

Franklin City Council Agenda August 26, 2024 Council Chambers 207 West Second Avenue Franklin, Virginia 23851

7:00 P.M. Regular Meeting

1. CONSENT AGENDA:

A. Approval of August 12, 2024 meeting minutes

2. PRESENTATIONS:

A. Visitor Center Exhibit

3. PUBLIC HEARINGS:

A. Public Hearing – Ratification of Proposed Real Property Tax Rate

a. Resolution #2024-24 – Resolution to Ratify the FY24-25 Real Estate Tax Rate

4. ORDINANCES & RESOLUTIONS:

A. Ordinance #2024-12 - Ordinance to Amend Chapter 23.5, Article I, Section 23.5-6: Contracts

5. FINANCIAL MATTERS

A. Budget Amendment #2025-03

6. OLD/ NEW BUSINESS:

- A. Special Use Permit 204 Morton Street
- B. Council's Comments
- C. City Manager's Report

7. COUNCIL/STAFF REPORTS ON BOARDS/COMMISSIONS

8. 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, 8 discussion of appointments to boards and commissions: Southview Cemetery Advisory Committee, Beautification Commission, and City Manager.

ADJOURNMENT

Regular City Council Meeting Minutes August 12, 2024

Call to order

The Franklin City Council held its regular City Council meeting on August 12, 2024 at 7:00 p.m. in the City Council Chambers.

Council Members in Attendance: Robert "Bobby" Cutchins, Mayor; Wynndolyn Copeland, Vice-Mayor; Councilman Mark Kitchen; Councilman Linwood Johnson; Councilwoman Jessica Banks.

Council Members not in Attendance: Councilman Gregory McLemore; Councilman Ray Smith

Staff in Attendance: Darlene Burcham, Interim City Manager; Haleigh Pinto, Executive Assistant recording minutes.

Other Staff in Attendance: Steve Patterson, Chief of Police; Camara Jacobs, Director of Human Resources, Matthew Jezierski, Director of IT.

Citizen's Time

No one signed up at this time.

Amendments to Agenda

No amendments at this time.

Introduction of New Employee

Ms. Camara Jacobs, Director of Human Resources introduced Michael Smalls as the Human Resources Administrative Assistant. Mr. Smalls is from South Carolina and earned his Bachelor of Science Degree in Public Health from Coastal Carolina University. Michael found his passion for Human Resources during an internship with his previous employer. Upon graduation, Mr. Smalls was hired as a Human Resources Specialist and later advanced to Talent Management Specialist. Michael will be assisting the City of Franklin with onboarding of new employees and recruitment. Ms. Jacobs states she looks forward to working with Mr. Smalls and achieving great things for the City.

Mr. Smalls thanked Council and expressed his excitement in being a part of the City of Franklin.

Consent Agenda:

A. Approval of July 20, 2024 special called meeting minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the July 20, 2024 minutes. Councilwoman Jessica Banks made a motion to approve the minutes as presented with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins affirmed the motion carried.

B. Approval of July 22, 2024 meeting minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the July 22, 2024 minutes. Councilman Linwood Johnson made a motion to approve the minutes as presented with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins affirmed the motion carried.

C. Approval of August 1, 2024 special called meeting minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the August 1, 2024 minutes. Councilman Linwood Johnson made a motion to approve the minutes as presented with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 4-1-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Abstained

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins affirmed the motion carried.

D. Approval of August 5, 2024 special called meeting minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the August 5, 2024 meeting minutes. Vice-Mayor Wynndolyn Copeland made a motion to approve the minutes as presented with a second from Councilwoman Jessica Banks.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins affirmed the motion carried.

Presentations

A. FY23 Police Update

Steve Patterson, Chief of Police stated that the United States Uniformed Crime Reporting (UCR), collects data for Part 1 offenses. Those offenses are deemed the most reoccurring serious crimes across the United States. The offenses tracked are:

- Murder/Nonnegligent Homicide (1)
- Rape (6)

- Robbery (8)
- Aggravated Assault (13)
- Burglary (23)
- Larceny (284)
- Motor Vehicle Theft (50)
- Arson (2)

He added that the overall comparison of 2022 versus 2023 lead to an increase of Part 1 offenses in the City of Franklin. In 2022, there were 310 reported Part 1 offenses, in 2023 there were 387 report Part 1 offenses. Violent Crimes such as Murder/Nonnegligent Homicide, Rape, Robbery, Aggravated Assault decreased by 40% and Property Crimes such as Burglary, Larceny, Motor Vehicle Theft and Arson increased by 26.8%. Chief Patterson stated that the quality of life crimes are tracked internally. At times, these crimes are more of a proactive response than a reactive response. The Franklin Police Department compared the following crimes from 2022 versus 2023:

- Drug/narcotics offenses increased
- Weapon law violations decreased
- Gun shot fired decreased

Offense	2022	2023	Difference +/-
Drug/Narcotics Offenses	55	76	+38%
Weapon Law Violations	133	122	-8%
Gun Shots Fired	25	23	-8%

Chief Patterson stated additional statistics which are important to public order are: DUI arrests, traffic accidents, traffic summonses issued, and total arrests.

ltem	2022	2023	Difference +/-
DUI Arrest	17	48	+182%
Traffic Accidents	128	155	+21%
Traffic Summonses Issued	1,233	1,344	+9%
Total Arrests	591	650	+10%

33 emergency custody orders have been served, 5 temporary detention orders served, the time spent serving anticipated of 8 hours for ECO's, and 72 hours for TDO's.

Call Type	2022	2023	Difference +/-
Police CFS/E-911	29,431/6,707	28,132/5,137	-4.4%/-23%
Self Initiated	21,427*	19,366*	-9.6%
Fire/EMS	2,437	1,933	-20%
Non-Public Safety	2,158	2,707	25%
Total	34,026	32,772	-3.6%

Animal Control Calls for Service AC/CFS: On duty calls: 220 After hours calls: 190 410 Intakes: 133 dogs 112 cats Adoptions: 61 dogs 83 cats Reclaims by owner: 45 dogs 6 cats Transfers: 9 dogs 7 cats

Chief Patterson stated that the Police Department is currently experiencing the following issues:

- Lack of qualified certified and non-certified applicants.
- Length of time to train a non-certified employee takes 11 months in total.
- Turnover causes large gaps in time where existing employees have to fill in which reduces patrol
 activity.

Community Policing Initiatives:

- National Night Out is October 1, 2024
- Citizens Police Academy
- Attendance at civic/crime watch meetings
- Participation in City events such as fall/spring fest, Independence Day, etc.
- Foot Patrols in crime plagued areas
- Flock Camera
- Ring Camera

Youth Initiatives

- School Resource Officer
- Keeping Up With the Kids- summer event
- Public Safety Kids Camp
- Officer Friendly Program at YMCA
- Assist with the criminal justice classes at Franklin High School
- Developmental stages of Explorer Program

In conclusion the department will continue to make strides to curb violence and keep these numbers low as compared to our neighbors in the Hampton Roads community, and we are encouraging qualified applicants to apply. Council thanked Chief Patterson and his staff for all of their hard work and dedication to the City,

Public Hearings:

A. Appropriation of Franklin-Southampton Public Radio System Funds

Ms. Burcham stated that this project has been underway for a long time. The City has a Memorandum of Understanding with Southampton County that funds this project on a 2/3 - 1/3 basis. The City has started receiving grants, one of which is a \$400,000 grant that the former City Manager applied for and was received today at a special event. Therefore, we need to appropriate all of the funds as we begin to have expenditures on the project. The project will take roughly two more years to complete.

Mayor Robert Cutchins requested any questions or comments from Council.

Mayor Robert Cutchins opened the appropriation of Franklin-Southampton Public Radio System Funds Public Hearing.

Mr. Paul Kaplan of 407 West 4th Ave, Franklin, Virginia expressed his support for the Franklin-Southampton Public Radio System.

Mayor Robert Cutchins called for public comment three times.

No citizens spoke.

Mayor Robert Cutchins closed the Public Hearing.

Ms. Burcham added that the total amount is being appropriated due to the City serving as the fiscal agent for the entire project per the MOU. Which means, when we receive bills, we will pay them and be reimbursed the pro-rated share by Southampton County.

a. Budget Resolution 2024-22 – Appropriate funds to the Franklin-Southampton Radio Project

BUDGET RESOLUTION 2024-22

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the following funds are appropriated to the Franklin-Southampton Regional Radio Project:

Total Project Cost:	(Expenditures)	\$9,831,670.60
Revenue Sources:		
	ARPA Grant - Southampton County	\$154,000.00
	COPS Grant - Franklin City	\$400,000.00
	Kiggans Grant - Franklin City	\$1,000,000.00
	Southampton County	\$5,544,839.30
	City of Franklin	\$2,732,831.30
	Total	\$9,831,670.60

Councilman Linwood Johnson made a motion to approve Budget Resolution 2024-22 with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent

Councilman Gregory McLemore

Absent

Mayor Robert Cutchins affirmed the motion carried.

