



**Town of Altavista, Virginia
Meeting Agenda
Town Council Work Session**

J.R. "Rudy" Burgess Town Hall
510 7th Street
Altavista, VA 24517

**Tuesday, March 26, 2019
5:00 p.m. – Council's Chambers**

- 1. Call to Order**
- 2. Agenda Adoption**
- 3. Recognitions and Presentations**

4. Public Comment (Agenda Items Only)

*Citizen's wishing to address Council should provide their name and residential address.
Citizen's comments are limited to three (3) minutes with a total of fifteen (15) minutes
allotted for this purpose.*

5. Items for Discussion

- a. VDH Office of Drinking Water Funding Application Consideration**
- b. Alley Closure Process Discussion**
- c. FY2020 Budget Discussion/Capital Improvement Program**

6. Matters from Council

7. Closed Session (*if needed*)

8. Adjournment

THE TOWN OF ALTAVISTA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARRE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (434) 369-5001 FOR ASSISTANCE.



TOWN OF ALTAVISTA TOWN COUNCIL AGENDA COVER SHEET

AGENDA LOCATION:

Items for Discussion

MEETING DATE:

March 26, 2019

ITEM #: 5a**ITEM TITLE:**

VDH Funding Application/Drinking Water State Revolving Fund – Melinda Zone Project

DESCRIPTION:

Staff has been working with the project engineer, Woodard & Curran, in regard to an application for funding of the construction phase of the Melinda /Avondale High Pressure Zone Project. At this time, we would like consideration of an application to the VDH's Drinking Water State Revolving Fund (DWSRF), which is due April 1, 2019 in the amount of \$676,000 (project total minus Legal/Misc.). This project was identified during the Facility Assessment Improvement Plan (FAIP) development and is part of the five (5) year Capital Improvement Plan for which we propose funding through bond proceeds. The State Revolving Fund lists loan rates of 1.5 – 2.5% for 20 year loans and 2.3 – 3.0% for 30 year loans. This action would not commit the Town to accepting the loan, if awarded, but would provide a potential alternative. It is anticipated that the Town would find out in late September/early October if the loan was approved, Council could make the ultimate decision at that time.

Staff seeks Council concurrence to move forward with the submission of this DWSRF application and would request that the attached Resolution be adopted.

BUDGET/FUNDING:

Staff believes the debt service would not begin until the FY2021 Budget.

POTENTIAL ACTION/PROPOSED MOTION:

Adoption of the DWDRF Resolution.

ATTACHMENTS:

- *Project CIP Sheet*
- *Project Funding Application Resolution*

FY2020-2024 CAPITAL IMPROVEMENT PROJECT FORM

DEPARTMENT:	Utilities		DIVISION:	Water	
PROJECT NAME:	Melinda and Avondale Drive Pump Station and Pipe Network			LOCATION:	Melinda, Avondale and Other
YEAR:	FY 2020	ACCT#:	050-5010-701.81-35		
Type of Project: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Replacement <input type="checkbox"/> Renovation					

Unappropriated Subsequent Years								
Current/ Previous Expenditures	TOTAL PROJECT COST (Capital Only)	Total Appropriations to Date	Budget Year 1 FY2020	Budget Year 2 FY2021	Budget Year 3 FY2022	Budget Year 4 FY2023	Budget Year 5 FY2024	Future Budget Years
\$ 85,000	\$ 768,000	\$ -	\$ 683,000	\$ -	\$ -	\$ -	\$ -	\$ -

PROJECT COSTS

ACTIVITY	FY2020	FY2021	FY2022	FY2023	FY2024	FUTURE
Planning, Surveying, Design, Engineering:	\$ 45,000					
Land/ROW/Acquisition:						
In House Services (In-Kind)						
Site Preparation & Improvements						
Permits/Inspections/Misc.	\$ 158,000					
Building/Utility Construction:	\$ 450,000					
Legal/Misc.	\$ 7,000					
Other- SCADA	\$ 23,000					

Total Capital Cost Estimate:	\$ 683,000	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Impact Estimate:	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ -
Total Expenditure Estimate:	\$ 696,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ -

NEW OR ADDITIONAL IMPACT on OPERATING BUDGET

Type of Expenditure	FY2020	FY2021	FY2022	FY2023	FY2024	FUTURE
Salaries/Benefits						
Professional & Consulting Services:						
Materials & Supplies						
Maintenance/Fuel	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	
Other	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	
TOTAL	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ -

METHODS OF FINANCING

Funding Sources	Previous Allocation (Earmarked)	FY2020	FY2021	FY2022	FY2023	FY2024	FUTURE
General Fund							
Highway Fund							
Enterprise Fund (W)							
Enterprise Fund (WW)							
Grants (List)							
Bonds (List)		\$ 683,000					
Reserve (List)							
Other (List)							
TOTAL	\$ -	\$ 683,000	\$ -	\$ -	\$ -	\$ -	\$ -

TOTAL: \$ 683,000

Project Description: To utilize the capacity of the Melinda water tank and increase water pressure to the residence at or near the same tank elevation to improve their pressure and service reliability

Justification/Linkage: Council & Department Goal & Objective: Meets the community water treatment needs. Further Explanation can be found in Appendix (H) and Section 7.1.1 (page 7-1) of the Water Facility Assessment and Improvement Program (FAIP) document.





