



Franklin City Council Agenda
September 23, 2024
Council Chambers
207 West Second Avenue
Franklin, Virginia 23851

7:00 P.M.
Regular Meeting

CALL TO ORDER. MAYOR ROBERT L. CUTCHINS
PLEASE TURN OFF CELL PHONES. MAYOR ROBERT L. CUTCHINS
PLEDGE OF ALLEGIANCE
CITIZEN'S TIME
AMENDMENTS TO AGENDA

- 1. INTRODUCTION OF NEW EMPLOYEE:**
 - A. Community Development

- 2. CONSENT AGENDA:**
 - A. Approval of July 22, 2024 work session minutes
 - B. Approval of August 12, 2024 work session minutes
 - C. Approval of September 9, 2024 regular council meeting minutes

- 3. PRESENTATIONS:**
 - A. Recognition of STAR Performers – Police Department
 - B. Social Well-Being Matters: Department of Social Services
 - C. FSEDI – Karl Heck

- 4. PROCLAMATION:**
 - A. Proclamation #2024-20 – City of Franklin National Night Out

- 5. FINANCIAL MATTERS**
 - A. Budget Amendment #2024-23
 - B. Budget Amendment #2024-24
 - C. Budget Amendment #2025-04

- 6. OLD/ NEW BUSINESS**
 - D. Council's Comments
 - E. 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; discussion of appointments to boards and commissions: Southview Cemetery Advisory Committee, City Manager; A-3; disposition of real property; A-5; Prospective businesses or industry; and A-8; Advice of legal counsel.

ADJOURNMENT

City Council Work Session Meeting Minutes July 22, 2024

Call to order

The Franklin City Council held a Work Session Meeting on July 22, 2024 at 6:00 P.M. in the City Council Chambers located at 207 West Second Avenue, Franklin, Virginia 23851.

Council Members in Attendance: Robert “Bobby” Cutchins, Mayor; Wynndolyn Copeland, Vice-Mayor; Councilman Linwood Johnson (6:05 PM); Councilman Mark Kitchen; Councilwoman Jessica Banks; Councilman Ray Smith; Councilman Gregory McLemore

Staff in Attendance: Darlene Burcham, Interim City Manager; Haleigh Pinto, Executive Assistant recording minutes; Chad Edwards, Director of Public Works.

Armory Project

Darlene Burcham, Interim City Manager updated Council on the Capital Projects departments are working on and how to fund them.

FUNDING KEY CAPITAL PROJECTS

		NEEDS	
Issued Bond	\$7 Million	Armory	\$10 Million
Next Issue	+ \$7 Million	Courthouse	+ \$6.1 Million
	= \$14 Million	Radio	+ \$1,000,000
	+ \$2.5 Million Grant		= \$17.1 Million
	= \$16.5 Million		

CAPITAL PROJECTS – EXCESS FUNDS IDENTIFIED

\$800,000	RADIO PROJECT
+ \$663,000	FOUND IN PROJECTS COMPLETED OR NOT NEEDED
+ \$430,000	DSS DEMOLITION
= \$1.893 MILLION TOTAL	

Councilman Ray Smith stated these three projects are extremely important. Councilman Gregory McLemore asked where the renderings for the Riverwalk project are. Darlene Burcham stated they will be coming on August 12, 2024. Council continued to have discussion on the Riverwalk project.

Councilwoman Jessica Banks noted to stay diligent on these projects. The money for these projects that were started and allotted and haven't completed, to continue with them and continue to follow up on them. We hope to keep these partnerships to continue these projects.

Councilman Gregory McLemore stated these decisions are being made prior to the new members of the City of Franklin Council and City Administration office and they will have to live with the decisions we make today for the next four (4) years.

Mayor Bobby Cutchins asked for a consensus on moving forward with the Parks and Recreation building. Councilmembers agreed on Option D with the exception of Councilman Gregory McLemore who agreed with Option B.

City Council Work Session Meeting Minutes August 12, 2024

Call to order

The Franklin City Council held a Work Session Meeting on August 12, 2024 at 6:00 P.M. in the City Council Chambers located at 207 West Second Avenue, Franklin, Virginia 23851.

