



**Franklin City Council Agenda
January 13, 2025
Council Chambers
207 West Second Avenue
Franklin, Virginia 23851**

**7:00 P.M.
Regular Meeting**

CALL TO ORDER. MAYOR PAUL KAPLAN
PLEASE TURN OFF CELL PHONES. MAYOR PAUL KAPLAN
PLEDGE OF ALLEGIANCE
CITIZEN'S TIME (3 MINUTES)

1. CONSENT AGENDA

(The Consent Agenda provides a method for expediting items that do not require discussion. Items listed on the Consent Agenda are considered routine and non-controversial and will be approved unanimously by a single roll-call vote of the City Council. A Council member may request to remove an item from the Consent Agenda, and if approved, it will be placed on the regular agenda for discussion and consideration.)

- A. Approval of Agenda for January 13, 2025
- B. Approval of December 9, 2024 Regular Council Meeting Minutes

2. ORGANIZATIONAL MEETING

- A. Mayor's Organizational Remarks
- B. Selection of Vice-Mayor
- C. Seat Selections
- D. Boards' and Commissions' Council Assignments
- E. Approval of 2025 Meeting Calendar

3. CITY MANAGER'S REPORT

Agenda Item #2025-1:

Adoption of the Resolution Honoring the Memory of June Fleming

Agenda Item #2025-2:

Adoption of the Resolution Honoring Robert "Bobby" Cutchins, II for his Service and Contributions to the Community

Agenda Item #2025-3:

Adoption of the Resolution Honoring Ray Smith for his Service and Contributions to the Community

Agenda Item #2025-4:

Adoption of a Resolution Amending the FY 2024-2025 City Operating Budget to Accept and Appropriate the Amount of \$77,220 Received as a Donation from the Camp Family Foundations to the Foundation Grant Funds for use by the Franklin Police Department, Franklin Fire Department, and the Hunterdale Volunteer Fire Department

Agenda Item #2025-5:

Adoption of a Resolution Amending the FY 2024-2025 City Operating Budget to Accept and Appropriate the Amount of \$10,000 Received as a Donation from the Franklin Southampton

****Agenda subject to change**

Charities to the Foundation Grant Funds for Use by the Franklin Fire Department and the Hunterdale Volunteer Fire Department

4. NEW BUSINESS

A. Boards & Commissions

- **Agenda Item #2025-6:**

- Appointment to Virginia Municipal Electric Association (VMEA)-Wendell Adkison

- Appointment to Eastern Virginia Regional Industrial Facility Authority (EVRIFA)-Rosylen Oglesby

B. Items Submitted by Council Members (Council Comments)

C. Report on Pending Items

- **Agenda Item #2025-7:** Renaming and Honorary Street Policies

5. CLOSED SESSION

A. Convene closed meeting pursuant to Virginia Code Section 2.2-3711 (A)(1) for the purpose of discussing, considering, or interviewing prospective candidates for employment.

6. RECONVENE REGULAR SESSION

7. CERTIFICATION OF CLOSED MEETING

8. ADJOURNMENT

***Agenda subject to change*

Regular City Council Meeting Minutes December 9, 2024

Call to order

The Franklin City Council held its regular City Council meeting on December 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: Rosylen Oglesby, City Manager, Jesse Bausch, City Attorney

Citizen’s Time

Dr. Erin Pack, Board of Director Member with Western Tidewater Free Clinic, gave an update on services, thanked the council for their investment, and invited them to tour the clinic.

Amendments to Agenda

A motion was made by Councilman Kitchen and seconded by Councilman Johnson to approve the agenda.

The motion carried the vote 6-0.

The vote as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

Consent Agenda

- A. Approval of November 25, 2024 work session minutes.

Mayor Cutchins asked if there were any corrections or additions to the November 25, 2024 work session minutes.

None were heard.

A motion was made by Councilwoman Banks and seconded by Vice-Mayor Copeland to approve the work session minutes of November 25, 2024.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

B. Approval of November 25, 2024 Regular Council Meeting Minutes.

Mayor Cutchins asked if there were any corrections or additions to the November 25, 2024 regular council meeting minutes.

None were heard.

A motion was made by Councilman Kitchen and seconded by Vice-Mayor Copeland to approve the regular council meeting minutes of November 25, 2024.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

Public Hearing

Issuance, Sale, and Award of a General Obligation Note, Series 2024

Mayor Cutchins opened the public hearing and deferred to City Manager Oglesby.

City Manager Oglesby explained that this was the second phase for what Council had started for the Courthouse, Armory, and Radio Projects seeking funding not to exceed \$8.1 million.

Mayor Cutchins called for public comments three times.

None were heard

Mayor Cutchins closed the public hearing.

**RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND AWARD OF A
GENERAL OBLIGATION NOTE, SERIES 2024 OF THE CITY OF FRANKLIN,
VIRGINIA AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT
THEREOF**

WHEREAS, the City Council (**the “City Council”**) of the City of Franklin, Virginia (**the “City”**) wishes to provide interim financing for the construction, renovation and improvement of City courts facilities, City and community facilities at the former National Guard armory facility and a City public safety radio system project, along with other capital needs of the City (**the “Projects”**) and to pay the costs of issuance therefor; and

WHEREAS, Davenport & Company LLC, the City's financial advisor (**the “Financial Advisor”**), as directed by City staff, and its bond counsel, Sands Anderson PC, have prepared a Request for Proposals (**the “RFP”**) to obtain financing proposals for the interim financing of the Projects;

WHEREAS, the Financial Advisor has received responses to the RFP that reflect attractive terms for the financing of the Projects and after reviewing the responses has recommended that the City Council select the proposal to purchase the City’s maximum aggregate principal amount not to exceed \$8,300,000 General Obligation Bond Anticipation Note, Series 2024 (**the “Note”**) to finance the Projects in accordance with the proposal dated October 3, 2024 (**the “Proposal”**) from Webster Bank, National Association (**the “Lender”**) whose approval shall be evidenced conclusively by the execution and delivery of such Proposal, and the City Council desires to accept such Proposal and proceed with the financing reflected therein;

WHEREAS, the City Council held a public hearing, duly noticed, on December 9, 2024 on the issuance of up to \$8,300,000 general obligation notes or bonds of the City in accordance with Section 15.2-2606 of the Public Finance Act of 1991 (**the “Act”**) of the Code of Virginia of 1950, as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN:

1. Issuance of Note. Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Act, the City Council hereby authorizes the issuance and sale of general obligation notes or bonds of the City to provide funds for interim financing for the Projects, and to pay related issuance and financing costs incurred in connection with issuing such Note. The City elects to issue the Note pursuant to the Act without regard to any separate requirements of the City Charter.

2. Note Details. The Note shall be issued in an aggregate principal amount not to exceed \$8,300,000 consisting of a single, registered bond or note designated “General Obligation Bond Anticipation Note, Series 2024” numbered N-1, bearing an interest rate not to exceed 3.60% per annum, and maturing no later than December 31, 2027. Subject to the preceding terms, the City Council further authorizes the Financial Advisor to determine the aggregate total of principal and interest payments on the Note, establish an amortization schedule for the Note, all in accordance with the provisions hereof.

3. Payment and Redemption Provisions. The principal of and premium, if any, and interest on the Note shall be payable as set forth in the Note. The principal of the Note shall be subject to optional prepayment or redemption, in whole or in part, by the City, as set forth in the Proposal, provided, that the Note may be prepaid, in whole only, at any time after October 31, 2026 with no prepayment penalty.

4. Execution and Form of Note. The Note shall be substantially in the form of Exhibit A attached hereto, shall be signed by the Mayor or Vice Mayor of the City and the City's seal shall be affixed thereon and attested by the City Clerk. The Note shall be issued as a typewritten bond or note with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by such officers, whose approval shall be evidenced conclusively by the execution and delivery of the Note.

5. Pledge of Full Faith and Credit. The City's full faith and credit are pledged to secure the payment of the principal of, premium, if any, and interest on the Note. Unless other funds are lawfully available and appropriated for timely payment of the Note, the City agrees to levy and collect an annual tax upon all property subject to local taxation in the City sufficient to pay the principal of and premium, if any, and interest on the Note.

6. Preparation of Printed Note. The City shall initially issue the Note in typewritten form. Upon request of the registered owner and upon presentation of the Note at the office of the Registrar (as hereinafter defined), the City shall arrange to have prepared, executed and delivered in exchange as soon as practicable the Note in printed form in an aggregate principal amount equal to the unpaid principal of the Note in typewritten form, in denominations of \$5,000 and multiples thereof (except that one Note may be issued in an odd denomination of not less than \$5,000), of the same form and maturity and registered in such names as requested by the registered owners or their duly authorized attorneys or legal representatives. The printed Note may be executed by manual or facsimile signature of the Mayor or Vice Mayor of the City, the City's seal affixed thereto and attested by the City Clerk; provided, however, that if both such signatures are facsimiles, no Note shall be valid until it has been authenticated by the manual signature of the Registrar and the date of authentication noted thereon. The typewritten Note surrendered in any such exchange shall be canceled.

7. Registration and Transfer of the Note. The City appoints the City Treasurer as paying agent and registrar (**the "Registrar"**) for the Note. Upon surrender of the Note at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate and deliver in exchange, a new Note or Notes having an equal aggregate principal amount, of the same form and maturity, bearing interest at the same rates and registered in such name as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person or entity exclusively entitled to payment of principal, premium, if any, and interest, and the exercise of all other rights and powers of the owner, except that installments shall be paid to the person or entity shown as

owner on the registration books on the 1st day of the month on which an interest payment date occurs.

8. Mutilated, Lost or Destroyed Note. If the Note has been mutilated, lost or destroyed, the City shall execute and deliver a new Note of like date and tenor in exchange and substitution for, and upon cancellation of, such mutilated Note or in lieu of and in substitution for such lost or destroyed Note; provided, however, that the City shall so execute and deliver only if the registered owner has paid the reasonable expenses and charges of the City in connection therewith and, in the case of a lost or destroyed Note, (a) has filed with the City evidence satisfactory to the City that such Note was lost or destroyed and (b) has furnished to the City satisfactory indemnity.

9. Arbitrage Covenants. The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the Note to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the “Code”), or otherwise cause interest on the Note to be includable in the gross income for Federal income tax purposes of the registered owner thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of the Tax Compliance Agreement (as defined below) that may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Note, unless the City receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Note from being included in the gross income for federal income tax purposes of the registered owners thereof under existing law. The City shall pay any such required rebate from legally available funds.

10. Tax Compliance Agreement. Such officers of the City as may be requested by the City’s bond counsel are authorized and directed to execute and deliver a nonarbitrage certificate and tax compliance agreement in relation to the Note (the “Tax Compliance Agreement”) in the form approved by the Mayor or Vice Mayor of the City or the City Manager, or any of them, in collaboration with the City’s bond counsel, with such completions, omissions, insertions and changes as may be approved by the officers of the City executing such Tax Compliance Agreement, whose approval shall be evidenced conclusively by the execution and delivery thereof.

11. Private Activity Bond Covenant. The City covenants that it shall not permit the proceeds of the Note or the property financed thereby to be used in any manner that would result in (a) 5% or more of such proceeds or the facilities financed with such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or the facilities financed with such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Note from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants.

12. Qualified Tax-Exempt Obligation. The City Council hereby designates the Note as a “qualified tax-exempt obligation” as defined in Section 265(b)(3)(B) of the Code and certifies by this Resolution that it does not reasonably anticipate the issuance by it or its subordinate entities of more than \$10 million in “qualified tax-exempt obligations” during the calendar year 2024 and will not designate, or permit the designation by any of its subordinate entities of, any of its bonds (or those of its subordinate entities) during the calendar year 2024 which would cause the \$10 million limitation of Section 265(b)(3)(D) of the Code to be violated.

13. SNAP Investment Authorization. The City Council has determined to authorize the City Treasurer, if and as necessary, to utilize SNAP in connection with the investment of the proceeds of the Note.

14. Bond Counsel. The City Council hereby confirms the appointment of Sands Anderson PC to serve as Bond Counsel to the City in connection with the issuance of the Note.

15. Other Actions. All other actions of City officials in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Note and the interim financing of the Projects are ratified, approved and confirmed. The City officials are authorized and directed to execute and deliver all agreements, certificates and other instruments considered necessary or desirable in connection with the issuance, sale and delivery of the Note pursuant to this Resolution and the financing of the Projects including, but not limited to a loan agreement, note purchase agreement, escrow agreement and any other agreements.

16. Effectiveness and Filing of Resolution. This Resolution shall become effective immediately upon its passage. After such passage, a certified copy of this Resolution shall be filed by the Clerk with the Clerk of the Circuit Court of the County of Southampton, Virginia. The filing of this Resolution with the Clerk of the Circuit Court of the County of Southampton, Virginia shall be deemed to be the filing of an initial resolution or ordinance with such Court for all purposes of the Act. Any ordinances or resolutions inconsistent herewith previously adopted by the City Council are amended to be consistent with this Resolution.

On motion of _____, seconded by _____, the foregoing Resolution was adopted at a regular meeting of City Council on December 9, 2024. Members of the City Council voted as follows:

YES

NO

ABSTAINED

ABSENT

Adopted this 9th day of December, 2024.

The undersigned City Clerk of the City Council of the City of Franklin, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of an Resolution adopted at a meeting of the City Council of the City of Franklin, held on December 9, 2024. I hereby further certify that such a meeting was a regular meeting, duly called and held, and that during the consideration of the foregoing Resolution, a quorum was present.

City Clerk, City Council of the
City of Franklin, Virginia

CITY OF FRANKLIN, VIRGINIA
\$8,300,000 GENERAL OBLIGATION BOND ANTICIPATION NOTE
SERIES 2024

NOTE PURCHASE AND LOAN AGREEMENT

December __, 2024

City of Franklin, Virginia
 207 W. 2nd Avenue
 Franklin, Virginia 23851

Ladies and Gentlemen:

Webster Bank, National Association (**the “Lender”**) offers to enter into this agreement (**this “Note Purchase and Loan Agreement”**) with the City of Franklin, Virginia (**the “City”**), providing for the sale by the City and the purchase by the Lender of the City’s General Obligation Bond Anticipation Note, Series 2024 in the principal amount of \$8,300,000 (**the “Note”**). Acceptance of this offer shall be evidenced by the execution and delivery to the Lender of this Note Purchase and Loan Agreement by the Mayor or Vice Mayor of either of whom may act, on behalf of the City. Upon such acceptance, this Note Purchase and Loan Agreement shall be in full force and effect in accordance with its terms and shall be binding upon the City and the Lender.

1. **Purpose of Financing and Security for Note.** The Note will be issued and secured under and pursuant to a resolution adopted by the City Council of the City (**the “City Council”**) on December 9, 2024 (**the “Resolution”**) and Chapter 26, Title 15.2, Code of Virginia of 1950, as amended (**the “Act”**), in order to provide, from proceeds of the Note, interim financing for the construction, renovation and improvement of City courts facilities, City and community facilities at the former National Guard armory facility and a City public safety radio system project, along with other capital needs of the City and related costs of issuance (**the “Projects”**) for the benefit of citizens of the City. The Note shall be secured by the full faith and credit of the City.