B. Authorization of the issuance of up to \$2,000,000 in principal amount of General Obligation School Bonds

Ms. Burcham stated that several months ago Council took action to support the application for literary funds in the amount of \$2,000,000 for roof repair/ replacements for the Franklin City Public Schools. The process has reached the approval stage, therefore she recommends Council's approval of the resolution authorizing the issuance of the school bonds. She added that the \$2,000,000 was already anticipated to be a part of previous and future dept issuance; therefore, it will not have an impact of the FY24-25 Budget.

Mayor Robert Cutchins opened the Public Hearing for the issuance of up to \$2,000,000 of general obligation bonds.

Mayor Robert Cutchins called for public comment three times.

No citizens spoke.

Mayor Robert Cutchins closed the Public Hearing.

a. Resolution #2024-23 – Resolution Authorizing the issuance of up to \$2,000,000 in principal amount of general obligations school bonds.

Councilman Linwood Johnson made a motion to approve Resolution #2024-23 with a second from Vice- Mayor Wynndolyn Copeland.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins affirmed the motion carried.

Ms. Burcham respectfully requested a Closed Session for consultation with Legal Counsel at this point in the meeting.

Closed Session

Councilman Mark Kitchen moved that the City Council of the City of Franklin, Virginia adjourn into closed meeting at 7:51 P.M. pursuant the authority granted by those sections of the Code of Virginia referenced on the agenda for the permitted purposes provided and to discuss those subjects described and set forth on the agenda. The motion was seconded by Councilman Linwood Johnson.

The motion carried with a vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins stated the motion carried.

Motion Upon Return to Open Session

Councilman Mark Kitchen moved 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 August 12, 2024 at 8:25 P.M., meeting were heard, discussed or considered by the City of Franklin, Virginia City Council; and (ii) no action was taken in closed meeting regarding the items discussed. The motion was seconded by Vice-Mayor Wynndolyn Copeland

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore

Absent

Mayor Robert Cutchins stated the motion carried the vote.

C. 400 E. 2nd Avenue Rezoning Application

Ms. Burcham stated that an application was received from L. Terrel Majette for a rezoning of approximately 0.13 acres located at 400 East 2nd Avenue, Franklin from Light Industrial (M-1) to Central Business (B-2) to accommodate multiple production studios and a small event venue.

The Planning Commission held a public hearing on June 27, 2024 and unanimously voted 7-0 recommending the approval of the rezoning. Ms. Burcham stated that in her review of the application and subsequent conversations with the applicant, she recommends this back to the Planning Commission again due to staff not doing a completed analysis of the matter and that they did not advise the applicant of some of the additional requirements related to the rezoning and attended use.

Mayor Robert Cutchins opened the Public Hearing on 400 E. 2nd Avenue Rezoning Application.

Mr. Mark Pierce on behalf of Mid Atlantic Dairy Queen stated that Mid Atlantic Dairy Queen owns the property adjacent to 400 E. 2nd Avenue and they have had constant issues with individuals parking on their property due to the property in consideration. Mr. Pierce stated that he would like to express their opposition to the rezoning as there is not ample parking on the property.

Mayor Robert Cutchins called for public comment three times.

No citizens spoke.

Mayor Robert Cutchins closed the Public Hearing.

Councilwoman Jessica Banks made a motion that the 400 E. 2nd Avenue Rezoning go back to the Planning Commission for further review with a second from Councilman Linwood Johnson.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins stated the motion carried the vote.

D. 204 Morton Street Special Use Permit

Ms. Burcham stated that an application for a special use permit to accommodate a residential community crisis stabilization unit at 204 Morton Street, Franklin had been received from Clarence Baker.

The Planning Commission held a public hearing on June 27, 2024 and unanimously 7-0 recommending approval of the special use permit. However, Ms. Burcham stated that in her review of the application and supporting documents, she recommends this matter go back to the Planning Commission due to staff not having done a complete analysis.

Mayor Robert Cutchins opened the Public Hearing on the special use permit for 204 Morton Street.

- **Dr. Carlton Carter, Superintendent for Franklin City Public Schools** expressed his concern regarding the safety of students and staff due to the location of the facility. He added that in addition to safety, he is concerned with the distractions this type of facility could cause.
- **Mr. Clarence Baker of 1513 Mariner Street, Franklin** stated that Baker's Home has been a family-owned business for over 40 years. He added that Baker's Home wants to operate as a Residential Crisis Stabilization Unit to provide short-term care to individuals suffering with substance abuse. He requests Council's approval for the special use permit.
- **Ms. Melissa Harris of 3349 Locust Grove Lane, Salem** expressed her support for the special use permit. As a Substance Abuse Counselor at Baker's Home in Roanoke she stated that the City of Franklin would benefit from a Residential Crisis Stabilization Unit. She requests Council's approval on this topic.
- **Mr. Masco Barrett of 159 Beechwood Drive, Franklin** stated that this topic is important to him as he served 20 years in active duty and 6 of those were spent as a Substance Abuse and Rehabilitation Counselor. He stated that substance abuse affects not only the individual dealing with the abuse but their family. He added that he recommends the approval of the special use permit due to the success rate that individuals have when going to an inpatient substance abuse facility.
- **Mr. Tony Manley of 633 Oak Street, Franklin** expressed his support for Baker's Home due to the lack of resources for substance abuse in the City. He stated that if individuals suffering would have someone or something intervene, they might possibly recover.
- **Mr. Timothy Grant of 101 Hogart Street, Franklin** stated he agreed with Mr. Manley and expressed his support in providing individuals with substance abuse issues a safe place to go and recover. He added that many substance abuse facilities are full; therefore, this will allow City of Franklin residents suffering a place to go.

Mayor Robert Cutchins called for public comment a second time.

Mr. Alvin Rollins of 30550 Camp Parkway, Courtland stated that on behalf of the Brother's Keepers he would like to express their support in helping Mr. Baker succeed. He added the Brother's Keepers feel as though the City needs this facility to benefit the Police Department in reducing time in transporting patients out of town.

Ms. Purlie Banks of 336 Robinhood Road, Franklin requested Council to consider the difference in putting alternative children in the same school as children on Morton Street and having someone open a facility that will help the citizens who have a substance abuse addiction. She asked Council to remember that the same individuals who do not agree with having this facility in their neighborhood are the same individuals who allowed alternative children with non-alternative children.

Ms. Debora Lawyer of 749 Oak Street, Franklin stated as a Registered Nurse at Baker's Home, she supports the approval of the special use permit and stated that she has witnessed the difference inpatient care does to support substance abuse patients.

Mayor Robert Cutchins called for public comment for the third time.

No additional citizens spoke.

Mayor Robert Cutchins closed the Public Hearing.

Ms. Burcham asked Mr. Clarence Baker, if the brochure given to Council is from the Roanoke facility as it stated only 16 individuals will be served. In addition, she asked if he intends to have 16 individuals being served at the Morton Street address as well. Mr. Baker responded that there will be 16 individuals at the Morton Street facility.

Vice-Mayor Wynndolyn Copeland asked Mr. Baker if the facility will house adult and juvenile patients. He responded that the facility will only house adult patients.

Councilman Linwood Johnson stated his concern is the safety of individuals in the area. He added that he feels the action should go back to the Planning Commission to set some perimeters to ensure Council has a clearer understanding. He added that he wants what's best for the citizens as well as the safety of citizens.

Vice-Mayor Wynndolyn Copeland stated that she wants what's best for the citizens as well but she would like to point out that there is an assisted living facility across from S. P. Morton Elementary as well as another assisted living facility on Dorchester Street.

Councilwomen Jessica Banks stated that the Police Department is in close proximity to Baker's Home; therefore, she recommended to Mr. Baker, that if approved he develop a good working relationship with the Police Department and Brother's Keepers to assist in progressing forward.

Councilman Mark Kitchen thanked the citizen's for their comments. He asked Dr. Carter, Superintendent for Franklin City Public Schools if he has a security officer at S.P. Morton. Dr. Carter responded in the affirmative. Councilman Kitchen added that the Police Department is also in close proximity. He feels that Baker's Home will be good for the citizens in the City.