Council Members in Attendance: Robert “Bobby” Cutchins, Mayor; Wynndolyn Copeland, Vice-Mayor; Councilman Linwood Johnson (6:05 PM); Councilman Mark Kitchen; Councilwoman Jessica Banks; Councilman Ray Smith; Councilman Gregory McLemore

Staff in Attendance: Darlene Burcham, Interim City Manager; Haleigh Pinto, Executive Assistant recording minutes; Sammara Green, Director of Parks and Recreation; Chad Edwards, Director of Public Works; Vernie Francis, Chief of EMS

Riverwalk Park Project & Drug Box Exchange Program

Darlene Burcham, Interim City Manager informed Council of discussion with staff regarding the Riverwalk Park project and then deferred to Sammara Green, Director of Parks and Recreation to discuss further. Sammara Green stated there will be a parking lot, pathways that will lead to the kayak launch, the kayak launch, open lawn space, and the pavilion. Jenny Dixon with International Paper has sent over some suggestions for the pavilion. If International Paper is pleased with the amenities of the park, it is believed they will pay for the pavilion. What’s not included at the moment, but the hopes to add in the near future, is educational signage and IP stated they will help with that as well. As far as the actual signage of the park, there are benches already, and IP will like to see an outdoor classroom, just like Armory Park. These are the current plans and we are getting off the ground. Funding for landscaping has been secured.

Mayor Bobby Cutchins, stated that there was some talk about having walkway from Riverwalk Park to Barrett’s Landing. Chad Edwards, Director of Public Works stated the issue is the railroad tracks. Mayor Cutchins discussed the upkeep of the park and throughout the City. Councilman Linwood Johnson stated the other part of the Riverwalk Park, is putting exercise equipment along the walkway still possible. Sammara Green stated there has been conversation with contracted suppliers and in the initial conversation there was talk about what we would love to see. Right now, they are focusing on building the park and can put that on the list along with the educational signage for additional attractions of the park in the future.

No further action at this time.

Darlene Burcham called on Chief Vernie Francis (EMS), who recently received funds in the amount of \$400,000.00 from Congresswoman Jen Kiggans for the Radio Project. Chief Vernie Francis stated the Virginia regulations have changed over the years for EMS service, Virginia is having to transition from a hospital stock regional medication kit to an EMS owned medication kit due to the regulatory changes in the United States Food and Drug Administration. The Drug Quality and Security Act were enacted by Congress on November 2013. Chief Vernie Francis explained the logistics of the system to Council. We will have to partner with a disposal company to dispose of the unused medication, this is an expensive system. Vernie Francis provided a handout regarding those costs. The new system is targeted for November implementation. Expenses will be paid from the budget contingency.

No further action at this time.

Adjournment

Vice-Mayor Wynndolyn Copeland made a motion to adjourn the August 12, 2024 Work Session Meeting with a second from Councilman Mark Kitchen.

The motion carried the vote 7-0

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	Aye
Councilman Gregory McLemore	Aye

Mayor Bobby Cutchins stated the meeting stands adjourned.

The Work Session Meeting was adjourned at 6:55 P.M.

Mayor

Clerk to City Council

Regular City Council Meeting Minutes September 9, 2024

Call to order

The Franklin City Council held its regular City Council meeting on September 9, 2024 at 7:00 p.m. in the City Council Chambers.

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

Council Members not in Attendance: Councilman Ray Smith

Staff in Attendance: Darlene Burcham, Interim City Manager

Other Staff in Attendance: Steve Patterson, Chief of Police; Lt. Patrick Wilson; Matthew Jeziarski, Director of IT; Scott Miller, Building Inspector.

Citizen’s Time

Mr. Thomas Council, III, resident of Franklin, Virginia, addressed Council regarding a police matter.

Mayor Bobby Cutchins notified the resident to contact the City Manager office to discuss further.

Amendments to Agenda

No amendments at this time.

Consent Agenda

- A. Approval of May 13, 2024 Work Session meeting minutes.

Mayor Robert Cutchins asked if there were any corrections or additions for the May 13, 2024 minutes.

Councilman Mark Kitchen made a motion to approve the minutes as amended with a second from Councilman Linwood Johnson.

The motion carried the vote 6-0

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	Aye

Mayor Robert Cutchins affirmed the motion carried.

B. Approval of May 23, 2024 Work Session Meeting minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the May 23, 2024 minutes.

Councilwoman Jessica Banks made a motion to approve the minutes as amended with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 6-0

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	Aye

Mayor Robert Cutchins affirmed the motion carried.

C. Approval of June 3, 2024 Work Session minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the June 3, 2024 minutes.

Vice-Mayor Wynndolyn Copeland made a motion to approve the minutes as amended with a second from Councilman Linwood Johnson.

The motion carried the vote 6-0

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	Aye

Mayor Robert Cutchins affirmed the motion carried.

D. Approval of August 26, 2024 Regular City Council Meeting Minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the August 26, 2024 minutes.

Councilman Linwood Johnson made a motion to approve the minutes as amended with a second from Councilman Mark Kitchen.