2. **Purchase and Terms of The Note.** Upon the terms and conditions and upon the basis of the representations set forth herein, the Lender hereby agrees to loan monies to the City as evidenced by the Lender’s purchase of the Note from the City, and the City hereby agrees to sell to the Lender, the Note at the purchase price of 100% of the aggregate principal amount of the Note (**the “Purchase Price”**). The Note shall be as described in, and shall have the terms and conditions, including but not limited to the payment dates for interest, principal and redemption or prepayment provisions, set forth in the forms of Note attached as **Exhibit A** hereto and incorporated by this reference. The principal of the Note shall bear interest at the rate of 3.60% per annum through the final maturity date of the Note, November 1, 2027. The Note is being issued as a tax-exempt obligation under Section 103 of the Internal Revenue Code of 1986, as amended (**the “Code”**). Interest on the Note shall be paid on the 1st day of each May and November, commencing May 1, 2025, through and including the final maturity date. Principal

shall be due at as set forth in the Note and is subject to optional redemption as set forth below in Section 7 herein.

3. **Representations and Warranties of the City.** The City represents, warrants and agrees as follows:

(a) the City is, and will be at Closing (as defined below), a municipal corporation of the Commonwealth of Virginia (**the “Commonwealth”**) duly chartered by the General Assembly of the Commonwealth, with the power and authority (1) to issue, sell and deliver the Note to the Lender as provided herein and (2) to consummate all transactions contemplated by, and perform its obligations, under this Note Purchase and Loan Agreement, the Note, the Resolution, and a Non-Arbitrage Certificate (**the “Non-Arbitrage Certificate”**) to be executed by the City.

(b) as of the Closing, the City will have full power and authority to irrevocably pledge its full faith and credit to the payment of the principal of, premium, if any, and interest on the Note;

(c) the adoption of the Resolution and the execution and delivery of this Note Purchase and Loan Agreement, the Note and the Non-Arbitrage Certificate (**collectively, the “Documents”**) and compliance with the provisions thereof, under the circumstances contemplated hereby and thereby, do not and will not (1) violate the Constitution or laws of the Commonwealth, including, without limitation, the charter of the City, as applicable, the Act or any other existing law, rule, regulation, order, writ, judgment, injunction, decree, or determination of any court, regulatory agency or other governmental unit by which the City is bound, or (2) conflict with, result in a breach of, or constitute a default under, any existing resolution, the Resolution, indenture of trust or mortgage, loan or credit agreement, or any other existing agreement or instrument to which the City is a party or by which the City may be bound;

(d) The City has, and at the Closing Date will have, duly authorized all actions necessary or appropriate to be taken for the City to (1) enter into, execute and deliver this Note Purchase and Loan Agreement, (2) to issue, sell and secure the Note to the Lender as provided herein, and (3) to consummate and carry out the other transactions contemplated by the Resolution and this Note Purchase and Loan Agreement.

(e) There is no action, suit, proceeding, inquiry or investigation at law or in equity, before or by any court, public board or body, pending or, to the best knowledge of the City, threatened against the City, affecting the organization and existence of the City or the titles of its officers to their respective offices or seeking to prohibit, restrain or enjoin the sale, issuance or delivery of the Note or to pay the principal of and interest on the Note, or the pledge thereof, or in any way contesting or affecting the validity or enforceability of the Note or this Note Purchase and Loan Agreement or contesting in any way the power of the City to issue the Note or to execute and deliver this Note Purchase and Loan Agreement, nor, to the best knowledge of the City, is there any basis therefor.

(f) No further consent, approval, authorization or order of any court or governmental agency or body not already obtained is required for the issuance, delivery or sale

of the Note or, as of the date hereof, the consummation of the other transactions effected or contemplated herein or hereby by the City.

(g) The City is not in violation of any existing law, rule or regulation applicable to it and is not in default under any indenture, mortgage, deed of trust, lien, lease, contract, note, order, judgment, decree or other agreement, instrument or restriction of any kind to which the City is a party or by which it is bound or to which any of its assets are subject, which default would adversely affect the Note, and the execution and delivery by the City of the Note and the compliance with the terms and conditions thereof will not conflict with or result in the breach of or constitute a default under any of the foregoing.

(h) When delivered to and paid for by the Lender in accordance with the terms of this Note Purchase and Loan Agreement, the Note will have been duly authorized, executed and issued.

(i) No suit, action, proceeding or investigation is pending nor, to the knowledge of the City, threatened against or affecting any of the City's properties, or against or affecting the City, before any court or governmental department, commission, board, bureau, agency or instrumentality which involves or would materially affect any of the transactions contemplated hereby or by the Documents, or which, if determined adversely, could have a material adverse effect on (i) the organization or existence of the City, (ii) the execution and delivery by the City of the Documents, (iii) the performance by the City of its obligations under the Documents, (iv) the validity or enforceability of the Documents or the transactions contemplated thereby, (v) the title or authority of any City officials executing the Documents or other documents relating to the transactions contemplated thereby, (vi) any authority or proceeding relating to the execution and delivery of the Documents on behalf of the City.

(j) the City hereby assures the Lender that no material deterioration exists in the financial condition of the City from that reported in fiscal year ending June 30, 2023.

(k) The representations and agreements of the City herein will be true and correct in all material respects as of the Closing.

4. **Closing.** The delivery of the Note (**the "Closing"**) shall be at such place and time as may be agreed to by the City and the Lender (but in no event later than December __, 2024 unless otherwise agreed to in writing by the parties) (**the "Closing Date"**). Upon delivery of the Note to the Lender, the Lender will cause payment to be made as directed by the City, in immediately available funds, the purchase price of the Note. The purchase price of the Note will be applied by the City as set forth in a Closing Memorandum (**the "Closing Memorandum"**) prepared by the City's financial advisor, Davenport & Company LLC (**the "Financial Advisor"**) and approved by the City Manager, to pay certain costs of issuance of the Note and otherwise for payment of the costs of the Projects. The Note shall be delivered on the Closing Date to the Richmond, Virginia, offices of Sands Anderson PC as bond counsel to the City (**"Bond Counsel"**) or such other place as to which the City and the Lender may agree in writing, and Bond Counsel shall forward the Note to the Lender.

5. **Conditions to Closing.** The Lender's obligations hereunder to purchase and pay for the Note shall be subject to the performance by the City of its obligations hereunder and by the City of its obligations under the applicable Documents at or prior to the Closing Date, and to the following additional conditions at the Closing Date:

- (a) Receipt by the Lender of the Note and this Note Purchase and Loan Agreement.
- (c) Receipt by the Lender of a certificate, dated the Closing Date and signed by the Mayor and the City Manager of the City, to the effect that (i) the representations and warranties of the City contained herein are true and correct in all material respects as of the Closing Date as if made on the Closing Date, and (ii) the City has complied with all the agreements and satisfied all the conditions on its part to be performed or satisfied at or prior to the Closing Date.
- (d) Delivery to the Lender of an opinion of the City Attorney, dated the Closing Date, in substantially the form set forth in **Exhibit B** hereto.
- (e) Receipt by the Lender of the approving opinion of Bond Counsel, dated the Closing Date, subject to the usual qualifications, as to the validity and enforceability of the Note against the City and the tax-exempt status of interest thereon.

The Lender reserves the right to waive any of the conditions to its obligations contained in this Note Purchase and Loan Agreement.

If the City shall be unable to perform or fulfill the conditions to the Lender's obligations hereunder, or if the Lender's obligations hereunder shall be terminated for any reason permitted hereby, this Note Purchase and Loan Agreement shall terminate and neither the Lender nor the City shall be under further obligation hereunder.

6. **Fees and Expenses.** The City agrees to cause to be paid the fees and disbursements of the Financial Advisor, of Bond Counsel, and of the City Attorney and disbursements incurred in connection with the issuance and sale of the Note to the Lender, in each case from the proceeds of the Note as set forth in the Closing Memorandum.

7. **Optional Redemption.**

The Note may not be redeemed before November 1, 2026. The Note is subject to redemption prior to its final maturity date, at the option of the City, in whole, on any payment date on or after November 1, 2026, upon thirty (30) days written notice to the Bondholder, at a redemption price equal to 100% of the outstanding principal amount thereof, plus interest accrued to the redemption date.

8. **Representations of Lender.** The Lender represents and warrants that the purchase of the Note is for its individual account and not with a present view for distribution to other purchasers thereof; provided that the Lender intends to sell a 100% participation interest in the Note to an

affiliate on the date hereof at par. The Lender is a national banking association authorized to do business in the Commonwealth. The Lender represents and warrants that it is purchasing the Note at its sole risk based on its evaluation of the credit risks arising therefrom.

9. **Notices.** Any notice or other communication to be given to the City or the Lender under this Note Purchase and Loan Agreement may be given by delivery of the same in writing (a) to the Franklin City Manager's Office, 207 W. 2nd Avenue, Franklin, Virginia 23851 and (b) to the Lender, at Webster Bank, National Association, 360 Lexington Avenue, 5th Floor, New York, New York 10017 (Attn: Public Sector Finance). Any party to this Note Purchase and Loan Agreement may designate additional or different addresses for notice or communications by notice given under this Section to the other party.

10. **Financial Statements.** The City shall furnish to the Lender, (a) annually during the term of the Note, with audited financial statements, including supporting schedules (**the "Audit"**) of the City as soon as available after the City's acceptance thereof, but no later than 360 days after the end of the City's fiscal year, commencing with the fiscal year ending June 30, 2023, and (b) such other financial information as the Lender may reasonably request. Such Audit must be in a form and degree reasonably acceptable to the Lender and prepared in accordance with generally accepted accounting principles. The requirement to provide the Audit to the Lender will be satisfied if and to the extent such information is electronically posted and publicly available on the City's website or on the MSRB's "EMMA" website, and the City provides electronic notice to the Lender with a link to such posting. In the event that the Audit is not available within 360 days of fiscal year end, the City will furnish unaudited financial statements to the Lender in the manner described in this paragraph within such period, and will then supply the Audit immediately upon the availability thereof. The electronic Audit or link may be sent to the following email address (or such other address as the Lender supplies to the City in writing): PublicFinance@WebsterBank.com.

11. **Miscellaneous.** This Note Purchase and Loan Agreement is made solely for the benefit of the City and the Lender (including their successors or assigns) and no other person shall acquire or have any right hereunder or by virtue hereof. All the representations, warranties and agreements contained herein shall remain operative and in full force and effect, regardless of (a) any investigations made by or on behalf of the Lender; (b) delivery of and payment for the Note hereunder; and (c) any termination of this Note Purchase and Loan Agreement. Assignment and re-registration of the Note shall without further action be deemed to assign the Lender's interest under this Note Purchase and Loan Agreement.

12. **Governing Law.** The construction and enforcement of this Note Purchase and Loan Agreement shall be governed by the laws of the Commonwealth of Virginia, without regard for its conflicts of laws provisions.

13. **Execution in Counterparts.** This Note Purchase and Loan Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument, and any of the parties hereto may execute this Note Purchase and Loan Agreement by signing any such counterpart.

14. **Severability.** In case any one or more of the provisions of this Note Purchase and Loan Agreement shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Note Purchase and Loan Agreement, and this Note Purchase and Loan Agreement shall be construed and enforced as if such illegal or invalid provisions had not been contained herein.

[Remainder of this page intentionally left blank.]

Very truly yours,

**WEBSTER BANK, NATIONAL
ASSOCIATION**

By: _____

Title: Managing Director

Confirmed and Accepted
as of the date first above written:

CITY OF FRANKLIN, VIRGINIA

By: _____
Mayor

EXHIBIT A
FORM OF THE NOTE

EXHIBIT B
OPINION OF CITY ATTORNEY

No. N-1

\$8,300,000.00

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA, CITY OF FRANKLIN
GENERAL OBLIGATION BOND ANTICIPATION NOTE
SERIES 2024**

Registered Holder: Webster Bank, National Association

Dated: December __, 2024

Interest Rate: 3.60%

Maturity Date: November 1, 2027

Principal Sum: Eight Million Three Hundred Thousand and 00/100 Dollars

KNOW ALL PERSONS BY THESE PRESENTS, that the City of Franklin, Virginia (hereinafter sometimes referred to as the “City”), a municipal corporation of the Commonwealth of Virginia, for value received hereby promises to pay to the registered holder (named above), or its assigns or legal representative (the “Holder”), on the Maturity Date (specified above), the Principal Sum, subject to prior redemption as described herein, and to pay interest on the unpaid principal balance of this Note from the date hereof until payment of the entire principal, at the annual Interest Rate stated above, payable in installments as set forth on the attached Schedule.

Both principal of and interest on this Note are payable in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts.

Interest is payable on the basis of a 360-day year consisting of twelve 30-day months.

Both principal of and interest on this Note are payable in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts.

Upon a Determination of Taxability (as defined below), the interest rate on this Note shall be automatically adjusted to the Taxable Rate (as defined below) from the Date of Taxability (as defined below). For purposes of this Note, the following terms have the following meanings:

"Date of Taxability" means the earliest date as of which interest on this Note shall have been determined to be includable in the gross income of the Holder pursuant to a Determination of Taxability.

"Determination of Taxability" means and shall be deemed to have occurred on the first to occur of the following:

- (i) on that date when the City files any statement, supplemental statement or other tax schedule, return or document which discloses that an Event of Taxability shall have in fact occurred;

(ii) on the date when the Holder notifies the City that it has received a written opinion by an attorney or firm of attorneys of recognized standing on the subject of tax-exempt municipal finance to the effect that an Event of Taxability (as defined below) has occurred unless, within 180 days after receipt by the City of such notification from such Holder, the City shall deliver to the Holder (A) a ruling or determination letter issued to or on behalf of the City by the Commissioner or any District Director of Internal Revenue (or any other governmental official exercising the same or a substantially similar function from time to time) or (B) a written opinion by an attorney or firm of attorneys of recognized standing on the subject of tax-exempt municipal finance to the effect that, after taking into consideration such facts as form the basis for the opinion that an Event of Taxability has occurred, an Event of Taxability shall not have occurred;

(iii) on the date when the City shall be advised in writing by the Commissioner or any District Director of Internal Revenue (or any other government official or agent exercising the same or a substantially similar function from time to time) that, based upon filings by the City, or upon any review or audit of the City or upon any other ground whatsoever, an Event of Taxability shall have occurred; or

(iv) on that date when the City shall receive notice from the Holder that the Internal Revenue Service (or any other government official or agency exercising the same or a substantially similar function from time to time) has assessed as includable in the gross income of such Holder the interest on this Note due to the occurrence of an Event of Taxability;

provided, however, no Determination of Taxability shall occur under subparagraph (iii) or (iv) above unless the City have been afforded the opportunity, at the sole expense of the City, to contest any such assessment, and, further, no Determination of Taxability shall occur until such contest, if made, has been finally determined; provided further, however, that upon demand from the Holder, the City shall immediately reimburse such Holder for any payments such Holder shall be obligated to make as a result of the Determination of Taxability during any such contest.

"Event of Taxability" means the taking of any action by the City, or the failure to take any action by the City, or the making by the City of any misrepresentation herein or in any certificate required to be given in connection with the issuance, sale or delivery of this Note which has the effect of causing interest paid or payable on this Note to become includable, in whole or in part, in the gross income of the Holder for federal income tax purposes.

"Taxable Rate" means the interest rate per annum that shall provide the Holder with the same after-tax yield that the Holder would have otherwise received had the Determination of Taxability not occurred, taking into account the increased taxable income of the Holder as a result of such Determination of Taxability. The Holder shall provide the City with a written statement explaining the calculation of the taxable rate, which statement shall, in the absence of manifest error, be conclusive and binding on the City.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this Note

do exist, have happened and have been performed in regular and due time, form and manner as required by law; that this Note does not exceed any constitutional, statutory or charter limitation of indebtedness; and that provision has been made for the payment of the principal of, and interest on, this Note, as provided in the Resolution (as defined below).

