

# TOWN OF DAVIS COUNCIL MEETING MINUTES

**Meeting: Regular Council Meeting**

**Date: July 27<sup>th</sup>, 2022**

**Place: Davis Town Hall**

**Recorder Jennie Helmick called the meeting to order at 6:30 p.m.**

**Roll Call: Mayor Al Tomson (via phone), Councilmembers: John Felton, Charlotte Wales, Jeannette Tekavec Ware, Kevin Flanagan and Jennie Helmick, Recorder.**

**Absent: Ron Hollis (Excused)**

**Pledge of Allegiance**

**Guests:** Doug Martin, Lori Quattro, Betsy Whitehair, Bob Quattro, Terry & Jim Hull, Cheryl Ball, Jerry Lechowick, Judy Cronauer, Joni Felton-Town Clerk, Frank Simmons, Bridget Billinge, Robin Dennis, Ray & Louise Ball, Donna Britton, Bill & Karen Peterson, Pat Pregley and Josiah Leisher.

**\*Motion to approve minutes from regular Council meeting of July 13<sup>th</sup>, 2022 made by Councilperson John Felton, Second by Councilperson Charlotte Wales. All in favor. Motion carried.**

**\*Motion to dispense with regular order of business to hear from guests made by Councilperson Jeannette Tekavec Ware, Second by Councilperson Kevin Flanagan. All in favor. Motion carried.**

**Guest Pat Pregley** questioned the status of Short-Term Rentals since the **Moratorium** has been terminated. He asked why the **Town** did not choose to continue the **Moratorium**. **Councilperson Kevin Flanagan** stated that the **Council** would attack it from a different angle with the completed and approved **Comprehensive Plan**. If STR owners would have refused to follow the **Moratorium** extension, **Town Council** would have had to pursue legal actions. A **Zoning Ordinance** would address and regulate Short Term Rentals. **Mr. Pregley** also mentioned the many unlicensed vehicles that are parked along the **Town** streets. Action could be taken and the owners required to remove them and/or place them on their own personal property within 30 days. **Mr. Pregley** also mentioned the **Bad Building Committee**. There is a structure across from his residence on Henry Avenue that is vacant and in poor condition. **Councilperson Ware**, who is a member of that particular Committee, stated several bad buildings, that were identified by the Committee in previous years, were removed and/or painted and refurbished. The Committee will once again address this matter as time allows.

**Guest Bob Quattro:** Commented on surveys/petitions for the DOH/Corridor H Northern Route are being completed/signed by people other than residents. There is possible misinformation coming from both sides of the issue. **Mayor Al Tomson** stated, **Town Council** votes as all information comes into **Council**. **Council** will have the final vote. A public meeting is scheduled for September.

**Guest Karen Peterson:** reported that trash is not being picked up routinely at the Davis Riverfront Park or Community Center Park. **Councilperson Flanagan** will address this issue with **Town Employees**. The trash is to be picked up every Monday and Friday at those locations.

**Guest Bill Peterson:** also reminded **Council** of the Landis Realty sign which is behind the “Welcome to Davis” sign and is very distracting. This issue was previously mentioned by **Councilperson Ware**. It will be addressed.

**Guest Bridget Billinge:** asked why **Council** cannot allow the public to “Zoom”, or by some other remote means, participate in **Council and Committee meetings**. The **Town** Meeting room may not allow such access. **Council** stressed that we encourage all interested parties to attend all meetings in person. A discussion followed.

**Guest Cheryl Ball:** reported “U-turns” at the Post Office, Stumptown Ales corner, and several intersections within the **Town**. This is becoming an extreme safety problem. Presence of County/and State police within the **Town** and at the local laundromat may reduce this issue.

**Guest Frank Simmons:** parking on 4<sup>th</sup> Street at the side of Stumptown Ales is a safety issue. Trucks and cars often are parked as to make it difficult to pass by even in a single lane. **Councilperson Flanagan** stated that we could lose parking spaces at the **Post Office** if we complain. He also cited the fact that motorists pull out into traffic from the **Post Office**.

**Guest Terry Hull:** asked about the arrival of Town “Radarsigns”. **Councilperson Ware** stated possible arrival date is late July. Signs will be put up ASAP upon receipt. At this point, **Councilperson Flanagan** also mentioned pros and cons of turning any available greenspace into parking sites.

**Guest Jerry Lechowick:** addressed the signs on State Highways and Advertising signs on private/public lands. Council will need to look into the regulations of BillBoards/Signs along highways.