Mayor Robert Cutchins stated that security is his only concern. He added that if Baker's Home is secure, he feels good about it.

a. Ordinance #2024-11 – Ordinance Approving Special Use Permit for 204 Morton Street

Vice-Mayor Wynndolyn Copeland made a motion to approve Ordinance #2024-11 with the imposition of conditions that the owner install security cameras in proper areas for any issues that occur in or around the facility, proper lighting both inside and out as well as if a change is needed in electric load, a new load letter be completed. The motion was seconded by Councilman Mark Kitchen.

The motion carried the vote 3-2-0

The vote was as follows:

Councilman Linwood Johnson Abstained

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Abstained

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins stated the motion carried.

Ordinances & Resolutions:

A. Ordinance #2024-09 – Ordinance Amending Chapter 31: Weapons, Section 31-4: Discharging Firearms

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN CODE CHAPTER 31: WEAPONS, SECTION 31-4: DISCHARGING FIREARMS Ordinance 2024-09

THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA ORDAINS AS FOLLOWS:

That Chapter 31: Weapons, Section 31-4: Discharging Firearms is hereby amended as followed:

§ 31-4. Discharging Firearms

- (a) No person shall discharge any firearms within the City; provided that this prohibition shall not apply to (1) a law enforcement officer in the discharge of official duties; (2) a person whose actions are justifiable or excusable in law in the protection of life or property; (3) a person discharging a weapon at a licensed shooting range or shooting gallery; (4) a person firing blanks at a theatrical or sporting event; (5) (A) a person legally hunting in the City, in that portion of the City south of Armory Drive and Second Avenue on no more of two of three days chosen from the third Tuesday in December and the following Wednesday and Thursday between the hours of 8:30 a.m. and 1:00 p.m.; or (C) a person still hunting deer during deer hunting season in that portion of the City south of Armory Drive and Second Avenue with access being limited to private gate accessed road off South Street or to Amber Street and with the limitation that landowners may grant permits (which must be in writing) to no more than six persons per day to still hunt on their property in that area of the City, any such hunting under (5)(A), (B) or (C) above being with the permission of the land owner using a shotgun, a pistol or a rifle no more than .22 caliber at least a distance of 150 yards from any building, river, roadway, or from the property line of a school or park.
- (b) The City Manager have a notice of the dates for deer hunting under Subsection (a)(5)(B) above published annually in a newspaper having general circulation in the City two times in the week prior to the week in which

deer hunting may occur thereunder and shall mail or deliver a copy of such notice to the Chief of Police and the local game warden.

(c) Still hunting as used in this section shall mean hunting without the use of dogs

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA ON AUGUST 12, 2024.

Councilman Mark Kitchen made a motion to approve Ordinance #2024-09 with a second from Councilman Linwood Johnson.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye
Councilman Mark Kitchen Aye
Councilwoman Jessica Banks Aye
Vice-Mayor Wynndolyn Copeland Aye
Mayor Robert Cutchins Aye
Councilman Ray Smith Absent

V

Councilman Gregory McLemore Absent

Mayor Robert Cutchins stated the motion carried.

Financial Matters:

A. Budget Amendment 2025-02

The Interim City Manager presented Budget Amendment 2025-02 for grant funds that have been received by the City of Franklin Public Schools.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2024-2025 City Budget is hereby amended to:

 Record City of Franklin Public Schools Franklin Southampton Charities Grant Allocation for use.

		2024-2025 BUDGET	AMENDED BUDGET	(DECREASE)
250	EDUCATION FUND			
	REVENUE			
250-3-18990-1903	Franklin Southampton Charities Grant	\$ -	\$ 91,097	\$ 91,097.00
				\$ 91,097.00
	EXPENDITURES			
250-4-60000-0236	Franklin Southampton Charities Grant	\$ -	\$ 91,097	\$ 91,097.00
				\$ 91,097.00

Councilwomen Jessica Banks made a motion to approve Budget Amendment 2025-02 with a second from Councilman Linwood Johnson.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins affirmed the motion carried.

Old/New Business:

A. Amendment to the Franklin-Southampton Public Radio System MOU

Ms. Burcham stated that as the City has been successful with receiving the \$400,000 grant that was announced earlier for the Franklin-Southampton Public Radio System Project, there has been discussion with Southampton County representatives regarding how the grants received for the project should be handled. The question asked is whether or not grants received should be proportionately distributed or not. It is the recommendation of the Southampton County Administrator and Ms. Burcham as provided in the amendment that the grant funds be treated as 100% toward the total project cost and not credited proportionately.

Mayor Robert Cutchins entertained a motion to approve the amendment for Franklin-Southampton Public Radio System MOU as presented. Councilman Linwood Johnson made the motion with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith

Absent

Councilman Gregory McLemore

Absent

Mayor Robert Cutchins affirmed the motion carried.

B. Council Comments

Councilman Linwood Johnson thanked the citizens for attending the meeting.

Councilman Mark Kitchen stated that there is a State law which states that blowing grass clippings in to the street while mowing is prohibited but it is happening within the City in various areas. He recommends a City code being adopted that mirrors the State code.

Councilwomen Jessica Banks had no comments.

Vice-Mayor Wynndolyn Copeland had no comments.

Mayor Robert Cutchins stated that many vacant buildings around the City need attention.

C. City Manager's Report

Ms. Burcham thanked the citizens for attending the meeting and acknowledged that it was a lengthy one. She informed Council that VML will be hosting their Annual Conference in Virginia Beach on October $13^{th}-15^{th}$. She wanted to ensure that Council was aware of the opportunity and would be happy to register anyone interested.

Ms. Burcham followed up on a request made by the Chief of Police regarding the Take Home Vehicle Policy being extended from 30 miles to 50 miles. She added that she wanted the topic before Council but she does recommending changing the policy to be competitive with the neighboring jurisdictions. There were no objections from Council.

Ms. Burcham stated that the Public Works Director and herself have been in several meetings with the Southampton County Administrator and have initiated an request that the Hampton Roads Planning District Commission water supply study that is intended for the greater region included for a sub-region study of Southampton County, City of Franklin and Surry County since we have different water issue, is dependent on ground water. We have requested the study look at the resources in some of our neighboring jurisdictions as an opportunity for the City to obtained additional water.

Council/Staff Reports on Boards/Commissions:

Councilman Linwood Johnson stated that VML Policy Committee is submitting to the General Assembly the reversal of the locality policy.

Closed Session

Councilman Mark Kitchen moved that the City of Franklin, Virginia City Council adjourn into a closed meeting at 9:19 P.M. pursuant to Virginia Code Section 2.2-3711-A-1, 8 discussion of appointments to boards and commissions: Southview Cemetery Advisory Committee, Beautification Commission, and Consultation with Legal Counsel. The motion was seconded by Vice-Mayor Wynndolyn Copeland.

The motion carried with a vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

Mayor Robert Cutchins stated the motion carried.

Motion Upon Return to Open Session

Councilman Mark Kitchen moved 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 August 12, 2024 at 9:42 P.M., meeting were heard, discussed or considered by the City of Franklin, Virginia City Council; and (ii) no action was taken in closed meeting regarding the items discussed. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson Aye