This Note is in an original principal amount of \$8,300,000, and is issued under, pursuant to and in compliance with the Constitution and laws of the Commonwealth of Virginia, including Chapter 26, Title 15.2 of the Code of Virginia of 1950, as amended, the same being the Public Finance Act, the City Charter of the City and the Resolution duly adopted by the City Council on December 9, 2024 (**the “Resolution”**).

This Note is transferable only upon the registration books kept at the office of the City Treasurer as Registrar (**the “Registrar”**) by the registered Holder hereof, or by such Holder’s duly authorized attorney, to (i) an affiliate of the registered Holder or (ii) banks, insurance companies or other financial institutions or their affiliates, upon surrender of this Note (together with a written instrument of transfer, satisfactory in form to the Registrar, duly executed by the registered Holder or such Holder’s authorized attorney, which may be the form endorsed hereon) and subject to the limitations and upon payment of the charges, if any, as provided in the Resolution, and thereupon a new Note, in the aggregate principal amount and of the same series, interest rate and maturity as this Note, shall be issued in exchange therefor. The City and the Registrar shall deem and treat the person in whose name this Note is registered as the absolute registered owner Holder hereof for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon and for all other purposes whatsoever. Nothing in this Note shall limit the right of the registered Holder or its assignees to sell or assign participation interests herein to one or more entities listed in (i) or (ii) above.

This Note may not be redeemed before November 1, 2026. This Note is subject to optional redemption prior to the Maturity Date, at the option of the City, in whole only, on any interest payment date on or after November 1, 2026, upon thirty (30) days written notice to the Holder, at a redemption price equal to 100% of the outstanding principal amount hereof, plus interest accrued to the redemption date.

Notice of redemption shall be sent in writing by the Registrar to the registered Holder of this Note at such registered Holder’s address as it appears on the registration books, provided that failure to give such notice, or any defect therein, shall not affect the validity of any proceedings for the redemption of this Note with respect to which no such failure has occurred.

THIS NOTE IS A GENERAL OBLIGATION OF THE CITY, THE PAYMENT OF WHICH THE CITY'S FULL FAITH AND CREDIT ARE IRREVOCABLY PLEDGED. THE CITY COUNCIL IS AUTHORIZED AND REQUIRED TO LEVY AND COLLECT, ANNUALLY AT THE SAME TIME AND IN THE SAME MANNER AS OTHER TAXES OF THE CITY ARE ASSESSED, LEVIED AND COLLECTED, A TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY, OVER AND ABOVE ALL OTHER TAXES AUTHORIZED OR LIMITED BY LAW AND WITHOUT LIMITATION AS TO RATE OR AMOUNT, SUFFICIENT TO PAY WHEN DUE THE PRINCIPAL OF AND PREMIUM, IF ANY, AND INTEREST ON THIS NOTE, TO THE EXTENT OTHER FUNDS OF THE CITY ARE NOT LAWFULLY AVAILABLE AND APPROPRIATED FOR SUCH PURPOSE.

Reference is hereby made to the Resolution and to all of the provisions thereof to which any Holder of this Note by his acceptance hereof hereby assents, for definitions of terms; the description of and nature and extent of the security for this Note; the conditions upon which the Resolution may be amended or supplemented without the consent of the Holder of this Note and upon which it may be amended only with the consent of the Holder of this Note affected thereby; the rights and remedies of the Holder hereof with respect hereto; the rights, duties and obligations of the City; the provisions discharging the Resolution as to this Note and for the other terms and provisions of the Resolution.

IN WITNESS WHEREOF, the City of Franklin, Virginia, by its City Council has caused this Note to be signed by the Mayor and attested by the Clerk of said City, by their manual or facsimile signatures, and its seal to be impressed or imprinted hereon, and this Note to be dated as set forth above.

Mayor, City of Franklin, Virginia

(SEAL)

Attest:

City Clerk
City of Franklin, Virginia

CERTIFICATE OF AUTHENTICATION

This Note is the Note described in the within-mentioned Resolution.

REGISTRAR

By: _____
Treasurer, City of Franklin, Virginia

DATE OF AUTHENTICATION:

December __, 2024

[FORM OF ASSIGNMENT]

For value received, the undersigned hereby sells, assigns, and transfers unto

Please insert social security number or other tax identification number of assignee:

[_____]

Name and address of assignee, including zip code: _____

_____ the within-mentioned Note and hereby irrevocably constitutes and appoints _____ attorney-in-fact, to transfer the same on the registration books thereof maintained in the office of the within-mentioned Registrar with the full power of substitution in the premises.

DATED: _____

NOTE: The signature to this assignment must correspond with the name of the registered holder that is written on the face of the within Note in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

SCHEDULE

Old/New Business

A. Council Comments

Councilman Johnson wished everyone a Merry Christmas and a Happy New Year stating he is looking forward to next year. He also thanked the City Manager and her staff.

Councilman Kitchen thanked the Mayor for his service and made comments in reference to the Christmas Parade, swearing in of newly-elected officials, and plans to address the complaint from Ms. Lawrence at the last meeting.

Vice-Mayor Copeland made comments in reference to the complaint from Ms. Lawrence and thanked the Mayor and wished him well.

Councilwoman Banks extended a happy holidays to everyone and thanked the Mayor.

Councilman McLemore made comments in reference to the Christmas Parade, Ms. Lawrence's complaint, swearing in of elected officials, plaque presented to the Mayor and Councilman Smith at the next meeting, filling the city attorney position, and thanked the Mayor for his service.

Mr. Jesse Bausch, representative with Sands Anderson, PC, explained that for the new term, each member needs to be sworn in before January 1st at the Clerk of Circuit Court and then a ceremonial swearing in can take place how they want.

There was discussion in reference to how to handle addressing the complaint brought forth by Ms. Lawrence against the school system.

Mayor Bobby Cutchins thanked everyone, stated that it has been an honor to work with everyone, and made comments in reference to the Christmas Parade.

Clarification was provided by the Mayor to the City Manager to contact the Superintendent to schedule a meeting with her, Councilman McLemore, Vice-Mayor Copeland, the Superintendent and School Board Chair to discuss the matter referencing Ms. Lawrence.

City Manager's Report

A. Ordinance to Provide Personal Property Tax Exemption for Qualified Volunteer Firefighters and Emergency Medical Services Personnel

City Manager presented the following Ordinance for adoption and stated it would be an estimated \$8,000 lost to general fund to the personal property taxes.



An Ordinance to Provide Personal Property Tax Exemptions for Qualified Volunteer Firefighters and Emergency Medical Services Personnel

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

WHEREAS, the City Council of Franklin, Virginia (the “Council”) recognizes the invaluable contributions of volunteer firefighters and emergency medical services personnel to the safety and welfare of the community and wishes to provide financial relief to those individuals in recognition of their service;

WHEREAS, the Council, pursuant to Section 58.1-3506(A)(15) of the *Code of Virginia*, wishes to establish a separate classification for the purposes of levying personal property taxes on certain motor vehicles owned or leased by volunteer firefighters and emergency medical services personnel; and

WHEREAS, the Council seeks to amend its code by creating a new section, § 27-153, to establish a personal property tax exemption for eligible volunteer firefighters and emergency medical services personnel, thereby recognizing their contributions and providing them with financial relief;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Franklin, Virginia:

§ 27-153 Classification for taxation of one motor vehicle owned or leased by volunteer fire department member or emergency medical services personnel.

[Added __ - __ -2024 by Ord. No. 2024-__]

(a) One motor vehicle owned and regularly used by a volunteer fire department member or a person who meets the definition of “emergency medical services personnel” in § 32.1-111.1 (collectively “volunteer emergency responder” or “volunteer”) is declared to be a separate class of property and shall constitute a classification for local taxation separate from other classifications of tangible personal property in this Chapter 27. To qualify for this classification, the volunteer shall:

(1) provide proof that he is the owner or lessor of the motor vehicle, and if a lessor of the vehicle, that the volunteer is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle;

(2) furnish the commissioner of revenue with a certification by the chief or head of the volunteer organization, that the volunteer is an individual who meets the definition of “emergency medical services personnel” in § 32.1-111.1 or is a member of a volunteer fire department who regularly responds to calls or regularly performs other duties for the volunteer organization; and

(3) specifically identify the motor vehicle owned or leased by the volunteer.

(b) The certification shall be submitted by January 31 of each year to the commissioner of revenue; however, the commissioner of revenue shall be authorized, in his discretion, and for good cause shown and without fault on the part of the member, to accept a certification after the January 31 deadline. A replacement vehicle may be certified and classified pursuant to this subsection when the vehicle certified as of the immediately prior January date is transferred during the tax year.

(c) The tax rate for such motor vehicles shall be set as part of the city’s adoption of its budget and setting of its annual tax rates.

BE IT FURTHER ORDAINED AND ENACTED, that this ordinance shall become effective on _____.

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

VOTE:

Ayes:

Nays:

Abstentions:

Absent for vote:

ADOPTED:

Robert Cutchins, Mayor

CERTIFIED:

Kimberly Turner, Deputy Clerk

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A motion was made by Councilman McLemore and seconded by Vice-Mayor Copeland to adopt the Ordinance to Provide Personal Property Tax Exemption for Qualified Volunteer Firefighters and Emergency Medical Services Personnel.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

- B. Resolution Providing for the Issuance, Sale, and Award of a General Obligation Note, Series 2024 of the City of Franklin, Virginia

City Manager Oglesby presented the following resolution for approval

**RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND AWARD OF A
GENERAL OBLIGATION NOTE, SERIES 2024 OF THE CITY OF FRANKLIN,
VIRGINIA AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT
THEREOF**

WHEREAS, the City Council (**the “City Council”**) of the City of Franklin, Virginia (**the “City”**) wishes to provide interim financing for the construction, renovation and improvement of City courts facilities, City and community facilities at the former National Guard armory facility and a City public safety radio system project, along with other capital needs of the City (**the “Projects”**) and to pay the costs of issuance therefor; and

WHEREAS, Davenport & Company LLC, the City's financial advisor (**the “Financial Advisor”**), as directed by City staff, and its bond counsel, Sands Anderson PC, have prepared a Request for Proposals (**the “RFP”**) to obtain financing proposals for the interim financing of the Projects;

WHEREAS, the Financial Advisor has received responses to the RFP that reflect attractive terms for the financing of the Projects and after reviewing the responses has recommended that the City Council select the proposal to purchase the City’s maximum aggregate principal amount not to exceed \$8,300,000 General Obligation Bond Anticipation Note, Series 2024 (**the “Note”**) to finance the Projects in accordance with the proposal dated October 3, 2024 (**the “Proposal”**) from Webster Bank, National Association (**the “Lender”**) whose approval shall be evidenced conclusively by the execution and delivery of such Proposal, and the City Council desires to accept such Proposal and proceed with the financing reflected therein;

WHEREAS, the City Council held a public hearing, duly noticed, on December 9, 2024 on the issuance of up to \$8,300,000 general obligation notes or bonds of the City in accordance with Section 15.2-2606 of the Public Finance Act of 1991 (**the “Act”**) of the Code of Virginia of 1950, as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN:

1. Issuance of Note. Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Act, the City Council hereby authorizes the issuance and sale of general obligation notes or bonds of the City to provide funds for interim financing for the Projects, and to pay related issuance and financing costs incurred in connection with issuing such Note. The City elects to issue the Note pursuant to the Act without regard to any separate requirements of the City Charter.

2. Note Details. The Note shall be issued in an aggregate principal amount not to exceed \$8,300,000 consisting of a single, registered bond or note designated “General Obligation Bond Anticipation Note, Series 2024” numbered N-1, bearing an interest rate not to exceed 3.60% per annum, and maturing no later than December 31, 2027. Subject to the preceding terms, the City Council further authorizes the Financial Advisor to determine the aggregate total of principal and interest payments on the Note, establish an amortization schedule for the Note, all in accordance with the provisions hereof.

3. Payment and Redemption Provisions. The principal of and premium, if any, and interest on the Note shall be payable as set forth in the Note. The principal of the Note shall be subject to optional prepayment or redemption, in whole or in part, by the City, as set forth in the Proposal, provided, that the Note may be prepaid, in whole only, at any time after October 31, 2026 with no prepayment penalty.

4. Execution and Form of Note. The Note shall be substantially in the form of Exhibit A attached hereto, shall be signed by the Mayor or Vice Mayor of the City and the City's seal shall be affixed thereon and attested by the City Clerk. The Note shall be issued as a typewritten bond or note with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by such officers, whose approval shall be evidenced conclusively by the execution and delivery of the Note.

5. Pledge of Full Faith and Credit. The City's full faith and credit are pledged to secure the payment of the principal of, premium, if any, and interest on the Note. Unless other funds are lawfully available and appropriated for timely payment of the Note, the City agrees to levy and collect an annual tax upon all property subject to local taxation in the City sufficient to pay the principal of and premium, if any, and interest on the Note.

6. Preparation of Printed Note. The City shall initially issue the Note in typewritten form. Upon request of the registered owner and upon presentation of the Note at the office of the Registrar (as hereinafter defined), the City shall arrange to have prepared, executed and delivered in exchange as soon as practicable the Note in printed form in an aggregate principal amount equal to the unpaid principal of the Note in typewritten form, in denominations of \$5,000 and multiples thereof (except that one Note may be issued in an odd denomination of not less than \$5,000), of the same form and maturity and registered in such names as requested by the registered owners or their duly authorized attorneys or legal representatives. The printed Note may be executed by manual or facsimile signature of the Mayor or Vice Mayor of the City, the City's seal affixed thereto and attested by the City Clerk; provided, however, that if both such signatures are facsimiles, no Note shall be valid until it has been authenticated by the manual signature of the Registrar and the date of authentication noted thereon. The typewritten Note surrendered in any such exchange shall be canceled.

7. Registration and Transfer of the Note. The City appoints the City Treasurer as paying agent and registrar (**the "Registrar"**) for the Note. Upon surrender of the Note at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate and deliver in exchange, a new Note or Notes having an equal aggregate principal amount, of the same form and maturity, bearing interest at the same rates and registered in such name as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person or entity exclusively entitled to payment of principal, premium, if any, and interest, and the exercise of all other rights and powers of the owner, except that installments shall be paid to the person or entity shown as

owner on the registration books on the 1st day of the month on which an interest payment date occurs.

8. Mutilated, Lost or Destroyed Note. If the Note has been mutilated, lost or destroyed, the City shall execute and deliver a new Note of like date and tenor in exchange and substitution for, and upon cancellation of, such mutilated Note or in lieu of and in substitution for such lost or destroyed Note; provided, however, that the City shall so execute and deliver only if the registered owner has paid the reasonable expenses and charges of the City in connection therewith and, in the case of a lost or destroyed Note, (a) has filed with the City evidence satisfactory to the City that such Note was lost or destroyed and (b) has furnished to the City satisfactory indemnity.

9. Arbitrage Covenants. The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the Note to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the “Code”), or otherwise cause interest on the Note to be includable in the gross income for Federal income tax purposes of the registered owner thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of the Tax Compliance Agreement (as defined below) that may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Note, unless the City receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Note from being included in the gross income for federal income tax purposes of the registered owners thereof under existing law. The City shall pay any such required rebate from legally available funds.

10. Tax Compliance Agreement. Such officers of the City as may be requested by the City’s bond counsel are authorized and directed to execute and deliver a nonarbitrage certificate and tax compliance agreement in relation to the Note (the “Tax Compliance Agreement”) in the form approved by the Mayor or Vice Mayor of the City or the City Manager, or any of them, in collaboration with the City’s bond counsel, with such completions, omissions, insertions and changes as may be approved by the officers of the City executing such Tax Compliance Agreement, whose approval shall be evidenced conclusively by the execution and delivery thereof.