Town of Altavista
“RESOLUTION”

WHEREAS, the Altavista Town Council Altavista is supportive of an application for funding of a drinking water project in the Town of Altavista to improve the infrastructure of the Town’s water distribution system; and

WHEREAS, the Melinda/Avondale Drive Pump Station and Pipe Network project was identified in the Town’s “Facility Assessment Improvement Plan” (FAIP) and has been included in the draft FY2020 Budget and Capital Improvement Plan; and

WHEREAS, the Town Council has directed the Town Manager to review the project planning material and find that the pre-requirements have been met for submitting a funding application to the Virginia Drinking Water State Revolving Fund (DWSRF).

THEREFORE, BE IT RESOLVED, the Altavista Town Council hereby vote to seek funding from the Office for the following project;

Melinda/Avondale Drive Pump Station and Pipe Network Project \$676,000

THEREFORE, BE IT FURTHER RESOLVED, that the Town Manager immediately begin to process a funding application for this project and be authorized to sign any and all documents to accept such funding contingent upon review and concurrence by the Altavista Town Council.

Motion by: _____ Seconded by: _____

Aye _____ Nay _____ Absent _____

This 26th day of March 2019

Michael E. Mattox, Mayor

Attest: _____

J. Waverly Coggsdale, III, Town Clerk



TOWN OF ALTAVISTA TOWN COUNCIL AGENDA COVER SHEET

AGENDA LOCATION:

Items for Discussion

MEETING DATE:

March 26, 2019

ITEM #: 5b**ITEM TITLE:**

Alley Closure Discussion Policy

DESCRIPTION:

Recently there have been conversations with several citizens in regard to “unopened” alleys and/or “paper streets”. Many of these areas were platted many years ago and have never been deemed necessary. Staff reached out to see what processes other localities utilize to address this issue.

First and foremost, the process is set forth in the Code of Virginia 1950, as amended (excerpts of the State Code are attached) In addition, responses and policies provided by other local governments is attached as well.

This is a preliminary introduction to this item, so staff is just seeking a consensus on whether Council wants additional information or effort regarding this item.

BUDGET/FUNDING:

Unknown, but costs could be passed on to the citizen.

POTENTIAL ACTION/PROPOSED MOTION:

Per discussion

ATTACHMENTS:

- *Code of Virginia excerpts*
- *Peer Responses on Alley Closing*
- *Town of Vinton Alley Vacation policy*
- *Galax Alley Disclosure Policy and Application*
- *Town of Ashland policy*

§ 15.2-2006. Alteration and vacation of public rights-of-way; appeal from decision

In addition to (i) the powers contained in the charter of any locality, (ii) any powers now had by such governing bodies under the common law or (iii) powers by other provisions of law, public rights-of-way in localities may be altered or vacated on motion of such governing bodies or on application of any person after notice of intention to do so has been published at least twice, with at least six days elapsing between the first and second publication, in a newspaper having general circulation in the locality. The notice shall specify the time and place of a hearing at which persons affected may appear and be heard. The cost of publishing the notice shall be taxed to the applicant. At the conclusion of the hearing and on application of any person, the governing body may appoint three to five people to view such public right-of-way and report in writing any inconvenience that would result from discontinuing the right-of-way. The governing body may allow the viewers up to fifty dollars each for their services. The sum allowed shall be paid by the person making the application to alter or vacate the public right-of-way. From such report and other evidence, if any, and after the land owners affected thereby, along the public right-of-way proposed to be altered or vacated, have been notified, the governing body may discontinue the public right-of-way. When an applicant requests a vacation to accommodate expansion or development of an existing or proposed business, the governing body may condition the vacation upon commencement of the expansion or development within a specified period of time. Failing to commence within such time may render the vacation, at the option of the governing body, void. A certified copy of the ordinance of vacation shall be recorded as deeds are recorded and indexed in the name of the locality. A conditional vacation shall not be recorded until the condition has been met.

Any appeal shall be filed within sixty days of adoption of the ordinance with the circuit court for the locality in which the public right-of-way is located.

Code 1950, § 15-766; 1950, p. 725; 1952, c. 580; 1956, c. 487; 1958, c. 196; 1962, c. 623, § 15.1-364; 1964, c. 13; 1972, c. 357; 1973, c. 71; 1980, c. 236; 1982, c. 381; 1983, c. 33; 1984, c. 175; 1986, c. 41; 1997, c. 587.

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

§ 15.2-2007. Fee for processing application under § 15.2-2006

The governing body of any locality may prescribe and charge a reasonable fee not exceeding \$100 for processing an application pursuant to § [15.2-2006](#).

1970, c. 161, § 15.1-364.1; 1976, c. 183; 1979, c. 208; 1997, c. 587.

