

TOWN OF DAVIS COUNCIL MEETING

Meeting: Regular Council Meeting

Date: June 8th, 2022

Place: Davis Town Hall

Mayor Al Tomson called the meeting to order at 6:30 pm.

Roll Call: Mayor Al Tomson, Council John Felton, Charlotte Wales, Jeannette Ware, Kevin Flanagan, Ron Hollis (via speakerphone) and Recorder Jennie Helmick.

Guests on Agenda: Pete Johnson-Davis Riverwalk, Joni Felton-DVFD (not present).

Guests not on Agenda: Doug Martin, Brent Carminati, Jennifer Britt (Parsons Advocate), Judy Cronauer, Terry Hull, James Hull, Rex Liller, Pamela Knotts, Ralph Knotts, Josh Redwine (WBOY), Allen Clayton (WBOY), Jim Christie (CEC), Judy Rodd (FOB), Betsy Whitehair, Jim White (BO), Franco Leary, Carrie Leary, Nancy Luscombe, Cheryl Ball, Frank S. Simmons, Rita Johnson, Greg Downing, Gary Luzier, Kevin Gramer, Carl Turner, Ryan Sincavage, Glenda Crawford, Jay Kennard, Nannette Seligman, Rebecca Robeson, William Peterson and Donna Britton.

PLEDGE OF ALLEGIANCE

***Motion to approve the minutes of the Regular Council Meeting of May 25th, 2022 made by Councilwoman Jeannette Ware, Second by Councilwoman Charlotte Wales, all in favor. Motion carried.**

***Motion to dispense with the Regular Order of Business to hear from our guests made by Councilman Ron Hollis, Second by Councilman John Felton, all in favor. Motion carried.**

Guest/Employee Robert Leary inquired whether the **Town** was planning on firing the employees due to ad placed online for applications for four labor positions and phone interviews conducted. **Mayor Al Tomson** stated not at this time, was only for the purpose to have on file for any future vacancies, as the possibility of one was indicated. **Mayor Al Tomson** stated he wished to have a meeting with full **Council**, all employees and himself week after next. This was satisfactory to **Mr. Leary**.

Guest Cheryl Ball stated that when the Town Employees were weeding the ditch on her street (Henry Avenue), she noticed they missed the upper end. **Mayor Tomson** informed her that since several employees were at this meeting, it was noted.

Guest Rex Liller was disappointed by the paving job, which left a ditch (lower spot) between paving and his driveway (which was put in 19 years ago). Stated this area was **Town** property, that the road had shifted over the years and was originally at the end of his property line. Feels that the **Town** is responsible for fixing this. **Mayor Tomson** stated that they would talk about it later on and will let him know of their decision.

***Motion to return to the Regular Order of Business was made by Councilman John Felton, Second by Councilman Kevin Flanagan, all in favor. Motion carried.**

Guest Pete Johnson – Davis Riverwalk Project Update, presentation showcasing Riverwalk Amenities-discussion of Public Use possibilities, including new Riverwalk Place roadway, HOA lands; historical marker area, upper pavilion with parking, public pedestrian egress routes, boat ramp to river and foot bridge to BW Falls State Park with handicap parking. Potential Park Donation. Riverwalk property sales to date; Heritage Distillery & Highland Market Building, Blackwater Bikes, large addition to east side of BW Bikes building, 533 William multi-use building and six home sites surveyed, sold and recorded. Planning and Collaboration Opportunities include a mix of residential, commercial and green space. Problems of inaccessible property (Steve White's) and unsold land for full access of roadway. Stipulations/regulations by HOA lands required with purchase of land.

Committee Reports:

Finance: Mayor Al Tomson presented the Accounts Payable for review.

***Motion to pay the bills made by Councilwoman Charlotte Wales, Second by Councilman John Felton, all in favor. Motion carried.**

Mayor Al Tomson stated that the Sewer Project was moving along, that the loan for \$200,000 for the preliminary engineering report had been approved and requests for legal service and PSC Bond are being looked at now. Steptoe and Johnson are working on it, new rates are being drafted and will be presented at next meeting for approval.

Budget Revisions: **Mayor Tomson** informed **Council** that these revisions were necessary to bring revenues/ expenses in line with current amounts. General Fund adjustments totaled \$188,000, which includes the Hotel/Motel monies, an issue that hasn't been resolved. Coal Severance adjustments totaled \$420. The State of WV, AirBnb, the County and WV Attorney's office have been contacted to resolve the issue of whose money is whose. Meanwhile, the **Town** has allocated the additional revenue/expense to the Cemetery Fund (which is a holding account) until this is resolved.

***Motion to approve the budget revisions to the General Fund was made by Councilwoman Charlotte Wales, Second by Councilman John Felton, all in favor. Motion carried.**

***Motion to approve the budget revisions to the Coal Severance Fund was made by Councilwoman Charlotte Wales, Second by Councilwoman Jeannette Ware, all in favor. Motion carried.**

Streets, Alleys, Water Works: A list of work completed by **Town Employees** was provided. **Recorder Jennie Helmick** informed the **Mayor and Council** that the list of jobs directed by them at last Council Meeting had been completed with the exception of street cleaning (as we don't have a sweeper attachment), and that she had signed off on them after inspecting completed jobs. Copy will be attached to minutes.

A report from the Water/Sewer Operator was also submitted. Discussion about fixing the Water Plant roof and purchasing the 3 culverts needed to complete Sewer Pond Road to be taken care of and would be paid for from the 1% tax.