Councilman Mark Kitchen Aye

Councilwoman Jessica Banks Aye

Vice-Mayor Wynndolyn Copeland Aye

Mayor Robert Cutchins Aye

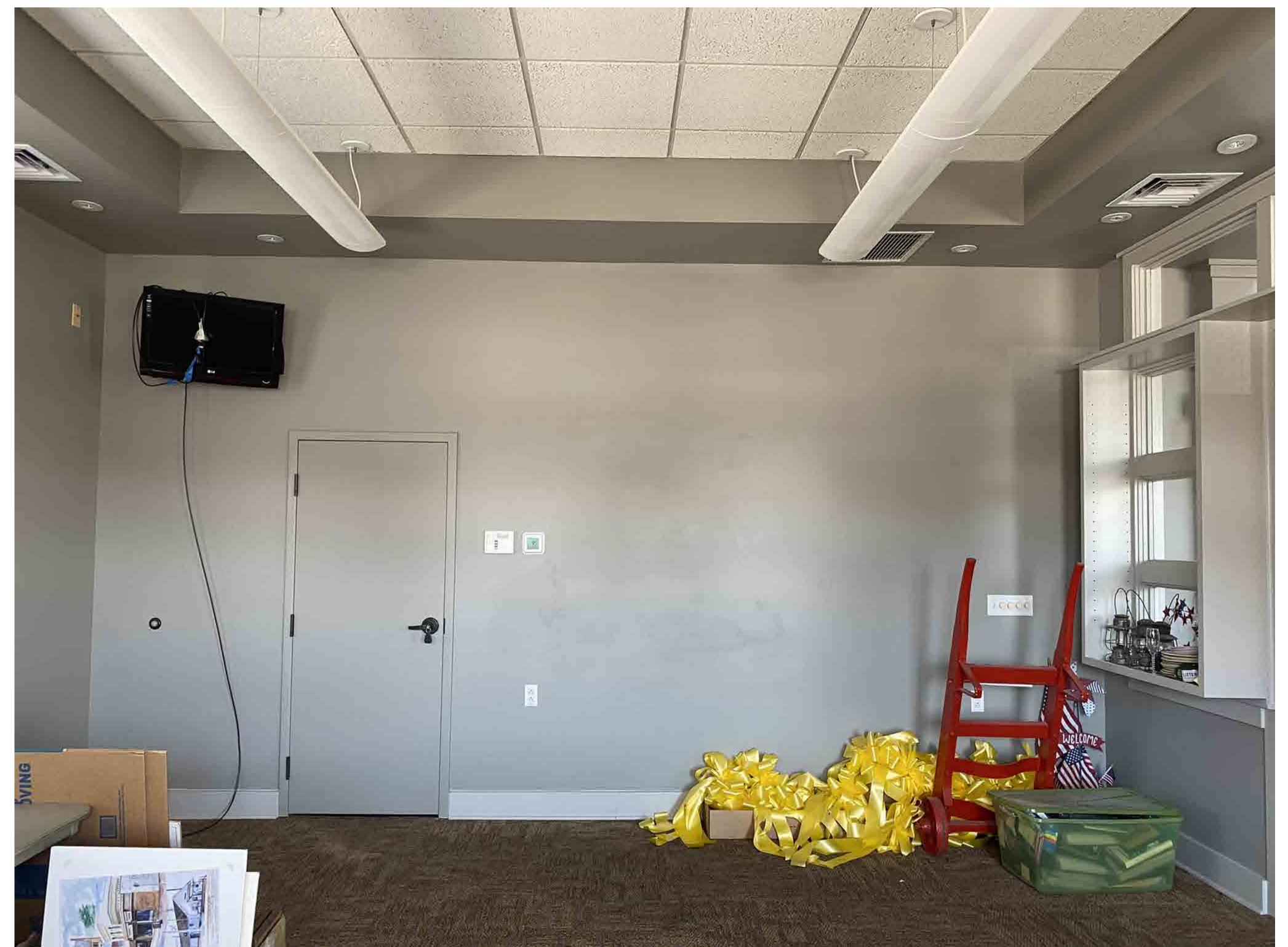
Councilman Ray Smith Absent

Councilman Gregory McLemore Absent

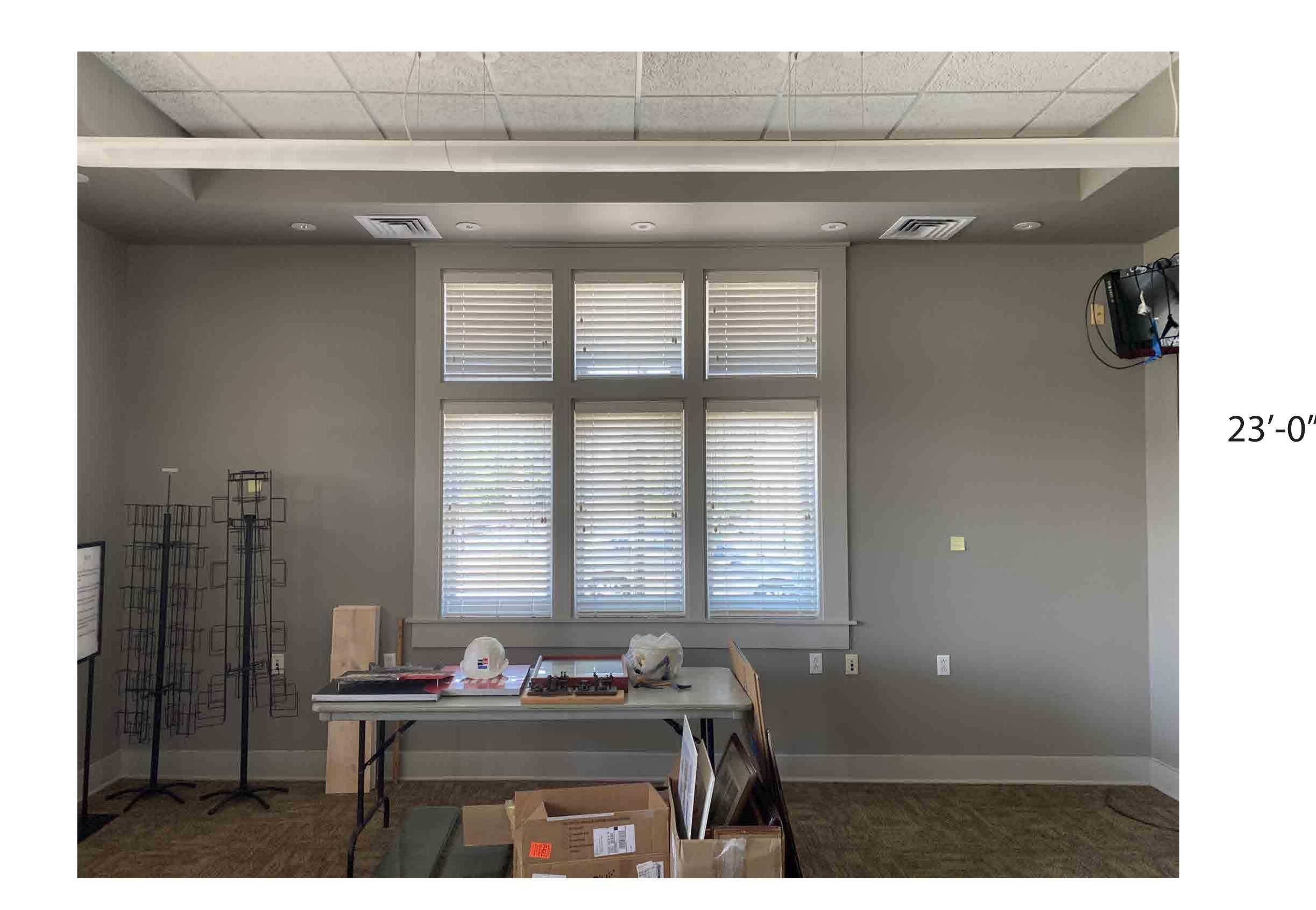
Mayor Robert Cutchins stated the motion carried the vote.

Adjournment

Vice-Mayor Wynndolyn Copeland made a motion to adjourn the August 12, 2024 City Council Meeting at 9:43 p.m. with a second from Councilman Linwood Johnson. The motion carried the vote 5-0 The vote was as follows: **Councilman Linwood Johnson** Aye Councilman Mark Kitchen Aye **Councilwoman Jessica Banks** Aye **Vice-Mayor Wynndolyn Copeland** Aye **Mayor Robert Cutchins** Aye **Councilman Ray Smith Absent Councilman Gregory McLemore Absent** Mayor Robert Cutchins stated the meeting stands adjourned.



