



**Franklin City Council Agenda
June 24, 2024
Council Chambers
207 West Second Avenue
Franklin, Virginia 23851**

5:00 P.M. Closed Session

Discuss the employment of a permanent City Manager

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. CONSENT AGENDA:

- A. Approval of June 3, 2024 meeting minutes
- B. Approval of April 8, 2024 work session meeting minutes
- C. Approval of April 22, 2024 work session meeting minutes

2. ORDINANCES & RESOLUTIONS:

- A. Resolution #2024-16 – Settlement of Opioid-Related Claims against Kroger

3. FINANCIAL MATTERS

- A. Budget Amendment 2024-21

4. OLD/ NEW BUSINESS:

- A. Zoning Amendment – 500 W. Second Avenue
 - a. Zoning Amendment Public Hearing
- B. Alley Abandonment – Lot 7 & Lot 8 perpendicular to Morton Street
 - a. Alley Abandonment Public Hearing
- C. Council's Comments
- D. City Manager's Report

5. COUNCIL/STAFF REPORTS ON BOARDS/COMMISSIONS

6. CLOSED SESSION

I move that the City of Franklin, Virginia City Council adjourn into a closed meeting pursuant to Virginia Code Section 2.2-3711-A-1, 1. discussion of appointments to boards and commissions, and discussion of performance of employees of the public body to discuss the following subject or subjects: Discussion and consideration of the acquisition and/or disposition of real property, Franklin Redevelopment and Housing Authority Board, Southview Cemetery Advisory Committee, City of Franklin School Board.

7. RECESS

Regular City Council Meeting Minutes June 3, 2024

Call to order

The Franklin City Council held its regular City Council meeting on June 3, 2024 at 7:10 p.m. in the City Council Chambers.

Council Members in Attendance: Robert “Bobby” Cutchins, Mayor; Wynndolyn Copeland, Vice-Mayor; Councilman Linwood Johnson; 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.

Other Staff in Attendance: Patrick Wilson, Police Lieutenant; Matthew Jeziarski, Director of IT; Chad Edwards, Director of Public Works; Sammara Green, Director of Parks & Recreation

Citizen’s Time

Thomas Council, III of Forest Pines Apartments, Franklin, Virginia, expressed his concerns related to the Police Department.

Amendments to Agenda

No amendments to the agenda.

Introduction of New Employee:

No introductions of new employees.

Consent Agenda:

- A. Approval of May 13, 2024 Meeting Minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the May 13, 2024 meeting minutes. Councilman Linwood Johnson made a motion to approve the minutes as presented 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 Robert Cutchins affirmed the motion carried.

Financial Matters

A. FY 25 Budget Adoption

Ms. Burcham expressed her gratitude to staff and Council for their hard work and dedication towards completing the FY 25 Budget. She reminded Council that the City has completed all public hearings and advertisements as required by the State of Virginia. She also added that as suggested by Council the Legal Aid Society and Cover3 Foundation have been included into the budget.

Mayor Robert Cutchins entertained questions from Council. Council had no questions at this time.

a. Budget Resolution #2024-15

Mayor Robert Cutchins entertained a motion to adopt Budget Resolution #2024-15.

Councilman Linwood Johnson asked if the \$4.9 million for the Franklin City Public School’s CTE program was included in the FY 25 Budget. Ms. Burcham stated that Council had several budget work sessions and has agreed on funding the FCPS with the same amount as last year but separating the funding into two categories. Ms. Burcham stated that the \$4.9 million is what the FCPS had requested but there was no indication at the time that Council wanted to alter the amount reflected in the various work sessions and proposed budget. Ms. Burcham added that the FCPS will receive \$4 million in the Operating Budget and \$300,000 in the Capital Improvements Budget.

Mayor Robert Cutchins reminded Council that he has entertained a motion to adopt Budget Resolution #2024-15. Councilman Mark Kitchen made a motion to adopt Budget Resolution #2024-15 with a second from Councilwoman Jessica Banks.

The motion carried the vote 5-2

The vote was as follows:

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

Mayor Robert Cutchins affirmed the motion carried.

B. Budget Amendment 2024-20

The Interim City Manager present Budget Amendment 2024-20. She recommended the Council amend the 2023-2024 City Budget as follows:

1. Record the increases and decreases to City of Franklin Public School grant allocations for use, and
2. Recognize the award of CDBG/Lead Hazard Program Funds and allocate for use
3. Recognize donations for Tourism received and appropriate for use.

BUDGET AMENDMENT 2024-20

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 use, and
2. Recognize the award of CDBG/Lead Hazard Program Funds and allocate for use
3. Recognize donations for Tourism received and appropriate for use.

	2023-2024 BUDGET	AMENDED BUDGET	INCREASE (DECREASE)	
#1				
250 EDUCATION FUND				
REVENUE				
250-3-33010-0219	\$ -	\$ 80,000	\$ 80,000.00	
250-3-33010-0273	\$ 5,777	\$ 2,227	\$ (3,549.76)	
250-3-24000-0295	\$ -	\$ 250,000	\$ 250,000.00	Correction to 2024-10
250-3-24000-0252	\$ 250,000	\$ -	\$ (250,000.00)	
			<u>\$ 76,450.24</u>	
EXPENDITURES				
250-4-60000-0019	\$ -	\$ 80,000	\$ 80,000.00	
250-4-60000-0073	\$ 5,777	\$ 2,227	\$ (3,549.76)	
250-4-60000-0295	\$ -	\$ 250,000	\$ 250,000.00	Correction to 2024-10
250-4-60000-0011	\$ 1,470,572	\$ 1,220,572	\$ (250,000.00)	
			<u>\$ 76,450.24</u>	
#2				
298 LEAD HAZARD REDUCTION PROGRAM				
REVENUE				
298-3-33000-0100	\$ 30,810	\$ 369,720	\$ 338,910	
			<u>\$ 338,910</u>	
EXPENDITURES				
298-4-85000-3143	\$ 5,000	\$ 60,000	\$ 55,000	
298-4-85000-4303	\$ 1,810	\$ 14,400	\$ 12,590	
298-4-85000-4308	\$ 24,000	\$ 295,320	\$ 271,320	
			<u>\$ 338,910</u>	

	2023-2024 BUDGET	AMENDED BUDGET	INCREASE (DECREASE)
#3			
100 GENERAL FUND			
REVENUE			
100-3-13030-0057	\$ -	\$ 1,000	\$ 1,000
100-3-18990-3040	\$ -	\$ 1,000	\$ 1,000
			<u>\$ 2,000</u>
EXPENDITURES			
100-4-81600-6018	\$ -	\$ 1,000	\$ 1,000
100-4-81600-6017	\$ 2,500	\$ 3,500	\$ 1,000
			<u>\$ 2,000</u>

Certified copy of resolution adopted by Franklin City Council.

Clerk to the City Council

Councilwoman Jessica Banks made a motion to approve Budget Amendment 2024-20 with a second from Councilman Linwood Johnson.