11. Private Activity Bond Covenant. The City covenants that it shall not permit the proceeds of the Note or the property financed thereby to be used in any manner that would result in (a) 5% or more of such proceeds or the facilities financed with such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or the facilities financed with such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Note from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants.

12. Qualified Tax-Exempt Obligation. The City Council hereby designates the Note as a “qualified tax-exempt obligation” as defined in Section 265(b)(3)(B) of the Code and certifies by this Resolution that it does not reasonably anticipate the issuance by it or its subordinate entities of more than \$10 million in “qualified tax-exempt obligations” during the calendar year 2024 and will not designate, or permit the designation by any of its subordinate entities of, any of its bonds (or those of its subordinate entities) during the calendar year 2024 which would cause the \$10 million limitation of Section 265(b)(3)(D) of the Code to be violated.

13. SNAP Investment Authorization. The City Council has determined to authorize the City Treasurer, if and as necessary, to utilize SNAP in connection with the investment of the proceeds of the Note.

14. Bond Counsel. The City Council hereby confirms the appointment of Sands Anderson PC to serve as Bond Counsel to the City in connection with the issuance of the Note.

15. Other Actions. All other actions of City officials in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Note and the interim financing of the Projects are ratified, approved and confirmed. The City officials are authorized and directed to execute and deliver all agreements, certificates and other instruments considered necessary or desirable in connection with the issuance, sale and delivery of the Note pursuant to this Resolution and the financing of the Projects including, but not limited to a loan agreement, note purchase agreement, escrow agreement and any other agreements.

16. Effectiveness and Filing of Resolution. This Resolution shall become effective immediately upon its passage. After such passage, a certified copy of this Resolution shall be filed by the Clerk with the Clerk of the Circuit Court of the County of Southampton, Virginia. The filing of this Resolution with the Clerk of the Circuit Court of the County of Southampton, Virginia shall be deemed to be the filing of an initial resolution or ordinance with such Court for all purposes of the Act. Any ordinances or resolutions inconsistent herewith previously adopted by the City Council are amended to be consistent with this Resolution.

On motion of _____, seconded by _____, the foregoing Resolution was adopted at a regular meeting of City Council on December 9, 2024. Members of the City Council voted as follows:

YES

NO

ABSTAINED

ABSENT

Adopted this 9th day of December, 2024.

The undersigned City Clerk of the City Council of the City of Franklin, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of an Resolution adopted at a meeting of the City Council of the City of Franklin, held on December 9, 2024. I hereby further certify that such a meeting was a regular meeting, duly called and held, and that during the consideration of the foregoing Resolution, a quorum was present.

City Clerk, City Council of the
City of Franklin, Virginia

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A motion was made by Councilman Kitchen and seconded by Councilman Johnson to approve the Resolution Providing for the Issuance, Sale, and Award of a General Obligation Note, Series 2024 of the City of Franklin, Virginia and Providing for the Form, Details and Payment Thereof. **Discussion:** Councilman McLemore asked Davenport how much the city was paying them for this bond acquisition/loan application. Mr. Kyle Laux, Senior Vice President of Public Finance with Davenport & Company, stated \$50,000.

The motion carried the vote 5-1

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins

Nays: McLemore

Absent: Smith

Councilman Kitchen left the room at 7:35 p.m.

- C. Resolution Amending the FY 2024-2025 City Operating Budget to Accept and Appropriate the Amount of \$10,000 Received as a Donation from the Franklin Southampton Charities for Use by the Franklin Fire Department and the Hunterdale Volunteer Fire Department

City Manager Oglesby presented the following resolution for approval.

35

Councilman Kitchen returned at 7:38 p.m.

A motion was made by Councilman McLemore and seconded by Councilwoman Banks to approve Resolution Amending the FY 2024-2025 City Operating Budget to Accept and Appropriate the Amount of \$10,000 Received as a Donation from the Franklin Southampton Charities for Use by the Franklin Fire Department and the Hunterdale Volunteer Fire Department.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

- D. Resolution Amending the FY 2024-2025 City Operating Budget to Accept Grant Revenue in the Amount of \$276.38 from the Carl D. Perkins Career And Technical Education Act, and Appropriate Said Amount for Use by the Franklin City Public School in its FY 2024-2025 Operating Budget

City Manager Oglesby presented the following resolution for approval.

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A motion was made by Councilman Johnson and seconded by Vice-Mayor Copeland to approve the Resolution Amending the FY 2024-2025 City Operating Budget to Accept Grant Revenue in the Amount of \$276.38 from the Carl D. Perkins Career And Technical Education Act, and Appropriate Said Amount for Use by the Franklin City Public School in its FY 2024-2025 Operating Budget.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

- E. Resolution Amending the FY 2024-2025 City Operating Budget to Accept Grant Revenue in the Amount of \$50,000 from the Wallace Foundation, and Appropriate Said Amount for Use by the Franklin City Public School in its FY 2024-2025 Operating Budget

City Manager Oglesby presented the following resolution for approval.

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A motion was made by Councilman McLemore and seconded by Vice-Mayor Copeland to approve the Resolution Amending the FY 2024-2025 City Operating Budget to Accept Grant Revenue in the Amount of \$50,000 from the Wallace Foundation, and Appropriate Said Amount for Use by the Franklin City Public School in its FY 2024-2025 Operating Budget.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

F. Resolution Amending the Franklin City Employee Emergency Fund

City Manager Oglesby presented the following resolution for approval.



RESOLUTION AMENDING THE FRANKLIN CITY EMPLOYEE EMERGENCY FUND

WHEREAS, the Franklin City Employee Emergency Fund was established to provide assistance to City employees and their immediate families; and

WHEREAS, the rules and regulations governing the Fund were previously amended by City Council on October 13, 1969, August 11, 1975, and May 12, 1997; and

WHEREAS, the City Council has determined that eligibility for assistance from the Fund should be limited to current employees of the City of Franklin and their immediate families;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Virginia:

1. Amendment to Eligibility:

All references to former employees of the City of Franklin and their immediate families are hereby removed from the rules and regulations governing the Franklin City Employee Emergency Fund.

2. Continuity of Rules:

Except as amended herein, all other provisions of the Franklin City Emergency Fund’s rules and regulations shall remain in full force and effect.

VOTE:

Ayes:

Nays:

Abstentions:

Absent for vote:

ADOPTED:

Robert Cutchins, Mayor

CERTIFIED:

Kimberly Turner, Deputy Clerk

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A motion was made by Councilman Johnson and seconded by Vice-Mayor Copeland to approve the Resolution Amending the Franklin City Employee Emergency Fund. **Discussion:** Councilman McLemore asked how much was in the fund. City Manager stated approximately \$11,800. Councilman McLemore asked if that money has been there since the 70s. City Manager explained that the first amendment was in 1975; therefore, the funds were probably there when it was first brought to council. Councilman McLemore asked for clarity on the language change in the resolution. City Manager stated that where it states “or members of the immediate families of present or former employees of the City” to be removed from the resolution.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

G. Resolution Honoring the Life and Legacy of Bishop Stephen D. Willis, Sr.

City Manager Oglesby presented the following resolution for approval and it was read by Vice-Mayor Copeland.



Resolution 2024-26

**Resolution
Honoring the Life and Legacy of Bishop Stephen D. Willis, Sr.**

WHEREAS, Bishop Stephen D. Willis, Sr. was a revered spiritual leader who dedicated his life to faith, service, and community engagement; and

WHEREAS, he passed away peacefully on November 24, 2024, at the age of 90, surrounded by his beloved family and friends; and

WHEREAS, throughout his life, Bishop Willis was known for his unwavering compassion and commitment to outreach ministry, positively impacting individuals from all walks of life; and

WHEREAS, he was a passionate advocate for social justice, spiritual empowerment, and economic development, guiding many to achieve their full potential; and

WHEREAS, Bishop Willis led his congregation with wise counsel, offering mentorship to young ministers and support to various local charities; and

WHEREAS, he built a lasting legacy of love and faith through his marriage to Carolyn Williams, a partnership that inspired many and enriched the lives of their family and community; and

WHEREAS, his dedication to uplifting the underserved and spreading messages of hope resonated deeply within the Hampton Roads community and beyond;

NOW, THEREFORE, BE IT RESOLVED, that we, the City Council of Franklin, Virginia, honor the life and legacy of Bishop Stephen D. Willis, Sr. for his profound impact on individuals and communities, and we commit to upholding his values of compassion, service, and empowerment; and

BE IT FURTHER RESOLVED, that we extend our deepest condolences to his family and loved ones, recognizing the immense loss felt by all who were touched by his spirit; and

BE IT FINALLY RESOLVED that we celebrate his memory by continuing to strive for love, understanding, and service in our own lives, ensuring that his legacy lives on through our actions.

Adopted this 9th day of December 2024.

Attest:

Mayor, City Council

Deputy Clerk, City Council

A motion was made by Councilwoman Banks and seconded by Councilman Johnson to approve the Resolution Honoring the Life and Legacy of Bishop Stephen D. Willis, Sr.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

Councilman McLemore asked if we were having the annual employee Christmas party. City Manager stated yes; this Friday.

Councilman McLemore also made comments in reference to a request coming forth to rename a street after Bishop Willis and asked that the City Manager find the necessary requirements for street naming.

Council/Staff Reports on Boards/Commissions

Councilman Kitchen made comments in reference to a conversation he had with the Social Services Director stating that he had one more year to serve on the Advisory Board

Councilman McLemore stated that he did not mind serving with him.

Councilman Johnson made comments in reference to the Western Tidewater Regional Jail Authority meetings, extended his thanks to Mayor Cutchins and gave kudos to staff and City Manager for the Christmas Parade

Adjournment

A motion was made by Councilman Kitchen and seconded by Councilwoman Banks to adjourn the December 9, 2024 City Council Meeting at 7:51 p.m.

The motion carried the vote 6-0

The vote was as follows:

Ayes: Johnson, Kitchen, Banks, Copeland, Cutchins, McLemore

Absent: Smith

Mayor Bobby Cutchins stated the meeting stands adjourned.

Mayor

Deputy Clerk to City Council



2025 CITY COUNCIL APPROVED SCHEDULE

Date	Time	Meeting
Wednesday, January 1 st	Closed	City Holiday
Monday, January 13 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, January 20 th	Closed	City Holiday
Monday, January 27 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, February 10 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, February 17 th	Closed	City Holiday
Monday, February 24 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, March 10 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Thursday, March 13 th		School Bd Budget Submitted to City Mgr
Monday, March 24 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
March 31 st	6:00 PM	Budget Presentation
Monday, April 14 th	5:30 PM 7:00 PM	Budget Work Session (Tentative) Regular Meeting
Monday, April 28 th	5:30 PM 7:00 PM	Budget Work Session (Tentative) Regular Meeting *Public Hearing on Operating/CIP Budgets
Monday, May 12 th	5:30 PM 7:00 PM	Budget Work Session (Tentative) Regular Meeting *Public Hearing on Operating/CIP Budgets
Monday, May 26 th	Closed	City Holiday
Monday, June 9 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting *Budget Adoption
Thursday, June 19 th	Closed	City Holiday
Monday, June 23 rd	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Friday, July 4 th	Closed	City Holiday



2025 CITY COUNCIL APPROVED SCHEDULE

Monday, July 14 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, July 28 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, August 11 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, August 25 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, September 1 st	Closed	City Holiday
Monday, September 8 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, September 22 nd	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Monday, October 13 th	Closed	City Holiday
Monday, October 27 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Tuesday, November 4 th	Closed	City Holiday
Monday, November 10 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Tuesday, November 11 th	Closed	City Holiday
Monday, November 24 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Wednesday, November 26 th	Closed at Noon	City Holiday
Thursday, November 27-28 th	Closed	City Holiday
Monday, December 8 th	5:30 PM 7:00 PM	Work Session (Tentative) Regular Meeting
Thursday, December 11 th	6:00 PM	Joint City Council/School Board Meeting (Tentative)
Monday, December 22 th		No Meeting
Wednesday, December 24 th	Closed at Noon	City Holiday
Thursday, December 25-26 th	Closed	City Holiday

Adopted this _____ day of _____, 2025.



City Manager's Report

Submitted by: Kimberly Turner, Executive Assistant/Deputy City Clerk

January 13, 2025

Item # 2025-1

Title: Honoring the Memory of June Fleming

Issue:

- Adoption of the resolution honoring the memory of June Fleming.

Background:

- Mrs. June Fleming was a long servicing public servant who impacted the communities and many lives she touched throughout her exemplary career.
- Ms. Fleming received several awards for her achievements and exceptional contributions to her profession and community.
- Mrs. Fleming passed away on December 9, 2024.

Discussion:

- Mrs. June Fleming served as the Interim City Manager of Franklin, Virginia, for over three (3) years, where she improved local governance and community service, demonstrating a strong commitment to enhancing the quality of life for residents.
- Through this resolution, City Council wants to express condolences to her family and friends and relays her legacy of leadership, dedication, and commitment to community service.

Financial impact:

- N/A.

Recommended Action:

- Approval of the resolution.

Next Steps Following Council Action:

- The family will receive a copy of the resolution.

Attachments:

- Resolution

City Manager



A RESOLUTION HONORING THE MEMORY OF JUNE FLEMING

WHEREAS, June Fleming, a distinguished leader and dedicated public servant, passed away on December 9, 2024, leaving a profound impact on her community and the many lives she touched throughout her exemplary career;

WHEREAS, Ms. Fleming served as the City Manager of Franklin, Virginia where her leadership and vision significantly improved local governance and community services, demonstrating an unwavering commitment to enhancing the quality of life for residents;

WHEREAS, with more than 45 years of experience in public service and library science, Ms. Fleming inspired countless individuals as a chief librarian, high school librarian, associate professor, and a respected city manager, paving the way for future generations in her field;

WHEREAS, her notable accomplishments included the Woman of the Year Award from the Women’s Resource Center in Palo Alto and the Chancellor’s Award for Leadership in Philanthropy from the Virginia Community College System, reflecting her exceptional contributions to both her profession and the community;

WHEREAS, June Fleming was an active member of several organizations, including the International City and County Managers Association and Delta Sigma Theta, dedicating her time and talents to serving others and promoting civic engagement;

WHEREAS, June Fleming’s legacy includes her profound belief in the importance of community service and her passion for library science, inspiring many to pursue careers that serve the greater good;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Franklin City Council and those who were fortunate to know Ms. Fleming, honor her memory by upholding the values she embodied—leadership, dedication, and a commitment to service;

BE IT FURTHER RESOLVED that we, the Franklin City Council, extend our deepest condolences to her family, friends, and all who were touched by her kindness, grace, and steadfast spirit;

BE IT FINALLY RESOLVED that this resolution be presented as a lasting tribute to June Fleming’s extraordinary life and her enduring contributions to our community, serving as a reminder of the impact one individual can have on the world around them.

PASSED AND ADOPTED this 13th day of January 2025.

Attest:

Mayor, City Council

Deputy Clerk, City Council



City Manager's Report

Submitted by: Kimberly Turner, Executive Assistant/Deputy City Clerk

January 13, 2025

Item #2025-2

Title: Honoring Former Councilman and Mayor Robert "Bobby" Cutchins, II

Issue:

- Adoption of the resolution honoring Robert "Bobby" Cutchins, II for his service and contributions to the community.