The motion carried the vote 6-0

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	Aye

Mayor Robert Cutchins affirmed the motion carried.

Proclamations

A. Proclamation #2024-18 Hunger Action Month (Read by Councilman Linwood Johnson)

Councilman Linwood Johnson stated he is very proud of the Foodbank of Southeastern Virginia for their efforts to make this possible for the community and the City of Franklin. Councilman Mark Kitchen stated that his experience at the Foodbank was excellent, the workers treated everyone with respect. Councilwoman Jessica Banks stated she was very appreciative of the work they have done, they have gone above and beyond for the community to combat hunger. Councilman Gregory McLemore wanted to also thank the staff of the Foodbank and encourage everyone to visit the facility.

Mayor Bobby Cutchins entertained a motion to approve Proclamation #2024-18. Councilman Mark Kitchen made a motion to approve Proclamation #2024-18 with a second from Councilman Linwood Johnson.

The motion carried the vote 6-0

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	Aye

Mayor Robert Cutchins affirmed the motion carried.

Ms. Terry of the Foodbank of Southeastern Virginia thanked Council and said that the City of Franklin is one of the few who approved Hunger Action Month. This is a game changer for the City and we are the 12th largest distributor of food in the entire group of Foodbanks here. Ms. Terry thanked the Council for their continued support.



2024 Hunger Action Month Proclamation #2024-18

WHEREAS, hunger and poverty are issues of vital concern in Virginia where more than 11% of people face hunger and one in every 7 children do not know where their next meal will come from; and

WHEREAS, everyone needs nutritious food to thrive, and in every community in America, people are working hard to provide for themselves and their families—not in 2022, 44 million people—1 in 7—including more than 13 million children—in 50-food food insecurity in the U.S. That includes 650 in the City of Franklin; and

WHEREAS, the City of Franklin of Virginia is committed to taking steps to combat hunger in every part of our community and to provide additional resources that those in Southeastern Virginia need; and

WHEREAS, the City of Franklin of Virginia is committed to working with the Foodbank of Southeastern Virginia and the Eastern Shore, a member of the Feeding America® nationwide network of food banks, in educating people about the role and importance of food banks in addressing hunger and raising awareness of the need to develop more resources and attention to hunger issues; and

WHEREAS, more than 12.8% of individuals in the City of Franklin rely on food provided by the members of the Foodbank of Southeastern Virginia on the Eastern Shore monthly; and

WHEREAS, the members of the Foodbank of Southeastern Virginia and the Eastern Shore distributed more than 20 million meals in its fiscal year 2024, through its network of food pantries, soup kitchens, shelters, and other community organizations; and

WHEREAS, the month of September has been designated "Hunger Action Month" and September 15th as "Hunger Action Day" in order to bring attention to food insecurity in our communities and to make the public in the movement to end hunger by taking action - including volunteer shifts, social media drives, and donations - to ensure every community, and everybody in it, has the food they need to thrive.

WHEREAS, food banks across the country, including the members of the Federation of Virginia Food Banks - Foodbank of Southeastern Virginia and the Eastern Shore, Virginia Peninsula Foodbank, Food Slow, Foodbanking Regional Food Bank, Capital Area Food Bank, Blue Ridge Area Food Bank, and Feeding Southeast Virginia - will host numerous events throughout the month of September to bring awareness and help end hunger in their local community;

NOW, THEREFORE, I, Robert "Bobby" Cutchins II, do hereby recognize September 2024, as HUNGER ACTION MONTH in our City of Franklin of Virginia, and I call for observance to the situation of our citizens.

Signed this 9th day of September 2024

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

B. Proclamation #2024-19 Constitution Week (Read by Mark Kitchen)

Mayor Robert Cutchins entertained a motion to approve Proclamation #2024-19. Vice-Mayor Wynndolyn Copeland made a motion to approve Proclamation #2024-19 with a second from Councilman Linwood Johnson.

The motion carried the vote 6-0

The vote was as follows:

Councilman Linwood Johnson	Aye
-----------------------------------	------------



AN ORDINANCE TO REPLACE CHAPTERS 9 AND 25-§ AND ADOPT, ENACT, AND CODIFY A CONSOLIDATED EROSION AND STORMWATER MANAGEMENT PROGRAM IN THE CITY OF FRANKLIN, VIRGINIA, TO BE KNOWN AS THE EROSION AND STORMWATER MANAGEMENT ORDINANCE, AS AUTHORIZED BY VIRGINIA CODE § 62.1-44.15-27, TO BE CODIFIED AT CHAPTER 9 OF THE CODE OF ORDINANCES OF THE CITY OF FRANKLIN, VIRGINIA, BEING SECTIONS 9-1 THROUGH 9-23.