The motion carried the vote 6-1

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 |

inform residents of the change is placing the public notice on the City's Website and social media accounts.

Mr. Edwards stated that the committee is working on scheduling a community cleanup day for the Southview Cemetery as well as redesigning the current cemetery information flyer. Mr. Edwards entertained questions from Council.

Councilman Linwood Johnson stated that in the past there was a Directory which listed where individuals were buried at within the cemetery. He added that individuals have reached out to him asking where the board went as they were unable to locate loved ones. Mr. Edwards informed Councilman Johnson that the original board was removed due to being vandalized. He added that any individuals needing assistance finding loved ones are can come to Public Works and receive a directory. Councilwoman Jessica Banks asked if the directory could be uploaded on the City of Franklin's website. Mr. Edwards informed Council that staff will look into replacing the board as well as putting it on the City's website.

Councilman Gregory McLemore asked if the rules and regulations are the same for all City of Franklin cemeteries. Mr. Edwards responded that they do have the same rules and regulations. Councilman Ray Smith asked if we have posted the signs at both cemeteries. Mr. Edwards stated that the City will be placing the signs at all cemeteries owned by the City of Franklin, but due to Poplar Spring Cemetery not having the sign yet made, the deadline will need to be extended once the sign is installed.

Council agreed that enforcing the rules will be a very touchy situation for loved ones but the goal is to keep the cemetery clean and nice that way City staff can tend to the landscaping and ensure individuals have a pleasant place to visit their loved ones.

Mayor Robert Cutchins and Council thanked Mr. Edwards and the Southview Cemetery Committee for working together to improve the City. Vice-Mayor Wynndolyn Copeland and Ms. Burcham informed residents and Council that the Southview Cemetery Committee is in need of individuals interested in assisting with improving the cemeteries appearance.

B. Council's Comments

Councilman Linwood Johnson questioned the City's policy regarding the fees of the City's electric bills. He stated that a resident asked why there is an additional fee added when an individual cannot pay their utility bill. Ms. Burcham stated that Council had adopted a Fee Schedule which stated the rate of late fees, and reconnection fees.

Councilman Mark Kitchen expressed gratitude to Ms. Burcham and staff for having open communication with Council.

Councilwoman Jessica Banks had no comments.

Vice-Mayor Wynndolyn Copeland had no comments.

Councilman Ray Smith stated that he would like to inform residents that City Council has not increased the tax rate. Council had the property value reassessed and it has been increased to the current market

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

Mayor Robert Cutchins affirmed the motion carried.

Ms. Burcham stated that on behalf of the City of Franklin employees, thank you.

Council/Staff Reports on Boards/Commissions:

None at this time.

Closed Session

Councilman Mark Kitchen moved that the City of Franklin, Virginia City Council adjourn into a closed meeting at 8:04 P.M. pursuant to Virginia Code Section 2.2-3711-A-1, 1. discussion of appointments to boards and commissions, and discussion of performance of employees of the public body to discuss the following subject or subjects: Discussion and consideration of the acquisition and/or disposition of real property, Franklin Redevelopment and Housing Authority Board, Southview Cemetery Advisory Committee, City of Franklin School Board. The motion was seconded by Vice-Mayor Wynndolyn Copeland.

The motion carried with a 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 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 June 3, 2024 at 8:45 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 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 Robert Cutchins stated the motion carried the vote.

Councilman Linwood Johnson made a motion to reappoint Patricia Brown to the Franklin Redevelopment and Housing Authority Board 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	Aye
Councilman Gregory McLemore	Aye

Mayor Robert Cutchins stated the motion carried the vote.

Councilman Linwood Johnson made a motion to appoint Alvin Jenkins to the Southview Cemetery Advisory Committee with a second from Councilman Gregory McLemore.

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 Robert Cutchins stated the motion carried the vote.

Adjournment

Councilman Ray Smith made a motion to adjourn the June 3, 2024 City Council meeting at 9:00 P.M. with a second from Councilwoman Jessica Banks.

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 Robert Cutchins stated the meeting stands adjourned.

Mayor

Clerk to City Council

City Council Work Session Meeting Minutes April 8, 2024

Call to order

The Franklin City Council held a Budget Work Session on April 8, 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; Councilman Mark Kitchen; Councilwoman Jessica Banks; Councilman Ray Smith.

Council Members not in Attendance: Councilman Gregory McLemore

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

Fiscal Year 2024-2025 Budget Presentation

Darlene Burcham, Interim City Manager informed Council that she has reviewed the previous documentation from Budget Work Sessions in the past and has come to a few conclusions and ideas. She reminded Council that they started with a \$2.2 million gap which at the time, there was a big question regarding the real estate values. Ms. Burcham informed them that she has balanced the City’s budget. The current revenues and expenditures are balanced at \$32,664,515.

Ms. Burcham stated that Selenia Boone, Commissioner of the Revenue received information from the Wampler-Eanes Appraisal Group which is conducting the real estate re-assessment. She added that Mr. Wampler has postponed the date for when we will receive the information. He stated that he anticipates the City receiving the information on May 1st. Mr. Wampler has informed Ms. Boone that there will be at least a 20% increase and north of that up to 45%. Ms. Burcham recommended Council assume a 20% reassessment increase, if it is received to a higher amount we can amend the budget. Mayor Robert Cutchins informed Council that the City should not have to increase the real estate tax rate as long as it comes in at the 20% reassessment increase. Ms. Burcham confirmed that the tax rate is still \$1.03 going into this FY 24-25 proposed budget.

Ms. Burcham informed Council that in order to balance the budget assuming that the real estate assessment comes back with a 20% increase required a few changes. The City saved additional money by changing the Technology FT position to PT (\$30,039), freezing 3 positions in Public Works (\$142,371), freezing 2 positions in Parks & Recreation (\$99,454), freezing 1 position in Police (\$57,601) and using additional funds from the Fund Balance (251,300). The savings is equal to \$580,765.

Ms. Burcham added that the one time expenditure totals are \$458,136 and the increased cost of health insurance for employees which was previous discussed by Council in March is \$138,400. The Fund Balance is at 41.33% which is over Council guidelines of 25%. The one time expenditures include:

☐ PEG channel & AV Equipment	35,900	☐ Capital Outlay	66,174
☐ Lease/Purchase	27,000	☐ Vehicle Equipment	80,000
☐ Fire Hose and Equipment	62,612	☐ Motor Vehicles	67,750
☐ Communication Equipment	10,000	☐ M.L. King Center	8,000
☐ Computer Equipment	11,200	☐ M.L. King Center Floor	16,000
☐ Rescue Equipment	23,500	☐ Voting Machine	50,000

Ms. Burcham indicated that as previously discussed, transfers are still being taken from the various Enterprise Funds. Funds being withdrawn are the Electric Fund (\$1,799,993), Water & Sewer (\$300,000) and Solid Waste (\$100,000). The total Enterprise Fund support is \$2,199,993.