Background:

- Mr. Robert "Bobby" Cutchins, II began his service on the City Council, representing Ward 6 in 2017 through a Special General Election, and served until the end of 2022.
- He was later elected Mayor, assuming office on January 1, 2023.
- Mr. Cutchins' last day on City Council was December 31, 2024.

Discussion:

- Mr. Robert "Bobby" Cutchins, II was born and raised in the Franklin/Southampton County where he is an advent community member, business owner, and public servant.
- He worked tirelessly to help Franklin overcome its challenges, while focusing on economic development and education.
- The City of Franklin appreciates his commitment to public service and leadership, setting an example for future leaders.

Financial impact:

- N/A.

Recommended Action:

- Approval of the resolution.

Next Steps Following Council Action:

- Mr. Cutchins will receive a copy of the resolution.

Attachments:

- Resolution

City Manager



A RESOLUTION HONORING ROBERT "BOBBY" CUTCHINS, II FOR HIS SERVICE AND CONTRIBUTIONS TO THE COMMUNITY

WHEREAS, Robert "Bobby" Cutchins, II, a dedicated and influential member of the Franklin/Southampton County community, has exemplified commitment and service in various capacities throughout his life; and

WHEREAS, Bobby was born and raised in Franklin/Southampton County, where he contributed to the community as a business leader, public servant, and active member of numerous organizations; and

WHEREAS, Bobby graduated from Franklin High School in 1975 and went on to become the Founder and Chief Visionary Officer of Bobby's Tire & Auto Care, significantly impacting the local economy; and

WHEREAS, he served as the Ward 6 City of Franklin City Council Member from May 2017 to December 2022 and was appointed to the esteemed position of Franklin City Mayor from January 2023 through December 2024, leading with integrity and vision; and

WHEREAS, Bobby held key roles on various boards, including serving as President of the Virginia Automotive Association and contributing to the Tire Pros National Board of Directors, where he promoted excellence in the automotive industry; and

WHEREAS, his leadership extended to the Franklin/Southampton Chamber of Commerce, where he served both as a board member and as President, fostering economic development and community engagement; and

WHEREAS, Bobby's community service included membership on the Franklin Municipal Airport Advisory Board and the International Paper Community Advisory Board, where he provided valuable insights and leadership; and

WHEREAS, he was recognized as the Franklin/Southampton County Business Person of the Year in 1993, honoring his dedication to local business and community welfare; and

WHEREAS, Bobby Cutchins' service on numerous panels and advisory boards has made a lasting impact on our community and continues to inspire those around him;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Franklin expresses its heartfelt gratitude and appreciation to Robert "Bobby" Cutchins, II for his outstanding contributions and dedication to the citizens of Franklin/Southampton County.

BE IT FURTHER RESOLVED that this resolution be spread upon the official records of the City Council, and that a copy be presented to Robert "Bobby" Cutchins, II as a token of our esteem and respect.

PASSED AND ADOPTED this 13th day of January 2025.

Mayor, City of Franklin

Attest:

Deputy Clerk, City Council



City Manager's Report

Submitted by: Kimberly Turner, Executive Assistant/Deputy City Clerk

January 13, 2025

Item #2025-3

Title: Honoring Former Councilman Ray Smith

Issue:

- Adoption of the resolution honoring Ray Smith for his service and contributions to the community.

Background:

- Mr. Smith was elected to City Council on July 1, 2020 representing Ward 2.
- Mr. Smith's last day on City Council was December 31, 2024.

Discussion:

- Mr. Ray Smith is a business leader, public servant, and active community member.
- In addition to serving on the City Council, he served on the Planning Commission and Airport Advisory Board.
- While on the City Council, Mr. Smith focused on economic growth and enhancing local infrastructure and community programs.
- The City of Franklin appreciates his commitment to public service and leadership, setting an example for future leaders.

Financial impact:

- N/A.

Recommended Action:

- Approval of the resolution.

Next Steps Following Council Action:

- Mr. Smith will receive a copy of the resolution.

Attachments:

- Resolution

City Manager



A RESOLUTION HONORING RAY SMITH FOR HIS SERVICE AND CONTRIBUTIONS TO THE COMMUNITY

WHEREAS, Ray Smith has proudly served as a Councilman for the City of Franklin from July 1, 2020, to December 31, 2024, representing Ward 2 with dedication and commitment; and

WHEREAS, prior to his election as Councilman, Ray contributed significantly to the community through twelve years of service on the Planning Commission, seven years on the Airport Advisory Board, and numerous years helping to revitalize the downtown corridor; and

WHEREAS, during his tenure, Ray Smith has focused on promoting economic growth in the City of Franklin, ensuring a vibrant and prosperous community for all residents; and

WHEREAS, Ray's leadership and vision have greatly impacted the enhancement of local infrastructure, community programs, and business development initiatives that benefit the citizens of Franklin; and

WHEREAS, his consistent commitment to public service, collaboration, and community engagement has set a remarkable example for future leaders; and

WHEREAS, the City of Franklin recognizes and appreciates the valuable contributions made by Ray Smith during his time in office, which have positively shaped the future of our city;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Franklin does hereby honor and commend Ray Smith for his outstanding service, dedication, and leadership, and extends best wishes for his future endeavors.

BE IT FURTHER RESOLVED that this resolution be spread upon the official records of the City Council, and that a copy be presented to Ray Smith as a token of our esteem and respect.

PASSED AND ADOPTED this 13th day of January 2025.

Mayor, City of Franklin

Attest:

Deputy Clerk, City Council



City Manager's Report
Submitted by: Melisa Blythe, Financial Accountant II
January 13, 2025
Item #2025-4

Title: Budget Amendment – Camp Family Foundations Grant

Issue:

- Adoption of a resolution amending the FY 2024 – 2025 City Operating Budget to accept and appropriate the amount of \$77,220 received as a donation from the Camp Family Foundations to the Foundation Grant Funds for use by the Franklin Police Department, Franklin Fire Department, and the Hunterdale Volunteer Fire Department.

Background:

- The Camp Foundation, Ruth Camp Campbell Foundation, and Camp-Younts Foundation are grantmaking foundations created by members of the Camp family and other local leaders to serve the community of Franklin, Virginia, and other worthwhile charitable organizations. Under the umbrella of the Elms Foundation, the three foundations seek to hire an Executive Director to guide the work of each entity.

Discussion:

- The Camp Family Foundations awarded a total of \$77,220 from each of its individual family foundations. Each foundation awarded as follows:
 - Camp Foundation \$30,250
 - Ruth Camp Campbell Foundation \$30,970
 - Camp-Younts Foundation – Trustee Megan M. Harrell \$16,000
- The award is slated for allocation as follows:
 - Franklin Fire & Rescue Department \$57,500
 - Hunterdale Volunteer Fire Department \$ 5,720
 - Franklin Police Department \$14,000

Financial impact:

- The FY 2024 – 2025 City Operating Budget and Foundation Grant Funds will increase by said amount.

Recommended Action:

- Approval of the resolution.

Next Steps Following Council Action:

- The City Manager will work with the appropriate staff to make the necessary changes.

Attachments:

- Resolution
- Award Letter

City Manager



BUDGET AMENDMENT 2025-8

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

1. *Recognize grant revenue from the Camp Foundation for Franklin Fire & Rescue, Franklin Police Department, and the Hunterdale Volunteer Fire Department and to appropriate such revenue for use;*

		<u>2024-2025</u>		<u>AMENDED</u>		<u>INCREASE</u>
		<u>BUDGET</u>		<u>BUDGET</u>		<u>(DECREASE)</u>
220 FOUNDATION GRANT FUND						
REVENUE						
220-3-18990-3000	Camp Family Foundation Grants	\$ -		\$ 77,220		<u>77,220</u>
						<u>77,220</u>
EXPENDITURES						
220-4-31100-5848	Camp Foundation Grant Police	\$ -		\$ 14,000		14,000
220-4-32100-5848	Camp Foundation Grant Fire	-		57,500		57,500
220-4-91450-4009	Hunterdale Volunteer Fire Dept	10,000		15,720		<u>5,720</u>
						<u>77,220</u>

Certified copy of resolution adopted by Franklin City Council

Deputy Clerk to the City Council



City Manager's Report
Submitted by: Melisa Blythe, Financial Accountant II
January 13, 2025
Item #2025-5

Title: Budget Amendment – Franklin Southampton Charities Grant

Issue:

- Adoption of a resolution amending the FY 2024 – 2025 City Operating Budget to accept and appropriate the amount of \$10,000 received as a donation from the Franklin Southampton Charities to the Foundation Grant Funds for use by the Franklin Fire Department and the Hunterdale Volunteer Fire Department.

Background:

- The Franklin Southampton Charities Foundation, established in 2000 in Virginia, sources its assets from the Southampton Memorial Hospital Endowment Fund and the sale of the hospital to Franklin Hospital Corporation. It aims to support nonprofit organizations in its service area by providing funding and promoting community leadership.
- Funding priorities focus on programs that benefit youth and older people, enhance educational skills, provide job training, and foster community cooperation. The foundation prioritizes projects that address diverse community needs, assist underserved individuals, encourage additional funding, promote collaboration across jurisdictions, and ensure significant community impact with clear evaluation methods.

Discussion:

- The Franklin Southampton Charities Foundation awarded the Franklin Fire Department and the Hunterdale Volunteer Fire Department \$5,000 each, for a total of \$10,000.
- This is the second grant received from the Franklin Southampton Charities Foundation. City Council previously accepted and appropriated the first grant at its December 9, 2024 Business Meeting.
- Each department is required to report back on the use of the funds prior to April 1.

Financial impact:

- The FY 2024 – 2025 City Operating Budget and Foundation Grant Funds will increase by said amount.

Recommended Action:

- Approval of the resolution.

Next Steps Following Council Action:

- The City Manager will work with the appropriate staff to make the necessary changes.

Attachments:

- Resolution
- Award Letter

City Manager



BUDGET AMENDMENT 2025-9

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

- 1. *Recognize grant revenue from Franklin Southampton Charities for the Franklin Fire Department and Hunterdale Fire Department and to appropriate such revenue for use.*

		<u>2024-2025</u>		<u>AMENDED</u>		<u>INCREASE</u>
		<u>BUDGET</u>		<u>BUDGET</u>		<u>(DECREASE)</u>
220 FOUNDATION GRANT FUND						
REVENUE						
220-3-18990-3001	Franklin/Southampton Charities	\$ 10,000		\$ 20,000		<u>10,000</u>
						<u>10,000</u>
EXPENDITURES						
220-4-32100-8117	Fire Prevention - Other Grants	\$ 5,000		\$ 10,000		5,000
220-4-91450-4009	Hunterdale Volunteer Fire Dept	5,000		10,000		<u>5,000</u>
						<u>10,000</u>

Certified copy of resolution adopted by Franklin City Council

Deputy Clerk to the City Council



**Boards & Commissions
Agenda Statement
Item #2025-6
January 13, 2025**

Item Title: Appointment to Virginia Municipal Electric Association (VMEA) and Eastern Virginia Regional Industrial Facilities Authority (EVRIFA)

Submitted by: Kimberly Turner, Executive Assistant/Deputy City Clerk

Summary Explanation:

To make an appointment to the Virginia Municipal Electric Association (VMEA) in replacement of former Director Zachary Wright and to make an appointment to the Eastern Virginia Regional Industrial Facilities Authority (EVRIFA) to replace former Interim City Manager Darlene Burcham.

Item Budgeted:

N/A

Strategic Priority:

N/A

Financial Impact:

N/A

Recommended Action:

To appoint Mr. Wendell Adkison to the Virginia Municipal Electric Association (VMEA) and appoint Ms. Rosylen Oglesby to the Eastern Virginia Regional Industrial Facilities Authority (EVRIFA)

Next Steps Following Council Action:

Letter sent to VMEA notifying of appointment
Letter sent to EVRIFA notifying of appointment

Attachments:

Current Appointment to VMEA and EVRIFA
Bylaws of VMEA and EVRIFA

Rosylen Oglesby
City Manager

VIRGINIA MUNICIPAL ELECTRIC ASSOCIATION

- Members: One (1) member appointed by City Council.
- Type: Non-profit, non-stock corporation created by member jurisdictions.
- Meets: Monthly, 2nd Thursday, Jefferson Hotel, Richmond, 10:00 a.m.
- Term: 1 year – non limit on reappointments.
- Duties: Represent the seven (7) municipalities that buy power from Virginia Power in contract negotiations. Monitor rates and discuss pending legislation, SEPA power allocations and load management programs.

Mr. Zachary Wright
Director of Power & Light
1050 Pretlow Street
Franklin, VA 23851
757-562-8568

SECOND RESTATED AND AMENDED BY-LAWS
OF
VIRGINIA MUNICIPAL ELECTRIC ASSOCIATION #I

Article I.

Members and Membership

Section 1.01. Applications for Membership: Membership in Municipal Electric Association #I (hereinafter called the "Association shall be limited as provided in the Articles of Incorporation. Applicants shall become members by paying the membership fee specified and agreeing to comply with and be bound by these By-Laws and any amendments and such rules and regulations as may from time to time be adopted by the Board of Directors. No applicant for membership shall become a member unless and until it has been elected to membership by a majority vote of the Board of Directors.

Section 1.02. Membership Fees and Dues: The membership fee shall be \$5.00 and accompany each application for membership. There shall be annual dues assessed to each member. These dues shall be fixed in a fair and equitable method as may be prescribed and determined from time to time by the Board of Directors. The dues shall be payable in such amounts and at and for such times as determined by the Board of Directors. Failure of a member to pay the annual dues within the time and after such notice as the Board of Directors may fix shall subject the member to expulsion as provided under Article I, Section 1.04 of these By-Laws.

NOTES: Delete comma after word fix in ninth line.

Section 1.03. Non-Liability for Debts of the Association: The properties of the members of the Association shall be exempt from execution of the debts of the Association and no member shall be individually liable or responsible for any debts or liabilities of the Association by virtue of its membership in the Association.

Section 1.04. Expulsion of Members: The Board of Directors of the Association may, by the affirmative vote of not less than two-thirds of the Board, expel any member who shall have violated or refused to comply with any of the provisions of the Articles of Incorporation of the Association or these By-Laws or any rules or regulations adopted from time to time by the Board of Directors. Any members so expelled may only be reinstated as a member by a majority of the voting power of the members at any annual or special meeting of the members. The action of the members with respect to such reinstatement shall be final.

Section 1.05. Withdrawal of Membership: Any member may, by giving not less than one year written notice of its intention to do so, voluntarily withdraw from membership in the Association on the payment in full of all its debts and obligations to the Association and on compliance with and performance of all contracts of such member with the Association. Such written notice must be in the form of a resolution duly adopted by the governing body of the member. All contractual rights acquired and obligations incurred while a member shall remain in full force and effect.

Section 1.06. Transfer of Membership: Membership in the Association and certificates representing such membership shall not be transferred. Upon the cessation of existence, expulsion or withdrawal of a member, the membership of such member shall terminate, and the certificate of membership of such member shall be surrendered to the Association.

Section 1.07. Effect of Termination of Membership: Termination of membership in any manner shall not relieve a member from paying, in full, any debts or obligations then owing by it to the Association or from complying with and performing any contract (other than the contract of membership) then existing between such member and the Association or any other person on behalf of the Association. Any termination of membership shall operate as a full release of all rights, title and interest of the terminating member in property, assets and control of the Association; PROVIDED, that a member whose membership is terminated shall be entitled to the same distributive share of the Association's assets which it would receive were the assets liquidated at the time of termination in accordance with the Code of Virginia as amended.

