly encouraged.
- National Night Out is scheduled and has been rescheduled for October 6, 2020 as a result of COVID-19. Due to the ongoing pandemic and uncertainty associated with crowd sizes the event will have a virtual component and include smaller gatherings. Chief Patterson will provide a briefing at a later meeting.

Council / Staff Reports on Boards / Commissions

Council Greg McLemore stated thanks to Mayor Frank Rabil, the City of Franklin was able to have its first Race Relations Committee meeting. He added the committee still needs a representative from Ward 1 and Ward 6. There is another meeting scheduled for Tuesday, July 28, 2020 and August 10, 2020.

Closed Session

There being nothing further to discuss Mayor Frank Rabil asked for a motion to go in to 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-A-1, to discuss appointments to Boards and Commissions, to discuss the following subject or subjects: Eastern Virginia Regional Industrial Facility Authority (EVRIFA); Hampton Roads Economic Development Alliance (HREDA); Hampton Roads Transportation Accountability Commission (HRTAC); Hampton Roads Planning District Commission (HRPDC); Franklin Business Center Advisory Board; Western Tidewater Regional Jail Authority; Hampton Roads Military and Federal Facilities Alliance (HRMFFA); Hampton Roads Workforce Council; Social Services Advisory Board; Board of Zoning Appeals; Beautification Commission; Community Development Block Grant Advisory Committee and the City of Franklin Planning Commission and 2.2-3711A-7 briefings by staff members 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 regarding a law suit filed in the United States District Court Eastern District of Virginia.

The motion was seconded by Councilman Mark R. Kitchen.

The motion carried the vote by 6-0

Franklin City Council went into Closed Session at 7:56 p.m.

Motion Upon Returning to Open Session

Councilwoman Wynndolyn Copeland moved that the City of Franklin, Virginia City Council adopt the attached closed meeting resolution to 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 July 27, 2020, (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.

The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote.

Other Actions of Council

Councilman Linwood Johnson made a motion to appoint the following:

Mayor Frank Rabil to the Hampton Roads Accountability Commission
Mayor Frank Rabil to the Hampton Roads Planning District Commission
Mayor Frank Rabil to the Hampton Roads Transportation Planning Organization
Mayor Frank Rabil to the Hampton Roads Military and Federal Facilities Alliance
Mayor Frank Rabil to the Hampton Roads Economic Development Alliance
Councilman Linwood Johnson to the Workforce Development Board
Councilman Linwood Johnson to the Tidewater Regional Jail Authority
Councilman Ray Smith to the Franklin Business Center Advisory Board
Councilman Ray Smith to the Airport Advisory Board
Councilman Mark R. Kitchen to the Social Security Advisory Board
Mr. Barry Cheatham to the Western Tidewater Regional Jail Authority
Councilman Gregory McLemore to the Community Development Block Grant Committee
Councilwoman Wynndolyn Copeland to the Community Development Block Grant Committee

The motion was seconded by Vice-Mayor Bobby Cutchins.

The motion carried the vote by 7-0.

Adjournment

There being nothing further to discuss Councilwoman Wynndolyn Copeland made a motion to adjourn the July 27, 2020 regular City Council Meeting.

The motion was seconded by Councilman Linwood Johnson.

The July 27, 2020 regular City Council meeting adjourned at 8:50 p.m.

Clerk to City Council

Mayor



DECLARATION OF A LOCAL EMERGENCY ON AUGUST 3, 2020 BY THE CITY OF FRANKLIN, VIRGINIA DIRECTOR OF EMERGENCY SERVICES

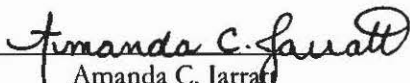
Whereas, the Director of Emergency Services of the City of Franklin, Virginia does hereby find as follows:

1. That due to the occurrence of Tropical Storm Isaias the City of Franklin is facing a condition of extreme peril to the lives, safety, and property of the residents of Franklin;
2. That due to this condition of extreme peril, the Governor of Virginia has declared a state of emergency and requested extreme measures be taken by localities to seek to protect the public health;
3. The National Weather Service is projecting sustained winds for our area of 25-40mph and gust up to 60mph. The City of Franklin is projected to receive between 2-5inches with the potential of flash flooding.
4. That as a result of this extreme peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril.

Now, therefore, be it proclaimed and ordered that during the existence of this emergency the powers, functions, and duties of the Director of Emergency Management and the Emergency Services organization and functions of the City of Franklin shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans.

In order to carry out the effect of this resolution, the City Manager Amanda C. Jarratt or the Director of Finance, Tracy Spence and their designees, are hereby authorized to expend funds from the City's unappropriated fund balance to cover the reasonable operations costs of emergency services pending further report to Franklin City Council and such additional appropriations as shall be deemed necessary to cover the expected scope of this emergency and ratified by City Council.