Ms. Burcham also added that the Expenditure Adjustments which have been increased are:

Expenditure Increases	Amount
Police Personnel Increase (one position with benefits)	\$ 77,000
Emergency Services Personnel Increase (three positions with benefits)	250,000
CSA Expenditures	100,000
General District Court Position	40,000
3% Personnel Raise	393,400
Legislative Change: DSS Personnel 3% Raise – Local Share – Transfer	54,900
PT Grant Writer	21,700
Tax Relief for the Elderly/Disabled	39,000
Total Preliminary Proposed Increases	\$976,000

Ms. Burcham explained to Council that the following items are unknown at this time:

- Real Estate Assessment (Ms. Burcham gave her recommendation)
- Worker’s Compensation Rates
- Personal Property Insurance (currently estimated at 10% increase)
- City Capital Improvement Plan
- School Capital Improvement Plan

She also stated that the FY 2025 FCPS Proposed Budget request is \$4.9 million but the balanced budget includes a flat contribution of \$4,330,237. \$4,000,000 will go toward the Operating Budget and \$330,237 will go to the Capital Budget (similar to federal grants). The School Capital debt is \$414,662.

Ms. Burcham explained the FY 24-25 Debt Service Obligation (All Funds) compared to the FY 23-24 Budget to Council explaining that we have reduced our Water & Sewer dept.

Fund	FY23-24	FY24-25	Budget Variance FY24-25 over FY23-24
General Debt	\$ 788,169	\$ 1,360,137	\$ 571,968
School Debt	\$ 414,133	\$ 414,662	\$ 529
Tax Supported Debt	\$ 1,202,302	\$ 1,774,799	\$ 572,497
Water & Sewer Debt	\$ 339,963	\$ 25,001	\$ (314,962)
Solid Waste	\$ 28,533	\$ 30,196	\$ 1,663
Electric Debt	\$ 236,437	\$ 232,117	\$ (4,320)
Total Enterprise Debt	\$ 604,933	\$ 287,314	\$ (317,619)

She also explained that the only items that are in the Capital Improvement Budget for FY25 are the items being paid by the funding that the City already has, which is primarily the ARPA funding and was dedicated to these projects specifically as well as funding from VDOT for the drainage system improvement and street improvements.

Project Description	Anticipated Revenue Source FY 25	FY25 Request	FY 26 Request	FY 27 Request	FY 28 Request	FY 29 Request	5-Year CIP Cost
1 Voting Machines	Cash	50,000	50,000				100,000
TOTAL GENERAL GOVERNMENT		50,000	50,000	0	0	0	100,000
PUBLIC SAFETY							
2 Medic 1 Replacement	Cash		410,000				410,000
3 Training Facility	Cash		110,000				110,000
4 Emergency Management Supply Facility	Cash		115,000				115,000
5 Land Acquisition-New EMS Building (Station 1)	Financing		600,000				600,000
6 New Emergency Services Building	Financing					4,800,000	4,800,000
7 New Emergency Services Building Headquarters - Design	Financing			800,000			800,000
8 Fire Station 1	Financing		800,000	190,000			1,400,000
9 Ladder 1 Replacement	Cash				2,000,000		2,000,000
TOTAL PUBLIC SAFETY		0	2,110,000	1,890,000	2,000,000	4,800,000	10,170,000
PUBLIC WORKS							
10 Drainage System Improvements	State	300,000	300,000	300,000	300,000	300,000	1,500,000
11 Street Improvements	State	500,000	500,000	500,000	500,000	500,000	2,500,000
12 Traffic Signal Program	State	50,000	50,000	50,000	50,000	50,000	250,000
TOTAL PUBLIC WORKS		850,000	850,000	850,000	850,000	850,000	4,250,000
PARKS & RECREATION							
13 Hill Building Renovations	Cash	245,000					245,000
14 Anthony Park City Park Renovations	Cash	50,000					50,000
15 Anthony Playground	Cash	45,000					45,000
16 Hillside Renovations	Cash	45,000					45,000
TOTAL PARKS & RECREATION		385,000	0	0	0	0	385,000

17 Replacement of Unit 11-1 Truck	User Fees	310,000						310,000
18 Replacement of Unit 6-1 Truck	User Fees		300,000					300,000
19 Tree Chipper	User Fees		60,000					60,000
20 Canterbury Charles Street Underground Update	Financing		1,000,000					1,000,000
21 Substation	Financing		8,000,000					8,000,000
22 Upgrade to Preflow Generation Plant	User Fees	500,000						500,000
TOTAL ELECTRIC FUND		810,000	9,360,000	0	0	0	0	10,170,000
WATER & SEWER FUND								
23 Sewer System Rehabilitation	User Fees	1,000,000	400,000	400,000	400,000	400,000	400,000	2,600,000
25 Water System Improvements	User Fees	750,000	50,000	50,000	50,000	50,000	50,000	950,000
26 Wastewater Treatment Plant Upgrades	User Fees	600,000	100,000	100,000	100,000	100,000	100,000	1,000,000
TOTAL WATER & SEWER FUND		2,350,000	550,000	550,000	550,000	550,000	550,000	4,550,000
SOLID WASTE FUND								
21 Refuse Truck Replacement	User Fees	325,000		195,000				845,000
TOTAL WATER & SEWER FUND		325,000	0	195,000	0	325,000	0	845,000
TOTAL ALL FUNDS		4,690,000	12,955,000	3,145,000	3,400,000	6,225,000	0	30,995,000

Ms. Burcham stated that she would like to remind Council that the City of Franklin has had the same tax rate at \$1.03 for the last five years. She added that there will come a time, sooner rather than later where that tax rate will need to be increased. Likewise, Water & Sewer, Solid Waste and Electric rates will also need adjustments. She added that she recommends making small, incremental changes on an annual basis and no more than on a bi-annual basis, to slowly build to the greater capacity but not causing resident's additional struggle.

Mayor Robert Cutchins asked that if Fire and Rescue are getting additional Firefighters. Ms. Burcham replied, yes. He added that in the proposed budget we are freezing 1 Police Officer position. Ms. Burcham stated that from her understanding, the Fire Department has been trying to fill the additional positions but have been unable. She also recommended to Council, that if the Chief of Police is able to recruit and hire an individual for the Police Officer position, the City should unfreeze the position. Mayor Robert Cutchins stated that his personal opinion would be that Fire & Rescue have one less position filled and the Police Department position unfrozen. He added that the south side of Franklin has requested additional patrol on several occasions, and if the City does not do that then Council is not doing what the citizens have requested. Ms. Burcham stated that she would discuss with Chief Patterson as well as the future permanent City Manager to find the funding to fill the position for the Police Department.