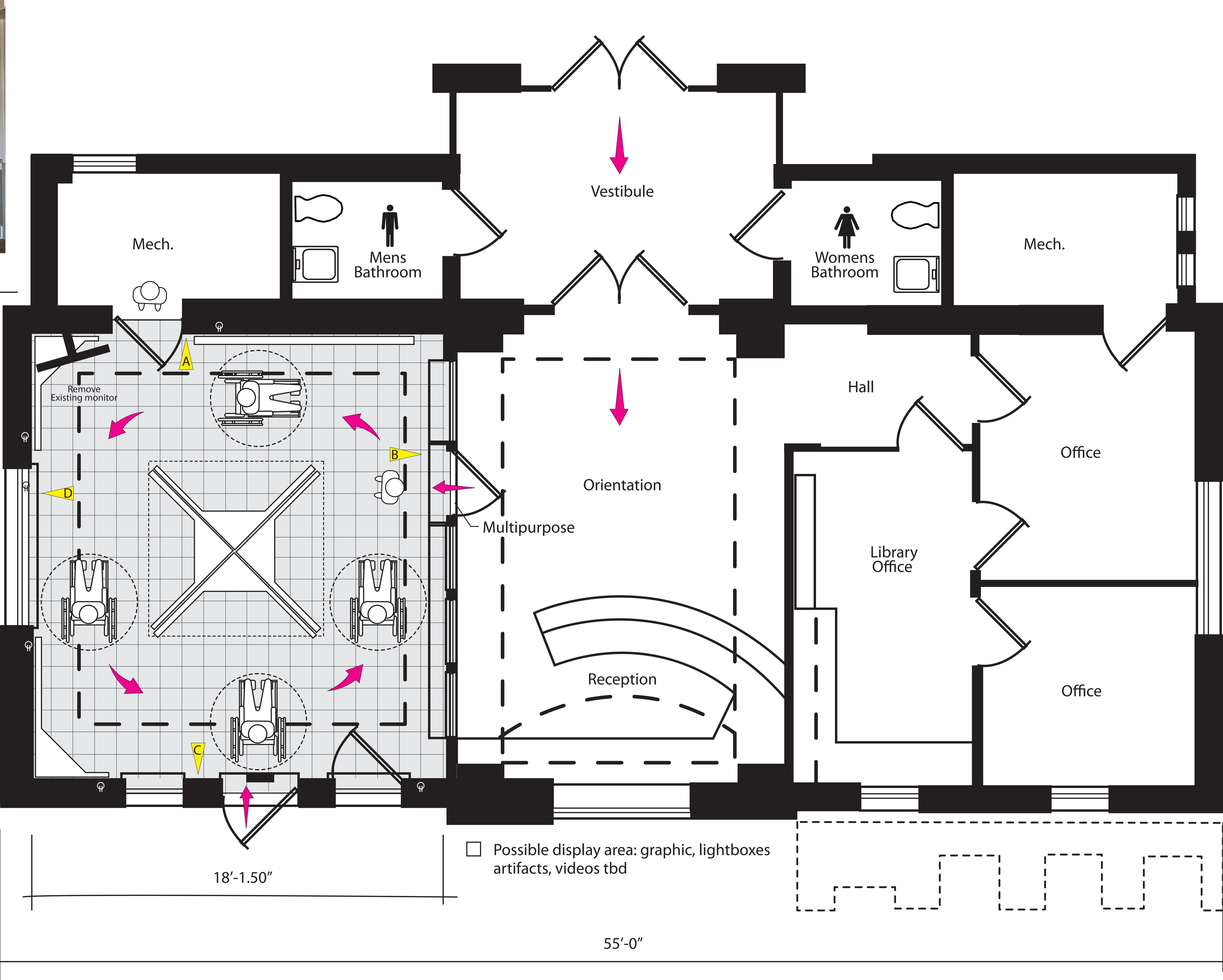
Elevation View A



Elevation View D



Elevation View C



Elevation View B

Floorplan Option 1



RESOLUTION TO RATIFY THE FY24-25 REAL ESTATE TAX RATE RESOLUTION #2024-24

WHEREAS, the City Council of the City of Franklin (the "City Council") held a public hearing on May 13, 2024, on the proposed FY24-25 budget; and

WHEREAS, pursuant to Virginia Code § 58.1-3321(B) and (C), the City Council held a separate public hearing on May 13, 2024, to consider increasing the rate of levy for real property taxes to \$1.03 per \$100 of assessed value, which represented an increase over the reduced rate of levy which would have resulted from increased biennial property assessments in the City of Franklin, pursuant to Virginia Code § 58.1-3321(A); and

WHEREAS, on June 3, 2024, the City Council adopted its FY24-25 budget, including the increased rate of levy for real property taxes of \$1.03 per \$100 of assessed value; and

WHEREAS, the City Council wishes to ratify its decision to increase the rate of levy for real property taxes because additional assessment data came to the City Council's attention after the original May 13 public hearing; and

WHEREAS, the City Council properly advertised the ratification of its rate of levy increase in a newspaper of general circulation, and conducted a public hearing thereon, this day, pursuant to Virginia Code § 58.1-3321 (B) and (C); and

NOW, THEREFORE, BE IT RESOLVED, THAT I, Robert "Bobby" Cutchins, Mayor, on behalf of the City of Franklin City Council, hereby reaffirm and ratify its decision that the FY24-25 tax rate of levy on real property is \$1.03 per \$100 of assessed value in the City of Franklin, Virginia.

Signed this 26th day of August 2024.

Robert "Bobby" Cutchins, Mayor City of Franklin, Virginia



Ordinance 2024-12

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN CODE CHAPTER 23.5: PROCUREMENT, ARTICLE I: IN GENERAL, SECTION 23.5-6: CONTRACTS

THE	COLINCII	OE THE	CITV	OE ED /	NIVIIN	VIRGINIA	ODDAING	ACE	OIIO	W.C.
HIL	COUNCIL	Or III			MINICHIA.	AIRUINA	ONDAINS	AS I	OLLO	ws.

That Chapter 23.5: Procurement, Article I: In General, Section 23.5-6: Contracts is hereby amended as followed:

§ 23.5-6. Contracts

[Ord. of 1-12-1998(2); amended by Ord. of 8-12-2002]

- (a) A department head may execute contracts for goods, services or construction on behalf of the City which do not exceed \$5,000 \$15,000 and which do not exceed the unencumbered balance available in the budgetary line of his or her department to which the expenditure is to be charged.
- (b) The City Manager or the Director of Finance may execute contracts for goods, services, insurance and construction on behalf of the City which do not exceed the unencumbered balance available in the budgetary line to which the expenditure is to be charged. In the event that the amount of the contract exceeds the unencumbered balance available in the budgetary line to which the expenditure is to be charged, the contract must be approved by City Council, and the budget must be amended to designate the revenue source which will cover the expenditure.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA ON AUGUST 26, 2024.

ATTEST:		
		, Mayor
		, Clerk



BUDGET AMENDMENT 2025-03

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2024-2025 City Budget is hereby amended to:

1. Record 2024 Election Equipment Grant revenue and allocation for use.

		2024-2025 BUDGET	AMENDED BUDGET	INCREASE (DECREASE)
100	GENERAL FUND			
	REVENUE			
100-3-18990-3017	2024 Election Grant Equipment	\$ -	\$ 52,793	\$ 52,793.00
				\$ 52,793.00
	EXPENDITURES			
100-4-13100-7212	2024 Election Grant Equipment	\$ -	\$ 52,793	\$ 52,793.00
				\$ 52,793.00

Certified copy of resolution adopted by Franklin C	City Council
	Clerk to the City Council

