

Lewisville Town Council
Regular Meeting Agenda
April 14, 2022 – 7:00 PM
Lewisville Town Hall 1st Floor Council Chambers
6510 Shallowford Road

1. Call to Order:

- A. Roll Call
- B. Invocation – Attorney Bo Houff
- C. Pledge of Allegiance – Council Member Melissa Hunt
- D. Adoption of Agenda

2. Consent Agenda

- A. Resolution 2022-024 – Acceptance and Approval of Monthly Financials for eight months ended February 28, 2022 ([Attachment #1](#))
- B. Approval of Closed Session Minutes – February 3, 2022
- C. Approval of Agenda Briefing Minutes – March 3, 2022 ([Attachment #2](#))
- D. Approval of Regular Meeting Minutes – March 10, 2022 ([Attachment #3](#))
- E. Approval of Closed Session Minutes – March 10, 2022

3. Introductions, Recognitions, Presentations and/or Proclamations

- A. Sheriff’s Office report and introduction of new officers
- B. Lewisville Tomorrow Comprehensive Plan presentation ([Attachment #4](#))
- C. 2022-2023 Budget Message – Manager Perkins
- D. Proclamation 2022-002 – Historic Preservation Month ([Attachment #5](#))

4. Public Forum

- A. Citizens should register with the Town Clerk and limit their comments to three (3) minutes.
- B. Written comments are also available.

5. Appointment(s)

- A. Boards (*by acclamation*)
 - i. Parks, Recreation and Cultural Development (*appoint 3*)
 - a. Aaron Crum
 - b. Aaron Hutmacher
 - c. Deborah Stokes
 - ii. Zoning Board of Adjustments – *Unexpired term of Philip May expiring 3-31-23 (appoint 1)*
 - a. Annemarie Stanford
- B. Committees (*by appointment order*)
 - i. Appointment Order 2022-004 – Melody Joyner – Environmental, Conservation & Sustainability ([Attachment #6](#))
 - ii. Appointment Order 2022-005 – Annemarie Stanford – Public Safety Advisory Committee ([Attachment #7](#))

6. Preliminary Site Plan Approval(s)

7. Evidentiary Hearing(s)

8. Public Hearing(s)

- A. UDO L-165 – Amend the Downtown Overlay ([Attachment #8](#))
 - i. Staff presentation
 - ii. Public Hearing
 - iii. Council discussion
 - iv. Council consideration of Ordinance 2022-019

9. Technical Review(s)

10. Annexation Request(s)

11. Old Business

- A. BAC Status Update

12. New Business

- A. Resolution 2022-020 – Approving PARTF 2022 documents ([Attachment #9](#))
- B. Resolution 2022-021 – Approving Jack Warren Park master site plan ([Attachment #10](#))
- C. Resolution 2022-022 – Approval to proceed with PARTF application consideration ([Attachment #11](#))
- D. Resolution 2022-025 – Eligible Project Policy ([Attachment #12](#))
- E. Resolution 2022-026 – Non-Discrimination Policy([Attachment #13](#))
- F. Resolution 2022-027 – Property Management Policy ([Attachment #14](#))
- G. Resolution 2022-028 – Record Retention Policy ([Attachment #15](#))
- H. Ordinance 2022-020 – Budget Amendment for donation to Senior Services ([Attachment #16](#))
- I. Ordinance 2022-021 – Budget Amendment for audio/visual equipment in Council chambers ([Attachment #17](#))
- J. Manager recruitment process

13. Administrative Reports

- A. Upcoming events at Shallowford Square and Town holidays ([Attachment #18](#))
- B. Manager’s Report
- C. Planning Report
- D. Attorney’s Report
- E. Clerk’s Report
 - i. Budget meeting dates
 - A. Budget workshops – April 18, 6 PM; May 2, 6 PM; May 5 (following briefing), 6:30 PM; May 9, 6 PM
 - B. Budget ordinance final review at briefing – June 2, 6:30 PM
 - C. Budget public hearing at regular Council meeting – June 9, 7 PM
 - ii. Volunteer Appreciation Ice Cream Social – May 6, 6-8 PM – Mary Alice Warren Community Center
- F. Approvals at the Briefing and Action Meeting on April 7, 2022
 - i. 2022 Budget Calendar
 - ii. Revised 2022 Meeting Schedule
 - iii. Ordinance 2022-017 – Budget amendment for CERT kits
 - iv. Ordinance 2022-018 – Budget amendment for MSD lake tree removal
 - v. Resolution 2022-023 – Contract with Lusk for tree removal at MSD lakes

14. For the Good of the Order

- A. Public Comments
 - i. Citizens should limit their comments to three (3) minutes.
 - ii. Written comment forms are also available.
- B. Council Comments

15. Adjournment



**RESOLUTION 2022-024 OF THE LEWISVILLE TOWN COUNCIL
ACCEPTANCE AND APPROVAL OF MONTHLY DISBURSEMENTS**

WHEREAS, the Finance Officer has presented the Town Council with the Revenue Statement Summary and the Encumbrances and Expenditure State Summary of figures for the eight months ended February 28, 2022; and

WHEREAS, the Finance Officer did not report any unusual expenditures.

NOW, THEREFORE BE IT RESOLVED THAT the Lewisville Town Council accepts the Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary for the eight months ended February 28, 2022 and incorporated herein.

Adopted this the 14th day of April 2022 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

**Town of Lewisville
Financial Budget to Actual Report - General Fund
Eight Months Ended February 28, 2022**

General Fund

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Property Tax Collections	\$ 2,765,490.00	\$ 2,674,386.49	\$ 91,103.51	96.71%
Sales Tax Revenue	896,530.00	520,460.20	376,069.80	58.05%
Other Revenues	1,224,570.00	723,599.21	500,970.79	59.09%
Total	4,886,590.00	\$ 3,918,445.90	\$ 968,144.10	80.19%
Appropriation from Fund Balance	637,129.37			
	<u>\$ 5,523,719.37</u>			

Departments	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Governing Body	\$ 272,820.00	\$ 144,852.01	\$ 5,551.11	\$ 122,416.88	55.13%
Administration	776,849.37	459,985.33	21,850.21	295,013.83	62.02%
Student Leadership	700.00	-	-	700.00	0.00%
Finance	246,851.00	152,412.39	-	94,438.61	61.74%
Debt Service	236,000.00	236,000.00	-	-	100.00%
Planning & Zoning	463,387.00	158,294.41	1,552.59	303,540.00	34.50%
Beautification	90,800.00	61,761.28	18,966.68	10,072.04	88.91%
Community Policing	714,745.00	340,443.57	-	374,301.43	47.63%
Public Safety	10,150.00	5,090.00	-	5,060.00	50.15%
Public Works	471,909.00	277,131.89	20,487.59	174,289.52	63.07%
Streets	315,904.00	84,305.01	1,357.00	230,241.99	27.12%
Powell Bill	316,750.00	23,335.70	-	293,414.30	7.37%
Storm Water	115,341.00	35,766.36	13,257.51	66,317.13	42.50%
Solid Waste	862,605.00	470,518.51	-	392,086.49	54.55%
Recycling	7,195.00	145.00	-	7,050.00	2.02%
Parks and Recreation	386,713.00	176,709.90	33,066.07	176,937.03	54.25%
Transfers to Capital Reserves	235,000.00	235,000.00	-	-	100.00%
Total	<u>\$ 5,523,719.37</u>	<u>\$ 2,861,751.36</u>	<u>\$ 116,088.76</u>	<u>\$ 2,545,879.25</u>	53.91%

General Fund Balance 7/1/2021	\$ 6,167,863.15
Year-to-Date Increase (Decrease) FY 6/30/2022	1,056,694.54
General Fund Balance 2/28/2022	<u>\$ 7,224,557.69</u>

**Town of Lewisville
Financial Budget to Actual Report - Willow Run Municipal Service District
Eight Months Ended February 28, 2022**

Willow Run Municipal Service District

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Revenues	\$ 40,750.00	\$ 34,825.83	\$ 5,924.17	85.46%
Total	<u>\$ 40,750.00</u>	<u>\$ 34,825.83</u>	<u>\$ 5,924.17</u>	85.46%
Appropriation from Fund Balance	\$ -			
	<u>\$ 40,750.00</u>			

	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Expenditures	\$ 40,750.00	\$ 17,877.52	\$ 1,680.00	\$ 21,192.48	47.99%
Total	<u>\$ 40,750.00</u>	<u>\$ 17,877.52</u>	<u>\$ 1,680.00</u>	<u>\$ 21,192.48</u>	47.99%

MSD Fund Balance 7/1/2021	\$ 193,840.25
Year-to-Date Increase (Decrease) FY 6/30/2022	16,948.31
MSD Fund Balance 2/28/2022	<u>\$ 210,788.56</u>

**Town of Lewisville
Other Funds
February 28, 2022**

Capital Reserves Funds

GWR ROW/Construction Capital Reserve	\$ 1,049,469.50
Sidewalks, Bike Paths, and Greenways Capital Reserve	132,066.72
Municipal Buildings/Land Capital Reserve	130,217.65
Public Works Facility Capital Reserve	329,681.97
Total Capital Reserve Fund Balances	<u><u>\$ 1,641,435.84</u></u>

Capital Projects Funds

GWR ROW/Construction Capital Project	\$ 734,837.77
JWP Maintenance Facility/Playground Expansion Capital Project	20,629.57
Gateway Project Capital Project	188,759.54
Community Center Capital Project	240,778.75
Roundabout at Lewisville-Vienna Road and Robinhood Road Capital Project	158,620.95
Total Capital Projects Fund Balances	<u><u>\$ 1,343,626.58</u></u>

Special Revenue Funds

American Rescue Plan Special Revenue Fund	\$ 2,012,235.75
Total Special Revenue Funds	<u><u>\$ 2,012,235.75</u></u>

Lewisville Town Council
Briefing and Action Meeting Minutes
March 3, 2022 – 6:30 PM
Digitally Originated - Lewisville Town Hall 1st Floor Council Chambers
6510 Shallowford Road

1. Call to Order:

- A. Mayor Horn opened the meeting being streamed electronically at 6:30 PM. In attendance were Mayor Mike Horn, Mayor Pro Tem Jeanne Marie Foster and Council Members Fred Franklin, Melissa Hunt, Ken Sadler, David Smitherman and Jane Welch. Also attending were Town Manager Hank Perkins, Town Attorney Bowen Houff, Town Planner Stacy Tolbert, Finance Director Pam Orrell, Public Works Director Ryan Moser, and Town Clerk Dora Moore.
- B. Adoption of Agenda – Council Member Hunt moved to approve the agenda. The motion was seconded by Council Member Franklin and approved unanimously with a roll call vote of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch.

2. Introductions, Recognitions and Presentations for March 3, 2022 - None

3. Items Requiring Council Direction

- A. Shallowford Square Clock Tower Inscription Policy – Clerk Moore presented a draft policy related to name inscriptions on the Shallowford Square Clock Tower. After some discussion, Council requested the policy be revised to reflect nine years of service for a board or committee member, consecutive or nonconsecutive.
- B. Facility Use Exemption Policy – Clerk Moore shared recommendations by the Parks and Recreation Advisory Board related to exempt users at recreation facilities which included the following: a moratorium on new applicants, no exempt users at the Mary Alice Warren Community Center (MAWCC) and limiting the non-profit organizations to those in the Town of Lewisville. Other suggestions included limiting use for exempt users at the MAWCC to Monday-Thursday, in the Vienna Room, a reduced fee charged and defining recurring use. After some discussion, Brian Moore was directed to review the policy, contact Forsyth Tech regarding their public space use policy, determine non-profits expectations and determine who is using the facility. Council consensus was to maintain a moratorium on exempt requests.
- C. Renewal of HOME Consortium Agreement for 2023-2025 – Council consensus to continue with the HOME Consortium that provides housing rehabilitation and homebuyer assistance in Lewisville. The Town’s annual contribution is \$2,000.

4. Items Requiring Action at Briefing

- A. Ordinance 2022-013 – Amending Budget Ordinance 2021001 in the amount of \$428 for MAWCC landscape beautification – Staff requested a budget amendment for landscape beautification at MAWCC with EcoLogic to include pine straw twice a year, new plantings and mulch for fiscal years 2021-2022, 2022-2023 and 2023-2024. Council Member Smitherman moved to approve Ordinance 2022-013 as presented. The motion was seconded by Council Member Franklin and approved unanimously with a roll call vote of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch. *(Ordinance 2022-013 is herein incorporated by reference into the minutes.)*
- B. Resolution 2022-015 – EcoLogic landscape beautification contract change order #1 - Council Member Smitherman moved to approve Resolution 2022-015 as presented. The motion was seconded by Mayor Pro Tem Foster and approved unanimously with a roll call vote of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch. *(Resolution 2022-015 is herein incorporated by reference into the minutes.)*

- C. Ordinance 2022-009 – Amending Budget Ordinance 2021001 in the amount of \$25,000 for legal fees - Council Member Franklin moved to approve Ordinance 2022-009 as presented. The motion was seconded by Council Member Smitherman and approved unanimously with a roll call vote of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch. *(Ordinance 2022-009 is herein incorporated by reference into the minutes.)*
- D. Ordinance 2022-010 – Amending Budget Ordinance 2021001 fee schedule – Staff requested the fee schedule be revised to remove the MAWCC entire building rental rates because they do not reflect the cost for renting each room which is how the RecDesk program works. Also, the Forsyth County Sheriff’s Office hustle rate has increased \$5/hour. Council Member Welch moved to approve Ordinance 2022-010 as presented. The motion was seconded by Council Member Hunt and approved unanimously with a roll call vote of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch. *(Ordinance 2022-010 is herein incorporated by reference into the minutes.)*
- E. Ordinance 2022-011 – Amending Budget Ordinance 2021001 in the amount of \$15,000 for right of way maintenance - Council Member Franklin moved to approve Ordinance 2022-011 as presented. The motion was seconded by Council Member Smitherman and approved unanimously with a roll call vote of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch. *(Ordinance 2022-011 is herein incorporated by reference into the minutes.)*
- F. Ordinance 2022-012 – Amending Budget Ordinance 2021001 in the amount of \$3,000 for street sign supplies – Staff requested an increase for street sign supplies because staff is updating street signs to meet the reflectivity standards. Council Member Franklin moved to approve Ordinance 2022-012 as presented. The motion was seconded by Council Member Smitherman and approved unanimously with a roll call vote of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch. *(Ordinance 2022-012 is herein incorporated by reference into the minutes.)*
- G. Revised 2022 Meeting Schedule – Four boards and committees will begin meeting in-person this month. Discussion was held about Town Council resuming in-person meetings. Some concern was expressed about broadcasting of meetings from chambers. Manager Perkins explained he is working on a budget request to improve quality of meeting recordings. Manager Perkins was asked to see if this could be expedited. Council Member Smitherman moved to approve the revised 2022 meeting schedule and for Council meetings to be held in person beginning with the March 10, 2022 meeting. The motion was seconded by Council Member Hunt and approved unanimously with a roll call vote of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch. *(Revised 2022 meeting schedule is attached to the minutes.)*

5. **Unfinished Business** - None

6. **Administrative Reports**

- A. Manager
 - i. PARTF Grant Meetings – Staff has held a series of online PARTF public meetings. Some of the proposed amenities are connector paths, a nature trail, pickleball courts, a small outdoor event area, Frisbee golf, and more. There is some concern about placing a dog park near MAWCC due to events. Final two public meetings will be held as follows: March 14, 6:30 PM via Zoom and March 17, 6:30-8:30 PM at the MAWCC Lewisville/Vienna rooms.
 - ii. Proposed Gateway Project – Pre-bid meeting will be held next week for the proposed Gateway project with bid opening on March 24 and NCDOT concurrence April 14.