Ms. Burcham stated that the last topic to discuss is the gentleman who was interested in the Voter Registrar salary. She added that the Director of Human Resources, Camara Jacobs completed research on various agencies within the area as well have a discussion with Jennifer Maynard, General Registrar. What was discovered was that the Chief Elected Official, receives \$135.00 per day, and the Assistant receives \$125.00 per day, and all other Election Officials received \$110.00 per day. All of the individuals listed also receive \$10.00 for each training completed. Ms. Maynard also indicated that the Board of Electoral Board is requesting a \$15.00 increase per person. Ms. Burcham informed Council that the last payroll that was completed for the Electoral Board included 30 individuals and the time before that there was 27. She stated that if Council is interested, she will increase their budget by \$1,400-\$1,500 to give the individuals the increase. The Council members in attendance agreed.

Adjournment

Mayor Bobby Cutchins adjourned the Budget Work Session.

The Work Session was adjourned at 6:48 P.M.

Mayor

Clerk to City Council

City Council Work Session Meeting Minutes April 22, 2024

Call to order

The Franklin City Council held a Budget Work Session on April 22, 2024 at 6:01 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; 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.

Fiscal Year 2024-2025 Budget Presentation

Ms. Burcham reminded Council that a few weeks ago she felt that the Budget Work Session would not be needed, but fortunately or unfortunately Council needs to review again due to her conversation with Mr. Wampler with Wampler-Eanes Appraisal Group regarding the real estate assessment. She added that she informed him that the delay in the real estate assessment is causing a delay on balancing the proposed budget and all the requirements to adopt it before the end of the fiscal year. He indicated that that the reassessment would be north of 25%. She reminded Council that on April 8, 2024 during the budget work session, the recommendation was to reflect a 20% real estate assessment.

Ms. Burcham presented the FY 24-25 Proposed Budget which included a 20% real estate tax assessment.

REVENUE		EXPENDITURES	
General Government:		General Government:	
General Property Tax	11,005,271	Legislative	402,398
Other Local Taxes	7,302,540	General Government	3,477,472
Permits, Fees, Licenses, Etc.	114,050	Judicial	1,674,938
Fines and Forfeitures	40,250	Public Safety	12,937,074
Use of Money and Property	313,546	Public Works	4,356,558
Charges for Services	1,867,255	Health & Welfare	912,058
Miscellaneous	1,255,314	Recreation & Culture	958,701
Recovered Costs	2,756,028	Community Development	298,507
Shared Expenses (State Offices)	283,200	Non-Departmental	443,075
Non-Categorical Aid - State	1,464,941	Transfers To:	
Categorical Aid:		Social Services	694,997
State	2,966,120	Comprehensive Services Act	304,220
Federal	204,408	School Operating & Capital (Local Support)	4,330,237
Transfers from:		School Debt (Local Support)	414,662
Electric Fund	1,799,993	Airport	76,330
Water & Sewer Fund	300,000	Economic Development	49,648
Solid Waste	100,000	General Govt. Debt	1,360,137
Debt	371,559	Capital	50,000
Unassigned Fund Balance	596,536		
Total General Fund: \$	32,741,011	Total General Fund: \$	32,741,011

Ms. Burcham then presented the FY 24-25 Proposed Budget which reflects a 25% real estate tax assessment.

FY25 Proposed with 25% assessment

REVENUE		EXPENDITURES	
General Government:		General Government:	
General Property Tax	11,264,693	Legislative	661,820
Other Local Taxes	7,302,540	General Government	3,477,472
Permits, Fees, Licenses, Etc.	114,050	Judicial	1,674,938
Fines and Forfeitures	40,250	Public Safety	12,937,074
Use of Money and Property	313,546	Public Works	4,356,558
Charges for Services	1,867,255	Health & Welfare	912,058
Miscellaneous	1,255,314	Recreation & Culture	958,701
Recovered Costs	2,756,028	Community Development	298,507
Shared Expenses (State Offices)	283,200	Non-Departmental	443,075
Non-Categorical Aid - State	1,464,941	Transfers To:	
Categorical Aid:		Social Services	694,997
State	2,966,120	Comprehensive Services Act	304,220
Federal	204,408	School Operating & Capital (Local Support)	4,330,237
Transfers from:		School Debt (Local Support)	414,662
Electric Fund	1,799,993	Airport	76,330
Water & Sewer Fund	300,000	Economic Development	49,648
Solid Waste	100,000	General Govt. Debt	1,360,137
Debt	371,559	Capital	50,000
Unassigned Fund Balance	596,536		
Total General Fund: \$	33,000,433	Total General Fund: \$	33,000,433

Ms. Burcham explained that the difference in the two proposed budget is slightly less than \$300,000. She informed Council that the City did not put any of the funds into the request of the individual departments but instead added it to a contingency line item.

Ms. Burcham presented a FY 24-25 Comparison, which indicates the FY 24-25 proposed amount, percentage change and FY 24-25 Adopted.

Financial Plan by Fund	FY 24 - 25' Proposed	% Chng	FY 24' Adopted	FY 23' Actual
General Government	33,000,433	11.9%	29,482,277	32,073,466
Capital Improvements (Financed Projects)	50,000	0.0%	-	3,255,582
Debt Service (General Govt. & School)	1,774,799	47.6%	1,202,302	1,196,954
Education				
Operations	17,336,256	-8.9%	19,031,201	20,215,967
Capital	330,237	100.0%	-	-
Cafeteria	786,023	-13.4%	907,638	1,125,290
Textbook	151,395	17.1%	129,264	17,387
Social Services	3,571,167	19.8%	2,980,810	1,851,822
Comprehensive Services Act	841,312	34.5%	625,312	823,668
Economic Development	190,727	3.8%	183,801	247,570
Enterprise Services:				
Solid Waste Refuse	1,671,762	18.5%	1,410,902	1,275,258
Water & Sewer (Operating & Capital)	5,233,211	51.9%	3,444,922	3,202,692
Electric	16,603,248	-12.3%	18,926,759	17,162,299
Airport	204,030	7.0%	190,719	802,190
Total of All Funds:	\$ 81,744,600	4.1%	\$ 78,515,907	\$ 83,250,144

Ms. Burcham stated that the Governor of Virginia has called back the General Assembly to address the state budget. The expected date to receive the budget is May 15th. This means that the City will not be able to include the state numbers until the end of the fiscal year or July. Ms. Burcham added that the concern now is for the FCPS as they have already sent out over 200 contracts to teachers who wish to return. The school was anticipating a 5% salary adjustment at the state level but the Governor is now suggesting 3%.

Mayor Robert Cutchins asked for an update regarding the funding of the Franklin Southampton Radio Project. Ms. Burcham informed Council that the funding has been set aside in a snap account. The City is still waiting on receiving the documents for this project as approved in a previous Council Meeting. Mayor Robert Cutchins informed Ms. Burcham that Jen Kiggans had assisted the City of Franklin in receiving a \$400,000 grant from the State of Virginia which was approved in March 2024. Ms. Burcham stated that she will look into the amount of funding that the City has to go toward the project.