Loca	2024 Election Grant Equipment A	pplication for Local			-	-						
	lity Information	أأنا والمتحاربة والمتحار	INTERNAL: In	struc	tions t	to R	eviev	v Gr	ant Ap	olication		
ine 1	County or City Name: Franklin City									nd saves the file		
	Locality Code: 620	/ 51620	2. The applicat	tion is	review	ved	and ea	ach I	ine item	is approved or o	denied.	
	ID (internal use only): 0000052054		3. Once the ap	plicat	ion is p	roc	essed	, it is	emaile	d to the submitte	er.	Email Locality
	Remittance Address		4. Fund are se	nt to t	he Loc	ality						
	Street 1: 100 S. MAIN ST.		INTERNAL: In	struc	tions 1	to P	roces	s G	rant Re	mbursements.		
	Street 2: P.O. BOX 42										nt for reimbursem	ent.
	City: Franklin		2. Process Pay									
			INTERNAL: In			-	-	-	k Grant	s		
	Zip Code: 23851										logs from locality.	
	C/O:		2. Review doc	uman	tation t	10 0	nsure	func	s were	used accordingly	. Document result	S.
	Electronic Payment: Yes		Z. Review doc	umen	tation		isurc	Turne	3 Were	asca accordingly		10 16 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
024	Election Grant Equipment Application Options	La - Sand Sandar	*******							Salar day ber salar	a the outside	
	Restricted to localities using 100% paper pollbooks or a combina	tion of electronic & pape	r.	100)% Pap	er P	ollboo	oks			Daniel de Alau	
	Franklin City currently uses:	100% Paper Pollbooks		Cos	t/item	Cou	int (#)	Sı	ibtotal	ELECT Approval	Requested Max Amount	Approved Adjusted Amoun
	EPB All Inclusive Package/Bundle (Comprehensive Solution)	0	The state of the s	\$	-	\$	-	\$	-	Pending Review	Pending Review	Pending Review
-	Printer for Check-in Ballot Receipt	3248		\$	232	\$	14	\$	3,248	Approved	\$ 3,248	\$ 3,24
	Itemized EPB Items	1		1								
	Poll Book/Check-in Device (Tablet, Laptop, iPad)	15280		\$	955	\$	16	\$	15,280	Approved	\$ 15,280	\$ 15,28
	Election Management Software (EMS)	2400		\$	150	\$	16	\$	2,400	Approved	\$ 2,400	\$ 2,40
		2400		\$	150	\$	16	\$	2,400	Approved	\$ 2,400	\$ 2,40
_	EMS License (e.g., Voter Info, Reporting) (Not included in 5E)	0		\$	-	\$	- 10	\$	2,400	Pending Review	Pending Review	Pending Review
	Laptop for EMS for Management & Reporting Software			-		\$	_	\$		Pending Review	Pending Review	Pending Review
	Scanner for Driver's License/Identification Card	0		\$	-	-	-	\$	330	Approved	\$ 330	\$ 33
	Network Equipment (Router, Cables, Software)	330		\$	55	\$	6	-				
	Maintenance/Support/Training (Not Included Above)	13975		\$	873	\$	16	\$	13,975	Approved	\$ 13,975	
	Hardware Protective/Carrying Case (Not Included Above)	630		\$	45	\$	14	\$	630	Approved	\$ 630	
	Training (Not Included Above)	3950			1,975	\$	2	\$	3,950	Approved	\$ 3,950	
	On-site Assistance	5475		\$	5,475	\$	1	\$	5,475	Approved	\$ 5,475	\$ 5,47
	Additional Itemized Cost, if applicable	1800		\$	1,800	\$	1	\$	1,800	Approved	\$ 1,800.	\$ 1,80
	Franklin City currently: Ballot on Demand Printing System (Comprehensive Solution) Itemized BOD Items Print on Demand Printer	Does NOT Use Ballot on 0		\$	st/Item - 2	\$	-	\$	1,330	Pending Review Approved	Pending Review \$ 1,330	Pending Revie
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	Print on Demand Laptop, Tablet of Trad	0		\$	-	\$	_	\$	-	Pending Review	Pending Review	Pending Revie
_		0		\$	-	\$	_	\$	-	Pending Review	Pending Review	Pending Revie
_	Maintenance/Support (Not Included Above)	0		\$	-	\$		\$	-	Pending Review	Pending Review	Pending Revie
	Hardware Protective/Carrying Case (Not Included Above)	0		James		\$		12				
_	Training (Not Included Above)						_	4			Pending Review	<u> </u>
				\$		-		\$	-	Pending Review		Pending Revie
	On-site Assistance	0		\$	-	\$	- 1	\$	-	Pending Review Pending Review	Pending Review	Pending Revie
	Additional Itemized Cost, if applicable	1975		\$	- 1,975	\$	1	\$	- 1,975	Pending Review Pending Review Approved	Pending Review \$ 1,975	Pending Reviet Pending Reviet \$ 1,97
				\$	-	\$		\$	-	Pending Review Pending Review	Pending Review	Pending Revie
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	Additional Itemized Cost, if applicable Additional Itemized Cost, if applicable	1975		\$	- 1,975	\$	1	\$	- 1,975	Pending Review Pending Review Approved Pending Review BOD	Pending Review \$ 1,975 Pending Review	Pending Revier Pending Revier \$ 1,97 Pending Revier \$ 3,300
	Additional Itemized Cost, if applicable Additional Itemized Cost, if applicable	1975		\$	- 1,975	\$	1	\$	- 1,975	Pending Review Pending Review Approved Pending Review BOD Requested	Pending Review \$ 1,975 Pending Review	Pending Revier Pending Revier \$ 1,97 Pending Revier \$ 3,300
5J 5K 7	Additional Itemized Cost, if applicable Additional Itemized Cost, if applicable	1975		\$	- 1,975	\$	1	\$	- 1,975	Pending Review Pending Review Approved Pending Review BOD Requested	Pending Review \$ 1,975 Pending Review	Pending Pending Pending Pending S Pending S
n	Additional Itemized Cost, if applicable Additional Itemized Cost, if applicable Total Requested Election Equipment Grant Amount Total Approved Election Equipment Grant Amount The Locality CAN pay for the purchase and then request reimbureral Register or Designee Certification I certify (for Franklin City) that we will promptly submit receipts	1975 0		\$ \$ \$	- 1,975 - - ses rela	\$ \$	1 to ele	\$ \$ \$	- 1,975 -	Pending Review Pending Review Approved Pending Review BOD Requested Denied Approved ment.	Pending Review \$ 1,975 Pending Review Subtotal Approved	Pending Re Pending Re \$ 1 Pending Re \$ 3 \$ 52 \$
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TESTED. PROVEN. TRUSTED.

City of Franklin, Virginia Purchase Proposal Quote

Submitted by Election Systems & Software

Purchase Solution Includes:

Quantity	Item Description	Unit Price	Extended Pri
Dollat	an Damand Handara		
	on Demand Hardware		
2	Compact Printer with Firmware (For use with Pollbook or County-Supplied System)	\$665.00	\$1,330.0
Pollbo	ok Hardware		
16	ExpressPoll System including Tablet, Flip Stand, Mobile Device Management and ExpressPoll Software Application	\$955.00	\$15,280,0
8	Dual Unit Case for Flip Stand Configuration	\$85,00	\$680,0
6	TP-Link Wireless Router	\$55,00	\$330.0
14	ExpressPoll Thermal Receipt Printer	\$230.00	\$3,220.0
14	Thermal Receipt Paper Roll	\$2.00	\$28.0
14	Pollbook Universal Printer Soft Case	\$45.00	\$630.0
Softwa	re		
1	ExpressPoll Connect License and Hosting Fee	\$2,400.00	\$2,400.0
Service	ne.		
2			
X	Implementation Services Pollbook Training	\$1,975.00	\$3,950.0
1	Election On-Site Support	\$5,475.00	\$5,475.0
X	Ballot on Demand Equipment Installation		\$1,975.0
X	Pollbook Equipment Installation		\$1,975.0
X	1 Year Hardware and Software Warranty		Include
Х	Estimated Shipping and Handling		\$1,120,0
	Total Purchase Solution		\$38,393.00
	Payment Terms		
	Amount due within thirty (30) calendar days of contract execution:		\$19,196.5
	Amount due within thirty (30) calendar days of delivery of Hardware and/or Software:		\$19,196.5
Annual Po	st-Warranty License and Maintenance and Support Fees		
	Based Upon a 1-Year Customer Commitment to Subscribe to the Following Services)		
	Annual Post-Warranty Software License and Maintenance and Support Fees:		
16	ExpressPoll Software License and Maintenance and Support Fee	\$150,00	\$7.400.0
1	ExpressPoll Connect License and Hosting Fee	\$2,400.00	\$2,400.0 \$2,400.0
	Table 18 and		Ja, 100.00
	Total Annual Post-Warranty License and Maintenance and Support Fees	_	\$4,800.00

Footnotes:

- This quote is an estimate and is subject to final review and approval by both ES&S and the Customer.
- 2. Rates valid for thirty (30) days and thereafter may change.
- 3. Any applicable (City & State) sales taxes have not been included in pricing and are the responsibility of the customer.
- 4. Subject to state, municipal, jurisdictional, provincial or territory laws to the contrary, the above pricing information is confidential, proprietary and trade secret information of ES&S and is intended only for the use of the individual or entity to which the document is directed to. This information may not be disclosed or reproduced either publicly or to any other individual or entity without the prior written authorization of ES&S.
- 5. The quantity of service days reflects a reasonable estimate for implementation and selected ongoing election services, Quantities may change depending on specific Customer needs.

Ballot On Demand Footnotes:

1. Customer is responsible for purchasing blank ballot stock and consumables.



2024 Election Grant Equipment Application for Localities

Locality	Information		Instructions (Refer to Read Me > Instructions tab)	100000000000000000000000000000000000000			
Line 1	County or City Name:	Franklin City	1. Complete this application and save as an Excel file.				
	Locality Code: ID (internal use only):		2. Email this Excel File to Dept. of Elections by July 14, 2024. Fiscal@elections.virginia.gov	<u></u>			
2	Remittance Address		- Outlook Option: Click Button. Attach Excel File & Click Send.				
	Street 1:	100 S. MAIN ST.	3. Await ELECT's grant equipment review (approval or denial).				
	Street 2:	P.O. BOX 42	4. Procure approved grant election equipment & submit receipts to El	ECT for			
	City:	Franklin	reimbursement.	22231101			
	Zip Code:	23851	5. Receive Reimbursement. Remittance Note: 2024 Election Grant Equ	uipment			
3	C/O:		Application for Localities: Franklin City				
4	Electronic Payment:	Yes	6. Retain records for five years for audit purposes.				