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

§ 15.2-2007.1. Appointment of viewers in certain cities

Notwithstanding the provisions of § [15.2-2006](#), the City of Virginia Beach may by ordinance appoint three to five viewers for terms of one year to view each and every street or alley proposed to be altered or vacated during the term. The notice requirements of § [15.2-2204](#) shall be complied with for each hearing regarding discontinuance of the street or alley proposed to be altered or vacated. The applicant for closure of streets or alleys in such cities that have appointed viewers pursuant to this section shall not be required to advertise, and the governing body shall not be required to hold a separate hearing, for appointment of viewers for each specific street or alley proposed to be altered or vacated. The applicant and the governing body of such city shall comply with all other provisions of § [15.2-2006](#).

1997, c. [742](#), § 15.1-364.2; 2007, c. [813](#).

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

§ 15.2-2008. Sale of public rights-of-way, easements, etc., to certain purchasers

Notwithstanding any contrary provision of law, general or special, any locality, as a condition to a vacation or abandonment, may require the fractional portion of its public rights-of-way and easements to be purchased by any abutting property owner. The price shall be no greater than the property's fair market value or its contributory value to the abutting property, whichever is greater, or the amount agreed to by the parties. No such vacation or abandonment shall be concluded until the agreed price has been paid. If any abutting property owner does not pay for such owner's fractional portion within one year, or other time period made a condition of the vacation or abandonment, of the local government action to vacate or abandon, then the vacation or abandonment shall be void as to any such property owner.

1979, c. 241, § 15.1-366; 1985, c. 276; 1992, c. 362; 1993, c. 343; 1997, c. 587.

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

Peer Responses regarding Alley Closures

Town of South Hill

South Hill only vacates unopened or unnamed paper street rights of way (ROW) at the request of the owners of the adjoining properties. The general process is:

- Owners of the property adjoining the ROW at issue are notified of the request.
- Council appoints an independent three person committee to view the unopened street ROW to determine if vacation would have any adverse effects. The committee submits a written report of its findings.
- A public hearing is held to hear comments on the proposed ROW vacation.
- If acceptable the Council adopts an Ordinance of Vacation.
- All adjoining property owners are entitled to proportional shares of the vacated ROW and must pay for all legal, advertising, and other associated costs. If an adjoining property owner does not wish to own a proportionate share of the vacated ROW, then the owner of the opposite side of the ROW may pay all costs and take full ownership.

Town of Marion

The Town of Marion has only done this twice in the last 20 years. There is no formal policy, but historically we split the R-O-W between the contiguous landowners, selling half to each based on the square footage of each lot, price based on the adjoining lot sqft assessed value. Buyers split all legal costs, surveying, etc. We also have turned down some requests if there are future plans for right of way use.

Town of Broadway

You are required to appoint viewers to examine the alley and provide a recommendation to the governing body, following a public hearing. In the past, we have split the alley in half and given the property to the owners on either side.

Town of Rocky Mount

State code covers this specifically.

My attorney has held that <https://law.lis.virginia.gov/vacode/15.2-2272/> lets us simply split it down the middle. Or <https://law.lis.virginia.gov/vacode/title15.2/chapter20/section15.2-2006/> if there is opposition.

I have had property owners call the town to do maintenance on paper alleys (40 years ago a property owner plants pine trees in the alley, today they need cutting and they want the government to pay). My standard answer is “We don’t maintain paper alleys, we abandon them as plat artifacts. We did not accept that alley, did not plant the trees and will not maintain private access property with public funds...BUT if you insist we will cut the trees down, pave the alley and open it up to the public”.

City of Falls Church

The City of Falls Church has an informal policy of not vacating public right of way, papers streets and the like, under any circumstances. We just say no, and eventually people find other things to write us about.

The state law lays out the process by which a locality can vacate a right of way. It is invariably a process of starts and stops, mass confusion, and neighbor v neighbor rancor.

Just Say No is truly the best policy. It allows everyone to be mildly unhappy at the City's intransigence, rather than actively furious at their neighbor.



Alley Vacation and Abandonment Procedure

Department of Public Works

August 7, 2012

Background

On occasion the Town is approached about disposing, giving away or selling Town alleys. The general purpose of alleys, at least on paper, is to allow access to the rear of residential or commercial property parcels for garage access, utility corridors, trash collection and vehicle circulation. However practical considerations like steep terrain or other obstructions, or the general lack of need for the alley mean some alley rights-of-way remain unopened and unused.

Alley Vacation Request Applications

Alley Vacation Requests separate from site plan, subdivision or other development will be initially received by the Department of Public Works. It is suggested a \$100 application fee be established to cover the staff and administrative costs of processing the request. The Public Works Department will solicit input from the staff of the departments of Planning & Zoning, and Parks & Recreation, Town Attorney and the Town Manager. Finance and Police will be provided copies of the request for information.

Alley Vacation Requests which are part of site plan, subdivision or other development will be considered with the overall development and processed by the Department of Planning & Zoning.