Now, therefore; I, Amanda C. Jarratt Director of Emergency Services, for the City of Franklin, Virginia do hereby proclaim and declare that a local emergency exists in the City of Franklin, Virginia, effective on the 3rd of August 2020.


Amanda C. Jarratt
Director of Emergency Services

BUDGET AMENDMENT 2020-17

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2019-2020 City Budget is hereby amended to appropriate revenue from the General Fund to the Comprehensive Services Act fund to cover for additional costs in FY20 4th quarter. The expense to the General Fund was amended in Budget Amendment 2020-15.

		2019-2020	AMENDED	INCREASE
		BUDGET	BUDGET	(DECREASE)
202	<u>COMPREHENSIVE SERVICES ACT</u>			
	<u>UND</u>			
	REVENUE			
41050-0100	Transfer from General Fund	\$49,686	\$56,686	<u>\$7,000</u>
				<u>\$7,000</u>
	EXPENDITURES			
57115-5740	State/Local Mandated Services	\$145,303	\$152,303	<u>\$7,000</u>
				<u>\$7,000</u>

*Certified copy of resolution adopted by
Franklin City Council.*

Clerk to the City Council



*Office of the City Manager
Amanda C. Jarratt*

August 5, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Ward 6 School Board Nominations

Background Information

Ms. Jessica Grant who previously served in the Ward 6 seat resigned leaving a three-year term remaining. All individuals wishing to serve on the City of Franklin School Board must be nominated at a public hearing. The public hearing was properly advertised in the Tidewater News. Nominations will be accepted in person and also via e-mail due to COVID-19 concerns.

Needed Action

Conduct the public hearing for the Ward 6 School Board seat and determine next steps. It has been the past practice of City Council to set up interviews of those individuals nominated to serve on the School Board.



*Office of the City Manager
Amanda C. Jarratt*

August 4, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: SPSA Updates

Background Information

Liesl DeVary has served as Executive Director and Chief Executive Officer of SPSA since December 2017. She is responsible for the planning, development and implementation of policies and objectives established by the Board of Directors with the goal of providing a long-term cost-effective waste disposal system for SPSA Member Communities. She also serves as Chief Financial Officer and is responsible for the preparation and administration of operating and capital budgets. Previously, Liesl served as SPSA's Deputy Executive Director and Chief Financial Officer for eight years.

Liesl is a native of Virginia Beach. She has a Bachelor's Degree in Business Administration from Old Dominion University with a minor in accounting. Prior to joining the SPSA team, she worked for the County of Isle of Wight as budget and finance director. She also served in various governmental capacities in Pennsylvania for eleven years.

In her role as executive director, Liesl's top priorities are fiscal responsibility, maintaining a culture where employees are motivated and productive, enhancing trust and confidence in the organization, and being accountable to SPSA member communities.

Ms. DeVary will be providing City Council with a general overview of SPSA, explain the landfill expansion process currently under way and the contract between the Navy and Wheelabrator and how it will affect SPSA.

Needed Action

None at this time.



Office of the City Manager
Amanda C. Jarratt

August 5, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Elected School Board

Background Information

City Council inquired about procedure to transition from an appointed school board to an elected school board. Below is the legal interpretation provided by Sands Anderson.

Currently, members of the School Board of the City of Franklin are appointed pursuant to Chapter 12 of the City of Franklin, Virginia Charter. Virginia Code § 22.1-57.2, however, provides a process for transitioning to an elected school board should the citizens of the City of Franklin wish to do so. That Code provision, a copy of which is attached for your reference, would allow the City of Franklin to transition to an elected school board upon completion of the following steps:

1. The registered voters of the City of Franklin must file with the Circuit Court of Southampton County a petition asking that a referendum be held on the question of whether the members of the School Board of the City of Franklin should be elected. The petition must contain the signatures of at least 10 percent of the number of registered voters in the City who were registered as of the previous January 1.
2. In order to appear on the ballot of the next general election, the petition must be filed within 111 days preceding the general election.
3. Upon receipt of a petition containing a sufficient number of signatures of qualified registered voters, the Circuit Court of Southampton County must order and require the election officials to place the matter on the ballot.
4. The Clerk will publish notice of the referendum by posting the notice at the courthouse and by causing the notice to be published in a newspaper of general circulation in the City of Franklin, both for three successive weeks prior to the referendum.
5. The question on the ballot will be "[s]hall the method of selecting the school board be changed from appointment by the governing body to direct election by the voters?" YES NO
6. NOTE: No amendment of the Charter of the City of Franklin is required in order to change to an elected school board. Va. Code § 22.1-57.1 expressly provides that the procedure to transition to an elected school board described above is applicable notwithstanding any other provision of a locality charter.