Section 1.08. Membership Certificate: Membership in the Association shall be evidenced by a certificate which shall be in a form and contain provisions as determined by the Board of Directors. The certificate shall be signed by the President and Secretary of the Association with the corporate seal affixed. No membership certificate shall be issued for less than the membership fee fixed in these By-Laws and not until the fee has been fully paid. In case a certificate is lost, destroyed or mutilated, a new certificate may be issued, upon such terms and indemnities to the Association as the Board of Directors may prescribe.

Section 1.09. Membership Classification: Members shall be issued certificates of membership in accordance with their membership classification as set forth in the Articles of Incorporation. Each member's classification shall be determined on annual megawatt hour purchases from wholesale suppliers (other than from the Southeastern Power Administration) and shall be

reported to the Secretary of the Association for the immediately preceding year at least thirty (30) days prior to the annual meeting of the Association. If a member's classification of membership changes, based upon megawatt hour purchases, such member shall surrender its certificate of membership at the annual meeting and be reissued a new certificate of membership commensurate with the member's proper classification.

NOTES: Correction of typographical error by the insertion of "and" in the 6th line.

Article II.

Meetings of the Members

Section 2.01. Annual Meeting: The annual meeting of the members shall be held in such month of each year, at such time and place as shall be designated in the notice of the annual meeting. The annual meeting shall be for the purpose of installing the appointed directors, receiving reports covering the previous fiscal year and such other purposes as the Board of Directors shall determine.

Section 2.02. Special Meetings: Special meetings of the members may be called by the President, the Board of Directors or by forty percent (40%) of the members. If a special meeting is called, it shall be the duty of the Secretary to cause the notice of the meeting to be given as provided in Article II, Section 2.03 of these By-Laws. Special meetings of the members shall be held at such time and at such place as shall be designated in the notice of the special meeting.

Section 2.03. Notice of Member Meetings: Notice shall be written or printed, setting the place, date and hour of the meeting, and, in case of a special meeting, the purpose or purposes for which the meeting is called. The notices shall be delivered to each member not less than ten (10) days nor more than forty-five (45) days before the date of the meeting, either personally or by mail, by or at the direction of the Secretary or by a duly authorized Assistant Secretary, or by persons calling the meeting. If the notice is mailed, it shall be deemed to have been delivered when deposited in the United States Mail, addressed to the member at its address as it appears on the records of the Association, with postage prepaid. The failure of any member to receive notice of an annual or special meeting of the members shall not invalidate any action which may be taken by the members at any meeting.

Section 2.04. Member Representation: Each member shall be represented at member meetings of the Association by the director designated by the member's governing body or board. At all

meetings of the Association, each member shall be entitled to have a representative present.

Article III.

Directors

Section 3.01. General Powers: The business and affairs of the Association shall be managed by a Board of Directors. The Board of Directors shall exercise the powers of the Association except such as are by law, the Articles of Incorporation or these By-Laws conferred upon or reserved unto the members. Upon becoming a member and each year thereafter, not less than 20 days before the annual meeting of the members of the Association, the secretary or appropriate officer of each member shall certify to the Secretary of the Association the name and address of the director who has been appointed by the member to serve as its director on the Association's Board of Directors. If additional directors are required by the Articles of Incorporation, each member shall follow the same procedure with respect to appointment of such additional directors.

NOTES: In lines 5-6, delete "Upon approval of these Restated and Amended By-Laws" and change "upon becoming a" to "Upon becoming a member."

Section 3.02. Removal of Directors: Each member may, at any resolution of its governing body or board, terminate the appointment of its director and shall immediately notify the Association of such action by an instrument in writing executed by the appropriate officer designated in said resolution to notify the Association.

Section 3.03. Rules and Regulations: The Board of Directors shall have the power to make and adopt such rules and regulations, and delegate such authority as it may deem advisable for the proper management, administration and regulation of the business affairs of the Association.

Article IV.

Meetings of Directors

Section 4.01. Regular Meetings: A regular meeting of the Board of Directors shall be held without notice other than this By-Law, immediately after and at the same place as the annual meeting of the members for the purpose of electing officers and transacting such business as may come before the meeting. In addition, the Board of Directors shall meet regularly on a monthly basis; provided, however, that the President of the Association may cancel any regular meeting of the Board of

Directors in the event he deems there to be insufficient business to warrant the attention of the Board.

Section 4.02. Special Meetings: Special meetings of the Directors may be called by the President or any three directors. The person or persons authorized to call special meetings of the Board of Directors shall pick the time and place for holding the special meetings.

Section 4.03. Presence of Persons other than Directors: At all regular and special meetings of the Board of Directors, managers of members, attorneys for members and the Association's staff shall be entitled to be present and have a voice but have no vote the proceedings. The directors, when they deem lawful, prudent and advisable, may declare an executive session. Persons other than the Board members shall not be entitled to attend the executive session unless by invitation.

Section 4.04. Notice: All directors shall receive reasonable advance notice of Board meetings. Notices of special meetings may be provided orally. Notices of all regular meetings of the Board of Directors shall be given to all directors at least ten (10) days before the meeting by written notice delivered personally or mailed to each director at his or her last known address. If mailed, such notice shall be deemed to be delivered when deposited in the United States Mail with postage prepaid. Notices of regular meetings need not specify the matters to be transacted thereat, but notices of special meetings shall specify the purpose for which the meeting is called and the business to be transacted thereat. A proposed agenda of matters to be considered at regular meetings shall be sent with the notice of meeting. Attendance by a director at a meeting shall constitute a waiver of notice of such meeting except in a case of a director who shall attend a meeting for the express purpose of objecting to the transaction of any business because the meeting shall not have been lawfully called or convened. In addition, a director may waive the issuance of notice of a meeting to himself by the execution, either before or after the meeting, of an instrument in writing.

Section 4.05. Place of Meeting: All meetings of the Board of Directors shall be held at the principal office of the Association or at such other place within the Commonwealth of Virginia as the Board of Directors may provide by resolution or as may be designated in the notice of such meeting. To the extent permitted by law, special meetings may be held by telephone or other similar means of communications, so long as all directors can simultaneously hear each other during the meeting.

Section 4.06. Quorum: A majority of the members of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board of Directors; PROVIDED, that if less than four of the directors are present at said meeting, a majority of the directors present may adjourn the meeting from time to time without further notice, but may reschedule the meeting only upon reasonable advance notice to pursuant to Section 4.04.

Section 4.07. Manner of Acting: The directors shall vote upon matters in the following manner:

(a) Voting by Members of the Board of Directors

Except as provided in Articles 9, 13 and 14 of the Articles of Incorporation and Section 1.04 and Article XI of these By-Laws, all votes shall be by a majority of the directors on the Board of Directors, which means that each director shall have one vote, a majority of directors shall constitute a quorum, and a majority of the directors shall be necessary for any action by the Board.

(b) Voting by Weighted Votes

If any matter, other than the election or removal of officers of the Association or members of committees, expulsion of members, or amendment of the Association's Articles of Incorporation or By-Laws, is approved by a majority of the directors, any director may call for voting by weighted votes. A call for weighted voting on a particular action must be made at the same meeting at which that action is approved by vote of a majority of the directors. If a director calls for voting by weighted votes, the matter also must be approved by a majority of the weighted votes, which means that a majority of the weighted votes of all directors shall constitute a quorum and a majority of the weighted votes of the directors shall be necessary for any action by the Board. There shall be no weighted voting on election or removal of officers or committee members.

(c) Assignment of Weighted Votes

Each director shall be assigned weighted votes for his member entity as determined as follows:

- (1) Class A - municipal electric systems which have wholesale electrical purchases (other than from the Southeastern Power Administration) of at least 100 megawatt hours but less than 100,000 megawatt hours

in a calendar year shall be entitled to one (1) vote.

- (2) Class B - municipal electric systems which have wholesale electrical purchases (other than from the Southeastern Power Administration) of at least 100,000 megawatt hours but less than 300,000 megawatt hours in a calendar year shall be entitled to two (2) votes.
- (3) Class C - municipal electric systems which have wholesale electrical purchases (other than from the Southeastern Power Administration) of at least 300,000 megawatt hours in a calendar year shall be entitled to three (3) votes.
- (4) Class D - all members other than those who fall within Classes A, B and C shall be entitled to zero (0) votes.

NOTES: The following modifications were made to exclude amendment of these Articles and the By-Laws from the scope of the more general majority and weighted voting requirements:

8.(a) -- "paragraph 14" was changed to "Articles 9, 13 and 14" and a reference to "Section 1.04 and Article XI of there By-Laws" was included.

8.(b) -- votes for exclusion of members and amendment of these Articles of Incorporation or By-Laws" were excluded from weighted voting.

Article V.

Committees

Section 5.01. Executive Committee: (A) The Executive Committee shall consist of three (3) members: the President, Vice President and Secretary of the Association. (B) Meetings and Powers: The Executive Committee shall meet upon the call of the President. The Executive Committee shall act for and instead of the Board of Directors during the intervals between the meeting of the Board and subject to the policies agreed upon by the Board. The Executive Committee shall also have such other powers as from time to time may be lawfully delegated to it by the Board of Directors. A quorum of at least two voting members of the Executive Committee shall be required for the transaction of any business.

Section 5.02. Additional Committees: The Board of Directors, from time to time, as it deems necessary, may create any additional, temporary or standing committees and delegate to those committees any authority, duties, power or obligations that may be necessary in order to properly carry out the business and objectives of the Association. The Board of Directors, in its discretion, shall instruct the President to appoint special committees with the membership being designated by the President and such special committees shall have the powers and perform the duties as may be provided in the resolution of the Board.

Article VI.

Officers

Section 6.01. Number: The officers of the Association shall be the President, Vice President, Secretary and Treasurer, and such other officers as may be determined from time to time by the Board of Directors to be necessary in order to carry out the objectives of the Association.

Section 6.02. Election and Term of Office: The officers shall be elected annually by the Board of Directors at the first meeting of the Board of Directors held after each annual meeting of the members. The President and Vice President must be members of the Board of Directors. If the election of the officers shall not be held at such annual meeting, the election shall be held as soon thereafter as convenient. Each officer shall hold office until the first meeting of the Board of Directors following the next succeeding annual meeting of the members or until his or her successor has been duly elected and shall have qualified, subject to the provisions of these By-Laws with respect to the removal of officers.

Section 6.03. Removal: Any officer or person elected or appointed by the Board of Directors may be removed by the Board of Directors whenever, in its judgment, the best interest of the Association will be served.

Section 6.04. Vacancies: Except as otherwise provided in these By-Laws, a vacancy in any office may be filled by the Board of Directors for the unexpired portion of the term by a majority vote of the Board.

Section 6.05. President: The President: (a) shall be the principal officer of the Association and shall preside at all meetings of the members of the Board of Directors; (b) shall sign, with the Secretary, certificates of membership, the issuance of which shall have been authorized by resolution of the Board of Directors, and may sign any instruments authorized by the Board of Directors to be executed, except in cases in which

the signing and execution thereof shall be expressly delegated by the Board of Directors or by these By-Laws to some other officer or agent of the Association, or shall be required by law to be otherwise signed or executed; (c) shall in general perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time or by an officer authorized by the Board of Directors to prescribe the duties of other officers; and (d) shall be Chairman of the Executive Committee.

NOTES: Phrase "or by an officer authorized by the Board of Directors to prescribe the duties of other officers" was added for consistency.

Section 6.06. Vice President: The Vice President shall, in the absence of the President, or in the event of his inability or refusal to act, perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President and shall perform such other duties as from time to time may be assigned by the Board of Directors or by an officer authorized by the Board of Directors to prescribe the duties of other officers.

NOTES: Phrase "or by an officer authorized by the Board of Directors to prescribe the duties of other officers" was added for consistency.

Section 6.07. Secretary: The Secretary: (a) shall see that the minutes of meetings of the members and the Board of Directors are kept in one or more books provided for that purpose; (b) shall see that all notices are duly given in accordance with these By-Laws or as required by law; (c) shall be responsible for maintaining custody of the records of the Association, and see that the seal of the Association is affixed to all certificates of membership prior to issuance thereof and to all documents, the execution of which on behalf of the Association under its seal is duly authorized in accordance with the provisions of these By-Laws; (d) shall keep a register of the post office address of each member which shall be furnished to each individual member; (e) shall sign, with the President, certificates of membership, the issue of which shall have been authorized by resolution of the Board of Directors; (f) shall be responsible for maintaining custody of the books of the Association in which a record of the members is kept; (g) shall be responsible for maintaining on file at all times a complete copy of By-Laws of the Association containing all amendments thereto, which copy shall always be open to the inspection of any member, and at the expense of the Association forward a copy of the By-Laws and of all amendments thereto to each member; and (h) shall in general perform all the duties incident to the office of Secretary and such other duties as from time to time may be designated by the Board of Directors

or by an officer authorized by the Board of Directors to prescribe the duties of other officers.

NOTES: The following changes were made to give the Secretary the "responsibility to maintain custody of the minutes" of the Association, consistent with the Virginia Code § 13.1-872(C), and of other records, rather than to require the Secretary himself to physically maintain those records:

(c) shall be "responsible for maintaining custody" was added.

(d) "and to the Secretary to each member" was deleted.

(f) shall "be responsible for maintaining custody" was added.

(g) shall "be responsible for maintaining" was added and "keep" was deleted.

In addition, in (h), the phrase "or by an officer authorized by the Board of Directors to prescribe the duties of other officers" was added for consistency.

Section 6.08. Treasurer: The Treasurer: (a) shall have charge and custody of and be responsible for all funds and securities of the Association; (b) shall receive and give receipts for moneys due and payable to the Association from any source whatsoever, and deposit all moneys in the name of the Association in banks as shall be selected in accordance with the provisions of these By-Laws; and (c) in general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the Board of Directors or by an officer authorized by the Board of Directors to prescribe the duties of other officers.

NOTES: Phrase "or by an officer authorized by the Board of Directors to prescribe the duties of other officers" was added to permit the Secretary upon Board authorization to require the Treasurer to take physical possession of the records the Secretary is responsible to maintain.

Section 6.09. Bonds of Officers: The Board of Directors may require the Treasurer or any other officer or employee of the Association charged with the responsibility for the custody of any of its funds or property to give bond in such sum and with such surety as the Board of Directors shall determine.

Section 6.10. Reports: The officers of the Association shall submit to each annual meeting of the members, reports covering the business of the Association for the previous fiscal year which shows the condition of the Association at the close of the fiscal year.

Section 6.11. General Manager: The Board of Directors may appoint or employ a General Manager as the Chief Administrative Officer of the Association to serve at the pleasure of the Board of Directors. Such officer shall perform such duties as may be assigned by the Board of Directors. The General Manager may not hold other offices of the Association.

Section 6.12. Resignation: Any officer may resign at any time by giving written notice to the President or Secretary of the Association. Such resignation shall take effect at the time specified therein, or if no time is specified therein, at the time such resignation is received by the President or Secretary of the Association. The acceptance of such resignation shall not be necessary to make it effective, unless otherwise specified therein, in which event the resignation shall take effect upon its acceptance by the Board of Directors.

Article VII.

Fiscal Policy

Section 7.01. Contracts: Except as otherwise provided in these By-Laws, the Board of Directors may authorize any officer or officers, agent or agents to enter into any contracts or execute and deliver any instrument in the name and on behalf of the Association, and such authority may be general or confined to specific instances.