Ordinances/Resolutions: None

Cemetery:

Councilwoman Jeannette Ware informed **Mayor and Council** that before **Memorial Day**, the Cemetery Road holes had been filled, pile of dirt was smoothed out, removed flowers, graves were filled in, hay placed on them, **Davis Parks and Recreation President Doug Martin** & Town Employees put up new flags and individual flags on graves. Issues with mowing when wet, leaving ruts, has folder full of complaints. Need to get surveyed soon in order to begin process of solving drainage problem. **Mayor Tomson** stated he had left message with the surveyor. Still working on getting more land from **Western Pocahontas** for Cemetery. **Councilwoman Jeannette Ware** got estimates on both Cemeteries from **WV Paving** while they were here. Old side, 10 foot wide-up 50 feet in on left side pretty well paved. Cut slope off-all 3roads. New side, disrepair, to do correctly will cost around \$25,000. Had an owner complaint about things being dumped on their property. **Mayor Tomson** will be talking to party.

Parks and Recreation: **Parks and Recreation President Doug Martin** stated sand has been put on ball field, topsoil to level it. Town employees did most of work.

Planning Commission: **Councilwoman Charlotte Wales** stated they had their first meeting since the public meeting. Discussed comments and survey results, to be included in plan. Copies given to **Mayor and Council**. Additional monies needed to complete. Next meeting on July 11th to make any revisions for next draft. Help coming to finish cleaning up draft for presentation, aiming at 2nd Council Meeting in July 2022. Has been working on this for 5 years. Is reflecting **Davis**, Planning Council and Comprehensive Plans- Zoning to protect our community from encroachment on **Town's** rights in regards to residents. Minutes available to public but not summary of **Davis Survey Draft**.

Old Business:

Mayor Update-Pump truck works, ready to be delivered. Total cost \$60,000, to be purchased with 1% tax (previously authorized). **Councilman Kevin Flanagan** stated that Work Order System training scheduled next Wednesday. Set up employee meeting 6/21/2022. Speed signs-**Councilwoman Jeannette Ware** working on it. Parsons has and loves it, can move sign around, set upper speed limit (to 40). **Mayor Al Tomson** stated **State** is willing to work with **Town** on crosswalks. Moving the one by Town Hall to **Sirianni's**, another to **Deli/ Ice Cream Shop**. Signs to point to people crossing so drivers slow and button to push for flashing lights when crossing being looked at.

Authorization needed for \$1,020 to **R K&K** for preliminary engineering report to be paid from **America Rescue Funds**.
***Motion to approve payment made by Councilwoman Charlotte Wales, Second by Councilman Kevin Flanagan, all in favor. Motion carried.**

End loader-Recorder Jennie Helmick inquired about status on end loader. **Councilman Kevin Flanagan** stated that it had been looked at and was waiting on a part.

Chipper Rental- Recorder Jennie Helmick asked about whether **Town** wanted to set date for limbs/ brush and if to rent chipper and for how long. Discussion followed. Mayor & Council agreed to set date for July 11-15 and to rent a chipper.

Seventh Street Extension Drives: **Councilwoman Jeannette Ware** stated **WV Paving** came two weeks early, are done. Employees overseeing did good job. All residents were happy except one.

William Avenue Crosswalks Update-given in Mayor Updates.

Hotel/Motel Tax-AirBnB- given in Mayor Updates.

Law Enforcement - Mayor Tomson stated that 70% of surveys completed want law enforcement here. Prior approval from Council, **TC Sheriff** is on board. Waiting on **County Commissioners**.

Council Room Floor- Redoing floors and having the walls repainted. Former **Mayor Doug Martin** had the lights and ceiling tiles installed under his term.

STR Lawyer Correspondence- Another letter from Attorney Sayre. Original plan was to sue the **Town** if **Moratorium** wasn't lifted. Now informing clients to apply for license, if refused one by **Town**, to operate STR without license. **Mayor Tomson** stated that the **Town** will sue those who ignore **Moratorium** and operate without a **Town** license.

New Business:

The National Youth Science Center Expansion Update-long term plan, 6 cabins for students, maybe another building. They have a sanitary system. Bio reactor goes into garden, bypassed (tanks) and have them pumped out. Want to connect to Town's sewer system. R K&K developing a proposed feasibility study-doing something for the region. Nothing imminent at this time.

Town UTV- Councilman Kevin Flanagan suggest the Town move forward with purchasing one, will get local pricing for a 2-seater with bed and trailer.

Building Permits:

Christine Beecher - carport and addition on house.

*Motion to approve made by *Councilman John Felton*, Second by *Councilman Kevin Flanagan*, all in favor. Motion carried.

Victor Zabolotnyi - carport.

*Motion to approve made by *Councilman Kevin Flanagan*, Second by *Councilman Ron Hollis*, all in favor. Motion carried.

Permits – Pete Johnson, from sold lots, nothing can be approved till all specifications are met, including infrastructure completed.

Business Licenses: None

Correspondence: None

Personnel: *Motion to go into Executive Session to discuss personnel matters made by *Councilman Kevin Flanagan*, Second by *Councilman John Felton*, all in favor. Motion carried. Time was 8:15 pm.

*Motion to leave Executive Session made by *Councilman Kevin Flanagan*, Second by *Councilwoman Charlotte Wales*, all in favor. Motion carried. Time was 9:38 pm. No decisions were made.

*Motion to adjourn made by *Councilwoman Jeannette Ware*, Second by *Councilwoman Charlotte Wales*, all in favor. Motion carried. Time was 9:39 pm.

Date of approval: June 22nd, 2022

As read: _____

As corrected: _____



Alan Tomson, Mayor



Jennie Helmick, Recorder