Councilman Ray Smith stated that he continuously hear that the City will be increasing the real estate tax rate. He asked if that was true. Ms. Burcham confirmed that the City will not be increasing the tax rate, it will stay \$1.03. She added that the real estate reassessment, which is completed every two years will possibly increase. The City is waiting for the reassessment report which is anticipated in early May.

Ms. Burcham concluded the meeting by stating that what is most important right now is a balanced budget. The budget can be adjusted upward and downward, but the City has to approve their budget on June 3, 2024.

Adjournment

Mayor Bobby Cutchins adjourned the Budget Work Session.

The Work Session was adjourned at 6:53 P.M.

Mayor

Clerk to City Council



A RESOLUTION OF THE FRANKLIN CITY COUNCIL APPROVING OF THE CITY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST KROGER AND ITS RELATED CORPORATE ENTITIES, AND DIRECTING THE CITY ATTORNEY AND/OR THE CITY'S OUTSIDE COUNSEL TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S PARTICIPATION IN THE SETTLEMENT.

RESOLUTION #2024-16

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the City of Franklin, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by the City of Franklin's various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including the City of Franklin, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and City of Franklin; and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the City of Franklin has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that this pending settlement with Kroger shall be considered a "Settlement" that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, opioid manufacturers Janssen Pharmaceuticals, Teva Pharmaceuticals, and Allergan, and retail pharmacy chains CVS, Walgreens, and Walmart;

WHEREAS, the City Attorney and/or the City's outside counsel has reviewed the available information about the proposed settlement and has recommended that the City of Franklin participate in the settlement in order to recover its share of the funds that the settlement would provide;

NOW THEREFORE BE IT RESOLVED, that the City of Franklin, Virginia City Council, on this 24th day of June, 2024, approves of the City of Franklin's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and

directs the City Attorney and/or the City's outside counsel to execute the documents necessary to effectuate the City's participation in the settlement, including the required release of claims against Kroger.

Signed this 24th day of June 2024.

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

BUDGET AMENDMENT 2024-21

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

1. Record City of Franklin Public Schools Grant Allocation for use and adjust appropriations in various grants.
2. Recognize revenue related to the Madison Grant and appropriate such revenue for use according to the program design guidelines.

		<u>2023-2024 BUDGET</u>	<u>AMENDED BUDGET</u>	<u>INCREASE (DECREASE)</u>
#1				
250 EDUCATION FUND				
REVENUE				
250-3-24000-0296	SCAP Grant	\$ -	\$ 189,095	\$ 189,095.00
250-3-33010-0274	NCLB Grant - Title IV Drug Free	\$ -	\$ 1,078	\$ 1,078.00
250-3-33010-0408	CSLFRF Grant	\$ 57,915	\$ 57,900	\$ (15.00)
				\$ 190,158.00
EXPENDITURES				
250-4-60000-0296	SCAP Grant	\$ -	\$ 189,095	\$ 189,095.00
250-4-60000-0074	NCLB Grant - Title IV Drug Free	\$ -	\$ 1,078	\$ 1,078.00
250-4-60000-0048	CSLFRF Grant	\$ 57,915	\$ 57,900	\$ (15.00)
				\$ 190,158.00
#2				
296 MADISON NEIGHBORHOOD GRANT				
REVENUE				
296-3-18990-8800	Program Income - Madison Grant	\$ -	\$ 44,213	44,213.00
				44,213.00
EXPENDITURES				
298-4-85000-4301	Owner Construction		0 44,213	44,213.00
				44,213.00

Certified copy of resolution adopted by Franklin City Council

Clerk to the City Council



FRANKLIN CITY PUBLIC SCHOOLS

OFFICE OF THE
SUPERINTENDENT

207 West Second Avenue
Franklin, Virginia 23851-1713
(757) 569-8111 • Fax (757) 516-1015

MEMORANDUM

TO: Darlene Burcham
Interim Franklin City Manager

FROM: Dr. Carlton Carter *C. Carter*
Division Superintendent

DATE: June 7, 2024

RE: Notice of Budget Adjustments

This amendment is to record receipt of a School Construction Assistance Program grant.

<i>Accounting Use Only</i>	<i>School Account</i>	<i>Amount</i>	<i>City Account</i>
SCAP Increase Revenue	80-	189,095.00	Please establish
SCAP Increase Expenditures	80-	189,095.00	Please establish

Franklin City Public Schools is an equal educational opportunity school system. The School Board of the City of Franklin also adheres to the principles of equal opportunity in employment and, therefore, prohibits discrimination in terms and conditions of employment on the basis of race, sex, national origin, color, religion or disability.

WORK SESSION



COMMONWEALTH of VIRGINIA

Lisa Coons, Ed.D.
Superintendent of Public Instruction

DEPARTMENT OF EDUCATION
P.O. BOX 2120
RICHMOND, VA 23218-2120

Office: (804) 225-2057
Fax: (804) 371-2099

May 7, 2024

Dr. Carlton Carter, Division Superintendent
Franklin City Public Schools
207 W. Second Ave
Franklin, VA 23851

Fund 80

RE: Notice of award and quarterly reimbursement process for School Construction Assistance Program FY24 grant funds

Dear Dr. Carter:

At its business meeting on April 25, 2024, the Virginia Board of Education ("Board") awarded School Construction Assistance Program grants to 18 school divisions for 20 school project applications that met the minimum qualifying total criteria score of 65 points and other application requirements. I am pleased to inform you that the following school project application(s) submitted by Franklin City Public Schools for the School Construction Assistance Program (SCAP FY24) was awarded a competitive grant as follows:

Approved SCAP Project Application:	SCAP Grant Award Amount:
S.P. Morton Elementary School	\$189,095

This letter is also to inform you of the process established by the Virginia Department of Education ("VDOE") for divisions to request cost reimbursement or draw-down of awarded grant funds for qualifying project costs. School divisions may submit funding requests each quarter by the following due dates: **January 1; April 1; July 1; and October 1. All qualifying project costs submitted by these dates for VDOE review and payment must be dated on or prior to the quarterly due dates.** VDOE will review all grant funding requests received by the quarterly due dates and process them for payment, if approved. Applications received after the due dates will be reviewed and processed during the next quarterly period.

All funding requests submitted by divisions are made using the Funding Request Form (attached and available online in the SCAP application in SSWS under *Instructions*) and must include supporting documentation substantiating the qualifying project costs for which grant funding is requested. The supporting documentation must include the American Institute of Architects (AIA) Document G702 - Application and Certificate for Payment and Document G703 - Continuation Sheet. This required documentation must be signed by the project architect and contractor before submission to VDOE.




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SUPERINTENDENT

207 West Second Avenue
Franklin, Virginia 23851-1713
(757) 569-8111 • Fax (757) 516-1015

MEMORANDUM

TO: Darlene Burcham
Interim Franklin City Manager

FROM: Dr. Carlton Carter 
Division Superintendent

DATE: June 7, 2024

RE: Notice of Budget Adjustments

This amendment is to adjust the Title IV balances to actual.