Internal staff Evaluation of Alley Vacation Requests

Public Works will comment on existing or planned roads, trails, sidewalks, water mains, sewer lines, or other potential uses. If the request is to abandon only part of an alley behind one or two homes, Public Works will comment on the feasibility.

Public Works will inform utility companies of the alley vacation request so they can provide comment.

Parks and Recreation will comment on existing or planned park, recreation, open space, or other community uses.

Parks and Recreation will inform associated agencies and community organizations so they can provide comment (NVRPA, FFX Park Authority, FFX Schools, etc.)

Public Works will compile staff comments and input. The Public Works Director and the Manager will informally ask the Mayor if the alley abandonment request should be scheduled for consideration by the Town Council. Public Works staff will notify the requestor if the abandonment is not scheduled for Council.

Public Notice and First Council Action. Public Works staff, with the assistance of Planning & Zoning staff will prepare the Town Council agenda report for discussion at a regular Council meeting. Public Works staff will notify Town boards and commissions, post “public hearing” signs on-site (with the assistance of

Planning & Zoning staff) and send meeting notice letters to property owners adjacent to and affected by the proposed abandonment.

Public Works staff's agenda report will include comments and correspondence from all agencies and interested parties, then recommend a disposition.

Town Council decides if the land is indeed surplus and confirms the requestor is responsible for the fees to implement disposal of the parcel. It is recommended a substantial fee be established as up-front payment of field survey, deed research, plat preparation, appraisal, filing fees, etc. ***NOTE: Article 2, Chapter 20, of Title 15.2 of the Code of Virginia specifies a set procedure for appointing viewers, determining values, etc., for any vacation of street rights-of-way.***

If Council chooses to move toward disposing of the property, the requestor (or the Town at the requestor's expense) hires a licensed surveyor at their expense to confirm parcel ownership and to produce a report explaining how the land was originally deeded to the Town and for what purpose. The surveyor shall give their professional opinion on who the property reverts to when vacated.

The surveyor prepares the appropriate plats and deeds of vacation at the requestor's expense.

If the surveyor concludes the parcel does not revert to adjacent property owners as a result of a subdivision and the parcel may be sold, the Vienna Town Attorney hires an appraisal firm at requestor's expense.

Public Notice and final Council action. Public Works staff prepares a second Town Council agenda report for discussion at a regular Council meeting. Public Works staff will notify Town boards and commissions, post "public hearing" signs on-site and send meeting notice letters to property owners adjacent to and affected by the proposed abandonment.

Public Works staff's agenda report will include the surveyor's report, plat and deed; comments and correspondence from all agencies and other interested parties; then recommend a final disposition.

Recording of Deed. If the Town Council authorizes abandonment, sale or other disposition of the property, the requestor shall pay the value of the parcel. The Town Attorney records the deed and any unspent survey fees are returned to the requestor.

Presented to Town Council 8-20-2012

GALAX CITY COUNCIL

POLICY REGARDING DISCONTINUANCE OF UNDEVELOPED ALLEYS

ADOPTED

Any owner of land which is adjacent to or has access from any undeveloped alley may file a written Petition to the Galax City Council to request that the City discontinue maintenance of such alley or a portion thereof by complying with the following procedure:

- a. The Petition shall be in the form approved by Council and shall include the name(s), current addresses and phone numbers of the petitioners, their interest in seeking discontinuance of the alley, and the location of their property in relation to the alley or portion of the alley requested to be discontinued. No request shall be considered by City Council unless 70% of the adjacent landowners and those utilizing the alley or portion thereof for access joins in the Petition for discontinuance. In addition the Petition shall include the following:
 - i. The names, current addresses and phone numbers of all persons or entities owning land adjacent to the alley sought to be discontinued, or in the case of a request for discontinuance of a portion of the alley, those persons or entities owning land adjacent to the portion of such alley for which discontinuance is sought;
 - ii. The names, current addresses and phone numbers of all persons or entities currently utilizing the alley in question for access to other properties via rights of way, driveways, or other recorded or unrecorded easements;
 - iii. A copy of a recorded plat or other document(s) depicting and describing the alley or portion thereof for which discontinuance is sought;
 - iv. Photographs of the alley or portion thereof for which discontinuance is sought, depicting the current state of repair, use and environs;
 - v. The identity and location of any and all alternative routes for access to the properties currently served by the alley or portion thereof for which discontinuance is sought.
 - vi. The factual basis supporting the petitioner's request for discontinuance. Specifically, the Petition must demonstrate that no public necessity exists for the continuance of the alley or section thereof as a public right of way.
 - vii. The Petition shall be verified by the petitioner under oath.
- b. Upon filing of a Petition for discontinuance with City Council, the matter shall be reviewed by the City staff, and upon completion of such review, placed upon the agenda of a Council meeting for initial consideration by the Council with a staff recommendation. Staff may recommend that an alley not be considered for abandonment due to, but not limited to, the following reasons: alley is currently used by adjoining property owners for access or egress; use by City services including utilities, water, sewer, broadband, stormwater, etc; future use by utilities or utility development, right of way to access landlocked properties, etc. Upon

initial consideration Council will determine whether to accept the Petition and proceed to public hearing or to reject the petition. Acceptance of the Petition at this stage does not constitute approval of the Petition. Upon determination of the Council to accept the Petition and proceed to hearing, the Council will set a date for public hearing on the Petition and the petitioner will be notified and shall then pay the application fee and comply with this policy and the applicable provisions of law to conduct the public hearing before the Board. No Petition not accepted by the Council shall be re-filed for a period of one (1) year after rejection.