WHEREAS, the current Chapter 9 of the City Code was last updated in 2008; and

WHEREAS, pursuant to authority granted by the Code of Virginia of 1950, as amended (the "Code"), including without limitation §§ 62.1-44.15-27 et seq., localities are empowered to adopt certain regulations governing the creation and regulation of a Virginia Erosion and Stormwater Management Program ("VESMP"); and

WHEREAS, at its June 22, 2023, meeting, the State Water Control Board repealed the Erosion and Sediment Control Regulations (9 VAC 25-840), the Erosion and Sediment Control and Stormwater Management Certification Regulations (9 VAC 25-850), and the Virginia Stormwater Management Program Regulation (9 VAC 25-870), and adopted the Virginia Erosion and Stormwater Management ("VESM") Regulation, 9 VAC 25-875; and

WHEREAS, effective July 1, 2024, stormwater management and erosion and sediment control requirements are now combined under the Virginia Erosion and Stormwater Management Act ("VESMA"), Code §§ 62.1-44.15-24 et seq.; and

WHEREAS, the City of Franklin, Virginia (the "City") must update its erosion and stormwater management ordinances to maintain conformity with the VESMA and the VESM Regulation; and

WHEREAS, the City Council finds that it is in the best interests of the City and its citizens to do so.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Franklin, Virginia, that the Erosion and Stormwater Management Ordinance authorized by Virginia Code § 62.1-44.15-27 is hereby adopted and enacted, and is to be codified at Chapter 9 of the Code of Ordinances of the City of Franklin, Virginia (the "City Code"), as shown in the attachment.

Certified copy of the ordinance adopted by the City Council at its regular meeting held on this 9th day of September, 2024.

Councilman Linwood Johnson made a motion to approve Ordinance #2024-13 with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 7-0

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	Aye

Mayor Robert Cutchins affirmed the motion carried.

B. Ordinance #2024-14 Ordinance to Amend Chapter 29-50

Darlene Burcham, Interim City Manager stated that Councilman Mark Kitchen requested that staff address within the City Code what has been in the state code as it relates to grass cuttings being thrown on the roadway. This is a safety issues and an unsightly appearance of our roadways. After speaking with the City Attorney, this amendment would relate to any foreign item that goes into the roadway.

Councilman Gregory McLemore asked how will this affect the overgrowth on the railroads and citing them for violating this ordinance. Darlene Burcham stated she has been in contact with CSX and they

Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Aye

Mayor Robert Cutchins affirmed the motion carried.

C. Ordinance #2024-15 Ordinance to Amend Sections 6-23 and 6-33

Darlene Burcham, Interim City Manager asked Mr. Scott Miller, Building Inspector to present information regarding Ordinance 6-23 and 6-33. Mr. Miller stated one of the issues this will fix will be the property violation from a criminal violation to a civil violation. A concern of Council was the arrest warrant being issued when there is no need for one, also, individuals living outside of the City being notified of a violation. Councilman Gregory McLemore stated there are a few properties that are vacant and the person that owns it and doesn't live in the City, then staff will go after them for violation, collect the fine, or demolish the residence.

Council continued discussion on the matter.

Heather Lockerman, City Attorney stated the only enforcement mechanism that the City has currently is a criminal citation. What this does is give additional options for assessing a civil violation as opposed to starting with the criminal violation.

Darlene Burcham, Interim City Manager stated there are too many opportunities given for individuals to have second and third chances. There are cases which started last year, where staff is still working with individuals. We do want to work with the people who are willingly to correct the problem, the issue is with those who don't want to rectify the issue.

Mayor Bobby Cutchins asked if there was any more discussion needed. Councilman Linwood Johnson stated this ordinance change needs more work for the individuals that live outside of the city limits and for the local citizens.

Councilman Gregory McLemore asked if it would be better to have a motion to table the discussion to have a work session to discuss further. Mayor Bobby Cutchins stated there has been discussion and she would ask is there a motion to adopt as presented.



Ordinance #2024-15
Ordinance to Amend Sections 6-23 and 6-33

WHEREAS, the City Council of Franklin, Virginia, has the legislative authority to make reasonable changes to the ordinances that govern the orderly growth and development of the City of Franklin; and

WHEREAS, the Franklin City Council has the authority to set and modify the provisions of building and building regulations as deemed necessary; and

NOW, THEREFORE, BE IT ORDAINED by the Franklin City Council that Sections 6-23 and 6-33 be amended and reenacted as follows:

§ 6-23. Adoption of Virginia Uniform Statewide Building Code.