Section 7.02. Checks, Drafts, etc: All checks, drafts or other orders for the payment of money issued in the name of the Association shall be signed by such officer or officers, agent or agents, employee or employees, of the Association and in a manner as shall from time to time be determined by resolution of the Board of Directors.

Section 7.03. Deposits: All funds of the Association shall be deposited or invested from time to time to the credit of the Association in any banks or investments as the Board of Directors may direct.

Section 7.04. Fiscal Year: The fiscal year shall be fixed by the Board of Directors from time to time as the needs of the Association's business require.

Section 7.05. Compensation of Employees and Reimbursement of Expenses: The Association may pay compensation in a reasonable amount to its employees for services rendered and may reimburse members, officers, and employees for expenses incurred on its behalf.

Section 7.06. Accounting System and Reports: All accounts of the Association shall be examined by a committee of the Board of Directors which shall render reports as directed by the Board of Directors which shall be done at least annually. The Board of Directors shall also, after the close of each fiscal year, cause a full and complete audit of the accounts and books and financial conditions of the Association to be made.

Article VIII.

Waiver of Notice

Section 8.01. Written Waivers: Any member or director may waive, in writing, any notice of meetings required to be given by these By-Laws.

Article IX.

Corporate Seal

Section 10.01. Design and Inscription: The corporate seal of the Association shall be in the form of a circle and shall have inscribed there the name of the Association with the words, "Corporate Seal, Virginia."

Article X.

Rules of Order

Section 10.01. Parliamentary Procedure: At all meetings of the members, of the Board of Directors, and of any committees that may be established by the Association, parliamentary procedure, except as determined by these By-laws, the Articles of Incorporation and the laws of the State of Virginia, shall be governed by the Scott, Foresman, Robert's Rules of Order Newly Revised, copyright 1981.

Section 10.02. Adjournment: No meeting shall be adjourned without providing an opportunity for weighted voting if any director so requests.

NOTES: The spelling of "Parliamentary" has been corrected.

Article XI.

Amendment of Articles and By-Laws

Section 11.01. Method of Amendment of Articles: The Association's Articles of Incorporation may be altered or amended by an affirmative vote of two-thirds of the Directors in office at any regular or special meeting provided that notice of such meeting shall have stated the intention to alter or amend the Articles.

Section 11.01. Method of Amendment of By-Laws: These By-Laws may be altered, amended or repealed by an affirmative vote of two-thirds of the Directors in office at any regular or special meeting provided that notice of such meeting shall have stated the intention to alter, amend or repeal the By-Laws.

NOTES: The title of Article XI was expanded to encompass amendment of the Articles of Incorporation as well as the By-Laws. New Section 11.01 was inserted to track new Article 14 of the Articles of Incorporation and to conform to the notice requirements applicable to amendment of By-Laws. Old Section 11.01 was renumbered to Section 11.02, with the words "Subject to the provisions in the Articles of Incorporation" deleted.

EASTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

Members:

Type:

Meets:

Term:

Duties:

Mission:

<p>Robert "Bobby" Cutchins Mayor 207 W 2nd Ave Franklin, VA 23851 franklincitymayor@franklinva.com</p>	<p>Megan Council 209 Meadow Lane Franklin, VA 23851 November 2021-</p>
<p>Karl Heck Alternate 601 N. Mechanic Street Franklin, VA 23851 kheck@franklinsouthamptonva.com November 2021-</p>	<p>Darlene Burcham, Alternate Interim City Manager 207 West Second Ave Franklin, VA 23851 dburcham@franklinva.com</p>

**EASTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY
BYLAWS**

ARTICLE I

NAME; FORMATION; POWERS OF AUTHORITY; CERTAIN DEFINITIONS

Section 1

The name of the authority (the “**Authority**”) shall be “Eastern Virginia Regional Industrial Facility Authority.”

Section 2

The Authority was formed in accordance with the Virginia Regional Industrial Facilities Act, Chapter 64, Title 15.2, Section 15.2-6400 et seq., Code of Virginia, 1950, as amended (the “**Act**”). The initial Member Localities have entered into that certain Agreement Creating the Eastern Virginia Industrial Facility Authority as the same may be amended from time to time (the “**RIFA Agreement**”).

Section 3

The Authority is vested with the powers of a body corporate, including the power to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be deemed expedient. In addition to additional powers set forth in the Act, the Authority may:

1. adopt bylaws, rules and regulations to carry out the provisions of the Act;
2. employ, either as regular employees or as independent contractors, consultants, engineers, architects, accountants, attorneys, financial experts, construction experts and personnel, superintendents, managers and other professional personnel, personnel, and agents as may be necessary in the judgment of the Authority, and fix their compensation;
3. determine the locations of, develop, establish, construct, erect, repair, remodel, add to, extend, improve, equip, operate, regulate, and maintain facilities to the extent necessary or convenient to accomplish the purposes of the Authority;
4. acquire, own, hold, lease, use, sell, encumber, transfer, or dispose of, in its own name, any real or personal property or interests therein;
5. invest and reinvest funds of the Authority;

6. enter into contracts of any kind, and execute all instruments necessary or convenient with respect to its carrying out the powers in the Act to accomplish the purposes of the Authority;
7. expend such funds as may be available to it for the purpose of developing facilities, including but not limited to (i) purchasing real estate; (ii) grading sites; (iii) improving, replacing, and extending water, sewer, natural gas, electrical, and other utility lines; (iv) constructing, rehabilitating, and expanding buildings; (v) constructing parking facilities; (vi) constructing access roads, streets, and rail lines; (vii) purchasing or leasing machinery and tools; and (viii) making any other improvements deemed necessary by the Authority to meet its objectives;
8. fix and revise from time to time and charge and collect rates, rents, fees, or other charges for the use of facilities or for services rendered in connection with the facilities;
9. borrow money from any source for any valid purpose, including working capital for its operations, reserve funds, or interest; mortgage, pledge, or otherwise encumber the property or funds of the Authority; and contract with or engage the services of any person in connection with any financing, including financial institutions, issuers of letters of credit, or insurers;
10. issue bonds under the Act;
11. accept funds and property from the Commonwealth of Virginia (the "Commonwealth"), persons, counties, cities, and towns and use the same for any of the purposes for which the Authority is created;
12. apply for and accept grants or loans of money or other property from any federal agency for any of the purposes authorized in the Act and expend or use the same in accordance with the directions and requirements attached thereto or imposed thereon by any such federal agency;
13. make loans or grants to, and enter into cooperative arrangements with, any person, partnership, association, corporation, business or governmental entity in furtherance of the purposes of the Act, for the purposes of promoting economic and workforce development, provided that such loans or grants shall be made only from revenues of the Authority that have not been pledged or assigned for the payment of any of the Authority's bonds, and to enter into such contracts, instruments, and agreements as may be expedient to provide for such loans, and any security therefor. The word "revenues" as used in this subsection includes grants, loans, funds and property, as set out in subsections 11 and 12;
14. enter into agreements with any other political subdivision of the Commonwealth for joint or cooperative action in accordance with Section 15.2-1300 of the Code of Virginia, 1950, as amended; and

15. do all things necessary or convenient to carry out the purposes of the Act.

Section 4

Capitalized terms used in these Bylaws and not otherwise defined shall have the meanings prescribed in the Act.

ARTICLE II BOARD

Section 1

The Authority shall be governed by a board as prescribed in Section 15.2-6403 of the Act and provided in the RIFA Agreement (the “**Board**”). The Board shall consist of such number of Board members as provided in the RIFA Agreement. Board members and alternate Board members shall be appointed and shall serve for such terms as provided in the RIFA Agreement. The chair (the “**Chair**”), vice chair (“**Vice Chair**”), treasurer (“**Treasurer**”) and secretary (“**Secretary**”) of the Board shall be appointed as provided in the RIFA Agreement.

Section 2

A. The Chair of the Board shall conduct the meetings of the Board, execute documents on behalf of the Board, function as the chief executive officer of the Authority, and execute such duties as the Board may delegate to the Chair by resolution.

B. The Vice Chair of the Board shall serve in the place and stead of the Chair when he or she is unable or unwilling to serve in such capacity.

C. The Secretary shall have the responsibility for preparing and maintaining custody of minutes of the Board’s meetings, for maintaining the records, and for authenticating records of the Authority. The Secretary shall also perform such other duties as may be assigned from time to time by the Board.

D. The Treasurer shall keep or cause to be kept complete and accurate books of account. Whenever required by the Board, the Treasurer shall render a financial statement showing all transactions of the Authority and the financial condition of the Authority. The Treasurer shall also perform such other duties as may be assigned from time to time by the Board.

Section 3

The Board may appoint an executive director (“**Executive Director**”) and such other staff who shall discharge such functions as may be directed by the Board. The Executive Director and any staff members shall be paid from funds received by the Authority.

Section 4

Each member of the Board shall, before entering upon the discharge of the duties of his or her office, take and subscribe to the oath prescribed in Section 49-1 of the Code of Virginia, 1950, as amended. Each member of the Board is an "officer" under the State and Local Government Conflict of Interests Act (Va. Code § 2.2-3100 et seq.) ("COIA").

Section 5

Members of the Board shall be reimbursed for actual expenses incurred in the performance of their duties from funds available to the Authority. No Board member shall receive compensation.

Section 6

6.1 The regular meetings of the Board shall occur once every six months on such dates and at such places and hours as may be agreed upon by the members of the Board. Regular meetings of the Board may be adjourned or continued, without further public notice, from day to day or from time to time or from place to place, but not beyond the time fixed for the next regular meeting, until the business before the Board is completed. The Board may agree to modify the frequency, dates, schedule or other details for regular meetings by a regular vote of the Board in accordance with these Bylaws. All meetings of the Authority and its committees shall comply with the Virginia Freedom of Information Act (Title 2.2, Chapter 37 of the Code of Virginia, 1950, as amended); and the Board and its committees may hold closed sessions as permitted therein.

6.2 A quorum for the transaction of business at any meeting of the Board shall exist when a majority of the Member Localities are represented by at least one member of the Board. Except as otherwise provided in these Bylaws, the affirmative vote of a quorum of the Board shall be necessary for any action taken by the Board. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all of the duties of the Board.

6.3 The affirmative vote of members of the Board representing two-thirds of the total number of members of the Board (a "Supermajority") shall be required for the following actions of the Board:

- (i) sale or transfer of all or substantially all of the Authority assets;
- (ii) causing or permitting the Authority to incur any indebtedness for borrowed money in excess of \$50,000 over the term of such borrowing (taking in to account any permitted renewals or extensions thereof), except pursuant to a budget that has been approved by a Supermajority;

- (iii) causing or permitting the Authority to make any loan, capital expenditure, call or other contribution with respect to any security, asset, venture or investment project or item held or engaged in by the Authority, or any series of related loans, expenditures, calls or other contributions, except pursuant to a budget that has been approved by a Supermajority;
- (iv) causing or permitting the Authority to enter into any contract or agreement with a term in excess of one year, other than in the ordinary course of business, or involving payments by or to the Authority in excess of \$50,000 over the term of such contract or agreement (taking in to account any permitted renewals or extensions thereof), except pursuant to a budget that has been approved by a Supermajority;
- (v) making any distributions of Authority cash or other property, except as specifically provided in the RIFA Agreement, these Bylaws or any Participation Agreement; and
- (vi) issuance of any Bonds by the Authority.

6.4 No member of the Board present shall abstain from voting unless the member has a conflict of interest in the matter being voted upon. For the purposes of this paragraph, a "conflict of interest" shall exist when there is an actual conflict: (1) pursuant to COIA; or (2) pursuant to any applicable policy adopted by the Authority; or (3) as stated by the member unless objected to by a vote of a quorum of the Board.

6.5 Any two or more Board members representing two or more Member Localities may call a special meeting of the Board. Any such request for a special meeting shall be in writing, and the request shall specify the time and place of the meeting and the matters to be considered at the meeting. A reasonable effort shall be made to provide each member of the Board with notice of any special meeting. No matter not specified in the notice shall be considered at such special meeting unless all the members of the Board are present. Special meetings may be adjourned or continued, without further public notice, from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business before the Board is completed.

Section 7

The Authority's fiscal year shall be the same as the fiscal year of the Commonwealth of Virginia. The Board, within one hundred twenty (120) days following the close of the fiscal year, shall submit an annual report of the Authority's activities of the preceding year to the governing body of each Member Locality. Each such report shall set forth a complete operating and financial statement covering the operation of the Authority during such year. The Authority's books and records shall be kept in such form as the Auditor of Public Accounts prescribes, but otherwise shall correspond as nearly as possible to accounts and records maintained by corporate enterprises, all subject to and in accordance with Section 15.2-6413 of the Act.

**ARTICLE III
OFFICE OF AUTHORITY; TITLE TO PROPERTY**

The Board shall maintain the principal office of the Authority within a Member Locality. All records shall be kept at such office. The title to all property of every kind belonging to the Authority shall be titled to the Authority, which shall hold it for the benefit of the Member Localities.

**ARTICLE IV
AMENDMENT OF BYLAWS**

These Bylaws may be altered, amended or repealed only by an amendment, resolutions, or ordinance approved by the governing bodies of all Member Localities. No such amendment shall be inconsistent with the Act, the RIFA Agreement, or other applicable law, nor shall any such amendment reduce the rights, or modify the obligations of a Member Locality, for any previously approved Participation Agreement (as defined in the RIFA Agreement).

Adopted as of
March 15, 2019
for the Authority

By: 
Name: Mark Carter
Title: Chair

Attest:


David Meeker, Secretary



**Council Comments
Agenda Statement
Item #2025-7
January 13, 2025**

Item Title: Renaming and Honorary Street Policies

Submitted by: Rosylen Oglesby, City Manager

Summary Explanation:

To discuss establishing policies that will help provide guidance to the community who seek to rename or install an honorary on an existing street.

Item Budgeted:

N/A

Strategic Priority:

N/A

Financial Impact:

N/A

Recommended Action:

No action is needed.

Next Steps Following Council Action:

Staff will make the necessary recommended changes to the draft.

Attachments:

Samples of Renaming and Honorary Street Policies

Rosylen Oglesby
City Manager



HONORARY STREET NAME DESIGNATION POLICY

Purpose

To establish a policy to administer requests for honorary street name designations and provide application and approval criteria and procedures for honorary street name designations of city-owned streets.

Background

Honorary street signs allow posthumously recognizing former City of Franklin residents, community leaders, or groups who have made significant contributions to the City, State of Virginia, or the United States of America. The honorary street name identifies a specific portion of a City street with an individual name in honor of that person. The honorary street name supplements the permanent street name and does not change the permanent street name designation, nor does it require residents and businesses fronting on the street to change their address. It also does not attempt to regulate honorary street names on private streets and driveways.

General Policy

The Honorary Street Name Designation Policy allows citizens and groups to honor deceased individuals or groups who have made significant contributions to the community, subject to approval by the City Council. The impact must be well documented and broadly acknowledged within the community and the City of Franklin. The Community Development Department manages and processes the program, and the Public Works Department administers the installations.

Provisions

A. Definitions and General Guidelines.

1. Honoree means a deceased individual or group whom the application specifies for an honorary street name designation who has made a significant contribution to the City of Franklin community, either through civic involvement, cultural, humanitarian, historical, or military achievement, as part of a historic event relevant to the specific City street; or to the geographical location of the particular street. Said contributions do not have to be financial.
2. Honorary street name designations shall reflect recognition of Honorees only and are given on a case-by-case basis, solely as determined by the City Council by majority vote and approved Resolution.
3. A completed application and letter of consent signed by the Honoree's estate representative must be submitted prior to City Council consideration and approval.
4. The City Manager shall determine when the application will be presented to City Council for consideration.