<i>Accounting Use Only</i>	<i>School Account</i>	<i>Amount</i>	<i>City Account</i>
Title IV Increase Revenue	43-	1,078.31	250-3-33010-0274
Title IV Increase Expenditures	43-	1,078.31	250-4-60000-0074

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Franklin, Virginia 23851-1713
(757) 569-8111 • Fax (757) 516-1015

MEMORANDUM

TO: Darlene Burcham
Interim Franklin City Manager

FROM: Dr. Carlton Carter 
Division Superintendent

DATE: June 7, 2024

RE: Notice of Budget Adjustments

This amendment is to record returning the funds to VDOE.

<i>Accounting Use Only</i>	<i>School Account</i>	<i>Amount</i>	<i>City Account</i>
HVAC Decrease Revenue	44-	(15.00)	250-3-33010-0408
HVAC Decrease Expenditures	44-	(15.00)	250-4-60000-0048

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Account Description	2024
Assets	
- Madison Neighborhood Grant	44,212.84
Total Assets	44,212.84
Liabilities & Fund Balance	
Total Liabilities	0.00
Fund Balance	44,212.84
Revenue	0.00
Less Expenses	0.00
Net	0.00
Total Fund Balance	44,212.84
Total Liabilities & Fund Balance	44,212.84

Madison St Neighborhood Grant
BALANCE SHEET - WITH SUMMARIZED CONTROLS
AS OF: 06/30/24

Virginia Community Development Block Grant Program Income Plan

Grantee: City of Franklin, Virginia

Date: June 18, 2015

Project Name: Madison Street Housing Rehab Project

Contract#: 14-26

OBJECTIVE: The expenditure of active and inactive program income generated from the CDBG Madison Street Housing Rehab Project in a manner that will directly benefit low- to moderate-income residents of the City of Franklin.

1. **ACTIVITIES:** Describe the ACTIVITIES that will be carried out with program income funds e.g., housing rehabilitation, microenterprise business loans, construction of industrial building, approximately 5,000 sq. ft. of sewer lines, etc. All activities must be eligible expenditures as described in the Grant Management Manual.

Active program income: Active income is income received as a result of program activities prior to the administrative closeout of the CDBG Agreement. If the total exceeds \$35,000 in any of the successive 12-month period of the CDBG Agreement, the funds shall be used to reduce drawdowns for eligible project expenses. If the amount does not reach \$35,000, it will be accumulated and used for eligible project costs in excess of the Project Budget with the permission of DHCD. Active income on-hand at the end of the project will be used to reduce drawdowns or returned to DHCD. Active income will be used for the same CDBG activities as approved in the CDBG Agreement.

Miscellaneous Revenue: Miscellaneous revenue is all revenue received in a 12-month reporting period (July 1 – June 30) of less than \$35,000 from an administratively closed project funded with CDBG monies. No amount of miscellaneous revenue received in the reporting period may be expended until after the period has ended and that fiscal year's report has been submitted to and approved DHCD. Grantees must retain the funds until it is authorized by DHCD to expend the proceeds locally. Miscellaneous revenue shall be used to continue the same eligible CDBG activities as long as LMI households in the project area have unmet needs. After all needs are met in the project area, inactive income will be used for the following purposes:

- a) Miscellaneous revenue may be used for actual administrative costs. *At the time the program income is expended, 10 percent of the expended program income may be allocated for administrative purposes;*

All projects funded with program income generated from the CDBG Madison Street Housing Rehab Project will be located within the project area until there is no more need. Thereafter, the projects will be located within the City of Franklin.

4. FUNDS TO BE AVAILABLE:

- 1) Total Projected Program Income for Next 20 Years: \$ 60,000 (including interest)
- 2) # of Years Until Payback Complete for Each Loan: 10
- 3) If Revolving Loan Program, # of Years Until Payback Complete: N/A
- 4) Payback Schedule Total Principle and Interest:

Year 1 \$ 3,000	Year 11 \$ 3,000
Year 2 \$ 6,000	Year 12 \$ 0
Year 3 \$ 6,000	Year 13 \$ 0
Year 4 \$ 6,000	Year 14 \$ 0
Year 5 \$ 6,000	Year 15 \$ 0
Year 6 \$ 6,000	Year 16 \$ 0
Year 7 \$ 6,000	Year 17 \$ 0
Year 8 \$ 6,000	Year 18 \$ 0
Year 9 \$ 6,000	Year 19 \$ 0
Year 10 \$ 6,000	Year 20 \$ 0

5. **DECISION MAKING:** Briefly state who will decide on the use of the Program Income, how that decision will be made, and what oversight will be used to assure that this plan is followed.

The Housing Rehab Oversight Board will decide on the use of program income, based upon the Program Design guidelines. The Board will receive regular financial reports showing all income earned and expended. The Board will approve and track all applications and contracts and ensure proper documentation of the usage of funds. Requests will be submitted to and reviewed by the Board at its monthly meetings. Majority vote will be required to approve the use of the funds. A list of the current Board members is attached.

STAFF REPORT

APPLICATION SUMMARY:

1. **Application:** An Ordinance to Amend and Reenact Appendix D. Zoning Ordinance of the Franklin City Code by Amending and Reenacting Article V. General Residential District (R-2), Sections 5.2. (Permitted principal uses) and 5.5(3)(a). (Minimum lot area), to add multi-family dwellings in existence as of 9-25-2023 (the date of adoption of the comprehensive zoning ordinance amendment) as a permitted use without the 5-acre minimum acreage requirement provided that there is no increase in the number of units.

Location: N/A

Parcel ID#: N/A

Election District: N/A

DESCRIPTION:

The current zoning for the property at 500 W. Second Ave is General Residential District (R-2). The R-2 zoning district has a 5-acre minimum lot size for multi-family. This specific property should have been addressed in September 2023 when comprehensive changes to the zoning ordinance were made and this is a proposal to bring this property into conformance.

ORDINANCE REVIEW:

N/A

COMPREHENSIVE PLAN:

N/A

AGENCY/DEPARTMENT COMMENTS:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of the proposed amendment to Zoning Ordinance.

PLANNING COMMISSION RECOMMENDATION

At the regular meeting of the Planning Commission held on May 23, 2024 the members voted 6-0 recommending approval of the amendment to the Zoning Ordinance.

ATTACHMENTS:

- Photo of 500 W 2nd Ave.
- Proposed Zoning Ordinance Language



An Ordinance to Amend and Reenact Appendix D. Zoning Ordinance of the Franklin City Code by Amending and Reenacting Article V. General Residential District (R-2), by Amending and Reenacting Article V. General Residential District (R-2), Sections 5.2. Permitted Principal Uses and 5.5(3)(a). Minimum Lot Area

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 zoning as deemed necessary.