Needed Action

Provide direction to staff on how to proceed.

§ 22.1-57.2. Referendum on direct election of school board members by the voters

The registered voters of any such county, city, or town may, by petition filed with the circuit court thereof, ask that a referendum be held on the question of whether the members of the school board of the county, city, or town shall be elected directly by the voters. The petition shall be signed by registered voters equal in number to at least 10 percent of the number registered in such locality on the January 1 preceding its filing. Upon the filing of a petition, the circuit court shall order and require the election officials at the next general election to open the polls and take the sense of the voters therein on that question. The petition shall be filed with the court not less than 111 days prior to the general election. The clerk of the court shall cause notice of the referendum to be published once a week for the three consecutive weeks prior to the referendum in a newspaper having general circulation in the county, city, or town, and a copy of the notice shall be posted during the same time on the door of the courthouse of the county or city, or of the county within which the town is located. The question on the ballot shall be:

"Shall the method of selecting the school board be changed from appointment by the governing body (or the school board selection commission, whichever is applicable) to direct election by the voters?

YES

NO"

The election shall be held and the results certified as provided in § [24.2-684](#).

1992, c. 594; 2011, c. [599](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.



*Office of the City Manager
Amanda C. Jarratt*

August 7, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Planning Commission Background

Background Information

City Council has expressed interest and concern about the interaction and relationship with the City of Franklin Planning Commission. A work session between the two bodies will be scheduled in the near future however a general discussion amongst all of City Council in advance of this meeting seemed a prudent first step.

Attached are the relevant code sections regarding the establishment and relationship between the City Council and the Planning Commission. These cover appointments to the Planning Commission and certain basic organizational or operational matters. It is important to note that once appointed, Commissioners may be removed only for malfeasance – a very high bar – and for not attending their own meetings. Otherwise, their appointments are for four year terms with little authority to terminate the appointment sooner. Notwithstanding those rules governing appointment of City residents to the Planning Commission, local government staff and officials (one each) also may serve on the planning commission, and those individuals may be replaced annually.

Needed Action

Provide direction to staff on how to proceed.

[Va. Code Ann. § 15.2-2212](#)

Current through the 2020 Regular Session of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 15.2. COUNTIES, CITIES AND TOWNS > SUBTITLE II. POWERS OF LOCAL GOVERNMENT > CHAPTER 22. PLANNING, SUBDIVISION OF LAND AND ZONING > ARTICLE 2. LOCAL PLANNING COMMISSIONS

§ 15.2-2212. Qualifications, appointment, removal, terms and compensation of members of local planning commissions

A local planning commission shall consist of not less than five nor more than fifteen members, appointed by the governing body, all of whom shall be residents of the locality, qualified by knowledge and experience to make decisions on questions of community growth and development; provided, that at least one-half of the members so appointed shall be owners of real property. The local governing body may require each member of the commission to take an oath of office.

One member of the commission may be a member of the governing body of the locality, and one member may be a member of the administrative branch of government of the locality. The term of each of these two members shall be coextensive with the term of office to which he has been elected or appointed, unless the governing body, at the first regular meeting each year, appoints others to serve as their representatives. The remaining members of the commission first appointed shall serve respectively for terms of one year, two years, three years, and four years, divided equally or as nearly equal as possible between the membership. Subsequent appointments shall be for terms of four years each. The local governing bodies may establish different terms of office for initial and subsequent appointments including terms of office that are concurrent with those of the appointing governing body. Vacancies shall be filled by appointment for the unexpired term only.

Members may be removed for malfeasance in office. Notwithstanding the foregoing provision, a member of a local planning commission may be removed from office by the local governing body without limitation in the event that the commission member is absent from any three consecutive meetings of the commission, or is absent from any four meetings of the commission within any 12-month period. In either such event, a successor shall be appointed by the governing body for the unexpired portion of the term of the member who has been removed.

The local governing body may provide for compensation to commission members for their services, reimbursement for actual expenses incurred, or both.

History

Code 1950, §§ 15-901, 15-916, 15-963; 1956, cc. 282, 497; 1960, c. 309; 1962, c. 407, § 15.1-437; 1973, c. 160; 1974, c. 521; 1986, c. 208; 1988, c. 256; [1997, c. 587](#); [2006, c. 687](#).

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End of Document

[Va. Code Ann. § 15.2-2214](#)

Current through the 2020 Regular Session of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 15.2. COUNTIES, CITIES AND TOWNS > SUBTITLE II. POWERS OF LOCAL GOVERNMENT > CHAPTER 22. PLANNING, SUBDIVISION OF LAND AND ZONING > ARTICLE 2. LOCAL PLANNING COMMISSIONS

§ 15.2-2214. Meetings

The local planning commission shall fix the time for holding regular meetings. The commission, by resolution adopted at a regular meeting, may also fix the day or days to which any meeting shall be continued if the chairman, or vice-chairman if the chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised for such meeting shall be conducted at the continued meeting and no further advertisement is required. The commission shall cause a copy of such resolution to be inserted in a newspaper having general circulation in the locality at least seven days prior to the first meeting held pursuant to the adopted schedule.