**Guest Lori Quattro:** asked when the Town’s Corridor H Committee meeting is scheduled to occur? She had mentioned her desire to be on the Committee to **Mayor Tomson** at the previous meeting. **Guest Karen Peterson** informed the audience that a meeting was being held at the Sawmill Restaurant and the Corridor H Committee was to meet afterwards. Audience members stated that all **Town** meetings are to be posted for the public. The agenda must be posted prior to meeting.

**Guest Pat Pregley:** addressed the issue of Short-Term Rentals once again and asked how many are now approved? The number is 24. Two more STRs to be voted upon this evening and 2 STRs on hold. **Mr. Pregley** stated that it makes it difficult for new persons to come into our **Town** when there is no housing available on a long-term basis.

**Guest Lori Quattro:** stated that relatives were visiting from Michigan who own property locally. They were asked to sign the DOH petition/survey concerning the Northern Route at the Farmer's Market. They returned to the Market to ask if their signatures could be removed; they were denied. **Town Clerk Joni Felton** commented that the recognition of names would eliminate those who are not residents. Discussion was held concerning the amount of time one must live in **Town** to qualify as a resident. It was determined that it is 6 months and 1 day. **Council** was to receive a copy of the previous petition from **Nancy Luscombe**.

**\*Motion to return to regular order of business made by Councilperson Felton, second by Councilperson Flanagan. All in favor. Motion carried.**

#### Committee Reports:

**Finance:** Accounts Payable was presented by **Recorder Jennie Helmick**.

**\*Motion to pay bills made by Councilperson Felton, Second by Councilperson Flanagan. All in favor. Motion carried.**

**Sewer Project:** **Mayor Al Tomson** reported on the Stormwater/Sewer Separation Project. As announced previously (and reported on WBOY News), Representative David McKinley has earmarked \$5,000,000 towards this project. \$1,000,000 has also been earmarked through AML funds. **Guest Josiah Leisher** asked if EPA funds would be available; **Mayor Tomson** stated that funds would only be a Loan. EPA funds have been investigated as to a possibility.

**Streets, Alleys, and Waterworks:** A list of jobs performed by **Town Employees** and Update Report on **Water/Sewer** by **Operator Mark Burns** was in **Council's** folders. Park trash will be scheduled for pick up on Monday and Friday. **Councilperson Ware** wished to compliment the **Town** workers on their service. She also read several of the jobs to let residents know what has been done in addition to the cutting and chipping of brush in the two-week period. The Ipads/work program is being used, but there were some meter issues; trial and error period.

**Personnel:** **Councilperson Ware** suggested meeting with all **Town Employees** on a regular basis as was done once previously. The meeting allows all employees, **Mayor and Council** to discuss any and all issues. It was decided that **Mayor and Council** will meet with all **Town Employees** on a quarterly basis.

**Ordinances and Resolutions:** **Town Clerk Duties** will be tabled and discussed at a later meeting.

**Cemetery:** **Councilperson/Cemetery Committee Chair Ware** reported a flyer will be created for Cemetery.

- She personally handled complaints, spoke with owners/relatives, and trimmed around gravestones;
- The **Cemetery Committee** has compiled a list of several gravestones that need to be reset and/or leveled; owners/relatives will be contacted prior to any action;
- A surveyor is needed ASAP for the Newer Section of the Cemetery; **Mayor Tomson** has repeatedly attempted to contact Dick Hevener, who previously surveyed this section, but received no reply. **Chairperson Ware** was advised to find other surveyors. Two names, with contact information, were given to her. She will contact the surveyors as soon as possible and make arrangements for survey if favorable. Additional names of Surveying Companies were also suggested.
- Drainage ditches will be completed by our **Town Employees**. **Guest Josiah Leisher** has experience in drainage issues; will assist the **Town** if needed.
- Additional land acquisition: **Mayor Tomson** has had two meetings with **Western Pocahontas** officials. A survey of our current boundaries and a map of what we wish to add would assist in our request. **Mayor Tomson** stated **Western Pocahontas** is favorably considering donating a wedge of land.
- Jaramie Shaffer** will be trimming a large tree that has broken and dead branches.
- Fees for plots, opening and closing graves are going to increase to provide funds for the **Cemetery**.
- Donations are appreciated. Please send to Town of Davis Memo: Cemetery fund donation.