NOW, THEREFORE, BE IT ORDAINED by the Franklin City Council that Appendix D. Zoning Ordinance, Article V. General Residential District, Sections 5.2. Permitted Principal Uses and 5.5(3)(a). Minimum Lot Area be amended and reenacted as follows:

§ 5.1 Purpose of the district.

The purpose of residential district, R-2, is to provide for high density, single-family (detached and attached) and two-family residential development and related uses including those public and semi-public uses and accessory uses as may be necessary or are normally compatible with residential surroundings.

§ 5.2 Permitted principal uses.

[Amended by Ord. No. 6-12-2000(7); Ord. of 4-8-2002(3); Ord. No. 2005-9, 5-9-2005]

- (1)** Single-family dwelling, detached.
- (2)** Two-family dwelling. [Added by Ord. No. 2018-12, 8-27-2018]
- (3)** Single-family dwelling, attached such as townhouses as set forth in **§ 2.7** of this zoning ordinance.
- (4)** Public park or playground.
- (5)** Existing railroad lines, not including switching or storage yard, or other station facilities.
- (6)** Public utility, neighborhood.
- (7)** Cluster zoning in accordance with the provisions of article XV of this zoning ordinance.
- (8)** Family day home.
- (9)** Community recreation.
- (10) Multi-family dwelling in existence as of 9-25-2023, the date of adoption of the comprehensive zoning ordinance amendment. See section 5.5(3)(a).**

§ 5.3 Conditional uses.

[Amended by Ord. No. 6-12-2000(7); Ord. of 4-8-2002(3)]

Certain uses are allowed by conditional use permit in the R-2 district, as follows:

- [\(1\)](#) Multi-family dwelling.
- [\(2\)](#) Public maintenance and service building.
- [\(3\)](#) Club.
- [\(4\)](#) Golf course.
- [\(5\)](#) Community center.
- [\(6\)](#) Hospital.
- [\(7\)](#) Nursing home.
- [\(8\)](#) Funeral home.
- [\(9\)](#) Cemetery.
- [\(10\)](#) Child day center.
- [\(11\)](#) Antenna and/or Satellite in accordance with article XXIII.
- [\(12\)](#) Hotel.
- [\(13\)](#) Restaurant on lots abutting on streets that are a part of the thoroughfare system as described in the most recent Franklin Area Highway Needs Study, prepared by the Virginia Department of Transportation and adopted by the Franklin City Council.
- [\(14\)](#) Club (provided that any such building shall be at least 25 feet from any other lot in an R district).
- [\(15\)](#) Bed and breakfast inn.
- [\(16\)](#) Church.
- [\(17\)](#) Educational facility, primary/secondary.
- [\(18\)](#) Educational facility, college/university.
- [\(19\)](#) Cultural service.
- [\(20\)](#) Community center.
- [\(21\)](#) Adult day care center.
- [\(22\)](#) Adult day treatment center.
- [\(23\)](#) Assisted living facility.
- [\(24\)](#) Boarding house.
- [\(25\)](#) Family day home.

§ 5.4 Permitted accessory uses.

[Amended by Ord. of 11-24-1997(2); Ord. No. 2005-16, 6-13-2005]

Accessory uses, customarily incidental to a permitted principal use or a conditional use, are allowed on the same lot including but not limited to the following:

- (1) Private garage or carport.
- (2) Storage building other than shipping containers, sea containers, freight containers, portable storage units and like containers.
- (3) Guest house.
- (4) Workshop.
- (5) Home occupation.
- (6) Sign, as permitted by article XXII of this ordinance.
- (7) Fences and walls as permitted in § 2.9 of this ordinance.
- (8) Temporary family health care structure. [Added by Ord. No. 2018-07, 6-25-2018]
- (9) Accessory dwelling unit. [Added by Ord. No. 2018-08, 6-25-2018]
- (10) Gardening (no zoning permit required). [Added 5-22-2006⁽¹⁾]

[1] Editor's Note: This ordinance also renumbered former Subsection (9) to Subsection (10).

(11) Additional provisions dealing with the location, size and height of accessory structures are found in § 19.2(11) of this ordinance.

§ 5.5 Minimum lot area.

- (1) Single-family, detached and Two-family: The minimum lot area shall be 5,000 square feet.
- (2) For Single-family, attached: The minimum lot area shall be 60,000 square feet.
- (3) For Multi-family: The minimum lot area shall be 5 acres.

(a) For Multi-family dwellings in existence as of 9-25-2023 (date of adoption of the comprehensive zoning ordinance amendment): The minimum 5-acre lot size shall not apply. However, structures may only be repaired or replaced within the existing footprint and there shall be no increase in the number of units.

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~~(3)-(4)~~ Refer to article XIX for exceptions to the minimum lot area.

§ 5.6 Setback regulations.

[Amended by Ord. of 11-24-1997(3)]

All structures shall be set back at least 25 feet from the right-of-way of all public streets. Pursuant to subsection 19.2(5), for the purpose of calculating setbacks no street shall be considered to have a right-of-way less than 50 feet wide.

§ 5.7 Minimum lot frontage and width.

(1) For Single-family, detached and Two-family: The minimum lot frontage and width shall be fifty (50) feet.

For Single-family, attached: See section [2.7](#).

For Multi-family: See section [2.13](#).

(a) Frontage shall be measured along the front property line abutting a public street.

(b) Width shall be measured at the setback line.

(2) The minimum frontage on a cul-de-sac shall be no less than fifty percent (50%) of minimum lot frontage; however, the minimum width at the setback line shall be deemed to be where the lot meets one hundred (100) feet of width.

(3) In the case that there are existing lots of record in a subdivision having a width that would require a front setback to be lesser or greater than the other lots within the subdivision, the setback met by the majority of the lots within the same block shall be required, provided that in no case shall the front yard be reduced to less than fifteen (15) feet.

§ 5.8 Yard regulations.

[Amended by Ord. of 11-24-1997(4)]

This section sets forth the minimum yard dimensions in the district. Additional provisions dealing with size and special circumstances can be found in article XIX.

(1) Side yards. The minimum width of a side yard for detached single family and two-family dwellings shall be ten feet for one yard and 15 feet for both yards. The minimum width of a side yard for other uses shall be 20 feet for one yard and 40 feet for both yards.

(2) Side yards for corner lots. The minimum width of side yards for corner lots for all uses is as set forth in subsections [19.2\(7\)b.](#) and [c.](#)

(3) Rear yard. The minimum depth of the rear yard shall be at least 25 feet from the principal permitted structure, if it is a detached single-family or two-family dwellings. For all other principal permitted structures, the minimum depth of the rear yard shall be at least 40 feet.

(4) Front yard. Except as provided for in article XIX, front yard regulations are set forth in [§ 5.6](#) of this article.

§ 5.9 Height regulations.

The maximum height of all structures shall not exceed 50 feet and may not exceed three stories.

