

Lewisville Town Council
Regular Meeting Minutes
February 9, 2023 – 7:00 PM
Lewisville Town Hall Council Chambers
6510 Shallowford Road

1. Call to Order:

- A. Mayor Horn opened the meeting at 7:00 PM. In attendance were Mayor Mike Horn, Mayor Pro Tem Jeanne Marie Foster and Council Members Fred Franklin, Melissa Hunt, Ken Sadler, and Jane Welch. Also attending were Town Manager James Ayers, Assistant Town Manager/Planning Director Stacy Tolbert, Finance Director Pam Orrell, Town Clerk Dora Moore and Town Attorney Elliot Fus. Council Member David Smitherman was absent.
- B. Invocation – Retired Pastor Tom Lee, Lewisville United Methodist church
- C. Pledge of Allegiance – Council Member Jane Welch
- D. Adoption of Agenda – Mayor Pro Tem Foster moved to approve the agenda as presented. The motion was seconded by Council Member Hunt and approved unanimously.

2. Consent Agenda

- A. Consent agenda items
 - i. Resolution 2023-006 – Financial statements for the six months ended December 31, 2022
 - ii. Approval of Called Meeting Minutes – December 29, 2022
 - iii. Approval of Closed Session Minutes – December 29, 2022
 - iv. Approval of Agenda Briefing Minutes – January 5, 2023
 - v. Approval of Regular Meeting Minutes – January 12, 2023
 - vi. Revised 2023 budget calendar
- B. Council Member Franklin moved to approve the consent agenda items. The motion was seconded by Council Member Welch and approved unanimously. *(Resolution 2023-006 is herein incorporated by reference into the minutes. The revised 2023 budget calendar is herein incorporated into the minutes.)*

3. Presentations, Introductions and/or Proclamations

- A. Presentations
 - i. I'm One of the Reasons Lewisville is a Great Place to Live – Mayor Horn presented the *I'm One of the Reasons Lewisville is a Great Place to Live* award to Tim Lasley. Mr. Lasley has served the community for many years at Wilson's Garage, the boy scouts and Vienna Fire Department. *(A copy of Mr. Lasley's certificate and the nomination form are herein incorporated into the minutes.)*
 - ii. Forsyth County Sheriff's Office – Sergeant Stringer shared current call statistics noting Town officers answered 70% of the calls and the split-shift deputy is working well. Sergeant Stringer then shared information related to the Flock camera system that is a license tag reader. These cameras are placed statistically in communities. When a stolen license tag is located, the Sheriff's Office is notified. There is no cost to the Town for the Flock cameras that Sergeant Stringer would like to place at major intersections. Sergeant Stringer further shared the Forsyth County Sheriff's Office RTIC (Real Time Intelligence Center) system utilizes fusus. Fusus serves as an extra tool in fighting crime by allowing the Sheriff's Office to connect to cameras in the community including municipal, business, and homeowners. The owner controls how video is shared with the Sheriff's Office. Currently, 772 cameras are monitored in Forsyth County. Sergeant Stringer requested the Town consider connecting to the program. He also encouraged the Council tour RTIC to learn more about RTIC. *(Fusus presentation is herein incorporated into the minutes.)*

2023													
TYPE OF INCIDENT	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Total calls for service	872												872
Security Check	570												570
Traffic Arrest / Violation	49												49
Alarm	17												17
Priority Call Response Time	5.2												5.2
2022													
TYPE OF INCIDENT	JAN	FEB	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Total calls for service	700												
Security Check	258												
Traffic Arrest / Violation	26												
Alarm	15												
Priority Call Response Time	6.4												

B. Introductions

- i. Public Works Director – Manager Ayers introduced Jon Hanna as the Town’s Public Works Director. Mr. Hanna is a graduate of Clemson University where his majors and minors range from wildlife biology to environmental science and forestry. Prior to owning and operating a commercial landscape firm, Mr. Hanna worked for the City of Clemson as a horticulturist and arborist.

4. **Public Forum** – No comments.