- (a) There is in effect in Virginia and, therefore, also in the City of Franklin, the Virginia Uniform Statewide Building Code (VUBC) as it may be amended from time to time by the Virginia Board of Housing and Community Development (VBHCD) for the purpose of establishing rules and regulations for the design, construction, reconstruction, renovation, alteration, conversion, repair, maintenance, use, alteration, occupancy, building, and structure, and the installation, and maintenance of proposed equipment systems in Virginia Code Title 15, Chapter 6, Uniform Statewide Building Code, as amended. There is hereby adopted by reference the 2024 edition of the Virginia Uniform Statewide Building Code and supplements thereto as adopted and promulgated by the State Board of Housing and Community Development. The provisions of such code shall control all matters concerning the construction, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures in the City or on both domestic and foreign premises and all of the provisions of such code shall also control all other matters which pertain to the installation of systems used in all buildings and structures and their service equipment as defined by such code and shall apply to existing and proposed buildings and structures in the City.
- (b) Pursuant to authority granted in the Virginia Code, Section 16-105, as amended it is hereby enacted that the property maintenance provisions of the VUBC, as they may be amended from time to time, are adopted and in effect in the City of Franklin and that in accordance therewith, existing buildings and structures, permanent or temporary, whether occupied or not, and their associated equipment may be inspected after completion of construction to assure that the buildings and structures are maintained in accordance with VUBC regulations. An commission, alteration or repair of buildings or structures, or the installation of plumbing, piping and wiring, mechanical or electrical equipment in or upon such buildings, structures or premises shall be reasonably safe to persons and property and in conformity with the provisions of such code and all codes and regulations which may be adopted by authority thereof. Conformity of construction or installation of equipment with regulations set forth in such code shall be prima facie evidence that construction or installation was reasonably safe to persons and property.
- (c) There are in effect in Virginia and, therefore, also in the City of Franklin, the Virginia Amusement Device Regulations, the Virginia Condominium Standards, the Virginia International Building Code, the Virginia Fire Alarm and Signaling Code, the Virginia Fire Department Safety Regulations and the Virginia Manufactured Home Safety Regulations pursuant to the

Virginia Code, and as they may be amended from time to time. Provisions of Code of Virginia § 15-130, as amended, that are inconsistent with the provisions of the Virginia Uniform Statewide Building Code made applicable within the City by this article shall be deemed to be superseded in this article on the effective date of such amendments.

(d) Nothing in this Chapter shall be held to preclude compliance with any zoning, health, safety, fire or other provisions of the Code hereafter or hereinafter adopted.

§ 6-33. Enforcement.

- (a) Whoever violates any provision of this Chapter by doing a prohibited act or failing to perform a required act or failing to perform permitted act in the prescribed manner shall be subject to the penalties as specified in the Code of Virginia and the VUBC.
- (b) Criminal. Unless designated otherwise in this Article, violations of this Chapter are misdemeanors and, upon conviction, may be punished by a fine or incarceration of not more than the amount or period established for violations by the Code of Virginia, as applicable.
- (c) Civil.
 - (1) There are hereby established civil penalties for any violation of the provisions of Part I of the VUBC, known as the Virginia Construction Code, and Part III of the VUBC, known as the Virginia Maintenance Code, collectively, the Codes. Upon failure to show or remedy pursuant to a notice of violation, the Building Official, with respect to the Virginia Construction Code, Property Maintenance Code Official, with respect to the Virginia Maintenance Code, or their designee may issue a civil summons to any person in violation of any of the provisions of the Code as summarized herein. The penalty for any one violation shall be a civil penalty of not more than \$100 for the initial summons, and not more than \$150 for each additional summons. Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any one-day period, and a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of \$3,000.
 - (2) Any person summoned for a scheduled violation may make an appearance in person or in writing by mail to the Department of Finance within the date fixed for trial in court. Such person so appearing must give a report of trial, admit liability, and pay the civil penalty established for the offense charged. Such person shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. As a condition of waiver of trial, admission of liability, and payment of a civil penalty, the violator and a representative of the locality shall agree in writing to terms of abatement or remediation of the violation within six months after the date of payment of the civil penalty.
 - (3) If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the General District Court in the same manner and with the same rules of procedure as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. An admission of liability or failure of liability shall not be a criminal conviction for any purpose.

(4) If the violation concerns a residential unit, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court shall order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the Code. Except as otherwise provided by the court for good cause shown, any such violator shall abate, or otherwise remedy through hazard control, the violation within six months of the date of the assessment of the civil penalty.

(5) If the violation concerns a nonresidential building or structure, and if the violation remains uncorrected at the time of assessment of the civil penalty, the court may order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the Code. Any such violator so ordered shall abate, or otherwise remedy through hazard control, the violation within the time specified by the court.