2024 Election Grant Equipment Application Options (EPB, BOD)

Indicate the election equipment grant option(s) you are applying for based on the locality's planned election equipment purchases. Complete the shaded areas below. Please note that all purchases must undergo prior review and approval by ELECT before procurement. Not all requests may receive approval.

5	Electronic Pollbook (EPB): Restricted to localities using 1009 electronic & paper.	% paper pollbooks or a combination of						
5A	Franklin City currently uses:	100% Paper Pollbooks	Co	ost/Item	Count (#)	S	ubtotal	ELECT Approval
5B	EPB All Inclusive Package/Bundle (Comprehensive Solution)					\$	-	Enter Cost
5C	Printer for Check-in Ballot Receipt	3248	\$	232	14	\$	3,248	Pending Review
	Itemized EPB Items					4 1		
5D	Poll Book/Check-in Device (Tablet, Laptop, iPad)	15280	\$	955	16	\$	15,280	Pending Review
5E	Election Management Software (EMS)	2400	\$	150	16	\$	2,400	Pending Review
5F	EMS License (e.g., Voter Info, Reporting) (Not included in 5E)	2400	\$	150	16	\$	2,400	Pending Review
5G	Laptop for EMS for Management & Reporting Software	0	\$	-	0	\$	-	Enter Cost
5H	Scanner for Driver's License/Identification Card	0	\$	-	0	\$	-	Enter Cost
51	Network Equipment (Router, Cables, Software)	330	\$	55	6	\$	330	Pending Review
5)	Maintenance/Support/Training (Not Included Above)	13975	\$	873	16	\$	13,975	Pending Review
5K	Hardware Protective/Carrying Case (Not Included Above)	630	\$	45	14	\$	630	Pending Review
5L	Training (Not Included Above)	3950	\$	1,975	2	\$	3,950	Pending Review
5M	On-site Assistance	5475	\$	5,475	1	\$	5,475	Pending Review
5N	Additional Itemized Cost, if applicable	1800	\$	1,800	1	\$	1,800	Pending Review
		THE RESERVE AND ADDRESS.		EPE	Subtotal	\$	-	Pending Review
	Ballot on Demand (BOD): Restricted to localities that do not	use BOD or partial use of BOD.						era rock and
6A	Franklin City currently:	Does NOT Use Ballot on Demand	Co	st/Item	Count (#)	S	ubtotal	ELECT Approva
6B	Ballot on Demand Printing System (Comprehensive Solution)	1	\$	ercinosimus en	defaute constitution and a second	\$	-	Enter Cost
	Itemized BOD Items					l laser		1
6C	Print on Demand Printer	1330	\$	2	665	\$	1,330	Pending Review
6D	Print on Demand Laptop, Tablet or iPad	0	\$	-	0	\$		Enter Cost
6E	Print on Demand Laptop Software License	0	\$	-	0	\$	-	Enter Cost
6F	Maintenance/Support (Not Included Above)	0	\$	-	0	\$	-	Enter Cost
6G	Hardware Protective/Carrying Case (Not Included Above)	0	\$	-	0	\$	-	Enter Cost
6H	Training (Not Included Above)	0	Ś	- 1	0	\$	-	Enter Cost
61	On-site Assistance		\$	-	0	\$	-	Enter Cost
6)	Additional Itemized Cost, if applicable	1975	\$	1,975	1	\$	1,975	
6K	Additional Itemized Cost, if applicable		Ś	-	0	\$	-,	Enter Cost
UK	Additional Itemized Cost, if applicable		1 5	-	0	5	-	Enter Cost

>Select an option from the dropdown

General Register or Designee Certification

Requested Election Equipment Grant Total Amount

I certify (for Franklin City) that we will promptly submit receipts and documentation for reimbursement. Furthermore, all records will be maintained for a period of five years from the date of this certification for audit purposes.

Name (Typed): JENNIFER MAYNARD
Work Title: GR

Email: JMAYNARD@FRANKLINVA.COM

BOD Subtotal \$

Phone: (757) 562-8545

Date: 7/9/2024

3,305 | Pending Review

Pending Review



Department of Community Development Planning - Building inspections - Zoning

Date:

July 8, 2024

To:

Members of the City Council

From:

Aaron Barnes, Director of Community Development

Re:

Application for Special Use Permit

Request

Application of Clarence Baker requesting a special use permit to accommodate a Residential Community Crisis Stabilization Unit at 204 Morton St (Tax Map # 155-95-2C).

Staff Comments

See attached documents.

Future Land Use Plan

Multi-Family

Recommended Action

Staff recommends approval contingent upon staff comment questions being adequately answered and addressed.

Planning Commission Recommended Action

The Planning Commission voted 7-0 recommending approval of the special use permit.

Baker's Home, Inc.

For more than 40 years, Baker's Home, a minority family-owned business, has been serving the Franklin and Western Tidewater community. Its founder, Estelle Baker, established Baker's Home for Adults, Inc. to meet the growing need for housing and overall care for older and disenfranchised members of the community. The service to the community began as a home for adults, then as an assisted living facility. Over time, the community evolved, and the needs changed. There became a great need for mental health services and in 2000, Baker's Home, Inc. began providing behavioral health services to meet that need. Since then, the community need has again shifted and now there is a substance abuse crisis. Keeping in line with the founding principle of meeting the needs of the community, Baker's Home is attempting to do its part in combating the area's substance abuse problem and the issues that are sometimes found when substance abuse is present.

To accomplish this, Baker's Home wants to operate as a Residential Crisis Stabilization Unit for adults in our current headquarters located at 204 Morton Street in Franklin, VA. Residential Crisis Stabilization Units (RCSUs) provide short-term, 24/7, residential psychiatric and substance related assessment and brief intervention services. The service supports the following individuals: individuals experiencing changes in behavior noted by impairment or decompensation in functioning that may result in the need of a higher level of care; individuals stepping down from a higher level of care that need continued monitoring, stabilization and mobilization of resources; and individuals who need a safe environment for assessment, stabilization, and prevention of further escalation or decompensation. RCSUs may also provide medically monitored residential services for the purpose of providing psychiatric stabilization and substance withdrawal management services on a short-term basis. The goals of RCSU services are as follows but are not limited to: 1) stabilize the individual in a community-based setting and support the individual and natural support system; 2) reduction of acute symptoms; and 3) identification and mobilization of available resources including support networks. This service occurs in a non-hospital, community-based crisis stabilization residential unit with no more than 16 beds. The critical features or the covered service components of RCSUs include assessment (medical, psychiatric evaluation, nursing assessment, etc.); care coordination; crisis intervention; health literacy counseling; individual, group and/or family therapy; peer recovery support services; skills restoration; and treatment planning.

RCSU will provide:

- 24-hour nursing staff
- Licensed Mental Health Professionals (LMHP) for program oversite
- Certified Substance Abuse Counselors (CSAC)
- Qualified Mental Health Counselors (QMHP)
- Peer Recovery Specialists
- Food Services- 3 meals a day
- Laundry Services

Critical Features/Covered Service Components of RCSUs include:

- Assessment (medical, psychiatric evaluation, nursing assessment, etc.)
- Care Coordination
- Crisis Intervention
- Health Literacy Counseling
- Individual, Group and/or Family Therapy

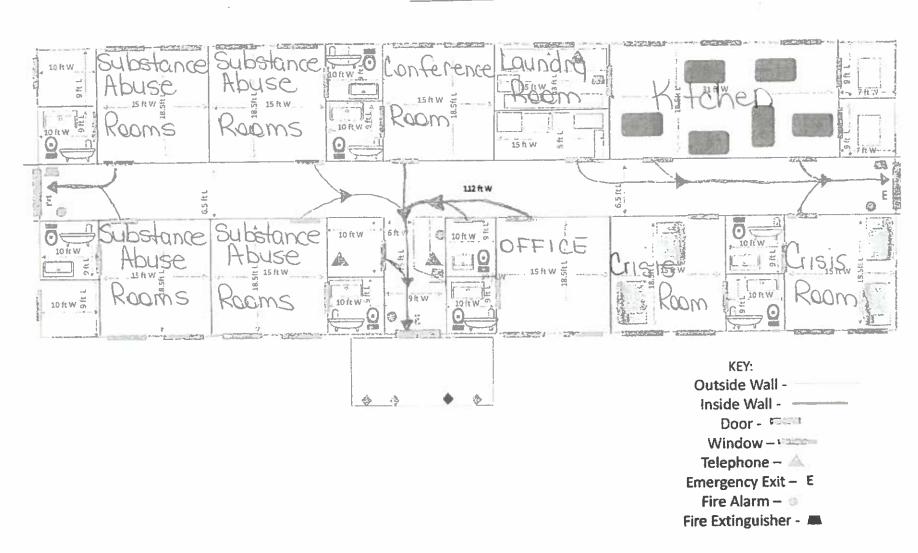
- Peer Recovery Support Services
- Skills Restoration
- Treatment Planning