**Parks and Recreation:** **Guest Doug Martin, P&R President**, reported his Board is considering activities to raise funds: Pork roast, cakewalk, and 50/50/raffle all on same day, before summer ends. All would depend on weather conditions. **Recorder Jennie Helmick** suggested Corn Hole competition. Will need teams.

- Town Clerk Joni Felton**, member of **P&R Board** suggested a musical playground at **Davis Riverfront Park**
- There is the possibility of additional parking behind the Boulder Park and a down-sized Boulder Park for younger children. **Joni and Tina Wood, P&R member**, plan to write grants for funds. **Guest Lori Quattro** asked how children were to get from community to the **Boulder Park** without crossing personal property. Parents are encouraged to accompany their children to the park from the front entrance.
- Councilperson Flanagan** asked what the **P&R** needs from the **Town** to accomplish these plans at the **Davis Ballfield**. **Doug and Joni** stated dry days, men, and a lift to help drag the field and complete the backstop. It would be best to drag the field each week.

**Planning Commission:** **Councilperson Charlotte Wales** addressed the **Council** and guests with a detailed explanation: The draft of the **Comprehensive Plan** was submitted to the **Council** on July 25, 2022. **Council** has until August 12 to suggest corrections, additions, and/or deletions to the Plan. The **Planning Commission** will then take **Council** suggestions, draft a final **Comprehensive Plan**, and address the **Town Council** on August 24, 2022. A public meeting will be scheduled by **Town Council**. Appropriate timelines will be used to allow the public knowledge of the Plan. After the adoption of the **Comprehensive Plan**, we will work on Zoning details: businesses, William Avenue area, Industrial

Park businesses and/or workforce housing, lot sizes, parking. There will be a **Board of Zoning Appeals** with 5 members who have at least 3 years of **Town** residency; no elected officials; no members of the **Planning Commission**. To enact a **Zoning Ordinance**, there will be 2 meetings (day; evening). It will be publicized 2 weeks prior to the Public Meetings. Residents must be part of Zoning decisions. *Councilperson Flanagan* asked the importance of a Zoning Appeals Board. *Councilperson Wales* explained its duties. **Guest Josiah Leisher** mentioned appeals may exempt persons from hardship due to an Ordinance.

**OLD BUSINESS: Mayor Updates:** *Mayor Tomson* reported that the Endloader is to be fixed.

Logo decals/prices for all **Town** vehicles were discussed with options from **A&A Safety** (\$809) and **Deerpark Signs**. **\*Motion to purchase decals with Curvature and Solid lettering from Deerpark Signs by Councilperson Flanagan; Second by Councilperson Wales. All in favor. Motion carried.**  
**Guest Pat Pregley** said his son, Chad, also can install decals.

**NEW BUSINESS:** *Councilperson Ware* asked if the **Town of Davis** has a **Municipal Disaster Plan**? She is aware **TCOEM (Tucker County Office of Emergency Management)** has an extensive plan. **Veronica Staron** is in charge of setting up emergency disaster services in our area and assisted by **Amanda Simmons** of Parsons. Ms. Staron will be contacted for details. The **Town of Davis** must have a plan for water and sewer in case of a disaster.

*Councilperson Wales* updated **Council** on **259-STAT**. The **259-STAT Clinic** has closed and the **Pharmacy** will remain open until September. Local clinics and pharmacies were mentioned as alternatives.

**BUILDING PERMITS:**

Jon and Cindy Robeson, 229 Kent Avenue, Deck

**\*Motion to approve made by Councilperson Ware; Second by Councilperson Wales. All in favor. Motion carried.**

**BUSINESS LICENSES:**

THE KIT HOUSE, LLC-Nick Waite-240 8<sup>th</sup> Street

**\*Motion to approve made by Councilperson Felton, Second by Councilperson Wales. Councilpersons Helmick and Ware abstained. All others in favor. Motion carried.**



JOSANNA, LLC-Josiah Leisher, 178 Henry Avenue

**\*Motion to approve made by Councilperson Wales, Second by Councilperson Flanagan. Councilpersons Helmick and Ware abstained. All others in favor. Motion carried.**

**CORRESPONDENCE: NONE**

**MOTION TO ADJOURN:** **\*Motion to adjourn made by Councilperson Ware at 8:00 pm; Second by Councilperson Flanagan, all in favor, Motion carried.**

Date of approval: August 10th, 2022  
As read: \_\_\_\_\_  
As corrected: \_\_\_\_\_

  
Alan Tomson, Mayor  
  
Jennie Helmick, Recorder