(6) The remedies provided for in this Section are cumulative and not exclusive and shall be in addition to any other remedies provided by law.

Certified copy of the ordinance adopted by the City Council at its regular meeting held on this 9th day of September, 2024.

ADOPTED:

Robert Cutchins, Mayor

CERTIFIED:

Clerk of the City Council

Councilman Mark Kitchen made a motion to approve Ordinance #2024-15 with a second from Mayor Bobby Cutchins.

The motion failed to carried the vote 2-4-0

The vote was as follows:

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

Mayor Robert Cutchins affirmed the motion failed to carry.

Councilman Gregory McLemore made a motion to set a Work Session to discuss the language of the ordinance with a second from Councilman Linwood Johnson.

The motion carried the vote 4-1-1

The vote was as follows:

- Councilman Linwood Johnson **Aye**
- Councilman Mark Kitchen **Abstained**
- Councilwoman Jessica Banks **Aye**

Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Nay
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Aye

Mayor Robert Cutchins affirmed the motion carried.

Old/New Business

A. City Council Comments

Councilman Linwood Johnson stated the Ms. Burcham and City staff, deserved a big thanks for what she is doing moving the City forward and he is looking forward to the new manager to continue moving us forward. It is important to bring the City together as a whole. There are still a number of things that need work and it will take everyone working together as a team. Thank you for the teamwork.

Vice-Mayor Wynndolyn Copeland stated in reference to Ward 5, the Community Development Block Grant program, there are two rehabs on Laurel Street that are completed and two that under construction.

Councilman Gregory McLemore stated that we have been dragging our feet and haven't heard anything in regards to requiring our own City Attorney. It is something that has not been dealt with and it needs to be placed back on the agenda and have it fixed and not lingering. An RFP has been out and we have yet to hear anything from that RFP. Funds in excess of \$350,000 have been spent in current services and we can't afford it.

B. City Manager Report

Darlene Burcham, Interim City Manager gave Council a prototype of the signs that have been ordered and will soon be installed at each of the City's parks. The signs will designate the names of each park. The parks are an asset to the City that needs to be marketed, not only to our citizens to communities outside of the area. A Finance Director has been hired who will be reporting towards but the end of the month, details are being finalized. City Council thanked Darlene Burcham for her efforts in getting a Finance Director. The agenda looks a little different this evening, as we do not currently have an Executive Assistant. She personally thanked Camara Jacobs, Human Resources Director and A'Risha Jones, Tourism Director (who previously held the position) for helping put the agenda together and getting it to Council on time. The incoming City Manager discussed wanting a copy of the Council rules and procedures, and she has asked the Attorney to prepare something to have at the next Work Session to discuss.

Councilman Gregory McLemore stated the rules are in the charter. Ms. Burcham stated there's a lot of detail that goes beyond the charter. The charter does not specify as one example, that the consent agenda can be approved with a single vote. Councilman Gregory McLemore stated that falls under the Robert Rules of Order.

Councilman Gregory McLemore asked why do we need signs at each of the parks and how much are they costing in total. Darlene Burcham stated she does not have that information now and will send that

information to Council the following day. This was something that was already placed in the budget and was approved before she arrived to the City. Most of the parks do not have signs on them. Anyone coming into the City would not be able to distinguish what properties the City owns and maintains as parks and she feels the outdoor amenities are by far some of the very finest she has seen and we aren't marketing them and not making people aware of the fact that these exist for the residents' and visitors' pleasure.

National Night Out is October 1, 2024.

Mayor Bobby Cutchins entertained a motion to go into Closed Session.

Closed Session

Councilman Mark Kitchen moved that the City Council of the City of Franklin, Virginia adjourn into closed meeting at 8:08 PM. 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 Vice-Mayor Wynndolyn Copeland.

The motion carried with a vote 6-0

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	Aye

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 September 9, 2024 at 8:10 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 6-0

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	Aye

Mayor Bobby Cutchins stated the motion carried the vote.

Councilwoman Jessica Banks made a motion to revisit a three (3) week transition period with Darlene Burcham, Interim City Manager, and the new City Manager with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 4-2-0

The vote was as follows:

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

Mayor Bobby Cutchins stated the motion carried the vote.

Mayor Bobby Cutchins made a motion to have a three (3) week transition period with Darlene Burcham, Interim City Manager, and the new City Manager with a second from Councilman Linwood Johnson.

The motion carried the vote 4-2-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Nay
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye

Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Nay

Mayor Bobby Cutchins stated the motion carried the vote.