It should be noted that this new venture will be a multi-million-dollar operation. It would add to the local tax base and 20 new professional jobs in Franklin and the surrounding area with an average annual salary of \$70,000 per year. In addition, again keeping with its founding principle of meeting the community's needs, Baker's Home also supports the local community through sponsorships. Baker's Home, Inc. is a proud sponsor of several non- profit organizations that promote and support professional, medical, doctoral, and business student development. Baker's Home is also a sponsor of a new non-profit initiative with the Hayden Group and the Tri-County VIA Group. The mission of these two groups is to promote reading, writing, oral articulation, mathematics, and creative critical thinking skills with young students of color using historical African American school alumni of Southampton County, Isle of Wight County, the City of Franklin, the former Nansemond County, the City of Suffolk and the surrounding communities.

Bakers Home Mental Health Center

204 Morton Street

Evacuation Plan





DEPARTMENT OF COMMUNITY DEVELOPMENT PLANNING - BUILDING INSPECTIONS - ZONING

207 WEST SECOND AVENUE, FRANKLIN, VIRGINIA 23851 OFFICE: 757-562-8580 OR 757-562-8682

Date Submitted: 6/12/24	Case Number	
To REQUEST A CONDITI	PLANNING COMMISSION APPLICATION ONAL USE PERMIT:	
*Fee: \$600.00 CON	DITIONAL USE PERMIT	
cover the cost of advertisi THAN NOON one day pri stipulated time will result	vertising as required by Virginia Code Section 15.2-2204 to ag of public notices. Payment must be received NO LATER for to the public hearing date. Failure to make payment by the in the cancelation of the public hearing. weeks prior to the first Monday of each month.	
A. THE REQUEST IS BEIN	G MADE TO:	
Sectionof	the City of Franklin Zoning Ordinance.	
plan showing the existing a	N: (Provide a narrative description stating the reason for the request. Attach and proposed layout for the site.) ght Residential Crisis Stablezation Center and Substance Abuse Residential	a site
Licenced by Department of B	havior Health and (Arts) Addiction and Recovery Treatment Services	
c. PROPERTY INFORMA Property Address 204 Morton S		
Tax Parcel #	Zoning District: Election District:	
Current Use of the Property	Adult Day Center	
Proposed Use of the Property_	Residential Community Crisis Stablelization Unit (RCSU)	
APPLICANT INFORM Applicant(s) NameBakers	ATION:	

Phone Number:	7747	_Email	clarencebaker@	bakershomein	C.C	-
Property Owner (s) Name:	Clarence Baker		350029			_
7272 Scarlet Oak Address: Va 24019						_
1	77.47		alacanachal		neino o	
Phone Number: 757 338	7/4/	Email_	Oni	er@bakershon	nemo.o	
Phone Number:			ONI			wle
I certify that all information	on presented by me		ONI			



DEPARTMENT OF COMMUNITY DEVELOPMENT PLANNING - BUILDING INSPECTIONS - ZONING - ENVIRONMENTAL SERVICES

June 21, 2024

Reference: Application for Special Use Permit – 204 Morton St.

Zoning Comments:

1. Comments included in recommendation.

Public Works Comments:

1. Public Works has no comments on the conditional use permit.

Power & Light Comments:

1. Power & Light has no concerns as long as they are not changing the electric load. If they plan to increase the load, we will need a new load letter.

Police Comments:

From a LEO perspective it appears to be a legalized boarding house like the multitude of others we deal
with in the city. I request cameras be installed for any issues that occur in or around the facility and proper
lighting both inside and out. This will undoubtedly add to our calls for mental health crisis and ECO/TDO
operations.

Fire & Rescue Comments:

1. After further review, I have no comments at this time.

City of Franklin, VA Friday, August 2, 2024

Appendix D. Zoning Ordinance

ARTICLE XXVIII. Changes and Amendments

§ 28.9. Special use permits for uses not provided for.

[Amended by Ord. 9-25-2023]

- (1) If, in any district established under this ordinance, a use is not specifically permitted and an application is made to the zoning administrator for such use, the zoning administrator shall refer the application to the planning commission as a special use permit. The planning commission shall make its recommendation to the city council after holding a public hearing on the said application.
 - The city council may, after receiving the recommendations from the planning commission and after holding a public hearing on said application, issue a special use permit for said use for a temporary period or permanently, as determined by the council, upon such conditions as the council may deem necessary to safeguard and protect the public health, morals, safety and general welfare of the neighborhood or area within the proposed use will be located.
- (2) Initiation of special use permit.
 - (a) The property owner or other person with an enforceable legal interest in the property may file an application for a special use permit.
- (3) Application for special use. An application for special use shall be filed with the zoning administrator on a form prescribed by the zoning administrator. The application shall be accompanied by such plans and/or data as necessary, and shall include a statement in writing by the applicant and adequate evidence showing that the proposed use will conform to the standards set forth. Such application shall be forwarded from the zoning administrator to the planning commission for review and recommendation. The planning commission shall conduct a public hearing and render a recommendation on the application, which shall be forwarded to city council.
- (4) Planning commission recommendation. The planning commission, after public notice and hearing, shall forward its recommendation to city council which in turn shall hold another hearing.
- (5) The city council after public notice and hearing and upon recommendation by the planning commission may authorize the issuance of special use permits in harmony with the general purpose and intent, as hereinafter provided, and subject to appropriate conditions.
- (6) Standards for review of a special use application. The planning commission and city council shall consider the following criteria before the granting of a special use permit:
 - (a) That the establishment, maintenance, and operation of the special use will not be detrimental
 to or endanger the public health, safety, and general welfare;
 - (b) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;
 - (c) That adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements have been or will be provided;

- (d) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets;
- (e) That the proposed special use is not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;
- (f) That the special use shall, in all other respects, conform to the applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use;
- (g) That the use(s) at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.
- (7) Conditions and guarantees. The city council may impose conditions or limitations on any approval, including the posting of performance guarantees. Such conditions may include, but are not necessarily limited to:
 - (a) The number of persons living or working in the immediate area and the proposed hours of operation, as may be applicable;
 - (b) Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities; the access of vehicles to roads; peak periods of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
 - (c) The orderly growth of the neighborhood and community and the fiscal impact on the city;
 - (d) The effect of odors, dust, gas, smoke, furnes, vibration, glare, and noise upon the use of surrounding properties;
 - (e) Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal, and the ability of the county or persons to supply such services;
 - (f) The degree to which the development is consistent with generally accepted engineering and planning principles and practices;
 - (g) The structures in the vicinity such as schools, houses of worship, theaters, hospitals, and similar places of public use;
 - (h) The purposes set forth in this ordinance, the county's comprehensive plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
 - (i) The environmental impact, the effect on sensitive natural features, and opportunities for recreation and open space;
 - (i) The preservation of cultural and historic resources or landmarks.
- (8) Other laws applicable. The granting of a special use does not exempt the applicant from obtaining a zoning permit certificate or complying with all other requirements of this ordinance or any applicable county, state, or federal law.
- (9) Denial of a special use permit. If the city council finds that in an application for a special use provided in this ordinance and requested in said application will not conform to the general character of the neighborhood to which the proposed use will apply, and that the public health, safety and general welfare of such neighborhood will not be secure by granting such special use, then the city council may deny such application, anything in this ordinance to the contrary notwithstanding.
- (10) Effect of denial of a special use.
 - (a) No application for a special use which has been denied wholly or in part by city council shall be resubmitted for a period of one (1) year from the date of said order of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by council.



LABOR DAY HOLIDAY TRASH PICKUP



CITY OF FRANKLIN OFFICES WILL BE CLOSED MONDAY, SEPTEMBER 2, 2024.

MONDAY'S TRASH ROUTE WILL BE PICKED UP ON TUESDAY, SEPTEMBER 3, 2024
ALONG WITH TUESDAY'S ROUTE.