- c. Application Fee: There is imposed upon a petitioner an application fee of \$100.00 to defray the City's administrative costs and fees incurred in reviewing and evaluating the Petition, which application fee is due and payable within ten (10) days from notification that Council has accepted for hearing the Petition. Failure to pay such fee within such time will cause the City to cease further consideration of the Petition.
- d. Notice: Upon notification that the Petition has been accepted for public hearing, the petitioner shall give public notice of the Petition and the public hearing before Council in all of the following manners:
 - i. By posting notice of such Petition and the date, time and place of the public hearing thereon for at least thirty days prior to the date of the public hearing at least three places on and along the road or portion thereof sought to be abandoned.
 - ii. By mailing a notice of public hearing via certified United States Mail, return receipt requested, to all persons or entities owning land adjacent to the roadway or portion thereof sought to be discontinued, and to all persons or entities currently utilizing the roadway in question for access to other public roads via rights of way, driveways, or other recorded or unrecorded easements.
 - iii. By publishing a public hearing notice two (2) times a minimum of 7 days prior to the public hearing, not more than 21 days prior to the hearing, and a minimum of 7 days between publications in a newspaper having general circulation in the City of Galax, and by submission of the cost of such publication and copy of the publication.
 - iv. By complying with any other applicable requirements imposed by the laws of the Commonwealth of Virginia or ordinances of City of Galax concerning discontinuance of public roads, alleys or other rights of way.

All notices required hereunder shall be upon the form provided by the City and shall state that a Petition has been filed with the Galax City Council to discontinue maintenance of said alley and shall fully describe the alley or portion thereof sought to be discontinued.

- e. Certification and Affidavit: The petitioner shall, prior to any public hearing or vote on the Petition, present to the Galax City Council an affidavit signed under oath, certifying that all steps required of the Petitioner under this policy have been

complied with. The affidavit shall include as attachments photographs documenting the posting of the notices required under this policy.

- f. Publication: In addition to the Application fee, the petitioner shall be responsible for paying the costs incurred for publishing, in at least one issue of a newspaper having general circulation in the City, a notice of public hearing to consider the requested discontinuance. The City Manager or other agent of the City shall review and approve the notice prior to publication.
- g. Incomplete Compliance or Documentation: Complete documentation and compliance with each and every requirement of this procedure shall be mandatory. In the event that the Petitioner has failed in a timely manner to provide the requisite documentation, fees or has failed to timely provide notice as required herein the Council may, in its discretion, reject the petition or postpone the public hearing and require the Petitioner to cure any deficiencies in documentation and notice. In the event of such postponement, the Petitioner may be required to pay additional fees to offset the City's additional costs in reviewing and verifying compliance with the requirements set forth herein and additional costs of advertising.
- h. Public Hearing: For accepted Petitions the Council will, after receipt the requisite fee(s) and documentation certifying compliance with all of the foregoing requirements, hold a public hearing to consider the Petition. If, after the public hearing, City Council is satisfied that the alley or section thereof should be removed from the right of ways or undeveloped alleys within the City, it shall authorize the final approval and notification to all appropriate adjacent property owners. Final deeds, surveys, and recording costs shall be the responsibility of the petitioner and copies of all documents shall be presented to the City Manager's office.
- j. Division of Property – Any alley approved for abandonment shall be divided equally among all adjoining property owners adjacent to the alley or right of way being considered for abandonment; regardless of who has submitted to initial application or incurred costs for the application, advertisement, attorney fees, etc.

CITY OF GALAX
APPLICATION FOR STREET/ALLEY VACATION

I (We) _____ of _____

Petition the City of Galax to vacate the undeveloped right-of-way situated at _____

1. There has _____ has not _____ been previously a petition to vacate this right-of-way.

2. There is/are _____ (insert number) property owner(s) adjoining this right-of-way. The names, addresses and telephone numbers of the adjacent owners are as follows:
(attach additional pages as necessary)

3. If different than the owners identified above, the names, addresses and phone numbers of each person or entity using the right of way in question for access to other properties are as follows:

4. Alternative routes for all properties/owners identified herein are as follows:

5. I contend that no public necessity exists for the continuance of the alley/public right of way for the following reasons:

6. A copy of a recorded plat (or other documentation) depicting the alley or portion thereof for which discontinuation is sought, is attached hereto _____ (yes) _____ (no)

7. Photographs of the site are attached hereto _____ (yes) _____ (no)

8. Attached is/are the signature(s) of the adjoining property owner(s) and \$100.00 application fee for review of the request by City staff.