Commissions shall meet at least every two months. However, in any locality with a population of not more than 7,500, the commission shall be required to meet at least once each year.

Special meetings of the commission may be called by the chairman or by two members upon written request to the secretary. The secretary shall mail to all members, at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof.

Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice.

History

Code 1950, § 15-963.2; 1962, c. 407, § 15.1-439; [1990, c. 664](#); [1997, c. 587](#); [2003, c. 403](#).

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[Va. Code Ann. § 15.2-2210](#)

Current through the 2020 Regular Session of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 15.2. COUNTIES, CITIES AND TOWNS > SUBTITLE II. POWERS OF LOCAL GOVERNMENT > CHAPTER 22. PLANNING, SUBDIVISION OF LAND AND ZONING > ARTICLE 2. LOCAL PLANNING COMMISSIONS

§ 15.2-2210. Creation of local planning commissions; participation in planning district commissions or joint local commissions

Every locality shall by resolution or ordinance create a local planning commission in order to promote the orderly development of the locality and its environs. In accomplishing the objectives of [§ 15.2-2200](#) the local planning commissions shall serve primarily in an advisory capacity to the governing bodies.

Any locality may participate in a planning district commission in accordance with Chapter 42 ([§ 15.2-4200](#) et seq.) of this title or a joint local commission in accordance with [§ 15.2-2219](#).

History

1975, c. 641, § 15.1-427.1; [1997, c. 587](#).

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[Va. Code Ann. § 15.2-2213](#)

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§ 15.2-2213. Advisory members

A member of a local planning commission may, with the consent of both governing bodies, serve as an advisory member of the local planning commission of a contiguous locality.

History

Code 1950, § 15-963.1; 1962, c. 407, § 15.1-438; [1997, c. 587](#).

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[Va. Code Ann. § 15.2-2221](#)

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§ 15.2-2221. Duties of commissions

To effectuate this chapter, the local planning commission shall:

1. Exercise general supervision of, and make regulations for, the administration of its affairs;
2. Prescribe rules pertaining to its investigations and hearings;
3. Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the governing body;
4. Keep a complete record of its proceedings; and be responsible for the custody and preservation of its papers and documents;
5. Make recommendations and an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction;
6. Prepare, publish and distribute reports, ordinances and other material relating to its activities;
7. Prepare and submit an annual budget in the manner prescribed by the governing body of the county or municipality; and
8. If deemed advisable, establish an advisory committee or committees.

History

Code 1950, § 15-963.7; 1962, c. 407, § 15.1-444; [1997, c. 587](#).

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*Office of the City Manager
Amanda C. Jarratt*

August 7, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Courthouse Update

Background

Southampton County Courthouse

Both the Franklin City Council and the Southampton County Board of Supervisors unanimously approved the conceptual plan for the Southampton County Courthouse renovations. Glave and Holmes are now proceeding with the Schematic Design and will provide us regular updates as they reach project milestones.

City of Franklin Courthouse

No new update.

Needed Action

None at this time.



*Office of the City Manager
Amanda C. Jarratt*

August 5, 2020

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: City Manager's Report

General Updates

- The COVID-19 cases in the City of Franklin continue to slowly increase. Precautions remain in place and we ask that all citizens continue to follow the recommendations of the Virginia Department of Health and Center for Disease Control. We are working with the Virginia Department of Health to provide additional testing opportunities in the City on August 17th at the Workforce Development Center from 9:00 a.m. – 11:00 a.m. and 1:00 p.m. – 3:00 p.m.
- The City of Franklin felt impacts from Tropical Storm Isaias. A huge thank you is extended to all of the Departments and personnel that worked throughout the night and the following day dealing with power outages, storm debris, emergency response, and damage assessments.
- We should have the final closing documents for the Armory property by the middle of August. The documents are currently being routed through the Attorney General's Office. We are working with PMA on a feasibility study.
- The public hearing regarding the removal of the statue in Memorial Park is scheduled for August 24th at the Camp Community College Workforce Development Center. Comments may be made in person or submitted via mail, or e-mailed to publichearing@franklinva.com.

Community Events

- Franklin Cruise In has restarted on Wednesday afternoons with social distancing being strongly encouraged.
- National Night Out is scheduled has been rescheduled for October 6, 2020 as a result of COVID-19. Due to the ongoing pandemic and uncertainty associated with crowd sizes the event will have a virtual component and include smaller gatherings. Chief Patterson will provide a briefing at a later meeting.