Adjournment

Councilman Mark Kitchen made a motion to adjourn the September 9, 2024 City Council Meeting at 8:18 p.m. with a second from Councilman Linwood Johnson.

The motion carried the vote 6-0

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	Aye

Mayor Bobby Cutchins stated the meeting stands adjourned.

Mayor

Clerk to City Council

FORM B

**STAR PERFORMER AWARD
NOMINATION FORM**

To be completed by a citizen, a co-employee, a supervisor or department head to nominate an employee for a STAR Performer Award
(type or print)

Name of Nominee: Sgt. J. Martins/Officer K. Coughlin

Job Title: Sergeant/Police Officer

Department: Police

Immediate Supervisor: Lt. Randall Bailey

I am nominating the above for the STAR Performer award because:

Between the end of June and end of August 2024, Sergeant Martins and Officer Coughlin conducted several investigations which led to the arrest of juveniles in possession of firearms. These investigations were mostly initiated due to curfew violations but also addressed car breakins and traffic infractions. Please see the attached sheet giving a brief synopsis of their actions.

I consider this employee's performance above the expectations of his or her job because:

The recovery of illegal firearms, especially in the hands of juveniles who are out past curfew, is phenomenal. There is no doubt that these recoveries have prevented further violent crime from plaguing our community.

Name of person making nomination Steve Patterson

Date of nomination 09-17-2024

Endorsing Signature and any comments _____

I am very appreciative of Sgt. Martins and Ofc. Coughlin's efforts and hope their continued work will help to reduce crime in our city.

Form B page 2

This page is to be completed by the employee's supervisor or department head and attached to page 1 in order to provide information to the PEP Committee for its consideration of nominees for Employee of the Year.

In addition to providing the information on page 1, please rate numerically on a scale of 1-10 (10 being the highest) the degree to which this employee demonstrates the following traits:

Demonstrated Traits	Degree
A positive attitude	10
A cooperative spirit with fellow employees	10
Personal initiative	10
Excellent job performance	10

Also specify whether the employee made specific and notable contributions in one or more of the following areas (taking into consideration the limits of his or her job):

- 1. Improvement in the quality of service delivered to the public.**
- 2. Improvement in productivity of city operations.**
- 3. Enhancement of workplace safety.**
- 4. Strengthening teamwork and cooperation among employees.**
- 5. Accomplishment of stated City Council or departmental goals.**
- 6. Development of innovative solutions to city problems or innovative approaches to job duties.**

Sgt. Martins and Ofc. Coughlin have proven themselves concerned with crime occurring in our city and have worked together to address juvenile crime by enforcing curfew violations which has led to the recovery of these illegal firearms.

Steve Patterson, Chief of Police
Department Head





**City of Franklin National Night Out
Proclamation #2024-20**

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug, and violence prevention program on October 1st, 2024 entitled “National Night Out”; and

WHEREAS, the “National Night Out” provides a unique opportunity for the City of Franklin to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the City of Franklin plays a vital role in assisting the Franklin Police Department through a joint crime, drug, and violence prevention efforts in the City of Franklin and is supporting “National Night Out 2024” locally; and

WHEREAS, it is essential that all citizens of the City of Franklin be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs, and violence in the City of Franklin; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” program;

NOW, THEREFORE I, Mayor Robert “Bobby” Cutchins and the members of the City of Franklin City Council, do hereby call upon all citizens of the City of Franklin to join the Franklin Police Department and the National Association of Town Watch in supporting the “National Night Out” on October 1st, 2024.

FURTHER, LET IT BE RESOLVED THAT, I, Mayor Robert “Bobby” Cutchins and the members of the City of Franklin City Council, do hereby proclaim Tuesday, October 1st, 2024 as “National Night Out” in the City of Franklin.

Signed this 23rd day of September 2024.

Robert “Bobby” Cutchins, Mayor
City of Franklin, Virginia



BUDGET AMENDMENT 2024-23

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2023-2024 City Budget is hereby amended to:

1. *Record the increases and decreases to City of Franklin Public School grant allocations for unspent RARS funds in FY24.*

		2023-2024	AMENDED	INCREASE
		BUDGET	BUDGET	(DECREASE)
	#1			
250	EDUCATION FUND			
	REVENUE			
250-3-33010-0249	Continuing Education Grant Revenue	\$ -	\$ (2,500)	\$ (2,500.00)
				\$ (2,500.00)
	EXPENDITURES			
250-4-60000-0249	Continuing Education Grant Expense	\$ -	\$ (2,500)	\$ (2,500.00)
				\$ (2,500.00)

Certified copy of resolution adopted by Franklin City Council

Clerk to the City Council



BUDGET AMENDMENT 2024-24

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2023-2024 City Budget is hereby amended to:

1. *Record the increases and decreases to City of Franklin Public School grant allocations for unspent Title VIB funds in FY24.*

		2023-2024	AMENDED	INCREASE
		BUDGET	BUDGET	(DECREASE)
	#1			
250	EDUCATION FUND			
	REVENUE			
250-3-33010-0225	Title VIB: 2021-2022 IDEA 611	\$ 39,384	\$ -	\$ (39,384.00)
				\$ (39,384.00)
	EXPENDITURES			
250-4-60000-0008	Title VIB: 2021-2022 IDEA 611	\$ 39,384	\$ -	\$ (39,384.44)
				\$ (39,384.44)

Certified copy of resolution adopted by Franklin City Council

Clerk to the City Council



BUDGET AMENDMENT 2025-4

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

1. *Appropriate Bronco Federal Credit Union donations for Fall Festival and Holiday Open House and allocation for use.*
2. *Appropriate the Creative Communities Partnership Grant award for use by community organizations.*
3. *Appropriate funds transferred from Federal Asset Forfeiture Account to use for training costs.*
4. *Appropriate funds donated to police for National Night Out.*

	2024-2025 BUDGET	AMENDED BUDGET	INCREASE (DECREASE)
#1			
100 GENERAL FUND REVENUE			
100-3-18990-3016 Donations Tourism	\$ -	\$ 1,250	1,250
			1,250
EXPENDITURES			
100-4-81600-5892 Festival and Events	3,000	\$ 4,250	1,250
			1,250
#2			
100 GENERAL FUND REVENUE			
100-3-24040-0008 Arts Grant	\$ -	\$ 4,500	\$ 4,500
			\$ 4,500
EXPENDITURES			
100-4-11010-5699 Contributions to Comm Organizations	\$ -	\$ 4,500	\$ 4,500
			\$ 4,500
#3			
100 GENERAL FUND REVENUE			
100-3-18990-0099 Miscellaneous - Other	\$ 3,000	\$ 15,618	\$ 12,618
100-3-18990-3041 Donations Police	\$ -	\$ 984	\$ 984
			\$ 13,602
EXPENDITURES			
100-4-31100-5530 Subsistence and Lodging	\$ 12,500	\$ 21,518	\$ 9,018
100-4-31100-5540 Convention & Education	\$ 11,000	\$ 14,600	\$ 3,600
100-4-31100-7300 National Night Out	\$ -	\$ 984	\$ 984
			\$ 13,602

FOOD TRUCK



Rodeo

8
Food
Trucks

BARRETT'S LANDING PARK

TW'S BISTROS
LIGHTHOUSE PROJECT
SALSA LIBRE
FUNNEL CAKE
EXPRESS
FOOD PLAY BY RIO
CMO SNAX
HOPE 4 SNOW
H& H CATERING

SEPT 27TH | 6:30-10:00 PM

FOOD / BEER & WINE / LIVE MUSIC: SOUL UNLIMITED BAND & SHOW

FS Franklin Southampton
ECONOMIC DEVELOPMENT, INC.

**The
Franklin
Experience**

"Come for an event,
embrace the experience,
yearn to return!"



**REPAIR
TECH**

INDUSTRIAL CONTRACTORS



**International
Paper**



FRANKLIN FALL FESTIVAL

Saturday, September 28th

9:00 AM - 3:00 PM

MUSIC | DELICIOUS FOOD | MARKET | VENDORS

Downtown Franklin, VA

ajones@franklinva.com
757.562.8506



2024 CITY OF FRANKLIN



TRICK OR TROT 5K & PUMPKIN DASH

SATURDAY, OCTOBER 12

\$40/5K
\$25/DASH

8:00 AM - Check-In

9:00 AM - 5k Race

10:30 AM - Pumpkin Dash/Fun Run

Downtown Franklin, Virginia

Costume Contest ~ Music ~ Fun Activities

Register online at www.franklintrickortrot5k.org



PRESENTED BY



**TRICK OR TROT 5K
RACE SPONSOR**

BRONCO
FEDERAL CREDIT UNION

**PUMPKIN DASH
RACE SPONSOR**

R|B
RANDALL & BRUCH PC
ATTORNEYS AT LAW



DOWNTOWN FRANKLIN BOO BASH

5-6 PM: TRICK OR TREAT WITH DOWNTOWN BUSINESSES

6-7 PM: PUMPKIN PAINTING @ MARKET ON MAIN PAVILION

THURSDAY, OCTOBER 24TH

COURTESY OF THE CITY OF FRANKLIN

&

FRANKLIN PARKS & RECREATION