I (We) agree to pay for two public notice advertisements in the Galax Gazette as well as all other costs incurred by me/us associated with this application, regardless of Council's final decision regarding the petition.

I (We) have received City Council's Policy concerning right-of -way vacations, and hereby certify under oath that the foregoing information is true, correct and complete to the best of our knowledge and information, after a diligent investigation of the facts set forth herein, and that each and every requirement in the Policy has been complied with.

(Signature of Petitioner)

(Telephone Number)

(Date)

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by _____.

{SEAL}

Notary Public

Registration No.: _____
My commission expires: _____

Vacation or Sale of Town Property
Town of Ashland
May 17, 2016

1. Request (verbal or written) to purchase Town property or vacate right-of-way is received by staff. Pre-application meeting with staff is recommended to review request against Town Council policy COU-101.
2. After Staff completes its review, written comments will be provided to the Applicant before proceeding to allow for a better understanding of the process before they decide to invest further in completing the next step.
3. The Applicant makes a written request to the Town. This request is accompanied with an appraisal of the land to be sold/vacated, a final plat detailing the area to be sold/vacated (completed final plat checklist in the subdivision application), fee to pay for public advertising (\$250), and deed. The cost of the appraisal, plat, notification fee, deed preparation, and recordation are paid by the Applicant. The appraiser will be selected or approved by the Town.
4. Written notification will be made by town staff to adjacent property owners to allow for equal opportunity to purchase a portion if the request is for a right-of-way vacation. Written conformation on their desire to purchase property must be received within 15 days of notice.
5. Once the request, appraisal, plat, and advertising fee have been received, staff will draft an ordinance and advertise for public hearing at Town Council for the possible sale of the property. If adjacent property owners are purchasing a portion of the property, then their request would be included in the advertisement.
6. Staff will prepare a report evaluating the request against Policy COU-101 (see attached) which informs disposal of Town property.
7. Town Council will hold a public hearing (on the ordinance) and decide whether or not to sell the property.
8. If yes, then a separate ordinance will be drafted for the transfer or sale. Town Council will establish the price based upon the appraisal and fair market value. Ownership of the property then may be transferred as advertised or otherwise determined by Town Council.

9. If Town Council approves the sale to the Applicant or adjacent property owner, then a quit claim deed, prepared by the new property owner, will need to be provided and approved by the Town Attorney. The Applicant is responsible for recordation of the deed and quit claim deed and must furnish verification to the Town that the recordation(s) have been completed

Policy Number: COU-101

Date Adopted: September 14, 1993

Policy Title: Disposal of Town Property

Revised Date: November 27, 2001

Policy:

From time to time, the Council may receive requests to dispose of unopened alley rights-of-way from adjacent property owners. When such a request is received, the Council shall consider the request subject to the following standards:

1. The alley is not under consideration for use as a public thoroughfare.
2. The Council shall make a finding that there is no public use for the alley.
3. The Council shall follow any legal process for the disposal of real property as required under state law.
4. No property shall be transferred if the effect of such transfer will result in the creation of a landlocked right of way remainder or if the transfer would result in eliminating access to a private parcel.
5. All adjacent property owners shall have equal opportunity to purchase the right-of-way. Where property owners on each side of the right of way are interested in purchasing a portion, the right of way shall be equally divided along the centerline.
6. Rights-of -way shall be sold only after the conduct of an appraisal of the fair market value of the property. An appraiser selected or approved by the Town shall conduct the appraisal.
7. In instances where a survey is required to determine the extent and metes and bounds of the right-of-way, a surveyor selected or approved by the Town shall perform the survey.
8. All costs of transfer shall be borne by the parties requesting the property, including legal costs, appraisal costs, survey costs and advertising costs.
9. The Town Council shall retain certain easements as deemed necessary or appropriate for future drainage, utilities or franchises.



TOWN OF ALTAVISTA TOWN COUNCIL AGENDA COVER SHEET

AGENDA LOCATION:

Items for Discussion

MEETING DATE:

March 26, 2019

ITEM #: 5c**ITEM TITLE:**

FY2020 Budget and CIP Discussion

DESCRIPTION:

Time for conversation and discussion about the draft FY2020 Budget and FY2020-2024 Capital Improvement Program is provided at each Work Session during the budget process.