5. Only one honorary street name designation sign shall be allowed on a single street sign pole below the City's standard street sign and shall be dark brown in color with white lettering and a white border shall include "Honorary" above the name and is the same size as the standard City of Franklin Street named sign. Should the applicant request a sign on each side of the street at both intersections of a block, the applicant must pay two separate fees (one for each sign). The honorary street name can only be placed on local streets.
6. Honorary street name designations will be temporarily displayed for five years unless otherwise approved by the City Council by a majority vote. At the end of the five years, the City will remove the honorary street name sign and, upon request, make it available to the applicant or the applicant's representative.
7. If the applicant or applicant's representative desires to apply for another five-year term at the end of the five years, renewals will be handled like new requests with all applicable rules and fees in effect. The applicant must resubmit an application and undergo the same City Council review and approval process as initially taken.
8. The City has the right to remove any honorary street name sign before the end of the five years as directed by the Council by majority vote.
9. Only one honorary street name designation sign shall be allowed at an intersection, and the portion of a street so designated shall be one City block long and limited to no more than two signs per block (one at each end of the selected block).
10. No honorary street name designation sign shall be used that will duplicate or could be confused with the name of an existing City street.
11. Whenever possible, honorary street name designation signs shall be limited to the right-of-way area within the vicinity of the home, organization, or locations associated with the Honoree.
12. A fee of \$400.00 is required at the time of application to cover all costs associated with the design, fabrication, and installation of the sign(s). If multiple sign locations are requested and approved, each sign location shall be charged a fee of \$400.00. This fee shall be payable to the City of Franklin and deposited in the City's General Fund.
13. If the application is not approved, the fee(s) will be refunded in full. If the City Council rejects the request, two (2) years shall pass before the request can be resubmitted for consideration.
14. The design and font of the honorary sign will be standard and consistent. No embellishments, decals, or logos will be permitted.
15. Should the sign become defaced, damaged, or otherwise ruined, the City will contact the applicant. Up to one replacement sign may be covered by the City unless approved by the City Council by a majority vote.

B. Qualification Criteria for Approving Honorary Street Designation

1. Only Honorees are eligible for consideration for honorary street name designation as defined above.
2. The Honoree must have provided creditable service to the community and has attained prominence locally based on contributions to the public.
3. The Honorary street names should reflect the City of Franklin's values and community interests.

C. Procedure for Filing and Approving Applications.

1. The applicant shall submit a completed honorary street name designation application and letter of consent and pay the \$400.00 fee to the Community Development Department located at 207 West Second Avenue, Franklin, Virginia 23851. Upon receipt of the application and fee, the Community Development Department shall submit the application to the Public Works Department for their review and a recommendation prior to City Council's consideration.
2. These departments will review the application to ensure sufficient documentation exists to substantiate the applicant's request and that the location desired for the honorary street name designation is feasible.
3. If the application satisfies the criteria established, the City Manager shall determine when the application will be presented to the City Council for consideration. The City Council will review the honorary street name designation application during a public meeting in which public comments are taken. If approved by City Council by majority vote, a Resolution will be entered.
4. The Community Development Department will notify the applicant of the City Council's decision, and if approved, the Public Works Department will proceed to fabricate an honorary street name sign. Public Works will determine the sign installation date and notify the applicant.



Application for Honorary Street Name Designation

Name of Person/Group requesting designation: _____

Address:	
Contact Phone Number:	
Email Address:	

Location of requested designation: (Include Proper Street Name and intersecting streets at each end of the street segment to be designated)	
---	--

Name of Honoree: (As it would appear on the street sign)	
Reasons supporting honorary designation: (Include significant relevance to the City of Franklin)	

Applicant acknowledges the responsibility of the cost of sign(s).	
Signature:	Date:

Sec. 14-125. - Street names.

Purpose: The purpose of this article is to provide for uniform system of standards for naming streets, fabrication, installation, and maintenance of street name signs to assist emergency response personnel, law enforcement agencies, the Post Office, and the general public in delivering timely and efficient services to residents.

Administration: The subdivision agent as appointed by the board of supervisors shall be responsible for the administration, implementation, and enforcement of this article.

The board of supervisors shall establish street names during their review and approval of final subdivision plats. Subdivision plats with street names that are not required to be reviewed by the board of supervisors shall be administered by the agent. Requests to change the name(s) of existing streets may be initiated:

- (1) By resolution of the board of supervisors; or
- (2) By petition containing signatures of a majority of landowners of said street along with a review fee of five hundred dollars (\$500.00) to the agent.

In either case, the agent shall forward the request to the planning commission for public hearing and review. The board of supervisors shall hold a public hearing after receiving a recommendation from the planning commission on the request.

Administrative guidelines: The agent shall review and administer street names in accordance with following guidelines:

Choice of names: Names should be easy to pronounce and pleasant sounding, appropriate and easy to read so the public and emergency personnel can adequately understand the street name in the event of emergency. Where appropriate, names that promote the history of the county may be utilized. Surnames of living persons should not be used, except pioneering families or historically significant names. Unconventional spelling, slang, and obscene language shall not be used. The use of hyphens, apostrophes or dashes shall not be permitted.

Duplication: The use of similar sounding names is to be avoided including the duplication of names with different suffixes. The agent shall review the names to avoid duplication of existing street names that already may be in use in the incorporated towns or adjacent localities.

Continuity: Continuous roads or road route numbers shall bear the same name, when practical. Street names within the incorporated towns should continue to be utilize the name when continuing into county jurisdiction, when practical.

School roads: Public streets designated to serve public schools (VDOT 9000 series) may be assigned names at the discretion of the agent. However, school addresses shall be assigned to the primary road in which the 9000 series road connects to.

Characters and suffixes: All street names shall not exceed twenty (20) characters and shall be described in capital letters. This limit does not include the suffix. Each street name shall contain a suffix consisting of one of the following. The use of directional suffixes (north, south, east, west) shall not be permitted. The abbreviated listings are also shown.

Highway	Hwy
Boulevard	Blvd
Parkway	Pkwy
Pike	Pke
Road	Rd
Street	St
Drive	Dr
Lane	Ln
Avenue	Ave
Trail	Trl
Terrace	Trce
Loop	Loop
Circle	Crcle
Way	Way
Court	Ct

Place	PI
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Other suffixes not listed above may be considered for approval at the discretion of the agent.

Coordination: The agent, upon approval of street names, shall provide the information to all appropriate agencies including the county Geographic Information System, the Virginia Department of Transportation, the Sheriff's Office, the United States Postal Office, and all other applicable federal, state and local agencies.

(Ord. of 1-26-09; Ord. of 9-22-20)

City of Suffolk Department of Planning
APPLICATION FOR STREET NAME CHANGE



<i>PART 1- OFFICE INFORMATION: To be completed by staff</i>			
Application Number:		Date Submitted:	
Project Address:		Project Name:	
Tax Query:	<input type="checkbox"/> Current <input type="checkbox"/> Delinquent	Application Fee Paid:	
Decision:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Date of Decision:	

<i>PART 2- GENERAL INFORMATION: To be completed by applicant</i>
<p><u>Important Notice:</u> Applications must be submitted in hard copy with original signatures. Incomplete applications will not be accepted. Street name changes must be approved by City Council only after they are reviewed by the Director and support is received from seventy-five percent (75%) of all affected property owners. Please review the processing procedures stated on the following page and the list of required submittal information prior to completing this application.</p> <p><u>Application Fee: \$341.25</u></p> <p>"</p> <p>Current Street Name: _____</p> <p>"</p> <p>Route Number (if applicable): _____</p> <p>"</p> <p>Proposed Street Name: _____</p> <p>"</p> <p>"Petitioner's Name(s): _____</p> <p>"</p> <p>"Petitioner's Address: _____</p> <p>"</p> <p>"Phone Number: _____ Email: _____</p> <p>"</p> <p>Summary as to why you are seeking this change (attach full narrative): _____</p> <p>"</p> <p>_____</p> <p>"</p> <p>_____</p> <p>_____</p> <p>_____</p>

PART 3- REVIEW PROCEDURE: To be reviewed by applicant

The following procedure applies to street name changes requested by private citizens.

1. The Director must determine that the proposed street name meets the following criteria: 1) is not a duplicate, 2) no directions are in the name, 3) the name is no more than 14 characters, 4) is not offensive, and 5) is designated as a boulevard, circle, court, drive, lane, parkway, road, or street according to the type of roadway based on the classification as contained in the City's Master Thoroughfare Plan.
2. A letter will be mailed to all of the affected property owners and the affected owners will indicate whether they agree or disagree to the proposed change.
3. Copies of subdivision plats and/or physical surveys.
4. If approved by City Council, the street name change will not be effective for thirty (30) days so that sign fees can be paid by the petitioner and the signs can be fabricated and posted. A letter is sent to the petitioner informing him/her of the results and costs for making and installing the new street sign. The new street sign will not be made nor installed until the City receives full payment from the petitioner. Once the required payments are made by the petitioner, the Planning & Community Development Director will send a memorandum to the Department of Public Works informing them of receipt of the required payment and to fabricate and post the street sign.
5. The Director of Planning & Community Development notifies all affected property owners, City Departments and agencies, the Post Office, and all utility companies of the street name change and effective date.

PART 4- REQUIRED INFORMATION FOR APPLICATION: To be completed by applicant

The applicant must INITIAL next to each item and ATTACH materials in the order that is listed below.

1. Full narrative explaining reasons for requested street name change. _____
2. One (1) copy of a **location map** accurately showing the location of the referenced street reduced to a paper size not more than 11" x 17". _____
3. A **list of the names and addresses** of all persons, firms, or corporations owning all properties affected by the street name change and the tax map number of such properties. Affected property owners include owners of all properties that abut the street in question whether containing an occupied dwelling or not. _____

Note to the Petitioner: It is highly recommended that the petitioner seek input from affected property owners and solicit their support of the street name change prior to filing the request with the Planning Division. It is the City's policy that seventy-five percent (75%) of all affected property owners must agree to street name changes initiated by a citizen, or the request will not be approved.
4. **I understand that the costs associated with this request, including postage, the creation and posting of new street signs, are my responsibility and I agree to pay all costs associated with this request.** _____

Honorary Street Naming Ordinance & Program

City of Petersburg
VIRGINIA



Rebuilding our Foundation for a Brighter Future



Purpose

- The purpose is to honor individuals and/or organizations that have gone far beyond what was or could have been expected in contributing to the quality of life of the City of Petersburg.
- The proposed Honorary Street Naming Program will provide an alternate, streamlined process to honor deserving individuals and/or organizations.



- This ordinance adds new section 98.52 to the City of Petersburg Municipal Code:

City Council may, by Resolution, confer honorary names to public streets controlled and maintained by the City to honor individuals (living or posthumously) and/or organizations that are of particular importance to the City of Petersburg or which have made significant contributions to improving the quality of life in the City and may allow for the installation of appropriate signage, which shall be distinct from and shall not change or replace existing street names and signs.

- Asalie Minor Preston sign is lowered from the public street to show a clear distinction preventing any confusion. (Pictured right; Charlottesville, Virginia)
- Staff has received updated estimates that the honorary street sign would cost approx. \$65 per sign.





➤ Sign blade dimensions: maximum height of 10 inches and width no greater than the existing official street name sign blades.

➤ Color: brown background with white border and white lettering. The legend will include the label “*Honorary*” centered above the honoree’s name.

➤ Mounted on existing signposts, above or below the official street name sign blades.

Figure 1





1. City of Petersburg residents or natives or individuals/ organizations of particular importance to the City of Petersburg.
 - Deceased/Posthumously individuals only unless waived by a majority vote of the City Council.
2. An organization shall have been in operation for a minimum of 25 consecutive years and have its base operations in the City or be of particular importance to the City.
3. Statement why the proposed honoree is historically or culturally significant to the City of Petersburg,
4. Evidence of support by community members and/or local community-based organizations.
5. Location of proposed honorary street name designation.



City of Petersburg

Request for Honorary Street Name Designation

In order for an honorary street name to be declared:

- 1) *Proponent completes application and submits application to the Department of General Services*
- 2) *Director of General Services reviews for consistency with and satisfaction of published criteria and requirements;*
- 3) *General Services staff processes request for Council Action/ resolution.*
- 4) *The resolution shall be approved by the City Council*

Applicant Name: _____

Applicant Address: _____

Applicant Telephone: _____

(Daytime)

(Evening)

Applicant Email: _____

Honorary Street names are restricted to:

Individuals (*posthumously*)

Organizations

AND Of local and long-lasting significance to Petersburg

A. For whom/what are you recommending this designation?



➤ Staff recommends adoption of the attached ordinance to adopt section 98-52 of the City Code to allow for the use of Honorary Street Names.

Honorary Street Naming Program

City of Petersburg
VIRGINIA



Rebuilding our Foundation for a Brighter Future

City of Portsmouth

Honorary Street Name Designation Policy



Briefing Purpose

To explain the proposed policy for honorary street name designations

- Objectives of the Program
- Background
- Definition
- Sign Description and Placement
- Qualifications
- Application process
- Costs

Objectives of Program

- To ensure that street name designations are “honorary” and at the discretion of City Council.
- To ensure that streets continue to retain their official name and remain easily identifiable.
- To ensure that street name designations are accepted by the community/consistent with City values.
- To encourage the recognition of individuals and groups for their contribution to the community.

Background

- Portsmouth currently allows citizens to request a change to the official name of a city street, however, City Council may determine if the change is an honorary designation or a permanent name change.
- Sec. 33.1-55 9 (c) of the Portsmouth City Codes states: ***“Names of existing streets or subdivisions shall not be changed except by approval of the governing body.”***
- This is the only adopted and codified reference regarding the renaming of city streets.

Definition

- Honorary street name signs are intended to recognize and honor the citywide contribution, impact, or fame of individuals or groups.
- The placement of the signs posted above standard city street name signs does not change the official name of the street or the official addresses of residences and businesses on the street.

Qualifications

The following criteria shall be used in determining the appropriateness of the designation:

- An individual or group of historical or cultural significance.
- An individual or group that has made a significant positive impact on the city, state or country. This impact must be well documented and broadly acknowledged within the community and by the City of Portsmouth.
- An individual or group donating to the City of Portsmouth and/or the use of land or facilities for community purposes.

Sign Description and Placement

- Located on top of existing street signs
- Double-faced
- Same size as the standard City of Portsmouth Street name sign
- White lettering on a brown background with a white border
- Only on local streets

Application Process

- A completed application would be submitted to the Director of Planning, accompanied by a written justification, family/estate consent form (if applicable) and application fee (to be determined by City Council).
- The written justification should show how the proposed designation is consistent with the criteria stated in the policy. When honoring a person or persons, the application will describe the contributions to the City.
- Written documentation and approval by family/estate agent of individual to be honored (if available/possible) is required as part of the proposal.

Process continued on next slide

Application Process (continued)

- Application reviewed by Planning Department staff for adherence to criteria, then voted on by staff committee made up city staff appointed by the City Manager.
- Committee provides recommendation to City Council.
- City Council may approve, reject, or propose a different designation.
- City Council has sole authority to approve honorary street designation requests. The approval of the request shall be permanent, unless otherwise direct by the City Council.

Costs

- If approved by City Council, the requestor shall pay all costs associated with the design, fabrication, and installation of the signs. The cost to cover future maintenance costs that the City is expected to incur over the life of the honorary designation.
- Signs will not be installed until all payments received.

Next Steps

- Feedback from City Council
- Changes desired by City Council

Questions?