- iii. NC State Capital and Infrastructure Grant – The Town is receiving \$100,000 from the NC State Capital and Infrastructure grant program. The money must be used towards the MAWCC construction costs.
- iv. ARPA Update – Mrs. Orrell proposed ARPA funding be used towards salary and benefits since it is the path of least resistance and is the option strongly recommended by the School of Government. The general fund will grow but the funds will be unrestricted allowing the Town to use the funds for other items. Council consensus was to move forward as recommended. A budget amendment will be presented to Council at their March 10 meeting.
- B. Attorney – None
- C. Public Works
 - i. Garbage and recycling carts left at road – In response to a resident concern last month related to garbage and recycling carts being left at the road, Mr. Moser reported there are no stormwater or environmental issues associated with such. Also, an ordinance would be unenforceable by staff. An article to heighten awareness about removing carts from the road will be placed in the newsletter.
- D. Planning
 - i. U-6154 Lewisville-Vienna/Robinhood Road Roundabout Public Meeting
 - 1. March 16 – 6:00 PM – Zoom – Public Officials Meeting
 - 2. March 16 – 7:00 PM – Zoom – Public Meeting
- E. Finance – None
- F. Clerk
 - i. Ethics training - Required ethics training for Council will be held May 26, 10 AM-12 PM, via Zoom. On-demand will be released in June for those unable to attend the live session.
 - ii. Meeting recordings – Records retention does not require retaining meeting recordings once official minutes are adopted by Council. Some concern was expressed about not retaining recordings at all. Clerk Moore will research practices of other municipalities.

7. **Agenda Items for Regular Meeting on March 10, 2022**

- A. Tentative Agenda
 - i. Consent Agenda
 - 1. Resolution 2022-014 – Acceptance and Approval of Monthly Financials for seven months ended January 31, 2022
 - 2. Approval of Council Briefing Meeting Minutes – February 3, 2022
 - 3. Approval of Council Closed Session Minutes – February 3, 2022
 - 4. Approval of Council Retreat Minutes – February 4-5, 2022
 - 5. Approval of Regular Meeting Minutes – February 10, 2022
 - ii. Introductions, Recognitions, Presentations and/or Proclamations
 - 1. Presentations
 - a. Sheriff’s Office Report
 - b. Lewisville Tomorrow Comprehensive Plan
 - i. Plan was unanimously approved by the Planning Board. Consultant will present and boards and committees have been invited to attend.
 - iii. Public Hearings
 - iv. Technical Review(s)
 - v. Preliminary Site Plan Approvals
 - vi. Evidentiary Hearings
 - vii. Old Business
 - 1. BAC Update

viii. New Business

1. Resolution 2022-016 – Awarding paving contract
 - a. Mr. Moser will share proposed street list with Council.
2. Resolution 2022-017 – Declaring surplus items and authorizing electronic auction of surplus personal property
3. Resolution 2022-018 – Setting a public hearing to receive comments on UDO L-165 related to downtown overlay

ix. Appointments

1. Boards

- a. Parks, Recreation and Cultural Development (*Appoint 3*)
 - i. *No applications received*
 1. Former applicants will be contacted to see if they are interested in serving.
- b. Planning (*Appoint 3*)
 - i. Aaron Crum
 - ii. Joseph Hamby
 - iii. Aaron Hutmacher
 - iv. Philip May
 - v. Michael Mulligan
 - vi. Kate Norton
 - vii. Annemarie Stanford
- c. Willow Run Municipal Service District
 - i. Area 3 (*Appoint 1*)
 1. Chad Conger
 - ii. At-Large (*Appoint 1*)
 1. Jeffrey Rawls
- d. Zoning Board of Adjustments (*Appoint 1*)
 - i. Kate Norton
 - ii. Ken Wernick

2. Committees

- a. Beautification
 - i. Bernice Perzel
 - b. Environmental, Conservation & Sustainability
 - i. Chelsea Blount
 - ii. Jonathan Linck
 - iii. Emily Price
 - c. Public Safety
 - i. Aaron Hutmacher
 - ii. Scott Sewell
3. End-of-term Board and Committee members not seeking reappointment
- a. Parks, Recreation & Cultural Development
 - i. Shaída Horner and Daniel Lough
 - b. Planning Board
 - i. Joseph Sloop and Mike Sullivan
 - c. Willow Run Municipal Service District Area 3
 - i. David Mazza

B. Approval of Tentative Agenda for regular meeting on March 10, 2022

- i. Council Member Smitherman moved to approve the tentative agenda for March 10, 2022. The motion was seconded by Council Member Hunt and approved unanimously with a roll call vote

of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch.

8. **For the Good of the Order**

- A. Four trees remain for dedication at Jack Warren Park and all the benches have been purchased.
- B. Concern was expressed about how to have factual information shared on social media.
- C. Council suggested refreshments for next week's Council meeting due to the potential of board and committee members attending.
- D. Council Member Hunt recognized staff for representing Town in the manner they do.

9. **Adjournment** - Council Member Smitherman moved to adjourn the meeting at 9:12 PM. The motion was seconded by Council Member Hunt and approved unanimously with a roll call vote of ayes from Mayor Horn, Mayor Pro Tem Foster and Council Members Franklin, Hunt, Sadler, Smitherman and Welch.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

DRAFT

Lewisville Town Council
Regular Meeting Minutes
March 10, 2022 – 7:00 PM
Lewisville Town Hall 1st Floor 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, David Smitherman and Jane Welch. Also attending were Town Manager Hank Perkins, Town Attorney Bowen Houff, Town Planner Stacy Tolbert, Finance Director Pam Orrell, Public Works Director Ryan Moser, and Town Clerk Dora Moore.
- B. Invocation – Attorney Bowen Houff
- C. Pledge of Allegiance – Mayor Mike Horn
- D. Adoption of Agenda – Council Member Hunt moved to amend and approve the agenda to include BAC update under Unfinished Business and a budget amendment for paving under New Business. The motion was seconded by Council Member Smitherman and approved unanimously.

2. Consent Agenda

- A. Consent agenda items
 - a. Resolution 2022-014 – Acceptance and Approval of Monthly Financials for seven months ended January 31, 2022
 - b. Approval of Council Briefing Meeting Minutes – February 3, 2022
 - c. Approval of Council Retreat Minutes – February 4-5, 2022
 - d. Approval of Regular Meeting Minutes – February 10, 2022
- B. Council Member Franklin moved to approve the consent agenda. The motion was seconded by Council Member Welch and approved unanimously.
(Resolutions 2022-014 is herein incorporated by reference into the minutes.)

3. Presentations, Introductions and/or Proclamations

- A. Forsyth County Sheriff's Office – Sergeant Stringer provided current call statistics. Sergeant Stringer noted it was Severe Weather Awareness Week. When roads are flooded, do not drive around barricades or downed trees.

4. Public Forum

- A. No comments

5. Closed Session pursuant to NCGS 143-318.11(a)(3) - Council Member Hunt moved to enter into closed session at 7:11 PM. The motion was seconded by Council Member Smitherman and approved unanimously.

Council returned to open session at 7:18 PM.

6. Appointment(s)

- A. Parks, Recreation and Cultural Development Board – 3 positions available
 - i. No applications received

B. Planning Board – 3 positions available

<u>Planning</u>	Aaron Crum	Joseph Hamby	Aaron Hutmacher	Philip May	Michael Mulligan	Kate Norton	Annemarie Stanford
Foster		1	1		1		
Franklin				1	1	1	
Horn				1	1	1	
Hunt			1	1		1	
Sadler			1	1	1		
Smitherman				1	1	1	
Welch				1	1	1	
TOTAL	0	1	3	6	6	5	0

- i. Philip May, Michael Mulligan and Kate Norton were announced as members of the Planning Board.
- ii. It was noted that Philip May’s appointment to the Planning Board creates a vacancy on the Zoning Board of Adjustments.

C. Willow Run Municipal Service District – Area 3 – Appoint 1

<u>Willow Run MSD Area 3</u>	Chad Conger
Foster	1
Franklin	1
Horn	1
Hunt	1
Sadler	1
Smitherman	1
Welch	1
TOTAL	7

- i. Chad Conger was appointed to Area 3 of the Willow Run Municipal Service District.

D. Willow Run Municipal Service District – At-Large – Appoint 1

<u>Willow Run MSD At-Large</u>	Jeffrey Rawls
Foster	1
Franklin	1
Horn	1
Hunt	1
Sadler	1
Smitherman	1
Welch	1
TOTAL	7

- i. Jeffrey Rawls was appointed to the At-Large position of the Willow Run Service District.

E. Zoning Board of Adjustments – Appoint 1

<u>Zoning Board of Adjustments</u>	Kate Norton	Ken Wernick
Foster	1	
Franklin		1
Horn		1
Hunt		1
Sadler		1
Smitherman		1
Welch		1
TOTAL	1	6

- i. Ken Wernick was reappointed to the Zoning Board of Adjustments.

F. Appointment Order 2022-001 – Lewisville Beautification

- i. Council Member Welch moved to approve Appointment Order 2022-001. The motion was seconded by Council Member Smith and approved unanimously. (*Appointment Order 2022-001 is herein incorporated by reference into the minutes.*)

G. Appointment Order 2022-002 – Environmental, Conservation & Sustainability

- i. Mayor Pro Tem Foster moved to approve Appointment Order 2022-002. The motion was seconded by Council Member Franklin and approved unanimously. (*Appointment Order 2022-002 is herein incorporated by reference into the minutes.*)

H. Appointment Order 2022-003 – Public Safety Advisory

- i. Council Member Hunt moved to approve Appointment Order 2022-003. The motion was seconded by Council Member Sadler and approved unanimously. (*Appointment Order 2022-003 is herein incorporated by reference into the minutes.*)

7. **Public Hearing(s)** – None

8. **Evidentiary Hearing(s)** – None

9. **Annexation Request(s)** – None

10. **Technical Review(s) for Compliance** – None

11. **Unfinished Business**

- A. Boards and Committees Update – An appreciation social is being planned for May. Council Members Hunt and Welch have volunteered to assist the BAC workgroup. A social media policy is being worked on and Mayor Horn and Council Member Hunt will assist with this endeavor. Mayor Pro Tem Foster shared an interest assessment tool and BAC comprehensive calendar. She requested Council to review the documents and complete the assessment tool by March 15.

12. **Closed Session pursuant to NCGS 143-318.11(a)(3)** - Council Member Sadler moved to enter into closed session at 7:48 PM. The motion was seconded by Council Member Hunt and approved unanimously.

Council returned to open session at 8:53 PM.

13. **Unfinished Business** (continued):

- B. Resolution 2022-011 – Shallowford Square Clock Tower Inscription Policy – Clerk Moore presented a draft inscription policy for the Shallowford Square clock tower that reflects Council direction at the agenda briefing. Council requested “Memorial” be added to the title. Council Member Franklin moved to approve Resolution 2022-011. The motion was seconded by Council Member Sadler and approved unanimously. *(Resolutions 2022-011 is herein incorporated by reference into the minutes.)*

14. **New Business**

- a. Ordinance 2022-016 - Amending Budget Ordinance 2021001 in the amount of \$93,769 for spring paving contract – Mr. Moser reported the original paving bidder had to retract their bid due to costs. The proposed budget amendment allows staff to use Powell Bill revenue that was collected in excess of anticipation as well as some funds transferred from general fund. Council Member Smitherman moved to approve Ordinance 2022-016. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. *(Ordinance 2022-016 is herein incorporated by reference into the minutes.)*
- b. Resolution 2022-016 – Awarding paving contract– Council Member Franklin moved to approve Resolution 2022-016. The motion was seconded by Council Member Hunt and approved unanimously. *(Resolution 2022-016 is herein incorporated by reference into the minutes.)*
- c. Resolution 2022-017 – Declaring surplus items and authorizing electronic auction of surplus personal property– Council Member Franklin moved to approve Resolution 2022-017. The motion was seconded by Council Member Hunt and approved unanimously. *(Resolution 2022-017 is herein incorporated by reference into the minutes.)*
- d. Resolution 2022-018 – Setting a public hearing to receive comments on UDO L-165 related to downtown overlay – Mayor Pro Tem Foster moved to approve Resolution 2022-018. The motion was seconded by Council Member Hunt and approved unanimously. *(Resolution 2022-018 is herein incorporated by reference into the minutes.)*
- e. Ordinance 2022-014 – Grant Project Ordinance for the American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds – The ARPA funds will be used for salaries and benefits freeing up funds to be used for other projects the Town may adopt in the future. Council Member Smitherman moved to approve Ordinance 2022-014. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. *(Ordinance 2022-014 is herein incorporated by reference into the minutes.)*
- f. Ordinance 2022-015 – Amending Budget Ordinance 2021001 to transfer funds from the ARPA Special Revenue Fund to General Fund – Council Member Franklin moved to approve Ordinance 2022-015. The motion was seconded by Council Member Welch and approved unanimously. *(Ordinance 2022-015 is herein incorporated by reference into the minutes.)*

15. **Administrative Reports**

- A. Upcoming Town holidays – Manager Perkins shared the first movie night at Shallowford Square will be *Raiders of the Lost Ark* on May 6th.
- B. Manager’s Report
- i. PARTF Grant Meetings scheduled
- a. March 14 – 6:30 PM - Zoom
- b. March 17 – 6:30 PM-8:30 PM – Mary Alice Warren Community Center, Lewisville/Vienna Rooms
- c. Those in attendance on March 17 will rank proposed amenities.

- d. Mayor Horn noted Forsyth County may be installing additional pickleball courts at Joanie Moser Park which would have a significant impact on the Town’s PARTF application. Mayor Horn will try to verify the information prior to the Town’s application submittal.
- ii. Proposed Gateway Project
 - a. Bid opening – March 24, 2022; Concurrence with NCDOT – April 14, 2022
- iii. The Beautification Committee is working with Lewisville Elementary School art classes on a dinosaur naming contest for the dinosaurs being placed behind MAWCC.
- iv. Staff is working with Age Friendly Forsyth County on a grant for benches to be placed around town. Parks and Recreation Advisory Board will help determine potential locations.
- C. Planning Report
 - i. U-6154 Lewisville –Vienna Road and Robinhood Road Roundabout
 - a. Public Officials Meeting via Zoom – March 16, 2022, 6-7 PM; Public Meeting via Zoom – March 16, 2022, 7-8 PM
- D. Clerk’s Report
 - i. Ethics Training – Required
 - a. May 26 – 10 AM-12 PM – Zoom; if unable to attend, on-demand will be offered late June.
 - ii. NCLM’s City Vision will be April 27 and 28 in Wilmington. If Council would like to attend, let Clerk Moore know by March 16th. Consensus was given to name Mayor Horn as voting delegate and Manager Perkins the alternate.
 - iii. Budget Calendar

2022 BUDGET CALENDAR		
	Date	Time
Draft budget presented to Council at Council meeting	April 14, 2022	7:00 PM
Budget workshop	April 18, 2022	6:00 PM
Budget Workshop	May 2, 2022	6:00 PM
Budget workshop following briefing	May 5, 2022	6:30 PM
Budget workshop	May 9, 2022	6:00 PM
Budget ordinance final review at briefing	June 2, 2022	6:30 PM
Budget public hearing at regular Council meeting	June 9, 2022	7:00 PM

Mayor Pro Tem Foster inquired about the possibility of using a budget workshop for a BAC update. Manager Perkins noted PARTF will need to be discussed at a budget workshop also.