§ 5.10 Yard variations.

Are as set forth in [§ 19.2\(6\)](#), [\(7\)](#) and [\(8\)](#).

§ 5.11 Sign regulations.

All provisions for the regulation of signs in this district are found in article XXII.

§ 5.12 Parking regulations.

All provisions for the regulation of parking in this district are found in article XVIII.

§ 5.13 Floodplain regulations.

Floodplain regulations that apply to certain properties within the district are set forth in article XXI.

§ 5.14 Aircraft approach zone regulations.

Certain properties within the district may also be located within the aircraft approach zone. Applicable regulations are found in article XX.

Certified copy of the ordinance adopted by the City Council at its regular meeting held on _____
2024.

ADOPTED:

Robert Cutchins, Mayor

CERTIFIED:

Clerk to the City Council

APPROVED AS TO FORM:

City Attorney

STAFF REPORT

APPLICATION SUMMARY:

Application:	Application of Ricky Sykes to vacate a 50' X 180' (approx.) proposed street platted between lots 7 and 8 in Section One of the Pretlow Farms Estates Subdivision located on Morton Street in the City of Franklin as shown on the survey entitled "Plat showing Section One, Pretlow Farms Estates".
Location:	The platted, unimproved street is located between Lot 7 and Lot 8, perpendicular to Morton Street in the City of Franklin.
Parcel ID#:	N/A
Election District:	Ward 5

DESCRIPTION:

The applicant/owner, Ricky Sykes has applied to vacate the platted, unimproved street located adjacent to Lot 8 where his primary residence is located and proposes to utilize the area to expand his yard. Lot 8 currently contains .5 acre.

The unimproved street was platted to serve a future phase of Pretlow Farm Estates to be located behind the lots fronting Morton Street. The future phase was never platted and/or constructed, and the property has since been sold to Global Concentrate for manufacturing. The purchase option for Global Concentrate did not include the unimproved street, eliminating the need for the future access.

ORDINANCE REVIEW:

Section 26-11 (Vacating Street or Alley) of the Franklin City Code states that any one or more persons owning property abutting a street or alley in the City may make application to vacate the street or alley. Upon receipt by the Department of Community Development, the application shall be considered by the Planning Commission and City Council. The Council, as a condition of the vacation of the street or alley, may require the fractional proportion of its street or alley vacated to be purchased by any abutting property owner.

COMPREHENSIVE PLAN:

The Comprehensive Plan designates this area as Low Density Single-Family consistent with the existing pattern of development.

AGENCY/DEPARTMENT COMMENTS:

The application was forwarded for review to the Departments of the City Manager, Public Works, and Power and Light. Neither department objects to vacating the alley, contingent upon the applicant's dedication of an easement to the City which contains an existing drainage/utility line that crosses the property.

STAFF RECOMMENDATION:

Staff recommends approval of the application contingent upon dedication of an easement to the City to include the existing drainage/utility lines currently traversing the platted unimproved street parallel to Morton Street, which serves the existing lots.

PLANNING COMMISSION RECOMMENDATION:

At the regular meeting of the Planning Commission held on May 23, 2024 the members voted 4-2 in favor of recommending approval to vacate street and further recommended giving half to each property owner on the abutting properties at 401 and 321 Morton St.

ATTACHMENTS:

- Application
- Area Map(s)



FRANKLIN SOUTHAMPTON COMMUNITY DEVELOPMENT
 PLANNING AND ZONING
 207 WEST SECOND AVENUE
 Franklin, Virginia 23851
 (757) 562-8340 Fax 757-562-0870

APPLICATION #
 V15 _____

DATE: _____

Application to Vacate Alley or Street

Applies when City Council, Board of Supervisors or one or more persons owning property abutting a street or alley located in the City of Franklin or Southampton County wishes to vacate such street or alley.

ALL APPLICATIONS MUST BE ACCOMPANIED BY NO LESS THAN 8 COPIES OF THE PLAT SHOWING THE PROPOSED STREET OR ALLEY TO BE ABANDONMENT OR VACATION.

PROPOSED VACATION: Street _____; Alley _____; OTHER (describe) Public Street
 STREET NAME: Morton from 321 to 401
 LOCATION AND DESCRIPTION ALLEY: The separation is made on Morton St

PURPOSE OF VACATION: _____

ADJACENT PROPERTIES (attach plat if necessary) _____

EASEMENTS IDENTIFIED: _____ ELECTRIC; _____ WATER/SEWER; _____ DRAINAGE;
 OTHER (describe) _____

Applicant Ricky Sykes Phone Number 252 653 2881

Address 401 Morton St City Franklin State Va Zip 23857

CHECK ALL THAT APPLIES: _____ Governing Body; _____ Abutting Owner; _____ Licensed Surveyor

Any one or more persons owning property abutting a street or alley in the city may make application in the office of the Director of Community Development to vacate the street or alley by paying an administrative fee of \$75.00 for processing the application and by paying the costs of publishing public notices and notifying other property owners affected by such proposed vacation as required for any public hearing(s) on the application held by the Planning Commission or the Governing Body. The fees and costs specified above in this subsection shall not be applicable when such vacation occurs on application of the Governing Body of the locality.

This application must include an impact statement on services from the following municipal departments:

PUBLIC WORKS: No impact . It will have the following impact: _____ Initial: CEE

POWER & LIGHT: No impact . It will have the following impact: _____ Initial: ZW

FIRE & RESCUE: No impact . It will have the following impact: _____ Initial: [Signature]

APPLICANT'S NAME (PRINT): Ricky Sykes

APPLICANT'S SIGNATURE: [Signature] DATE: 1/8/24

FOR OFFICE USE ONLY

CHECKS ARE TO BE MADE PAYABLE TO: TREASURER CITY OF FRANKLIN

(Comments) _____

Submitted Received by: [Signature] Date: 1/8/2024

Community Development Staff Person



CITY OF FRANKLIN OFFICES

WIL BE CLOSED ON

THURSDAY, JULY 4TH & FRIDAY, JULY 5TH

IN OBSERVANCE OF

Independence Day



CITY EMPLOYEES WOULD LIKE TO SAY **THANK YOU** TO
FRANKLIN CITY COUNCIL FOR RECOGNIZING OUR HARD WORK AND
GRANTING JULY 5TH AS AN ADDITIONAL HOLIDAY!

INDEPENDENCE DAY HOLIDAY TRASH PICKUP



**CITY OF FRANKLIN OFFICES WILL BE CLOSED
THURSDAY, JULY 4TH & FRIDAY, JULY 5TH.**

**THURSDAY'S TRASH ROUTE WILL BE PICKED UP ON
MONDAY, JULY 8, 2024 ALONG WITH MONDAY'S ROUTE.**

**FRIDAY'S TRASH ROUTE WILL BE PICKED UP ON
TUESDAY, JULY 9, 2024 ALONG WITH TUESDAY'S ROUTE.**