5. Appointment(s)

- A. Appointment Order 2023-001 – Christi Ritter – Lewisville Beautification Committee – Council Member Hunt moved to approve Appointment Order 2023-001. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. *(Appointment Order 2023-001 is herein incorporated by reference into the minutes.)*
- B. Appointment Order 2023-002 – Matthew O’Connor– Public Safety Advisory Committee – Council Member Franklin moved to approve Appointment Order 2023-002. The motion was seconded by Council Member Hunt and approved unanimously. *(Appointment Order 2023-002 is herein incorporated by reference into the minutes.)*

6. Public Hearing(s)

- A. L-103 – Conditional district rezoning request - 7.45 acres off future extension of Great Wagon Road (PIN 5875-87-6070) from RS-20 to RM-8-C by Luke Dickey; Stimmel Associates, PA
 - i. Staff presentation
 - a. Mrs. Tolbert stated 7.45 acres off the Great Wagon Road future extension is being requested to be rezoned from RS-20 to RM-8-C for townhomes. All property owners within 500 feet were notified. If rezoning is approved, construction would begin with the Great Wagon Road construction due to need for access to the Great Wagon Road and water and sewer service. Due to stormwater and watershed rules, there will be a 100 foot buffer around the intermittent stream. Mrs. Tolbert provided comparisons of the Comprehensive Plans from 1997 to 2022 whereby multifamily use for this property has been identified. On December 14, 2022, the Planning Board unanimously recommended approval. *(Presentation is herein incorporated into the minutes.)*
 - ii. Public hearing
 - Susan Frey, 165 Will Austin Court – Mrs. Frey requested the Town to be intentional with how it grows and feels the proposed rezoning is not for the greater good. Mrs. Frey

referenced several pages in the Comprehensive Plan. *(Mrs. Frey's comments are herein incorporated into the minutes.)*

- Dan Frey, 165 Will Austin Court – Mr. Frey feels rezoning the property to strictly residential use is a missed opportunity. He does not feel apartment or condo residential structures create a ‘vibrant’ atmosphere. Mr. Frey also requested Council to consider prohibiting construction traffic on the land from Belnette to the proposed building site. *(Mr. Frey's comments are herein incorporated into the minutes.)*
- Bob West, 310 Belnette Drive – Mr. West hoped the Council read his email. He feels the rezoning will devalue his property and is one step closer to becoming like Clemmons. Mr. West expressed his trust that the Council will make a decision for the residents, not greedy developers.
- Geoff Rieser, 8513 Cabin Grove Drive – Mr. Rieser does not see how the proposal fits with the Town’s small-town character and encouraged Council not to approve the zoning change.
- Robert Faron, 7768 Seasons Hollow Road – Mr. Faron shared that he moved to Lewisville six months ago. He feels the rezoning is a step in the wrong direction and the town will become like Clemmons. Mr. Faron does like the varying roof lines. He feels growth is good but not all change is for the better.
- Maria Stimson, 120 Sunny Acres Drive – Ms. Stimson does not believe construction of the Great Wagon Road and townhomes is Lewisville.
- Glenn Stewart, 260 Belnette Drive – Mr. Stewart declined to speak.
- Jon Thomas, 6205 Deforest Court, Pfafftown – Mr. Thomas does not feel the Moravians envisioned this for Lewisville. He requested citizen property be preserved and stated surveys do not show that townhomes are requested.
- Cathy Herlock, 235 Riverwood Drive – Ms. Herlock declined to speak.
- Jeff Herlock, 235 Riverwood Drive – Mr. Herlock declined to speak.
- Luke Dickey, Stimmel Associates, 601 N. Trade Street, Suite 200, Winston-Salem – Mr. Dickey shared that townhomes are a good transition from single family to commercial. All units will be alley-fed and will front Great Wagon Road.
 - Council Member Welch inquired what materials will be used. Mr. Dickey answered brick and hearty board siding.
 - Council Member Franklin stated the pines being removed were considered scruffy pines. Mr. Dickey concurred stating pines are not typically saved during construction projects.
 - Council Member Sadler inquired if the Planning Board considered all planning documents. Mrs. Tolbert stated analysis was done primarily with the 2022 Comprehensive Plan but due to this case being in the downtown area, older comprehensive plans, Legacy Plan, UDO, the pedestrian plan, and other documents were reviewed. During the review, no conflicts with the plans were found.
 - Mayor Pro Tem Foster noted the Comprehensive Plan reflects wants of the residents but residents are saying this is not a fit. Mrs. Tolbert shared the survey results said residents want to keep the small-town feel with tighter density in downtown and outer areas more rural. She further shared that the Comprehensive Plan is built on feedback that is given by the residents.
 - Mayor Horn inquired if the townhomes would be rentals. Mr. Dickey answered they would be owner-occupied.
 - Mayor Horn stated all trees provide a buffer and inquired if the intention is to thin or cut the existing buffer. Mr. Dickey stated the trees around the stream will remain as

well as the ones across the stream at Belnette. Additional trees could be considered for stormwater management.