Two recent issues were mentioned for additional consideration:

#1 Administration's CIP item related to "Cloud Migration"

- This item is related to the Town's "Government Software" that has been in place since 1999. The original software was called "CitySoft", it is now called Naviline. This software, a product of Central Square, is designed to meet the day to day needs of our organization. Due to the support for the current operating system of the As400 ending on October 1, 2019, staff evaluated replacement of the As400 (in-house) versus the Migration to an off-site service hosted by our software provider, Central Square. Attached is a listing of the applications used daily by each department.
- The software has been and is currently housed on an IBM As400 server that has a life expectancy of 6 – 7 years. The Town has replaced the server three times since its original installation in 1999; the current projected cost for replacement of the server is \$35,000. The annual support and maintenance of the software (Naviline) is \$55,000 plus the annual maintenance of the As400 is \$3,900. The attached sheet compares the purchase of an As400 and the Migration to the Cloud. Based on a 6 – 7 year replacement cycle for the As400, the annual costs for the As400 would increase annually by \$5,527.14, which accounts for the One Time Costs every 7 years. The migration project would not require a server on-site at Town Hall but the services would be hosted off-site on a Central Square server, where the technical issues would be managed and maintained. All all other functions would remain the same
- It is important to point out that the applications that the Town uses for daily use and customer service do not change with either method. However, migration to a hosted Central Square facility can free up a small amount of staff time that currently is utilized managing and maintaining technical issues (i.e. updates, program temporary fixes, annual uploads, etc.) related to the As400 and Naviline being housed on-site.

#2 Altavista Police Department Request for an Investigator position

- Funding has been included in the Draft FY2020 Budget based on Chief Merrick's request. Council may remember that former Chief Milnor made a staffing proposal during the FY2019 Budget deliberations. Upon the former Chief's decision to retire, Council removed the funding from the FY2019 Budget and opted to have the "new" Chief, once one was selected, analyze the department's needs and make a proposal if warranted.
- Chief Merricks will be available to provide details on this request and respond to Council's questions.

Additional Items:

- Motor Vehicle License Tax: Staff was asked to place this item on the agenda for discussion:
 - Current rates:

▪ Motor Vehicles (except cabs & motorcycles):	\$15.00
▪ Taxi cab (operated for hire in town):	\$25.00
▪ Motorcycles:	\$ 5.00
▪ Trailers:	\$ 6.50
 - The projected annual revenue for the Motor Vehicle License Tax is \$43,000.

Any other items may be introduced by Council members.

BUDGET/FUNDING:

#1 The Migration to the Cloud process could possibly see a small annual savings, when the One Time costs are factored in. If Council decides to maintain the As400 on-site, the budget would have to be revised to reflect the purchase of a new serve and additional funds for a full year of Naviline software maintenance (partial year funding is in budget to allow time for migration project to be completed.)

#2 Estimated \$80,000 cost for this position.

POTENTIAL ACTION/PROPOSED MOTION:

Direction from Council in regard to these items relative to the budget document will be needed to create a First Reading for the budget at the April Regular Meeting.

ATTACHMENTS:

- *Comparisons between As400 Replacement and Migration to Cloud for Naviline Hosting.*
- *Listing of Naviline Town applications*
- *APD Position Request white paper*

Comparison of Purchasing an As400 and Migrating to the Cloud

New As400 Machine

Machine cost	one-time	\$ 35,000.00	Will need replacing in 6 to 7 years
Annual Support / Maintenance for Naviline	recurring cost	55,000.00	
Annual Maintenance for IBM As400	recurring cost	3,900.00	
cost of new tapes		690.00	The cost of LTO tapes is \$30.00/tape we currently use 23.
Annual IBM PTF (Program Temporary Fix)	recurring cost	3,500.00	Annual load to fix changes in software
OT for quarterly & annual PTFs	recurring cost	1,300.00	
Current Internet Cost	recurring cost	2,902.20	Currently having talks with CenturyLink and Comcast to lower internet costs.
Naviline Server	one-time	3,000.00	Will need replacing in 6 to 7 years
Naviline - annual license	recurring cost	<u>500.00</u>	
Total		<u>\$ 105,792.20</u>	
Annual Recurring Cost		67,102.20	

**As400 and Naviline server will need replacing in 6 to 7 years*

Cost associated with migrating to the cloud

Start Up Fee	one-time	\$ 5,000.00	
Annual Access Fee / \$5,583 per month	recurring cost	\$ 67,000.00	
Current Internet Cost	recurring cost	\$ 2,902.20	Currently having talks with CenturyLink and Comcast to lower internet costs.
Cost Associated with reconfiguring the firewalls at Town Hall and off-site locations.	one-time	<u>\$ 1,000.00</u>	Going the ASP route would require our firewalls throughout the organization to be reconfigured. Cost estimated provided by ITG
Total Cost		<u>\$ 75,902.20</u>	
Annual Recurring Cost		69,902.20	



NAVILINE APPLICATIONS

Business Licenses

The business license application allows staff to keep track of information on all businesses in town. We process annual renewals through this application as well as print the license. Interactive with general ledger.

Tax Application

The tax application handles everything from uploading tax data provided by COR, creating the bills, printing the bills, processing abatements, and daily inquiries of citizens. Interactive with general ledger.

Accounts Receivable

The AR application allows us the ability to create a miscellaneous charge (bill) such as 'demolition of a house,' 'grass cutting,' 'septic tank fee,'. Enter charges, general bills, enter payments, track receivables as well as deposits (Booker Building). We create the invoice, generate monthly statements, and track what the customer owes. This application is also interactive with the general ledger.