- E. Approvals at the Briefing and Action Meeting on March 3, 2022
 - i. Ordinance 2022-013 – Amending Budget Ordinance 2021001 in the amount of \$428 for MAWCC landscape beautification
 - ii. Resolution 2022-015 – EcoLogic landscape beautification contract change order #1
 - iii. Ordinance 2022-009 – Amending Budget Ordinance 2021001 in the amount of \$25,000 for legal fees
 - iv. Ordinance 2022-010 – Amending Budget Ordinance 2021001 fee schedule
 - v. Ordinance 2022-011 – Amending Budget Ordinance 2021001 in the amount of \$15,000 for right of way maintenance
 - vi. Ordinance 2022-012 – Amending Budget Ordinance 2021001 in the amount of \$3,000 for street sign supplies
 - vii. Revised 2022 Meeting Schedule

16. **For the Good of the Order**

- A. Council Member Welch shared that Airbnb will assist with hosting Ukrainian refugees.
- B. Council Member Hunt inquired about making attachments viewable on the screen during meetings. Manager Perkins stated that what is shown on the screen is not easily viewable on Channel 6. Mayor Horn will remind viewers that the agenda packet is available on the Town's website.
- C. Council Member Sadler complimented Mayor Horn on his newsletter article.

17. **Adjournment** - Council Member Smitherman moved to adjourn the meeting at 9:44 PM. The motion was seconded by Council Member Hunt and approved unanimously.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk



**RESOLUTION 2022-019 OF THE TOWN OF LEWISVILLE
ADOPTING THE LEWISVILLE TOMORROW COMPREHENSIVE PLAN**

WHEREAS, the Town of Lewisville wishes to include all citizens in its planning process; and

WHEREAS, the Town of Lewisville has held meetings and surveys of town residents to determine their thoughts and ideas; and

WHEREAS, the Planning Board has incorporated that information as well as information from other sources into the document; and

WHEREAS, on January 26, 2022, the Planning Board voted unanimously to recommend adoption of the Lewisville Tomorrow Comprehensive Plan to the Town Council; and

WHEREAS, the Lewisville Tomorrow Comprehensive Plan has been updated and will allow the Town of Lewisville to continue to maintain a strong sense of community while encouraging planned growth the preserves our small town character and rural feel.

NOW, THEREFORE, BE IT RESOLVED that the Lewisville Town Council accepts and adopts the Lewisville Tomorrow Comprehensive Plan.

BE IT FURTHER RESOLVED THAT the final document include any visuals, photos, updated data and/or maps, pagination or other edits that may be required for publication.

Adopted this the 10th day of March 2022.

Mike Horn, Mayor

ATTEST:

Dora K. Moore, Town Clerk



**PROCLAMATION 2022-002
HISTORIC PRESERVATION MONTH
MAY 2022**

WHEREAS, historic preservation is an effective tool for economic development, tourism promotion, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability; and,

WHEREAS, the Town of Lewisville has demonstrated its support for historic preservation through its participation in historic preservation efforts within the town; and,

WHEREAS, the Lewisville Historical Society is one of the longest established organizations in the town and is dedicated to preserving our local historical heritage; and,

WHEREAS, Historic Preservation Month is co-sponsored by the Forsyth County Historic Resources Commission, Preservation Forsyth, and other local preservation and neighborhood organizations throughout Forsyth County, and,

WHEREAS, these organizations encourage members of the community to participate in creative and fun events related to historic preservation as a way to celebrate Preservation Month 2022, and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Town Council in Lewisville do hereby declare the month of May 2022 as Historic Preservation Month and call upon the residents of Lewisville to join hundreds of communities across the United States in recognizing and participating in this special observance.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of the Town of Lewisville and that a copy be furnished to the Forsyth County Historic Resources Commission.

Adopted this 14th day of April 2022.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk



**ORDINANCE 2022-019 OF THE LEWISVILLE TOWN COUNCIL
UDO L-165 - AMENDING THE UNIFIED DEVELOPMENT ORDINANCE (UDO)
RELATED TO DOWNTOWN OVERLAY**

WHEREAS, the Lewisville Planning Board held a public hearing on February 23, 2022 on the draft to amend the UDO section related to Downtown Overlay; and,

WHEREAS, the Lewisville Planning Board recommended approval to the Lewisville Town Council; and,

WHEREAS, the Lewisville Town Council held a public hearing on April 14, 2022.

BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL that the Unified Development Ordinance (UDO) UDOL-165 related to the downtown overlay is amended as noted in the attached document.

Adopted this the 14th day of April 2022 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

Chapter B Zoning Ordinance

Article II Section 2-1.5 INSTITUTIONAL AND MIXED USE ZONING DISTRICTS – PURPOSE STATEMENTS AND REGULATIONS

(E) LD1-C and LD2-C Lewisville Downtown Districts

- (1) **Purpose.** The Lewisville Downtown Districts provide for development in Lewisville’s traditional town center. The Town Center anchors the surrounding residential neighborhoods while also serving the broader community and visitors alike. Downtown Lewisville ~~special-use~~ **conditional** districts and standards are adopted to encourage new and adaptive reuse development while safeguarding the values of surrounding properties, protect the town’s unique historically small town pedestrian-oriented character, promote good urban design, protect the health, safety, and welfare of residents, property and visitors, and support the aesthetic interest in the Town.
 - (a) Lewisville Downtown District 1 (LD1-C) applies to the Downtown Core Area (DCA) – see map titled *Lewisville Downtown Overlay Map* in Exhibit 5 in the Appendix of the Unified Development Ordinance – and provides a broad array of uses ~~is~~ expected in a development pattern.
 - (b) Lewisville Downtown District 2 (LD2-C) applies to the Downtown Gateway Area (DGA) – see map titled *Lewisville Downtown Overlay Map* in Exhibit 5 in the Appendix of the Unified Development Ordinance – and provides a broad array of uses expected in a development pattern.
- (2) **Pre-application Conference.** Prior to the formal submission of a proposed LD1-C and LD2-C Districts, the developer or representative shall attend a pre-application conference with the Planning Staff concerning the proposed plan of development. At this pre-application conference, the developer shall submit a sketch plan for the LD1-C and LD2-C Districts and general information on traffic circulation and utilities for tentative review, comments and recommendations by the Planning Staff.
 - (a) The Planning Staff representative, after review by the Town Manager, shall comment on the information presented at that meeting in writing within sixty (60) days. The official plan of development and rezoning request shall be submitted only after the completion of the pre-application conference and the written response.
 - (b) The developer shall file an application for approval of an LD1-C and LD2-C Districts within one hundred eighty (180) days after the written response from the Planning Staff.
- (3) **Alternative Compliance.** Successful planning and development of the Lewisville Downtown will likely be dependent upon thorough and systematic individual site plan reviews. Existing land parcels and historic uses of properties will likely transition slowly into a planned downtown area. Adjustments to specific planned downtown requirements must be tempered by the reality of existing situations in a manner providing the means for land owners, planners, and developers to prepare the best possible site plans to meet town requirements.
 - (a) The Town may, in its discretion, consider site plans varying from requirements regarding dimensions, setbacks, parking, bufferyards and screening, utility easements, and architectural character per Section B.2-

1.5(E)(5)—(11) where the lot size, configuration, topography, nature and configuration of adjoining lots and improvements thereon, parking availability, or other natural conditions beyond the control of the property owner exist or where prior acts of any public agency have occurred such that to require strict compliance with the standards would compromise or contradict the spirit and intent of the requirements.

- (b) Site plans varying from the requirements may be approved only upon a written finding specifically articulating how the site plan fulfills the intent and purposes of the requirements as well as or better than would strict conformance with the requirements, and that such site plan is in harmony with the Lewisville Comprehensive Plan and the Legacy Plan.
- (c) Nothing in this section shall require the Town to approve any site plan that does not comply with the requirements, despite the presentation of evidence that might allow the required findings to be made.

(4) General Dimensional Requirements - LD1-C and LD2-C.

Zoning District	Minimum Zoning Lot		Minimum Contiguous Site Area (ac)	Minimum Setbacks				Maximum Impervious Surface Cover (%)	Maximum Height (ft) ²
	Area (sf)	Width (ft)		Front (ft)	Rear (ft)	Interior Side (ft)	Street (ft)		
LD1-C	—	—	—	DCA 0' Minimum/6' Maximum GWR - 15'	—	0' Minimum	—	—	48' <i>see Downtown Overlay District in Chapter B, Article II, Section 2-1.6 (H) for height requirements</i>
LD2-C	—	75'	—	DGA - 40' Minimum	—	0' Minimum	—	—	48' <i>see Downtown Overlay District in Chapter B, Article II, Section 2-1.6 (H) for height requirements</i>

Note: 1. Side yards are not required, however, any side yard provided adjacent to an interior lot line shall be not less than twelve (12) feet in width. A space less than six (6) inches in width between an interior lot line and a building wall shall not be regarded as a side yard *Section B.2-1.5(E)(8) Bufferyards and Other Screening Requirements shall be followed.*

Note: 2. On parcels having double frontage on both the Great Wagon Road (GWR) and Shallowford Roads, the area of the parking lot shall only extend toward the rear of the site a distance equal to the depth of the first building or buildings to be constructed along the parallel road frontage. This area shall be adequately landscaped to screen the rear of the initial building from view of the GWR until all buildings on the site are complete. At that time, the parking area may be expanded and/or modified to serve all buildings on the site.

- (5) **Build-To-Line (BTL).** The line at *on* which construction of a *the* building *façade* is to ~~occur~~ *be situated* on a lot. A build-to-line runs parallel to the front property line and

is established to create an even building facade line on a street. BTL applies only to LD1-C.

- (a) Location of BTL without Overhead Utilities. Street trees and street lamps are located on the street right-of-way line. The BTL is located nine (9) feet behind the street right-of-way line (matches the Shallowford Square structures to street relation) or nine (9) feet behind existing street lamps and street trees.
 - (b) Location of BTL with Overhead Utilities. The BTL shall be as far forward as permitted by the standards currently stated in the National Electric Code (clearance of the area under the overhead electrical power lines plus a number of feet which in **as of** 2002 is fifteen (15) feet). Typical utility pole cross arms are eight (8) feet long with four (4) feet to either side of the pole. Provided the pole is located at the street right-of-way line (generally ten (10) feet behind the curb) plus the additional four (4) feet for the cross arm and fifteen (15) feet for the life safety area the BTL will likely be located twenty-nine (29) feet behind the curb line. In some cases the utility pole may be located beyond the street right-of-way line resulting in the TBL being located the additional distance behind the curb.
 - (c) Construction Related to the BTL. Not less than fifty percent (50%) of the facade is to be built on the BTL. The remainder of the building should be set back a minimum of six (6) feet behind the BTL. Balconies, stoops, open porches, covered walkways may project into the setback to the extent that it fills the setback area. Bay windows may project one (1) foot six (6) inches into the setback area or beyond the BTL.
- (6) Public Sidewalks.** Existing "built at the curb" sidewalks may remain. The standard sidewalk shall be a minimum of seven (7) feet wide. Locations where the BTL is more than nine (9) feet behind the street right-of-way line, the sidewalks may be relocated away from the curb to allow for a curbside planting area.
- (7) Parking.**
- (a) Amount Required. For any permitted use in the LD1-C and LD2-C Districts, the required amount of parking may be reduced by thirty percent (30%). This reduction shall not affect the required **number of** handicapped parking or loading spaces for that use. Parking on site shall not exceed 125% of minimum required parking.
 - (b) Location.
 - (i) LD1-C/DCA. Parking lots shall be designed to allow the safe movement of pedestrians from their vehicles to the building(s). Parking lots shall be located to the rear or side of the primary structure. Outparcel development should be sited so as to create a courtyard-style site plan which surrounds the development's parking. Large parking lots shall be divided into smaller parking rooms that are defined by landscape planting and site furniture. Any off-street parking, whether located to the front, side, or rear of the primary structure, must be screened from the road. "Front" and "Rear" shall be determined, for the purpose of this subsection, by the orientation of the primary structure(s) to ~~NCDOT Secondary Road~~, Great Wagon

Road, or Jennings **Shallowford** Road, and not in relation to the location(s) of entrance(s) to the structure(s).

(ii) LD2-C/DGA. Parking lots shall be designed to allow the safe movement of pedestrians from their vehicles to the building(s). Parking with a maximum depth of one double loaded parking bay (parking space / drive aisle / parking space) shall be allowed adjacent to any public street. Large parking lots shall be divided into smaller parking rooms that are defined by landscape planting and site furniture. Any off-street parking, whether located to the front, side, or rear of the primary structure, must be screened from the road. Lighted corridors (i.e. sidewalks) within the parking areas should be located to safely channel pedestrians from the ear **vehicle** to the building(s) and/or perimeter of each parking room or lot. The material for these sidewalks shall be different in color and texture from the paving of the vehicular areas.

(c) Credits. On-street parking satisfying the off-street parking requirements is permitted provided the following requirements are met:

~~(i) Sites eligible for the credit below shall not generally be located on streets classified as collectors or thoroughfares. However, the North Carolina Department of Transportation (NCDOT), or other applicable agency may consider locations on collectors or thoroughfares on a case by case basis.~~

~~(ii) Parking shall be located on road frontage contiguous to the site.~~

(iii) All parking shall be angled or parallel meeting the requirements of Table B.3.9, and must be approved by the Elected Body, the NCDOT, or other agency, whichever is applicable.

~~(iv) Credit for on-street parking shall not exceed thirty-five percent (35%) of the total off-street parking requirements of the site; (thirty percent (30%) reduction for LD1-C and LD2-C shall be applied first).~~

~~(v) Publicly owned and or operated parking areas intervened by no more than two (2) properties may be credited as available on-street parking.~~

(ii) *Credit shall be limited to all available public on-street parking within a radius of 250 feet of the midpoint of the subject property's road frontage. Each on-street parking space thus credited may be used in lieu of required off-street parking on a one-for-one basis.*

(vi) Sidewalks shall be constructed immediately adjacent to on-street parking spaces and connected to a well defined interior pedestrian system.

~~(vii) No off-street parking shall be located between a building and any on-street parking except as approved for temporary parking for an earlier phase of a multi-phase development.~~

(viiiiv) Developer shall dedicate public right-of-way or public road maintenance easements as recommended by the staff of the Town of Lewisville or the North Carolina Department of Transportation and must be approved by the Elected Body.

(ixv) ~~Owner~~ **Developer** shall construct all required improvements within public rights-of-way to applicable public design standards.

(d) ~~Connectivity. Interior p~~ Parking areas shall ~~accommodate connectivity with neighboring or planned neighboring parking areas~~ **be designed to allow for connectivity between adjoining lots, except where topographic conditions prohibit a feasible connection, as determined by the Town in its discretion.**

(8) Bufferyards and Other Screening Requirements.

(a) ~~Downtown Overlay Perimeter Yards.~~ Type II bufferyard shall be required when the perimeter yard boundary corresponds ~~with~~ **to** the Downtown Overlay boundary and the adjacent property is zoned residential for single family development.

(b) ~~Side Yards. Buffering~~ **A Type II bufferyard shall** ~~may~~ be required in side yards when the adjacent property is zoned residential for single family development.

(c) ~~Removal.~~ Owners of LD1-C and LD2-C zoned properties may remove side yard buffers when pre-development conditions, which required the installation, no longer exists.