- Milt Rhodes, Stimmel Associates – Mr. Rhodes expressed gratitude for plans that provide guidance for the downtown. If more trees are needed, it is felt more could be put in if it works.
 - Mayor Horn shared his appreciation for the attention given to the plan and requested the developer to be conscious in providing as much screening as possible.
 - Mayor Horn inquired if a market study of the age of those who may be interested in the townhomes was done. Mr. Rhodes stated that projects in other areas trend more to those downsizing in their mid-fifties and young adults getting started.
 - Mayor Horn asked Mrs. Tolbert if there were façade requirements facing the Great Wagon Road due to being downtown. Mrs. Tolbert said there are requirements as well as a buffer yard.
 - Mayor Horn noted the comprehensive plan says retail for the downtown area but he noted a high rate of retail failure. Mayor Horn believes more pedestrian traffic will increase retail success.
- Alexandria Simmons, 769 Lewisville-Vienna Road - Ms. Simmons stated she was speaking on behalf of herself and her grandfather. They do not want the townhomes. They do not live here for the shopping. They live here because of their families and good schools. Ms. Simmons expressed concern about the impact on the schools. She stated shame on the Planning Board for continuing to try to push what they do not want.
 - Bob West, 310 Belnette Drive – Mr. West stated staff keeps mentioning a pedestrian-friendly downtown. Those moving in would have to walk a mile to Lowes Foods so what will they walk to.

iii. Council discussion

- Council Member Franklin stated change happens and it has been happening for a while. Once the Great Wagon Road became a reality, the potential for multifamily homes has become more visual. He reiterated that change is going to happen but change can be controlled. Council Member Franklin expressed his support of the project stating he would vote in the affirmative.
- Mayor Pro Tem Foster stated she served on the Planning Board prior to Council. The intent is to keep Lewisville the way we want which is easier said than done. Mayor Pro Tem Foster wrestles with how to let the community know the plan. She feels staff is great and they do a lot of heavy lifting. Mayor Pro Tem Foster believes 2023 allows the Town to be more robust in informing the community.
- Council Member Welch stated she has been on the Council time-to-time since 1991 and it has never been the intent to be another Clemmons. With that comes planning and the desire to have this town grow in a way that people are proud. She stated walls cannot be built around the Town and unless you own the property around you, it will probably be developed.
- Council Member Hunt stated she had some concerns about the buffer, stormwater pond and common area. In the future, common areas need to be looked at as developments are being built. Mayor Horn stated Council could ask the Planning Board to see how we can integrate more common areas.
- Mayor Horn noted Lewisville residents were concerned about trees and the Town had a tree ordinance. In the last session, legislators removed municipalities' ability to have a tree ordinance.

- Council Member Sadler stated the residents have interpreted the plan based upon their understanding so he feels they are aware of the plan. He noted there have been controversial things in the past that are now appreciated. Council Member Sadler empathized with the residents' emotions; however, there is going to be change.
- iv. Consideration of Ordinance 2023-005 – Council Member Franklin moved to approve Ordinance 2023-005. The motion was seconded by Council Member Sadler and approved unanimously. Mayor Horn encouraged the residents not to leave thinking Council did not hear what they said, because Council did. *(Ordinance 2023-005 is herein incorporated by reference into the minutes.)*

A recess was taken 8:36 - 8:47 PM.

- B. L-105 – Conditional district rezoning request - 1138 Lewisville-Clemmons Road from RS-9-C to RM-5-C by Ron Davis with Allegro Investment Properties, LLC
 - i. Staff presentation
 - a. Mrs. Tolbert reported 60 twin homes and 2 single-family homes are being proposed for 13.57 acres on Lewisville-Clemmons Road. The property fronts Lewisville-Clemmons Road near Kaplan Industries. Single-family homes are permitted in the proposed zoning from RS-9-C to RM-5-C. The site plan is similar to a prior plan of 34 single-family homes approved for this property. Mrs. Tolbert noted NCDOT is requiring the developer to construct turn lanes on Lewisville-Clemmons Road. Due to its location, landscaping is not required. The Planning Board has unanimously recommended approval. *(Presentation is herein incorporated into the minutes.)*
 - ii. Public hearing
 - Dan Frey, 165 Will Austin Court – Mr. Frey expressed concern related to vehicular traffic on Lewisville-Clemmons Road. *(Mr. Frey's comments are herein incorporated into the minutes.)*
 - Matt Goldwater, 180 Oak Grove Avenue – Mr. Goldwater also expressed concern about traffic noting traffic has doubled the last twelve years. He stated it looks like a good project.
 - Frank Marx, 900 Loblolly Drive – Mr. Marx stated this will be a lot more homes and traffic and it appears they will not have a lawn.
 - Ron Davis, Allegro Investment Properties, LLC – Mr. Davis informed Council that the floodplain impacted the original plan of 34 single-family homes; therefore, they are requesting to construct twin homes. He stated the homes would have 2-car garages with all brick at equal or greater quality as Fountain Brook. It is projected to be a quiet neighborhood targeting homeowners 55 and over. Mr. Davis said they have attempted to speak with neighboring properties and HOAs.
 - iii. Council discussion
 - Mayor Pro Tem Foster thanked the developer for reaching out to adjacent community.
 - Mayor Pro Tem Foster inquired how a community determines traffic impact. It was noted that traffic has increased substantially on Lewisville-Clemmons Road and a widening project is scheduled to begin in 2025 with rights-of-way beginning in 2028.
 - iv. Consideration of Ordinance 2023-006 – Council Member Hunt moved to approve Ordinance 2023-006. The motion was seconded by Council Member Welch and approved unanimously. *(Ordinance 2023-006 is herein incorporated by reference into the minutes.)*