Accounts Payable

This application allows us to track and manage money owed to our suppliers. Invoices are entered daily for our weekly check-run that occurs every Friday. 1099's are generated annually through this application. Maintain and up to date vendor listing. Interactive with general ledger.

Cash Receipts

The CR application is interactive with all applications allowing us the ability to process customers payments in one central location. Staff selects what type of payment is being made and follows the prompts for the payment type. Receipts are generated for both the customer as well as a copy for town records. We search customer payments in one central location without having to search in each application.

General Ledger Application

This application is what ties all applications to the general ledger. Financial reports, budget, manual journal entries are all handled within this application.

Payroll/Personnel Application

This application helps us maintain/manage HR functions. Payroll (entering hours worked, creating checks, creates a data file to submit to bank for processing direct deposit, W2's, ACA record keeping, OSHA Logs, employee information, work with deductions, taxes and benefits for employees. Interactive with general ledger.

Purchasing Application

The purchasing application allows staff the ability to approve cost before they are incurred, enhance internal controls as staff enters an item's quantity and cost, with department heads' approval of the purchase. We are better able to manage budgets with this application. Purchase orders are created and used to compare items received with items ordered. Interactive with general ledger.

Utility Application

This application allows us to manage residential and industrial utility customers both in town and out of town. Data from the handheld unit is uploaded to the system, bills are generated, high and low consumption is flagged for staff to review, bills are printed. Tracks consumption usage and adjustments. This application is interactive with the general ledger.



Col. Thomas E. Merricks
Chief of Police

Lt. Kenneth W. Moorefield
Deputy Chief

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Request for Investigator Position FY20

The major role of local government is to enhance the quality of life within the community. Police agencies contribute to that function through the cooperation and coordination with other government agencies to establish a safe environment so their community and those around them can thrive

In the upcoming budget, I have requested for one Investigator position to be added to the department. I make this request with much thought and deliberation and also after carefully examining the Altavista Police Department and how it operates. I believe that this would aid us in addressing the aforementioned quality of life issues and deliver better customer service to the Citizens of Altavista.

I am aware that my predecessor requested two investigator positions to be added to the department. While I have the deepest respect for Chief Milnor and his running of the Police department, I would have to say that from what I have experienced in the last 5 months, I am comfortable with asking for one position that would take on a dual role as a criminal/drug investigator. This would allow us to be a good steward of the town's money and still see return on our investment. I am also asking for minimal funding for this position, as I plan to promote from within the department.

Role of the Investigator

This investigator would dually focus on criminal investigation and narcotics investigation within the town. Although the regional drug task force works drugs throughout the region, there is no full time drug investigation going on within the town of Altavista. I feel that this is needed. You may ask "do we have a drug problem", which my answer would be yes. I cite a recent case where a major drug dealer was arrested in town within 2 blocks of the police department. I also cite that recently officers, with some good police work, were able to find a female who had overdosed and got EMS help that she needed to survive. Her drug partner was going to leave her there, presumably to die. Also during the early part of the year, I personally worked with officers to build informants and execute several search warrants within the town. These warrants were successful, albeit on a small scale. They are proof that drugs do exist within our community and we owe it to the citizens we serve to eradicate this behavior to the best of our ability. The dual role would also allow the investigator to use all their time in a constructive manner.

In 2018 we had 417 total cases within the department. Out of those cases, 205 were cleared by some manner whether arrest or otherwise. A majority of cases require follow up. This follow up is essential to working the case and also keeping the victim apprised of the progress. While this may seem trivial, a victim takes great comfort knowing how their case is progressing. With the current make-up of the



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department, and to best distribute our resources, officers work a 12 hour shift. Those shifts usually 2 or 3 days off and 2 or 3 days working. Officers stay on shift (DAYS OR NIGHTS) for 60 days. This schedule makes it hard for the officers to do timely follow-up. Follow Up is essential to successfully working cases and to communicate with our citizens what is being done on their cases. Also with the growing number of fraud cases, numerous search warrants and court orders are needed and an Investigator would be tasked with those white collar crimes as well.

When working cases, officers need to also communicate with the commonwealth attorney's office, which can be difficult if an officer is on a back shift. A full time investigator would be able to not only adjust his/her hours to do follow up but would also be available to meet with the commonwealth attorney to go over strategy/cases.

In a recent homicide case that had not been adjudicated , it is my understanding that a patrol officer was the lead investigator from Altavista PD and that officer's schedule made it difficult for the officer to keep up with items sent to the lab, photos etc. A full time investigator would negate that .

Communication between agencies is also important, and the investigator would take a lead in facilitating communication between agencies concerning past and future criminal acts. (Task force, sheriff's office and federal authorities.)

In making sure that this position works to its full potential, I plan to make the investigator a direct report to the Deputy Chief, who would direct and supervise the investigator's work.

Conclusion

I believe in being a good steward of the citizens money. While adding a full time investigator would be a recurring cost, It is my belief that this addition would allow the Police Department to serve the Citizens of Altavista in a more efficient and productive manner. I would respectfully request that this item be left in the FY 20 budget.