(d) ~~Fences.~~ Materials such as brick masonry, stone, ornamental iron, wooden materials, or of the same material as that of the principal building are approved for ~~establishment~~ **use** throughout the overlay district. Vinyl coated (dark green/black) chain link fencing may be used in conjunction only with those uses allowed within the IP zoning districts located within the Downtown Overlay District.

(e) ~~Plantings.~~ Where a chain link fence is utilized, site appropriate landscaping ~~should~~ **shall** be incorporated. All required vegetation ~~should~~ **shall** be planted on the exterior side of the fence and be in addition to those plantings and bufferyards required by the Lewisville Downtown Overlay Districts.

(9) Reserved.

(10) **Architectural Character Standards.** ***The Architectural Character Standards found in the Downtown Overlay District in Chapter B, Article II, Section 2-1.6 (H) (3) (a-p) of the Unified Development Ordinance shall apply to LD1-C and LD2-C Districts.*** ~~The Town of Lewisville sees the interaction between the built environment and the public as a crucial ingredient in maintaining a certain sense of place. Development standards herein are intended to ensure that all new development within the DCA and DGA results in an architecture of high quality, encourages pedestrian activity and interaction with the built environment and provides appropriate transitions in scale while accommodating many types of approved uses, including civic and institutional, commercial retail and business mixed-use, live/work and multi-family/single family residential developments. Architectural aesthetic character shall be designed so as to support and enhance a pedestrian friendly environment and compliment the~~

historical small town unique character of Lewisville. The following minimal architectural character standards are to be shown on the applicant's plans and included as conditions to approval of the site plan. Other specific architectural character elements are encouraged which may also be required as conditions for approval of the site plan:

- (a) ~~Building Scale.~~ All new building façades, in terms of composition, bulk, scale, proportion, orientation, massing, transparency, articulation, color, and major divisions or rhythms in the façade, shall be of a character that supports and enhances a pedestrian friendly environment and compliments the historical small town unique character of Lewisville. Human scale (the legibility of elements by people when close the building) shall be emphasized.
- (b) ~~Building Materials.~~ High quality materials are the building blocks of good buildings and great places; quality and durability inherent in long-lasting materials promotes the human perception of timelessness and continuity of place. All new building façades shall be constructed of pedestrian scaled brick, wood, stone, cast stone, decorative concrete masonry, exposed architectural concrete, stucco, complimentary non vinyl siding, or a combination thereof. The combination of materials shall be done so that the materials and colors will complement each other. Exposed vinyl siding, exposed metal siding, painted concrete, painted brick, painted concrete masonry and standard gray concrete masonry are not acceptable exterior materials. Roofing materials exposed to view shall be standing seam metal or copper, concrete, slate or clay roof tile, or architectural dimensional asphaltic shingles. Exposed roofing felt and standard 3-tab asphaltic roof shingles are not allowed.
- (c) ~~Roofs.~~ All roofs of new buildings shall be low sloped between 8:12 and 12:12 pitch or a combination thereof. All low sloped roofs shall be hidden by parapet walls capped with continuous masonry, stone or a decorative stucco element or with a concealing sloped roof. As appropriate, roof lines should be interrupted by the use of gables, dormers, and other roof features to create distinguishing architectural character. Overhanging eaves are encouraged. All rooftop utility structures and equipment shall be screened from view. Parapet walls may be used to screen roof top equipment.
- (d) ~~Façades.~~ The facades of all new buildings shall be designed to support and enhance a pedestrian friendly environment and compliment the historical small town unique character of Lewisville by integrating pedestrian proportioned features such as recessed entrances, projecting elements, arcades, colonnades, porches, pillars, columns, cornices, patterning of materials and other similar architectural features. Visual balance shall be achieved in the overall building façade composition. Differing buildings, multi-tenant businesses and/or activities within the same development may be distinguished within a consistent architecture by utilizing variations of material, scale, forms, and architectural elements. Noticeable areas of scale-less solid blank exterior walls are discouraged. No wall that faces a street or connecting walkway shall have a blank, uninterrupted area with any length exceeding twenty (20) feet. Delineation between ground and upper floors is encouraged by using architectural elements such as cornices, balconies, arcades, and ornamented belt courses. Facades shall incorporate a minimum of two (2) continuous horizontal details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building wall, measured vertically at street level. A minimum of one (1) significant but human scaled

detail or massing component shall be repeated no less than three (3) times along each applicable elevation. The frontage of buildings shall be divided into architecturally distinct sections of no more than sixty (60) feet in width. All sides, including rear, of the building shall include materials and design characteristics consistent with those of the front.

~~(e) Façade Openings. Transparency through use of windows is encouraged in all new buildings.~~

~~(i) For LD1-C/DCA. Minimum percentages of fenestration for street fronting façades of all new buildings are as follows— all commercial retail uses shall be fifty percent (50%) of surface area of horizontal wall at the ground floor and twenty percent (20%) of upper floors; all commercial non-retail and residential uses shall be thirty-five percent (35%) of surface area of horizontal wall at the ground floor and twenty percent (20%) of upper floors. Transparency of the ground level shall be calculated within the first fifteen (15') feet of the building wall, measured vertically at street level. Transparency of all non-street fronting façades shall be treated similarly so as there is no significant changes in aesthetic appearance. Size, orientation, proportion, grouping and detailing of all fenestrations shall be proportioned to relate to human pedestrian scale. Reflective mirrored glazing is not acceptable.~~

~~(ii) For LD2-C/DCA. Minimum percentages of fenestration for street fronting façades of all new buildings are as follows— all commercial retail uses shall be thirty-five percent (35%) of surface area of horizontal wall at the ground floor and twenty percent (20%) of upper floors; all commercial non-retail and residential uses shall be twenty-five (25%) of surface area of horizontal wall at the ground floor and twenty percent (20%) of upper floors. Transparency of the ground level shall be calculated within the first fifteen feet (15') of the building wall, measured vertically at street level. Transparency of all non-street fronting façades shall be treated similarly so as there is no significant changes in aesthetic appearance. Size, orientation, proportion, grouping and detailing of all fenestrations shall be proportioned to relate to human pedestrian scale. Reflective mirrored glazing is not acceptable.~~

~~(f) Building Orientation and Main Entrance.~~

~~(i) For LD1-C/DCA. All buildings shall face a North Carolina Department of Transportation (NCDOT) Secondary Road, the Great Wagon Road, or Jennings Road and provide the principal entrance to the structure from the front or side of the structure. All new buildings shall be sited so that the primary user entrance, clearly articulated, is located in the street fronting façade with no intervening parking area. Adequate sidewalks shall be provided for the safe transition of the pedestrian user from any off street on site parking to the primary user entrance. There shall be a public-private setback zone to each building. This will provide sidewalk activity area for outdoor exhibits, benches, porches, places for conversation, sheltered from weather and pedestrian oriented identity to the specific use of the building. The zone shall be six (6) feet deep and be established beyond the sidewalk along the~~

façade, with fifty percent (50%) of this area free of building to allow the addition of street amenities.

~~(ii) For LD2-S/DCA. All buildings shall face an NCDOT Secondary Road or intervening parking area and provide the principal entrance to the structure from the front or side of the structure. All new buildings shall be sited so that the primary user entrance is clearly articulated. Adequate sidewalks shall be provided for the safe transition of the pedestrian user from any off street on site parking to the primary user entrance. There shall be a public-private setback zone to each building. This will provide sidewalk activity area for outdoor exhibits, benches, porches, places for conversation, sheltered from weather and pedestrian oriented identity to the specific use of the building. The zone shall be six (6) feet deep and be established beyond the sidewalk along the façade, with fifty percent (50%) of this area free of building to allow the addition of street amenities.~~

~~(g) Covered Walkways. Awning covered walkways, open colonnades, or similar weather protection structures must be provided to further articulate pedestrian circulation and shall be encouraged and shall be designed to compliment new buildings and the streetscape of the area.~~

~~(h) Exterior Site Improvements. Pre approved and selected features such as fences, utilities, outdoor furniture, signage and displays shall be incorporated and shall be compatible with the mass and scale of such other improvements elsewhere in the area and as otherwise governed herein.~~

~~(i) Building Height.~~

~~(i) For LD1-C/DCA. The maximum building height for buildings and structures (excluding chimneys, unoccupied steeples, spires, flagpoles, cupolas and roof venting pipes) shall be two and one-half (2 ½) stories with a maximum height of forty eight (48) feet.~~

~~(ii) For LD2-C/DCA. The maximum building height for buildings and structures (excluding chimneys, unoccupied steeples, spires, flagpoles, cupolas and roof venting pipes) shall be three to four (3-4) stories with a maximum height of forty eight (48) feet.~~

~~(j) Service and Utility Areas. Service and utility areas, shipping and receiving areas and trash disposal areas shall be to the rear or side of a building in a visually unobtrusive location and shall be screened from view with adequately sized fencing of appropriate materials.~~

~~(k) Utilities. New utility service lines to all new buildings from existing utility service source shall be placed underground. Overhead utility crossings are not permitted. Utilities within Town maintained streets and/or NCDOT roads shall be placed underground to the property line. Oversized hotboxes are required to protect larger back flow valves as required by NFPA-13; however, the preferred installation method is to locate said valves in an approved vault located below ground level where drainage and topography permits.~~

~~(l) Color. Color schemes for all new buildings in LD1-S (DCA) shall incorporate a single base color and no more than two (2) compatible secondary minor~~

accent colors. Natural earth tones are encouraged; bright primary colors are discouraged and shall only be used as accent colors.

~~(m) Lighting. Internal or external light sources shall be oriented so as to not generate glare. Exterior fixtures shall be selected to aesthetically enhance the existing street lighting.~~

~~(n) Landscape. Landscape plantings along front façades are required at a ratio of six (6) square feet of planting area for each one (1) foot of horizontal wall. Human-scale elements are to be incorporated into large undefined expanses of walls. Plantings are to be located between the building and the parking area(s). Plantings are not required along any frontage that has a required bufferyard.~~

~~(o) Sustainability. Conservation of natural resources and incorporation of alternate energy sources are encouraged while meeting the minimum requirements of these standards.~~

~~(p) Signs. The maximum height of any ground sign shall be five (5) feet, excepting governmental signs erected for information, identification, or directional purposes. Sign height shall be measured from the highest portion of the copy area.~~

~~(i) Prohibited Signs:~~

~~a. Neon, plastic panel, and plastic panel rear lighted signs, off-premises signs.~~

~~(ii) Restrictions on Signs:~~

~~a. Only one (1) on-premises ground sign per zoning lot per street frontage is permitted.~~

~~b. Only one (1) of the following signs is permitted for each tenant per each exposed wall: awning, projecting, or wall.~~

~~c. The material and design of a sign shall be in keeping with the character of the principle use of the site.~~

~~d. Maximum area of awning signs shall be ten (10) square feet.~~

(11) Permitted Uses in LD1-C. See Table B.2-6. With the following special exceptions:

(a) Convenience Store (without gasoline sales).

(b) Banking and Financial Services (no more than two (2) accessory ATM stations or drive through islands permitted).

(c) Services, Personal (with the following exceptions from SIC Code 7299 "Miscellaneous Personal Services": Coin-operated Service machine operation: scales, shoeshine, lockers and blood pressure; Comfort Station operation; Dating Service; Escort Service; locker rental, except cold storage; Marriage Bureaus; Massage Parlors; Restroom Operation; Steam Baths; Tattoo Parlors; and Turkish baths)

- (12) **Permitted Uses in LD2-C.** See Table B.2-6 *Permitted Uses Table*. Including the exceptions in Section B.2-1.5(E)(1211).

Chapter B Zoning Ordinance

Article II Section 2-1.6 OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS – PURPOSE STATEMENTS AND REGULATIONS

(H) Downtown Overlay District (DTO)

- (1) **Applicability, Purpose and Intent.** The Lewisville Downtown Overlay District (DTO), see map titled *Lewisville Downtown Overlay Map* in Exhibit 5 in the Appendix of the Unified Development Ordinance, provides additional requirements within the Town of Lewisville's designated Downtown Core and Gateway areas (Downtown Overlay Area). The purpose of the overlay district is to promote, preserve, and protect the health, safety and welfare of residents and property and to protect the aesthetic interest of the Town. It will help conserve the value of buildings and encourage appropriate use of the land. It is based in part on the following findings:
- (a) Downtowns contribute to each town's entire image and economic vitality.
 - (b) The regulations will *ensure* development of property appropriate for the downtown and central area; thus, safeguarding its property and offering social and cultural benefits to the citizens of Lewisville.
 - (c) The standards will encourage new buildings, retain the values of surrounding properties, protect the town's unique character, and promote good urban design.
- (2) **General Regulations.**
- (a) Existing development, single family homes, and schools are exempt from regulations. However, expansions and reconstruction after demolition or destruction of uses, except single family homes and schools, must comply with the standards.
 - (b) The uses permitted in the underlying zoning district shall be allowed in the Downtown Overlay District; Lewisville Downtown (LD1-C and LD2-C) Zoning District is the preferred district, however, other districts may be approved provided the Downtown Overlay District requirements are complied with and only for the uses permitted in the LD1-C and LD2-C districts.
 - (c) The Town may, in its discretion, consider site plans varying from setbacks and other dimensional requirements of the UDO and the development standards set forth in *the* DTO Section 4, where the lot size, configuration, topography nature, and configuration of adjoining lots and improvements thereon, parking availability, or other natural conditions beyond the control of the property owner exist or where prior acts of any public agency have occurred such that to require strict compliance with the standards would compromise or contradict the spirit and intent of the requirements. Site plans varying from the requirements may be approved only upon a written finding specifically articulating how the site plan fulfills the intent and purpose of the requirements as well as or better than would strict conformance with the requirements, and that such site plan is in harmony with the Lewisville Comprehensive Plan. Nothing in this section shall require the Town to

approve any site plan that does not comply with the requirements, despite the presentation of evidence that might allow the required findings to be made.

- (d) All new development, expansions, reconstruction after demolition or destruction of uses, except single family homes and schools, within the Downtown Overlay District shall require submission of site plans, landscaping plans, and building plans for review and approval by the Planning Board and Elected Body. Such submittal shall comply with the site plan requirements of Section B.7-4.1 Form 1, and the deadlines for all petitions and submittals published by the Planning Staff, consistent with the requirements of Section B.6. For proposals requiring simply site plan review but not rezoning or zoning map amendment, the Planning Board shall recommend approval and the Elected Body shall approve any plans that meet all the requirements of this Downtown Overlay District and the UDO or consistent with the alternative compliance provision in DTO 3.2.(C), and deny any such requests that do not meet the requirements. The Planning Board and the Elected Body may exercise their full authority when considering requests for rezonings or map amendments. The Planning Board and the Elected Body may, as part of its approval, require conditions to reduce impacts associated with the project as specified in Section B.6-1.3(A)(1).
- (e) These boards will evaluate the design of new structures in terms of the degree to which they contribute to the well-being of the Downtown, while preserving and enhancing the village character, integrity, and attractiveness of central Lewisville as identified in the Lewisville Comprehensive Plan. The major objectives shall be to promote a sense of human scale; to encourage architecture which is compatible but not necessarily conforming; to create architectural transition; to provide an open environment; and to develop tree-lined streets in Downtown areas. ~~New development shall be appropriate to the site, taking into account the safety, convenience, and amenity of the surrounding area. New development shall be evaluated in relation to the development standards of DTO Section 4.~~
- (f) All properties submitted for rezoning in the Downtown Overlay District shall be considered under the special use **conditional** district zoning provisions of Section B.6-2.2, except that only one-phase petitions shall be considered as specified in the provisions of Section B.6-2.2 (C)(1).

(3) Architectural Character Standards. The Town of Lewisville sees the interaction between the built environment and the public as a crucial ingredient in maintaining a certain sense of place. Development standards herein are intended to ensure that all new development within the DCA, DGA and DTO results in an architecture of high quality, encourages pedestrian activity and interaction with the built environment and provides appropriate transitions in scale while accommodating many types of approved uses, including civic and institutional, commercial retail and business mixed-use, live/work and multi-family/single family residential developments. Architectural aesthetic character shall be designed so as to support and enhance a pedestrian friendly environment and compliment the historical small town unique character of Lewisville. The following minimal architectural character standards are to be shown on the applicant's plans and included as conditions for approval of the site plan. Other specific architectural character elements are encouraged which may also be required as conditions for approval of the site plan:

- (a) **Building Scale **Mass**.** All new building façades, in terms of composition, bulk, scale, proportion, orientation, massing, transparency, articulation, color, and major divisions or rhythms in the façade, shall be of a character that supports

and enhances a pedestrian friendly environment and complements the historical small town unique character of Lewisville shall relate to existing buildings within the Downtown Overlay. Human scale (the legibility of elements by people when close [to] the building) shall be emphasized. In order to reduce the scale of a building, while exposing and emphasizing the ground-level elements to support pedestrian friendliness, the following shall be required:

(i) **Height.** The following requirements apply to height restrictions of structures in the Downtown Overlay:

(a) Any portion of a structure with a roof pitch between 8:12 and 12:12 – The maximum building height shall be forty-eight (48) feet.

(b) Any portion of a structure with a roof pitched less than 8:12 may not exceed thirty-two (32) feet. Low sloped or flat roof requirements shall be followed as specified in Section B.2-1.6(H)(3)(c).

(ii) **Large scale buildings, or buildings that are large compared to nearby structures in the Downtown Overlay, shall apply one or more of the following forms:**

(a) **Minor Wall Offsets or Wall Setbacks.** This includes “pushing and pulling” a façade to create visual interest and break up the massing of a structure. A minimum offset of 24 inches is preferred to have proper impact.



Disclaimer: The example shown is for illustration purposes only and meant to provide examples of design elements.

(b) Height Variation. Differing building roof heights shall be used to add visual interest and reduce boxy building masses.



Disclaimer: The example shown is for illustration purposes only and meant to provide examples of design elements.

(c) Upper Floor Step Backs. The upper portions of a larger building mass shall be recessed from the street or when the perimeter yard boundary corresponds with the Downtown Overlay boundary and the adjacent property is zoned residential for single family development to reduce looming effects. A recessed story shall be stepped back a minimum of five (5) feet for any structure greater than twenty (20) feet.



Disclaimer: The example shown is for illustration purposes only and meant to provide examples of design elements.

- (b) Building Materials. ~~High quality materials are the building blocks of good buildings and great places; quality and durability inherent in long-lasting materials promotes the human perception of timelessness and continuity of place.~~ All new building facades shall be constructed of pedestrian scaled brick, wood, stone, cast stone, decorative concrete masonry, exposed architectural concrete, stucco, complimentary non-vinyl siding, or a combination thereof. The combination of materials shall be done so that the materials and colors will complement each other. Exposed vinyl siding, exposed metal siding, painted concrete, painted brick, painted concrete masonry and standard gray concrete masonry are not acceptable exterior materials. Roofing materials exposed to view shall be standing seam metal or copper, concrete, slate or clay roof tile, or architectural dimensional asphaltic shingles. Exposed roofing felt and standard 3-tab asphaltic roof shingles are not allowed.



Disclaimer: The example shown is for illustration purposes only and meant to provide examples of design elements.

- (c) Roofs. All roofs of new buildings shall ~~meet one of the following requirements:~~ **meet one of the following requirements:**
be
- (i) **Roofs shall meet the height requirements outlined in Section B.2-1.6(H)(3)(a).**
 - (ii) **Flat roofs** ~~low sloped or sloped between 8:12 and 12:12, or a combination thereof.~~ All low sloped roofs shall be hidden by parapet walls capped with continuous masonry, stone or a decorative stucco element or with a concealing sloped roof.
 - (iii) **Low sloped roofs shall be** ~~As appropriate, roof lines should be interrupted by the use of gables, dormers, and other roof features to create distinguishing architectural character. Overhanging eaves are encouraged.~~
 - (iv) **Overhanging eaves are required on all sloped roofs.**

(v) All rooftop utility structures and equipment shall be screened from view **at any height.**

(d) Façades. The façades of all new buildings shall be designed to support and enhance a pedestrian friendly environment and compliment the historical small town unique character of Lewisville by integrating pedestrian proportioned features such as recessed entrances, projecting elements, arcades, colonnades, porches, pillars, columns, cornices, patterning of materials and other similar architectural features. Visual balance shall be achieved in the overall building façade composition. Differing buildings, multi-tenant businesses and/or activities within the same development may be distinguished within a consistent architecture by utilizing variations of material, scale, forms, and architectural elements. ~~Noticeable areas of scale-less solid blank exterior walls are discouraged.~~ No wall that faces a street or connecting walkway shall have a blank, uninterrupted area with any length exceeding twenty (20) feet. Delineation between ground and upper floors is encouraged by using architectural elements such as cornices, balconies, arcades, and ornamented belt courses. ~~Facades shall incorporate a minimum of two (2) continuous horizontal details refined to the scale of twelve (12) inches or less within the first ten (10) feet of the building wall, measured vertically at street level. A minimum of one (1) significant but human scaled detail or massing component shall be repeated no less than three (3) times along each applicable elevation.~~ The frontage of buildings shall be divided into architecturally distinct sections of no more than sixty (60) feet in width. All sides, including **the** rear, of the building shall include materials and design characteristics consistent with those of the front.

(e) Façade Openings. Transparency through use of windows is encouraged in all new buildings.

(i) For DCA - Minimum percentages of fenestration for street fronting façades of all new buildings are as follows - all commercial retail uses shall be fifty percent (50%) of surface area of horizontal wall at the ground floor and twenty percent (20%) of upper floors; all commercial non-retail and residential uses shall be thirty-five percent (35%) of surface area of horizontal wall at the ground floor and twenty percent (20%) of upper floors. Transparency of the ground level shall be calculated within the first fifteen (15) feet of the building wall, measured vertically at street level. Transparency of all non-street fronting façades shall be treated similarly so as there is no significant changes in aesthetic appearance. Size, orientation, proportion, grouping and detailing of all fenestrations shall be proportioned to relate to human pedestrian scale. Reflective mirrored glazing is not acceptable.

(ii) For DGA - Minimum percentages of fenestration for street fronting facades of all new buildings are as follows - all commercial retail uses shall be thirty-five percent (35%) of surface area of horizontal wall at the ground floor and twenty percent (20%) of upper floors; all commercial non-retail and residential uses shall be twenty-five (25%) of surface area of horizontal wall at the ground floor and twenty percent (20%) of upper floors. Transparency of the ground level shall be calculated within the first fifteen (15) feet of the building wall, measured vertically at street level. Transparency of all non-street fronting facades shall be treated similarly so as there is no significant changes in aesthetic appearance. Size, orientation, proportion,

grouping and detailing of all fenestrations shall be proportioned to relate to human pedestrian scale. Reflective mirrored glazing is not acceptable.

(f) Building Orientation and Main Entrance.

(i) For DCA - All buildings shall face Shallowford Road or a NCDOT Secondary Road, the Great Wagon Road, or Jennings Road and provide the principal entrance to the structure from the front or side of the structure. All new buildings shall be sited so that the primary user entrance, clearly articulated, is located in the street fronting façade with no intervening parking area. Adequate sidewalks shall be provided for the safe transition of the pedestrian user from any off street on-site parking to the primary user entrance. There shall be a public-private setback zone to each building. This will provide sidewalk activity area for outdoor exhibits, benches, porches, places for conversation, sheltered from weather and pedestrian oriented identity to the specific use of the building. The zone shall be six (6) feet deep and be established beyond the sidewalk along the façade, with fifty percent (50%) of this area free of building to allow the addition of street amenities.

(ii) For DGA - All buildings shall face an NCDOT Secondary Road or intervening parking area and provide the principal entrance to the structure from the front or side of the structure. All new buildings shall be sited so that the primary user entrance is clearly articulated. Adequate sidewalks shall be provided for the safe transition of the pedestrian user from any off street on-site parking to the primary user entrance. There shall be a public-private setback zone to each building. This will provide sidewalk activity area for outdoor exhibits, benches, porches, places for conversation, sheltered from weather and pedestrian oriented identity to the specific use of the building. The zone shall be six (6) feet deep and be established beyond the sidewalk along the façade, with fifty percent (50%) of this area free of building to allow the addition of street amenities.

(g) Covered Walkways. Awning covered walkways, open colonnades, or similar weather protection structures ~~must~~ shall be provided to further articulate pedestrian circulation and shall be encouraged and shall be designed to compliment new buildings and the streetscape of the area.

(h) Exterior Site Improvements. Pre-approved and selected features such as fences, utilities, outdoor furniture, signage and displays shall be incorporated and shall be compatible with the mass and scale of such other improvements elsewhere in the area and as otherwise governed herein.

~~(i) Building Height.~~

~~(i) For DCA - The maximum building height for buildings and structures (excluding chimneys, unoccupied steeples, spires, flagpoles, cupolas and roof venting pipes) shall be two and one half (2½) stories with a maximum height of forty-eight (48) feet.~~

~~(ii) For DGA - The maximum building height for buildings and structures (excluding chimneys, unoccupied steeples, spires, flagpoles, cupolas and roof venting pipes) shall be three (3) to four (4) stories with a maximum height of forty-eight (48) feet.~~

- (j) Service and Utility Areas. Service and utility areas, shipping and receiving areas and trash disposal areas shall be to the rear or side of a building in a visually unobtrusive location and shall be screened from view with adequately sized fencing of appropriate materials.
- (k) Utilities. New utility service lines to all new buildings from existing utility service source shall be placed underground. Overhead utility crossings are not permitted. Utilities within Town maintained streets and/or NCDOT roads shall be placed underground to the property line. Oversized hotboxes are required to protect larger back-flow valves as required by NFPA-13; however, the preferred installation method is to locate said valves in an approved vault located below ground level where elevations and topography permit.
- (l) Color. Color schemes for all new buildings in LD1-S (DCA) shall incorporate a single base color and no more than two (2) compatible secondary minor accent colors. Natural earth tones are encouraged; bright primary colors are discouraged and shall only be used as accent colors.
- (m) Lighting. Internal or external light sources shall be oriented so as to not generate glare. Exterior fixtures shall be selected to aesthetically enhance the existing street lighting. *The other standards of Section B.3-11 shall apply.*
- (n) Landscape. Landscape plantings along front facades are required at a rate of six (6) square feet of planting area for each one (1) foot of horizontal wall. Human scale elements are to be incorporated into large undefined expanses of walls. Plantings are to be located between the building and the parking area(s). Plantings are not required along any frontage that has a required bufferyard.
- (o) Sustainability. Conservation of natural resources and incorporation of alternate energy sources are encouraged while meeting the minimum requirements of these standards.
- (p) Signs. The maximum height of any ground sign shall be five (5) feet, excepting governmental signs erected for information, identification, or directional purposes. Sign height shall be measured from the highest portion of the copy area.
- (i) Prohibited Signs.
- a. Neon, plastic panel, and plastic panel rear lighted signs.
 - b. Off-premises signs.
- (ii) Restrictions on Signs.
- a. Only one (1) on-premises ground sign per zoning lot per street frontage is permitted.
 - b. Only one (1) of the following signs is permitted for each tenant per each exposed wall: awning, projecting, or wall.
 - c. The material and design of a sign shall be in keeping with the character of the principle use of the site.
 - d. Maximum area of awning signs shall be ten (10) square feet.
- (q) Right-of-Way Dedication. As deemed necessary by NCDOT to accommodate any on-street parking and a seven (7) foot wide sidewalk.
- (r) Parking. Parking lots shall be designed to allow the safe movement of pedestrians from their vehicles to the building(s). Parking lots shall be located

to the rear or side of the primary structure. Outparcel development should be sited so as to create a courtyard-style site plan which surrounds the development's parking. Large parking lots shall be divided into smaller parking rooms that are defined by landscape plantings and site furniture. Any off-street parking, ~~whether~~ *whether* located to the front, side or rear of the primary structure, must be screened from the road. "Front" and "Rear" shall be determined, for the purposes of this subsection, by the orientation of the primary structure(s) to NCDOT Secondary Road, Great Wagon Road, or Jennings *Shallowford* Road, and not in relation to the location(s) of entrance(s) to the structure(s).

(i) Credits. On-street parking satisfying the off-street parking requirements is permitted provided the following requirements are met:

a. All parking shall be angled or parallel meeting the requirements of Table B.3.9, and must be approved by the Elected Body, the NCDOT, or other agency, whichever is applicable.

b. Credit shall be limited to all available public on-street parking within a radius of 250 feet of the midpoint of the subject property's road frontage. Each on-street parking space thus credited may be used in lieu of required off-street parking on a one-for-one basis.

c. Sidewalks shall be constructed immediately adjacent to on-street parking spaces and connected to a well-defined interior pedestrian system.

d. Developer shall dedicate public right-of-way or public road maintenance easements as recommended by the staff of the Town of Lewisville or the North Carolina Department of Transportation and must be approved by the Elected Body.

e. Developer shall construct all required improvements within public rights-of-way to applicable public design standards.

(ii) Connectivity. Parking areas shall be designed to allow for connectivity between adjoining lots, except where topographic conditions prohibit a feasible connection, as determined by the Town in its discretion.

(sr) Drive Thrus. Drive thrus shall be allowed as provided under LD1-C zoning districts.

(4) Bufferyards and Other Screening Requirements.

(a) Downtown Overlay Perimeter Yards. A Type II bufferyard shall be required when the perimeter yard boundary corresponds with the Downtown Overlay boundary and the adjacent property is zoned residential for single family development.

(b) Side Yards. A Type II bufferyard shall be required in side yards when the adjacent property is zoned residential for single family development.

(c) Removal. Owners of properties within the Downtown Overlay may remove side yard buffers when pre-development conditions, which required the installation, no longer exist.

(d) Fences. Materials such as brick-masonry, stone, ornamental iron, wooden materials, or of the same material as that of the principle building are approved

for use throughout the overlay district. Vinyl coated (dark green/black) chain link fencing may be used in conjunction only with those uses allowed within the IP zoning districts located within the Downtown Overlay District.

(e) Plantings. Where a chain link fence is utilized, site appropriate landscaping shall be incorporated. All required vegetation shall be planted on the exterior side of the fence and be in addition to those plantings and bufferyards required by the Lewisville Downtown Overlay Districts.

(45) Gateway Area. The downtown gateway area provides primarily for auto-dependent uses in areas not amenable to easy pedestrian access and a comfortable pedestrian environment. It is expected that the gateway area will serve not only the Lewisville Community, but highway travelers as well. Due to its downtown location the moderate integration of pedestrian-oriented environs is paramount to accommodate a systematic transition from vehicular to pedestrian orientation. The following standards apply:

- (a) Maximum Building Setback. Forty (40) feet.
- (b) Minimum Streetyard Width. Fifteen (15) feet.
- (c) Parking. Parking with a maximum depth of one (1) parking bay plus a driving aisle shall be allowed adjacent to any public street.

(56) Core Area. In the Downtown Core Area (Lewisville Downtown District 1) a broad array of uses is expected in a pattern which integrates shops, restaurants, services, work places, civic, educational, and religious facilities, single family housing, and higher density housing in a compact, pedestrian-oriented environment. The following standards apply:

- (a) Façades that face the street or sidewalk ~~to~~ **must** provide windows or other architectural features so as not to create a blank façade.
- (b) Internal or external lighting **shall be** oriented so as to not generate glare on sidewalks or streets.
- (c) The use of cornice canopies, balconies, and arcades to delineate between the ground level and upper levels **is required.**
- (d) Medium size buildings ~~to~~ **must** be broken into smaller scale components at the ground level.
 - (i) Public-private Setback Zone. There shall be a public-private setback zone to each building. This will provide sidewalk activity area for outdoor exhibits, benches, porches, places for conversation, and shelter from the weather. The zone shall be six (6) feet deep and be established beyond the sidewalk along the façade, with fifty percent (50%) of this area free of building to add streetscape amenities.
 - (ii) Parking Structures. Any parking decks/structures shall be constructed of exterior materials similar to adjacent buildings. Parking structures are encouraged to demonstrate similar rhythm and break-up of solid wall masses on visible façades.
 - (iii) Minimum Sideyard Building Setback. Zero (0) feet **or the width of the bufferyard if required per section B.2-1.6(H)(4) above.**



**RESOLUTION 2022-20 OF THE LEWISVILLE TOWN COUNCIL
APPROVING THE DOCUMENTS ASSOCIATED WITH THE LEWISVILLE
2022 PARTF GRANT CYCLE APPLICATION PROCESS**

WHEREAS, the Lewisville Town Council has reviewed the Capital Improvements Plan (CIP) associated with the improvements for Jack Warren Park; and,

WHEREAS, the Lewisville Town Council has reviewed the Parks and Recreation Trust Fund (PARTF) cost estimates; and,

WHEREAS, the Lewisville Town Council has reviewed the Basic Facts and Assurances associated with the PARTF grant application.

NOW, THEREFORE BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL that the Town Council accepts the CIP associated with the improvements for Jack Warren Park, the PARTF cost estimates, and the Basic Facts and Assurances associated with the PARTF grant applications.

Resolved, approved and effective upon adoption this the 14th day of April 2022.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

TOWN OF LEWISVILLE
3 Year Capital Improvement Plan Fiscal Year 2022-23

Public Works				
Category/Improvement	Cost	2022-2023 Year 1	2023-2024 Year 2	2024-2025 Year 3
Vehicles				
F-150 Lighting Pick up Truck (State Contract)	\$ 47,000		\$ 47,000	
Subtotal	\$ 47,000	\$ -	\$ 47,000	\$ -
Public Works Complex				
a. Land	\$ 500,000		\$ 500,000	
b. Site Investigation	\$ 50,000		\$ 50,000	
b. Architectural Work	\$ 250,000			\$ 250,000
c. Construction				
Subtotal	\$ 800,000	\$ -	\$ 550,000	\$ 250,000
Departmental Total	\$ 847,000	\$ -	\$ 597,000	\$ 250,000

Recreation				
<i>PARTF</i>				
Category/Improvement	Cost	2022-2023 Year 1	2023-2024 Year 2	2024-2025 Year 3
PARTF Land Improvements at Jack Warren Park				
<i>Expenditures</i>				
PARTF Land Improvements at Jack Warren Park				
Nature Trail (and associated support features)	\$ 124,900	\$ 62,450	\$ 62,450	\$ -
Disk Golf	\$ 60,000	\$ 20,000	\$ 20,000	\$ 20,000
Outdoor Event Space	\$ 200,000	\$ 66,667	\$ 66,667	\$ 66,667
Subtotal	\$ 384,900	\$ 149,117	\$ 149,117	\$ 86,667
Contingency 5%	\$ 19,245	\$ 7,456	\$ 7,456	\$ 4,333
Construction management, site planning, preliminary design, survey and appraisals, and the cost of preparing the application - 20%	\$ 76,980	\$ 29,823	\$ 29,823	\$ 17,333
Total Annual Improvements	\$ 481,125	\$ 186,396	\$ 186,396	\$ 108,333
<i>Revenues</i>				
<i>Potential PARTF Grant Projects allow a dollar for dollar match up to \$500,000 for land acquisition, park development, and improvements.</i>				
Park Improvements and Development	Grant	Project Cost	Town Match	Grant Match
Nature Trail	PARTF	\$ 124,900	\$ 62,450	\$ 62,450
Disk Golf	PARTF	\$ 60,000	\$ 30,000	\$ 30,000
Outdoor Event Space	PARTF	\$ 200,000	\$ 100,000	\$ 100,000
Contingency 5%	PARTF	\$ 19,245	\$ 19,245	

Construction management, site planning, preliminary design, survey and appraisals, and the cost of preparing the application.

PARTF	\$ 76,980	\$ 38,490	\$ 38,490
	\$ 481,125	\$ 250,185	\$ 230,940

Funding Sources

General Fund	\$ 250,185
PARTF Grant	\$ 230,940
Total of PARTF Projects	\$ 481,125

Transportation

Category/Improvement	Cost	2022-2023 Year 1	2023-2024 Year 2	2024-2025 Year 3
Robinhood Road Roundabout				
a. Preliminary Engineering/Design	\$ 300,000.00	\$ 300,000		
b. Right of Way	\$ 50,000.00		\$ 50,000	
c. Utilities Relocation	\$ 200,000.00		\$ 200,000	
d. Construction	\$ 1,500,000.00			\$ 1,500,000
Subtotal	\$ 2,050,000.00	\$ 300,000.00	\$ 250,000.00	\$ 1,500,000.00
Federal Assistance at 80%				
Projects	Federal Assist	Project Cost	Town Match	Grant Match
Robinhood Road Roundabout	STPDA			
a. Preliminary Engineering/Design	STPDA	\$ 300,000.00	\$ 60,000.00	\$ 240,000.00
b. Right of Way	STPDA	\$ 50,000.00	\$ 10,000.00	\$ 40,000.00
c. Utilities Relocation	STPDA	\$ 200,000.00	\$ 40,000.00	\$ 160,000.00
d. Construction	STPDA	\$ 1,500,000.00	\$ 300,000.00	\$ 1,200,000.00
Subtotal		\$ 2,050,000.00	\$ 410,000.00	\$ 1,640,000.00

N.C. Parks and Recreation Trust Fund (PARTF): 2021-2022 Basic Facts and Assurances

Local Government Name: <u>TOWN OF LEWISVILLE</u>	
Federal Employee I.D. Number: 56- <u>1749819</u>	County: <u>FORSYTH</u>
Local Government Contact Person for Grant* Name: <input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Ms. <u>William H. Perkins, Jr.</u> Title: <u>Town Manager</u> Organization: <u>Town of Lewisville</u> Mailing Address: <u>PO Box 547</u> City: <u>Lewisville</u> State: <u>NC</u> Zip: <u>27023</u> Telephone: <u>(336) 945-1028</u> E-mail: <u>whperkins@lewisvillenc.net</u> <i>*must be an employee of the sponsoring local government.</i>	Local Government Manager Name: <input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Ms. <u>William H. Perkins, Jr.</u> Title: <u>Town Manager</u> Organization: <u>Town of Lewisville</u> Mailing Address: <u>PO Box 547</u> City: <u>Lewisville</u> State: <u>NC</u> Zip: <u>27023</u> Telephone: <u>(336) 945-1028</u> E-mail: <u>whperkins@lewisvillenc.net</u>
Chief Elected Official Name: <input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Ms. <u>Mike Horn</u> Title: <u>Mayor</u> Mailing Address: <u>PO Box 547</u> City: <u>Lewisville</u> State: <u>NC</u> Zip: <u>27023</u>	Type of Project: <input type="checkbox"/> Land Acquisition Only <input checked="" type="checkbox"/> Development Only (construction or renovation) <input type="checkbox"/> Land Acquisition and Development
Site Control (check all that apply): <input checked="" type="checkbox"/> Owned by local government <input type="checkbox"/> To be obtained with this land acquisition project <input type="checkbox"/> Has been obtained for this land acquisition project using an approved waiver that expires on this date: _____ <input type="checkbox"/> Leased by applicant for 25 years or more <input type="checkbox"/> Easement <input type="checkbox"/> Owned by school board	Costs rounded to nearest dollar: PARTF funds requested: \$ <u>230,940</u> .00 Local government's matching funds: \$ <u>250,185</u> .00 Total cost of project: \$ <u>481,125</u> .00
Recreation Resources Service (RRS) regional consultant: <u>ANTOINETTE MOYERS</u>	
Project Name: <u>Jack Warren Park Improvements</u>	
Is this an LWCF-funded park on these lists of NC projects ? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
If yes, list the grant number(s): _____	
Certification and Approval by Local Governing Board I hereby certify the information contained in the attached application is true and correct and the required dollar-for-dollar matching funds will be available during the project period. This application has been approved by the local governing board.	
Chief Elected Official: <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <u>MIKE HORN</u> <small>Print or Type Name</small> </div> <div style="width: 30%;"> <u>MAYOR</u> <small>Title</small> </div> <div style="width: 30%; text-align: right;"> _____ <small>Signature</small> </div> </div>	
<i>If two local governments are applying together, this form must be completed and signed by each local government. One applicant must be identified by adding "primary sponsor" in the "Local Government Name" section.</i>	
THIS FORM MUST BE COMPLETE IN ITS ENTIRETY FOR YOUR APPLICATION TO BE CONSIDERED	



**RESOLUTION 2022-21 OF THE LEWISVILLE TOWN COUNCIL
APPROVING THE 2022 JACK WARREN PARK SITE MASTER PLAN REPORT**

WHEREAS, the Lewisville Town Council has reviewed the information on the Town of Lewisville's 2022 Jack Warren Park Site Master Plan; and,

WHEREAS, the Master Plan was developed after receiving extensive community participation and input; and,

WHEREAS, the Master Plan continues to support a family-friendly environment for future generations.

NOW, THEREFORE BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL that the 2022 Jack Warren Park Site Master Plan report is approved.

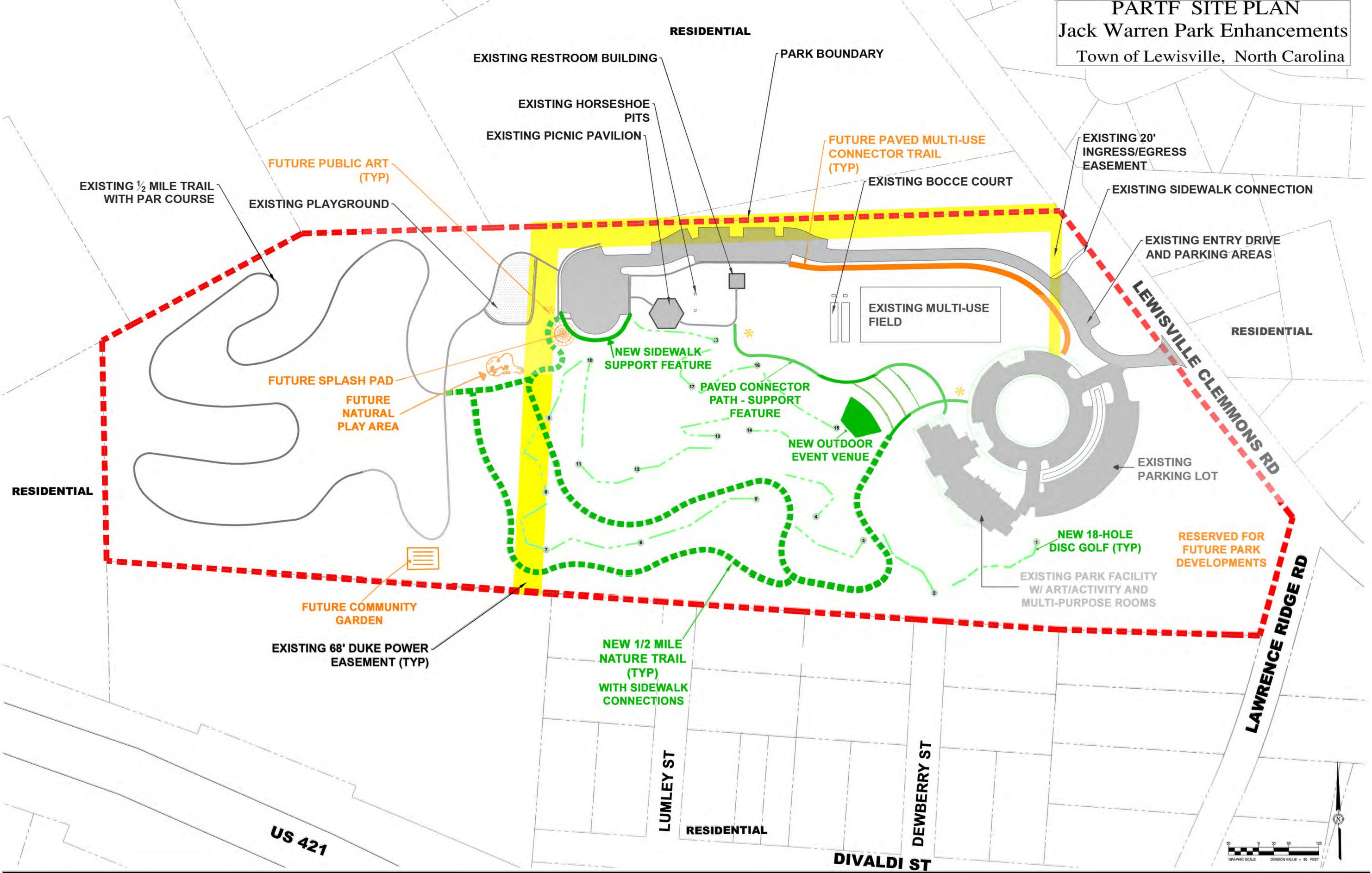
Resolved, approved and effective upon adoption this the 14th day of April 2022.

ATTEST:

Mike Horn, Mayor

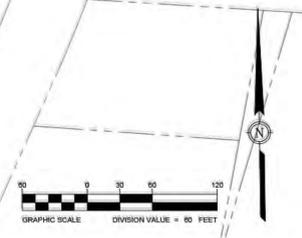
Dora K. Moore, Town Clerk

PARTF SITE PLAN
Jack Warren Park Enhancements
 Town of Lewisville, North Carolina



04/05/2022
Legend
 Park Boundary (31 Acres)

	Existing Park Facility		Easement
	PARTF Requested		Future Phase





**RESOLUTION 2022-22 OF THE LEWISVILLE TOWN COUNCIL
APPROVAL TO PROCEED WITH AN APPLICATION FOR CONSIDERATION OF A
PARTF GRANT FOR IMPROVEMENTS AT JACK WARREN PARK**

WHEREAS, the Lewisville Town Council has reviewed items required for submittal of a 2022 PARTF grant application for improvements at Jack Warren Park; and,

WHEREAS, the Lewisville Town Council has reviewed and provided documents required for the application; and,

WHEREAS, the Lewisville Town Council would like to have the Parks and Recreation Trust Fund (PARTF) receive and consider the Town's application for the 2022 grant cycle.

NOW, THEREFORE BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL gives approval to proceed with an application for consideration of a PARTF grant for improvements at Jack Warren Park.

Resolved, approved and effective upon adoption this the 14th day of April 2022.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk



**RESOLUTION 2022-025 OF THE LEWISVILLE TOWN COUNCIL
ADOPTING AN ELIGIBLE PROJECT POLICY FOR THE EXPENDITURE OF AMERICAN RESCUE
PLAN ACT OF 2021 CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

WHEREAS, the Town of Lewisville is receiving American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds; and,

WHEREAS, Final Rule has been enacted outlining eligible projects; and,

WHEREAS, adoption of the Eligibility Determination Policy for ARP/CSLFRF funds is required.

NOW, THEREFORE BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL adopts and enacts the attached Eligible Project Policy for the Expenditure of American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds.

Adopted and enacted this the 14th day of April 2022 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

TOWN OF LEWISVILLE

**ELIGIBLE PROJECT POLICY FOR THE EXPENDITURE
OF AMERICAN RESCUE PLAN ACT OF 2021
CORONAVIRUS STATE AND LOCAL FISCAL
RECOVERY FUNDS BY THE TOWN OF LEWISVILLE**



DATE APPROVED BY

Town Council:

April 14, 2022

**ELIGIBLE PROJECT POLICY FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN
ACT OF 2021 CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS BY THE
TOWN OF LEWISVILLE**

WHEREAS the Town of Lewisville, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS US Treasury is responsible for implementing ARP/CSLFRF and has enacted a Final Rule outlining eligible projects; and

WHEREAS the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

WHEREAS the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Part 200 (UG), as provided in the Assistance Listing; and

WHEREAS US Treasury has issued a Compliance and Reporting Guidance v.2.1 (November 15, 2021) dictating implementation of the ARP/CSLFRF award terms and compliance requirements; and

WHEREAS the Compliance and Reporting Guidance states on page 6 that

Per 2 CFR Part 200.303, your organization must develop and implement effective internal controls to ensure that funding decisions under the SLFRF award constitute eligible uses of funds, and document determinations.

BE IT RESOLVED that the Town of Lewisville hereby adopts and enacts the following Eligibility Determination Policy for ARP/CSLFRF funds.

Eligible Project Policy for the Expenditure of American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds by the Town of Lewisville

This policy defines the permissible and prohibited uses of the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF) funds. It also outlines the procedures for determining how Town of Lewisville will spend its ARP/CSLFRF funds.

I. PERMISSIBLE USES OF ARP/CSLFRF FUNDING

US Treasury issued its **Final Rule** regarding use of ARPA funds on January 6, 2022. (The Final Rule is effective as of April 1, 2022. Until that date, a local government may proceed under the regulation promulgated by US Department of the Treasury in its **Interim Final Rule** or the Final Rule.) The Final Rule (and the Interim Final Rule) identify permissible uses of ARP/CSLFRF funds and certain limitations and process requirements. Local governments must allocate ARP/CSLFRF funds no later than December 31, 2024 and disburse all funding no later than December 31, 2026. Failure of an entity to expend all funds by December 31, 2026 will result in forfeiture of ARPA funds.

ARP/CSLFRF funds may be used for projects within the following categories of expenditures:

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

II. PROHIBITED USES OF ARPA FUNDING

The ARP/CSLFRF and US Treasury's Final Rule prohibit certain uses of ARP/CSLFRF funds. Specifically, ARP/CSLFRF funds may not be used for projects within the following categories of expenditures:

1. To make a deposit into a pension fund that constitutes an extraordinary payment of an accrued, unfunded liability (Note that routine contributions as part of a payroll obligation for an eligible project are allowed.);
2. To borrow money or make debt service payments;
3. To replenish rainy day funds or fund other financial reserves;
4. To satisfy an obligation arising from a settlement agreement, judgment, consent decree, or judicially confirmed debt restricting in a judicial, administrative, or regulatory proceeding (There is an exception to this prohibition if the settlement or

judgment requires the Town of Lewisville to provide services to respond to the COVID-19 public health emergency or its negative economic impacts or to provide government services, then the costs of those otherwise ARP/CSLFRF-eligible projects are allowed.);

5. For a project that includes a term or condition that undermines efforts to stop the spread of COVID-19 or discourages compliance with recommendations and guidelines in CDC guidance for stopping the spread of COVID-19;
6. In violation of the conflict-of-interest requirements imposed by the award terms and 2 CFR 200.318(c).
7. For any expenditure that would violate other applicable federal, state, and local laws and regulations.

The Town of Lewisville, and any of its contractors or subrecipients, may not expend any ARP/CSLFRF funds for these purposes.

III. PROCEDURES FOR PROJECT APPROVAL

The following are procedures for ARP/CSLFRF project approvals. All Town of Lewisville employees and officials must comply with these requirements.

1. Requests for ARP/CSLFRF funding, must be made in writing and include all the following:
 - a. Brief description of the project
 - b. Identification of ARP/CSLFRF Expenditure Category (EC) (A list of ECs in in the Appendix to the US Treasury Compliance and Reporting Guidance.)
 - c. Required justifications for applicable projects, according to the requirements in the Final Rule. Employees or any applicant seeking ARPA funding should review the Final Rule and Final Rule Overview prior to submitting a proposal.
 - d. Proposed budget, broken down by cost item, in accordance with the Town of Lewisville's Allowable Cost Policy.
 - e. A project implementation plan and estimated implementation timeline (All ARP/CSLFRF funds must be fully obligated by December 31, 2024, and fully expended by December 31, 2026.)
2. Requests for funding must be submitted to the Town's Finance Officer for approval. All requests will be reviewed by the Finance Officer for ARP/CSLFRF compliance and by the Finance Officer for allowable costs and other financial review.
3. No ARP/CSLFRF may be obligated or expended before final written approval by Town Council through an amendment to the Grant Project Ordinance for the American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds.
4. If a proposal does not meet the required criteria, it will be returned to the requesting party for revision and resubmittal.
5. Following approval, employees responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget. Changes in project budgets must be approved by the Town Manager and may require a budget amendment before proceeding. Any delay in the projected project completion date shall be communicated to the Finance Officer immediately.
6. The Finance Officer must collect and document required information for each EC, for purposes of completing the required Project and Expenditure reports.
7. The Finance Officer must maintain written project requests and approvals, all supporting documentation, and financial information at least until December 31, 2031.



**RESOLUTION 2022-026 OF THE LEWISVILLE TOWN COUNCIL
ADOPTING THE ARP/CSLFRF NONDISCRIMINATION POLICY**

WHEREAS, the Town of Lewisville is receiving American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds; and,

WHEREAS, Final Rule has been enacted outlining eligible projects; and,

WHEREAS, funds are subject to the US Department of Treasury regulations.

NOW, THEREFORE BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL adopts and enacts the attached ARP/CSLFRF Nondiscrimination Policy.

Adopted and enacted this the 14th day of April 2022 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

TOWN OF LEWISVILLE

ARP/CSLFRF NONDISCRIMINATION POLICY



DATE APPROVED BY

Town Council:

April 14, 2022

Recitals

WHEREAS, the Town of Lewisville has received an allocation of funds from the “Coronavirus State Fiscal Recovery Fund” or “Coronavirus Local Fiscal Recovery Fund” (together “CSLFRF funds”), established pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (the “ARP/CSLFRF award”).

WHEREAS, CSLFRF funds are subject to the U.S. Department of Treasury (“Treasury”) regulations, including the Final Rule, the Award Terms and Conditions, and the Title VII implementing regulations at 31 C.F.R. Part 22.

WHEREAS, pursuant to the ARP/CSLFRF Award Terms and Conditions, and as a condition of receiving CSLFRF funds, the Town of Lewisville agrees to follow all federal statutes and regulations prohibiting discrimination in its administration of CSLFRF under the terms and conditions of the ARP/CSLFRF award, including, without limitation, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury’s implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury’s implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

RESOLVED, That the Town Council of the Town of Lewisville hereby adopts and enacts the following nondiscrimination policy, which shall apply to the operations of any program, activity, or facility that is supported in whole, or in part, by CSLFRF expenditures pursuant to the ARP/CSLFRF award.

Nondiscrimination Policy Statement

It is the policy of the Town of Lewisville to ensure that no person shall, on the grounds of race, color, national origin (including limited English Proficiency), familial status, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity administered by the Town of Lewisville, including programs or activities that are funded in whole or part, with Coronavirus State and Local Fiscal Recovery Funds ("CSLFRF"), which the Town of Lewisville received from the U.S. Department of Treasury ("Treasury") pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (herein the "ARP/CSLFRF award").

I. Governing Statutory & Regulatory Authorities

As required by the CSLFRF Award Terms and Conditions, the Town of Lewisville shall ensure that each "activity," "facility," or "program"¹ that is funded in whole, or in part, with CSLFRF and administered under the ARP/CSLFRF award, will be facilitated, operated, or conducted in compliance with the following federal statutes and federal regulations prohibiting discrimination. These include, but are not limited to, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age within programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

¹ 22 C.F.R. § 22.3 defines "program" and "activity" as all operations of an entity, including local governments, that receive Federal financial assistance, and the departments, agencies, or special purpose districts of the local governments to which Federal financial assistance is distributed. "Federal financial assistance" includes, among other things, grants and loans of federal funds. "Facility" includes all or any part of structures, equipment, or other real or personal property or interests therein, and the provision of facilities includes the construction, expansion, renovation, remodeling, alteration, or acquisition of facilities.

II. Discriminatory Practices Prohibited in the Administration of the ARP/CSLFRF Award

To ensure compliance with Title VII of the Civil Rights Act of 1964, and Title 31 Code of Federal Regulations, Part 22, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities, the Town of Lewisville shall prohibit, at a minimum, the following practices in its administration of CSLFRF pursuant to the ARP/CSLFRF award:

1. Denying to a person any service, financial aid, or other program benefit without good cause;
2. Providing to a person any service, financial aid, or another benefit which is different in quantity or quality, or is provided in a different manner, from that provided to others under the program.
3. Subjecting a person to segregation or separate treatment in any matter related to the receipt of any service, financial aid, or other benefit under the program;
4. Restricting a person in the enjoyment of any advantages, privileges, or other benefits enjoyed by others receiving any service, financial aid, or other benefit under the program;
5. Treating a person differently from others in determining whether that person satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet to be provided any service, financial aid, or other benefit provided under the program;
6. Implementing different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual, or other integral activities to the program;
7. Adopting methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
8. Selecting a site or location of facilities with the purpose or effect of excluding persons from, denying them the benefits of, subjecting them to discrimination, or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of Title VI or related acts and regulations;
9. Discriminating against any person, either directly or through a contractual agreement, in any employment resulting from the program, a primary objective of which is to provide employment;
10. Committing acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because an individual made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing.

III. Reporting & Enforcement

1. The Town of Lewisville shall cooperate in any enforcement or compliance review activities by the Department of the Treasury. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Town of Lewisville shall comply with information requests, on-site compliance reviews, and reporting requirements.
2. The Town of Lewisville shall maintain a complaint log and inform the Treasury of any complaints of discrimination on the grounds of race, color, or national origin (including limited English proficiency) covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, whether pending or completed, including the outcome. The Town of Lewisville shall inform the Treasury if it has received no complaints under Title VI.
3. Any person who believes they have been aggrieved by a discriminatory practice under Title VI has a right to file a formal complaint with the Treasury. Any such complaint must be in writing and filed with the Treasury's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.
4. Any person who believes that because of that person's race, color, national origin, limited English proficiency, familial status, sex, age, religion, or disability that he/she/they have been discriminated against or unfairly treated by the Town of Lewisville in violation of this policy should contact the following office within 180 days from the date of the alleged discriminatory occurrence.
5. The Town Manager of the Town of Lewisville is charged with overseeing complaints under this policy.



**RESOLUTION 2022-027 OF THE LEWISVILLE TOWN COUNCIL
ADOPTING THE POLICY FOR PROPERTY MANAGEMENT RELATED TO THE EXPENDITURE OF AMERICAN
RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

WHEREAS, the Town of Lewisville is receiving American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds; and,

WHEREAS, funds are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Section 200.

NOW, THEREFORE BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL adopts and enacts the attached Policy for Property Management Related to the Expenditure of American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds.

Adopted and enacted this the 14th day of April 2022 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

TOWN OF LEWISVILLE

POLICY FOR PROPERTY MANAGEMENT RELATED TO THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS



DATE APPROVED BY

Town Council:

April 14, 2022

**POLICY FOR PROPERTY MANAGEMENT RELATED TO THE EXPENDITURE OF
AMERICAN RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY
FUNDS BY THE TOWN OF LEWISVILLE**

WHEREAS the Town of Lewisville, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

WHEREAS the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Sect. 200 (UG), as provided in the Assistance Listing; and

WHEREAS the Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds (v2.1 November 2021) provides, in relevant part:

Equipment and Real Property Management. Any purchase of equipment or real property with SLFRF funds must be consistent with the Uniform Guidance at 2 CFR Part 200, Subpart D. Equipment and real property acquired under this program must be used for the originally authorized purpose. Consistent with 2 CFR 200.311 and 2 CFR 200.313, any equipment or real property acquired using SLFRF funds shall vest in the non-Federal entity. Any acquisition and maintenance of equipment or real property must also be in compliance with relevant laws and regulations.

WHEREAS Subpart D of the UG dictates title, use, management, and disposal of real property, equipment, and supplies acquired in whole or in part with ARP/CSLFRF funds;

BE IT RESOLVED that the governing board of Town of Lewisville hereby adopts and enacts the following UG Property Management Policy for the expenditure of ARP/CSLFRF funds.

Property Standards for Real Property, Equipment, and Supplies Acquired with American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds

I. POLICY OVERVIEW

Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, commonly called Uniform Guidance (UG), specifically Subpart D, details post award requirements related to property management of property acquired or updated, in whole or in part, with funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF).

2 CFR 200.311 through 2 CFR 200.316 detail property standards related to the expenditure of ARP/CLSFRRF funds. The Town of Lewisville, hereinafter [Town] shall adhere to all applicable property standards, as detailed below.

II. DEFINITIONS

The following definitions from 2 CFR 200.1 apply in this policy.

Computing devices: machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information. See also the definitions of supplies and information technology systems in this section.

Equipment: tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the Town for financial statement purposes, or \$5,000. See also the definitions of *capital assets*, *computing devices*, *general purpose equipment*, *information technology systems*, *special purpose equipment*, and *supplies* in this section.

Information technology systems: computing devices, ancillary equipment, software, firmware, and similar procedures, services (including support services), and related resources. See also the definitions of computing devices and equipment in this section.

Intangible property: property having no physical existence, such as trademarks, copyrights, patents and patent applications and property, such as loans, notes and other debt instruments, lease agreements, stock and other instruments of property ownership (whether the property is tangible or intangible).

Personal property: property other than real property. It may be tangible, having physical existence, or intangible.

Property: real property or personal property.

Real property: land, including land improvements, structures and appurtenances thereto, but excludes moveable machinery and equipment.

Supplies: all tangible personal property other than those described in the definition of equipment in this section. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the local government for financial statement purposes or \$5,000, regardless of the length of its useful life. See also the definitions of computing devices and equipment in this section.

III. REAL PROPERTY

Title to Real Property: Title to real property acquired or improved with ARP/CSLFRF funds vests with the Town. 2 CFR 200.311(a).

Use of Real Property: Real property acquired or improved with ARP/CSLFRF funds must be used for the originally authorized purpose as long as needed for that purpose, during which time the Town must not dispose of or encumber its title or other interests. 2 CFR 200.311(b).

Insurance of Real Property: The Town must provide the equivalent insurance coverage for real property acquired or improved with ARP/CSLFRF funds as provided to property owned by the Town. 2 CFR 200.310.

Disposition of Real Property: When the Town no longer needs real property purchased with ARP/CSLFRF for ARP/CSLFRF purposes, the Town must obtain disposition instructions from US Treasury. The instructions must provide for one of the following alternatives:

1. The Town retains title after compensating US Treasury. The amount paid to US Treasury will be computed by applying US Treasury's percentage of participation in the cost of the original purchase (and costs of any improvements) to the fair market value of the property. However, in those situations where the Town is disposing of real property acquired or improved with ARP/CSLFRF funds and acquiring replacement real property under the ARP/CSLFRF, the net proceeds from the disposition may be used as an offset to the cost of the replacement property.
2. The Town sells the property and compensates US Treasury. The amount due to US Treasury will be calculated by applying US Treasury's percentage of participation in the cost of the original purchase (and cost of any improvements) to the proceeds of the sale after deduction of any actual and reasonable selling and fixing-up expenses. If the ARP/CSLFRF award has not been closed out, the net proceeds from sale may be offset against the original cost of the property. When the Town is directed to sell property, sales procedures must be followed that provide for competition to the extent practicable and result in the highest possible return.
3. The Town transfers title to US Treasury or to a third party designated/approved by US Treasury. The Town is entitled to be paid an amount calculated by applying the Town's percentage of participation in the purchase of the real property (and cost of any improvements) to the current fair market value of the property. 2 CFR 200.311(c).

IV. EQUIPMENT

Title to Equipment: Title to equipment acquired or improved with ARP/CSLFRF funds vests with the Town. 2 CFR 200.313(a).

Use of Equipment: The Town must use equipment acquired with ARP/CSLFRF funds for the project for which it was acquired as long as needed, whether or not the project continues to be

supported by the ARP/CSLFRF award, and the Town must not encumber the property without prior approval of US Treasury. 2 CFR 200.313(a)(1)-(2).

When no longer needed for the original project, the equipment may be used in other activities supported by a Federal awarding agency, in the following order of priority:

1. Activities under a Federal award from the Federal awarding agency which funded the original project, then
2. Activities under Federal awards from other Federal awarding agencies. This includes consolidated equipment for information technology systems. 2 CFR 200.313(c)(1).

During the time that equipment is used on the project for which it was acquired, the Town must also make equipment available for use on other projects or programs currently or previously supported by the Federal Government, provided that such use will not interfere with the work on the project for which it was originally acquired. First preference for other use must be given to other programs or projects supported by US Treasury and second preference must be given to programs or projects under Federal awards from other Federal awarding agencies. Use for non-federally-funded programs or projects is also permissible. User fees should be considered if appropriate. 2 CFR 200.313(c)(2).

Noncompetition: The Town must not use equipment acquired with the ARP/CSLFRF funds to provide services for a fee that is less than private companies charge for equivalent services unless specifically authorized by Federal statute for as long as the Federal Government retains an interest in the equipment. 2 CFR 200.313(c)(3).

Replacement Equipment: When acquiring replacement equipment, the Town may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property. 2 CFR 200.313(c)(4).

Management of Equipment: The Town will manage equipment (including replacement equipment) acquired in whole or in part with ARP/CSLFRF funds according to the following requirements.

1. The Town will maintain sufficient records that include
 - a) a description of the property,
 - b) a serial number or other identification number,
 - c) the source of funding for the property (including the Federal Award Identification Number (FAIN)),
 - d) who holds title,
 - e) the acquisition date,
 - f) cost of the property,
 - g) percentage of Federal participation in the project costs for the Federal award under which the property was acquired,
 - h) the location, use and condition of the property, and
 - i) any ultimate disposition data including the date of disposal and sale price of the property.
2. The Town will conduct a physical inventory of the property and reconcile results with its property records at least once every two years.
3. The Town will develop a control system to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft will be investigated by the Town.

4. The Town will develop and implement adequate maintenance procedures to keep the property in good condition.
5. If the Town is authorized or required to sell the property, it will establish proper sales procedures to ensure the highest possible return, in accordance with state and federal law.

Insurance of Equipment: The Town must provide the equivalent insurance coverage for equipment acquired or improved with ARP/CSLFRF funds as provided to property owned by the Town. 2 CFR 200.310.

Disposition of Equipment: When the equipment is no longer needed for its original ARP/CSLFRF purpose, the Town may either make the equipment available for use in other activities funded by a Federal agency, with priority given to activities funded by US Treasury, dispose of the equipment according to instructions from US Treasury, or follow the procedures below. 2 CFR 200.313(e).

1. Equipment with a per-item fair market value of less than \$5,000 may be retained, sold or transferred by the Town, in accordance with state law, with no additional responsibility to US Treasury;
2. If no disposal instructions are received from US Treasury, equipment with a per-item fair market value of greater than \$5,000 may be retained or sold by the Town. The Town must establish proper sales procedures, in accordance with state law, to ensure the highest possible return. The Town must reimburse US Treasury for its federal share. Specifically, US Treasury is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the ARP/CSLFRF funding percentage of participation in the cost of the original purchase. If the equipment is sold, US Treasury may permit the Town to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.
3. Equipment may be transferred to US Treasury or to a third-party designated by US Treasury in return for compensation to the Town for its attributable compensation for its attributable percentage of the current fair market value of the property.

V. SUPPLIES

Title to Supplies. Title to supplies acquired with ARP/CSLFRF funds vests with the Town upon acquisition. 2 CFR 200.314(a).

Use and Disposition of Supplies: If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate value upon termination or completion of the ARP/CSLFRF project and the supplies are not needed for any other Federal award, the Town must retain the supplies for use on other activities or sell them, but must, in either case, compensate the Federal Government for its share. The amount of compensation must be computed in the same manner as for equipment. 2 CFR 200.314(a).

Noncompetition. As long as the Federal Government retains an interest in the supplies, the Town must not use supplies acquired under the ARP/CSLFRF to provide services to other

organizations for a fee that is less than private companies charge for equivalent services, unless specifically authorized by Federal statute. 2 CFR 200.314(b)

VI. PROPERTY TRUST RELATIONSHIP

Real property, equipment, and intangible property, that are acquired or improved with ARP/CSLFRF funds must be held in trust by the Town as trustee for the beneficiaries of the project or program under which the property was acquired or improved. US Treasury may require the Town to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with a Federal award and that use and disposition conditions apply to the property. 2 CFR 200.316.

VII. IMPLEMENTATION OF POLICY

The Town Finance Officer shall adopt procedures to track all real property, equipment, and supplies (collectively, property) acquired or improved in whole or in part with ARP/CLSFRF funds. At a minimum, those procedures must address the following:

- Ensure proper insurance of property
- Document proper use of property
- Record and maintain required data records for equipment
- Conduct periodic inventories of equipment, at least every two years
- Create processes for replacement and disposition of property
- Establish other internal controls to safeguard and properly maintain property



**RESOLUTION 2022-028 OF THE LEWISVILLE TOWN COUNCIL
ADOPTING THE RECORD RETENTION POLICY: DOCUMENTS CREATED OR MAINTAINED
PURSUANT TO THE ARP/CSLFRF AWARD**

WHEREAS, the Town of Lewisville is receiving American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds; and,

WHEREAS, all financial and programmatic records related to ARP/CSLFRF must be retained for a period of five years after all CSLFRF funds have been expended or returned to the US Department of Treasury, whichever is later; and,

WHEREAS, all records must be retained pursuant to the attached policy.

NOW, THEREFORE BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL adopts and enacts the attached Record Retention Policy: Documents Created or Maintained Pursuant to the ARP/CSLFRF Award.

Adopted and enacted this the 14th day of April 2022 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

TOWN OF LEWISVILLE

**RECORD RETENTION POLICY: DOCUMENTS
CREATED OR MAINTAINED PURSUANT TO THE
ARP/CSLFRF AWARD**



DATE APPROVED BY

Town Council:

April 14, 2022

**Record Retention Policy: Documents Created or Maintained Pursuant to the
ARP/CSLFRF Award**

Retention of Records: The Coronavirus State and Local Fiscal Recovery Funds (“CSLFRF”) Award Terms and Conditions and the Compliance and Reporting Guidance set forth the U.S. Department of Treasury’s (“Treasury”) record retention requirements for the ARP/CSLFRF award.

It is the policy of the Town of Lewisville to follow Treasury’s record retention requirements as it expends CSLFRF pursuant to the ARP/CSLFRF award. Accordingly, the Town of Lewisville agrees to the following:

- Retain all financial and programmatic records related to the use and expenditure of CSLFRF pursuant to the ARP/CSLFRF award for a period of five (5) years after all CSLFRF funds have been expended or returned to Treasury, whichever is later.
- Retain records for real property and equipment acquired with CSLFRF for five years after final disposition.
- Ensure that the financial and programmatic records retained sufficiently evidence compliance with section 603(c) of the Social Security Act “ARPA,” Treasury’s regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
- Allow the Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, the right of timely and unrestricted access to any records for the purpose of audits or other investigations.
- If any litigation, claim, or audit is started before the expiration of the 5-year period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved.

Covered Records: For purposes of this policy, records are information, regardless of physical form or characteristics, that are created, received, or retained that evidence the Town of Lewisville’s expenditure of CSLFRF funds on eligible projects, programs, or activities pursuant to the ARP/CSLFRF award.

Records that shall be retained pursuant to this policy include, but are not limited to, the following:

- Financial statements and accounting records evidencing expenditures of CSLFRF for eligible projects, programs, or activities.
- Documentation of rational to support a particular expenditure of CSLFRF (e.g., expenditure constitutes a general government service);
- Documentation of administrative costs charged to the ARP/CSLFRF award;

- Procurement documents evidencing the significant history of a procurement, including, at a minimum, the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for contract cost or price;
- Subaward agreements and documentation of subrecipient monitoring;
- Documentation evidencing compliance with the Uniform Guidance property management standards set forth in 2 C.F.R. §§ 200.310-316 and 200.329;
- Personnel and payroll records for full-time and part-time employees compensated with CSLFRF, including time and effort reports; and
- Indirect cost rate proposals

Storage: Town of Lewisville's records must be stored in a safe, secure, and accessible manner. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats.

Departmental Responsibilities: Any department or unit of the Town of Lewisville, and its employees, who are responsible for creating or maintaining the covered documents in this policy shall comply with the terms of this policy. Failure to do so may subject the Town of Lewisville to civil and/or criminal liability. Any employee who fails to comply with the record retention requirements set forth herein may be subject to disciplinary sanctions, including suspension or termination.

The Town's Finance Officer is responsible for identifying the documents that Town of Lewisville must or should retain and arrange for the proper storage and retrieval of records. The Town's Finance Officer shall also ensure that all personnel subject to the terms of this policy are aware of the record retention requirements set forth herein.

Reporting Policy Violations: The Town of Lewisville is committed to enforcing this policy as it applies to all forms of records. Any employee that suspects the terms of this policy have been violated shall report the incident immediately to that employee's supervisor. If an employee is not comfortable bringing the matter up with the supervisor, the employee may bring the matter to the attention of the Town Manager. The Town of Lewisville prohibits, any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim, or cooperating in related investigations.

Questions About the Policy: Any questions about this policy should be referred to the Finance Officer by phone at 336-945-5558 or by email at finance@lewisvillenc.net, who is in charge of administering, enforcing, and updating this policy.



TOWN OF LEWISVILLE
Budget Amendment Ordinance 2022-019
Amending Budget Ordinance 2021001

FINANCE DEPARTMENT USE ONLY
Budget Amendment # 34
Pam Orrell, Finance Officer

CODE	ACCOUNT DESCRIPTION	AMOUNT	CODE	ACCOUNT DESCRIPTION	AMOUNT
10-00-4110-6400	General Fund - Governing Body - Contribution to Other Agencies	\$ 9,000.00	10-00-3990-9000	General Fund - Fund Balance Appropriated	\$ 9,000.00
		\$ 9,000.00			\$ 9,000.00

EXPLANATION: To donate \$9,000 to Senior Services for the Meals-on-Wheels program.

RECOMMENDED BY: Pam Orrell, Town Finance Officer

Approved and effective upon adoption this the 14th day of April, 2022 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk



TOWN OF LEWISVILLE
Budget Amendment Ordinance 2022-021
Amending Budget Ordinance 2021001

FINANCE DEPARTMENT USE ONLY
Budget Amendment # 35
Pam Orrell, Finance Officer

CODE	ACCOUNT DESCRIPTION	AMOUNT	CODE	ACCOUNT DESCRIPTION	AMOUNT
10-00-4110-5000	General Fund - Governing Body - Capital Outlay	\$ 37,875.00	10-00-3990-9000	General Fund - Fund Balance Appropriated	\$ 37,875.00
		\$ 37,875.00			\$ 37,875.00

EXPLANATION: To purchase new audio-visual equipment for Council Chambers.

RECOMMENDED BY: Pam Orrell, Town Finance Officer

Approved and effective upon adoption this the 14th day of April, 2022 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

04/12/2022

HENRY M (HANK) CHILTON PAVILION AT SHALLOWFORD SQUARE SCHEDULE OF EVENTS

1

<u>DATE</u>		<u>TIME</u>	<u>FACILITY</u>	<u>ORGANIZATION AND/OR CONTACT NAME AND PHONE NUMBER</u>		
04/17/2022	Sunday	0500	4 area church sunrise service	TOWN OF LEWISVILLE	BROWN	5778799
04/22/2022	Friday	1400	4 SCHOOL DANCE - 200 PEOPLE EXPECTED RAIN DATE - APRIL 29, 2022	LEWISVILLE ELEM	HAWKS	817-1512
04/23/2022	Saturday	0600	4 LCC yard sale at the square	CIVIC CLUB	shumack	945-5558
04/24/2022	Sunday	1230	4 KIDS EASTER PARTY	RENTER	GUPTON	406-2282
04/29/2022	Friday	1400	4 SCHOOL DANCE - 200 PEOPLE EXPECTED RAIN DATE - APRIL 29, 2022	LEWISVILLE ELEM	HAWKS	817-1512
04/30/2022	Saturday	0600	4 LCC yard sale at the square RAIN DATE	CIVIC CLUB	shumack	945-5558
05/06/2022	Friday	1300	4 movie night - raiders of the lost ark	TOWN OF LEWISVILLE		945-5558
05/07/2022	Saturday	0600	4 annuak mutt strut	humane society		509-5943
05/13/2022	Friday	1200	4 MOVIE NIGHT RAIN DATE	TOWN OF LEWISVILLE	HOWARD	945-5558
05/14/2022	Saturday	0900	4 special recycle event	RECYCLING COMMITTEE		945-5558
05/21/2022	Saturday	1300	4 tour of lewisville by the lewisville clemmons chamber	lewisville CCC	heidel	413-7610
05/30/2022	Monday	0800	4 MEMORIAL DAY CONCERT THE EMBERS	TOWN OF LEWISVILLE	HOWARD	945-5558
06/04/2022	Saturday	0001	4 CONCERT	TOWN OF LEWISVILLE	HOWARD	945-5558
06/09/2022	Thursday	1000	4 5TH GRADE GRADUATION - END OF YEAR PARTY	LEWISVILLE ELEM	FOSTER	469-2852
06/25/2022	Saturday	0800	4 STREET PARTY/FOOD TRUCK FESTIVAL BAND OF OZ	TOWN OF LEWISVILLE	HOWARD	945-5558
06/26/2022	Sunday	0800	4 CLEAN UP FROM STREET PARTY	TOWN OF LEWISVILLE	HOWARD	945-5558
07/02/2022	Saturday	0800	4 CONCERT JULY 4TH TRIBUTE	TOWN OF LEWISVILLE	HOWARD	945-5558

4 = HENRY M (HANK) CHILTON PAVILION @ SHALLOWFORD SQUARE