7. Old Business – None

8. New Business

- A. Ordinance 2023-007 – Amending Budget Ordinance 2022-001 - Increase community policing contract for mid-year salary raises and possible inflationary overages in other items - \$60,166 – Mayor Pro Tem Foster moved to approve Ordinance 2023-007. The motion was seconded by Council Member Franklin and approved unanimously. *(Ordinance 2023-007 is herein incorporated by reference into the minutes.)*
- B. Ordinance 2023-008 – Amending Budget Ordinance 2022-001 - Increase right-of-way maintenance in Powell Bill - \$20,000 – Council Member Franklin moved to approve Ordinance 2023-008. The motion was seconded by Council Member Sadler and approved unanimously. *(Ordinance 2023-008 is herein incorporated by reference into the minutes.)*
- C. Resolution 2023-007 – Awarding contract for asphalt patch on Tullyries Lane - \$10,960 – Council Member Hunt moved to approve Resolution 2023-007. The motion was seconded by Council Member Welch and approved unanimously. *(Resolution 2023-007 is herein incorporated by reference into the minutes.)*
- D. Resolution 2023-008– Awarding contract for sidewalk repairs - \$13,620 – Council Member Welch moved to approve Resolution 2023-008. The motion was seconded by Council Member Hunt and approved unanimously. *(Resolution 2023-008 is herein incorporated by reference into the minutes.)*
- E. Ordinance 2023-009 – Amending Planning Board and Zoning Board of Adjustments charter – Mayor Pro Tem Foster moved to approve Ordinance 2023-009. The motion was seconded by Council Member Hunt and approved unanimously. *(Ordinance 2023-009 is herein incorporated by reference into the minutes.)*
- F. Resolution 2023-009 – Scheduling public hearing for Willow Run Municipal Service District charter amendment – Mayor Pro Tem Foster moved to approve Resolution 2023-009. The motion was seconded by Council Member Franklin and approved unanimously. *(Resolution 2023-009 is herein incorporated by reference into the minutes.)*
- G. Consideration of facility fee exemptions
 - i. Resolution 2023-010 - Winston-Salem Forsyth County Schools – Council Member Sadler moved to approve Resolution 2023-010 for a one-time, in-kind exemption. The motion was seconded by Council Member Welch and approved unanimously. *(Resolution 2023-010 is herein incorporated by reference into the minutes.)*
 - ii. Resolution 2023-011 - West Forsyth Christian Preschool – Council Member Franklin moved to approve Resolution 2023-011 for a one-time exemption. The motion was seconded by Council Member Hunt and approved unanimously. *(Resolution 2023-011 is herein incorporated by reference into the minutes.)*
 - iii. Resolution 2023-012 - Indo US Cultural Association – Council Member Hunt moved to approve Resolution 2023-012 for a one-time exemption. The motion was seconded by Council Member Welch and approved unanimously. *(Resolution 2023-012 is herein incorporated by reference into the minutes.)*

9. Administrative Reports

- A. Clerk's Report
 - i. Town & State Dinner – February 22, 5 PM – Raleigh Convention Center
 - ii. CityVision – April 25-27 – Concord
 - a. Let Town Clerk know by February 23 if plan to attend

10. For the Good of the Order

A. Public comments

- i. Wendy Goldwater, 180 Oak Grove Avenue – Ms. Goldwater shared concerns about traffic stating the Great Wagon Road traffic will still flow to the highway. She encouraged the Town to take advantage of traffic planning.

B. Council comments

- i. Council Member Franklin inquired if refundable deposits should be required for future in-kind exemptions.
- ii. Mayor Pro Tem Foster reminded staff of her request for a joint Planning Board and Council meeting.
- iii. Mayor Horn thanked staff for their participation in the meeting and being well-informed.

11. Adjournment – Council Member Franklin moved to adjourn the meeting at 9:32 PM. The motion was seconded by Mayor Pro Tem Foster and approved unanimously.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk