

Lewisville Town Council
Regular Meeting Agenda
July 13, 2023 – 7:00 PM
Lewisville Town Hall 1st Floor Council Chambers
6510 Shallowford Road

1. Call to Order:

- A. Roll Call
- B. Invocation – Council Member David Smitherman
- C. Pledge of Allegiance – Council Member Ken Sadler
- D. Adoption of Agenda

2. Consent Agenda

- A. Resolution 2023-031 – Financial statements for the eleven months ended May 31, 2023 – [\(Attachment #1\)](#)
- B. Approval of Agenda Briefing Minutes – June 1, 2023 [\(Attachment #2\)](#)
- C. Approval of Closed Session Minutes – June 1, 2023
- D. Approval of Regular Meeting Minutes – June 8, 2023 [\(Attachment #3\)](#)

3. Introductions, Recognitions, Presentations and/or Proclamations

- A. Introduction
 - i. Veronica Leasure, Communications Specialist
- B. Recognitions
 - i. US Congressional Award Gold Medal recipients
 - ii. I’m One of the Reasons Lewisville is a Great Place to Live [\(Attachment #4\)](#)
 - a. Zeke Mock
- C. Presentations
 - i. Lewisville-Clemmons Chamber of Commerce special events – Denise Heidel
 - ii. Sheriff’s Office – Sergeant PJ Stringer

4. Public Forum

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

5. Old Business – None

6. New Business

- A. Ordinance 2023-024 – Establishing Capital Project Ordinance – Jack Warren Park Improvements - \$481,125 [\(Attachment #5\)](#)
- B. Ordinance 2023-025 – Closing Capital Project Ordinance – Jack Warren Park Maintenance Facility/Playground Expansion - \$21,270.28 [\(Attachment #6\)](#)
- C. Ordinance 2023-026 – Amending Budget Ordinance 2023-001 – Transfer from Parks & Recreation Capital Reserve Fund to Jack Warren Park Improvements Capital Projects Fund - \$459,854.22 [\(Attachment #7\)](#)
- D. Ordinance 2023-028 – Amending the Parks & Recreation Capital Reserve Fund – Transfer to the Jack Warren Park Improvements Capital Projects Fund - \$459,854.22 [\(Attachment #8\)](#)
- E. Ordinance 2023-029 – Amending Grant Project Ordinance for the American Rescue Plan Act of 2021; Coronavirus State and Local Fiscal Recovery Funds [\(Attachment #9\)](#)

7. Administrative Reports

- A. Upcoming events and closings
 - i. July 22 – Beggars Banquet – Rolling Stones Tribute Band – 7-9 PM
 - ii. August 1 – National Night Out – 6-8 PM
 - iii. August 5 – Songs of the South – Alabama Tribute Band – 7-9 PM
- B. Clerk's Report
 - i. Candidate filing for municipal elections closes at 12 PM Friday, July 21. Filing fee is \$5.
 - ii. Blood Drive – August 9 – 1-5 PM – MAWCC
 - iii. Summer student Leadership session – August 15 – 9 AM-4 PM

8. For the Good of the Order

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

9. Adjournment



**RESOLUTION 2023-031 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 eleven months ended May 31, 2023; 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 eleven months ended May 31, 2023 and incorporated herein.

Adopted this the 13th day of July 2023 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

Town of Lewisville
Financial Budget to Actual Report - General Fund
Eleven Months Ended May 31, 2023

General Fund

Revenues	Budget	Revenue Year to Date	Revenue Over (Under) Budget	Percentage Collected
Property Tax Collections	\$ 2,883,926.00	\$ 2,945,936.49	\$ 62,010.49	102.15%
Sales Tax Revenue	1,057,280.00	917,458.31	(139,821.69)	86.78%
Other Revenues	1,399,596.00	1,259,338.23	(140,257.77)	89.98%
Transfer from ARPA Special Revenue Fund	-	812,388.82	812,388.82	0.00%
Subtotal	5,340,802.00	\$ 5,935,121.85	\$ 594,319.85	111.13%
Appropriation from Fund Balance	7,232,903.98			
Total	\$ 12,573,705.98			

Departments	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Governing Body	\$ 2,301,547.00	\$ 2,191,079.43	\$ 2,536.75	\$ 107,930.82	95.31%
Administration	912,283.18	638,957.54	2,590.61	270,735.03	70.32%
Finance	270,815.00	238,411.36	135.53	32,268.11	88.08%
Debt Service	232,400.00	232,400.00	-	-	100.00%
Planning & Zoning	455,975.00	199,708.81	6,474.13	249,792.06	45.22%
Beautification	119,302.00	105,521.43	6,233.92	7,546.65	93.67%
Community Policing	847,146.00	566,249.45	22.49	280,874.06	66.84%
Public Safety	16,450.00	830.00	-	15,620.00	5.05%
Public Works	508,896.00	391,467.98	5,689.08	111,738.94	78.04%
Streets	250,585.00	32,189.31	120,000.00	98,395.69	60.73%
Powell Bill	405,357.00	43,792.60	305,064.51	56,499.89	86.06%
Storm Water	183,176.00	77,576.30	62,773.94	42,825.76	76.62%
Solid Waste	917,000.00	728,985.52	-	188,014.48	79.50%
Recycling	8,595.00	2,930.89	-	5,664.11	34.10%
Parks and Recreation	617,881.80	416,780.69	32,152.01	168,949.10	72.66%
Transfers to Capital Projects Funds	3,606,297.00	1,582,914.00	-	2,023,383.00	43.89%
Transfers to Capital Reserves	920,000.00	920,000.00	-	-	100.00%
Total	\$ 12,573,705.98	\$ 8,369,795.31	\$ 543,672.97	\$ 3,660,237.70	70.89%

General Fund Balance 7/1/2022	\$ 7,943,133.05
Year-to-Date Increase (Decrease) FY 6/30/2023	(2,434,673.46)
General Fund Balance 5/31/2023	<u>\$ 5,508,459.59</u>

Town of Lewisville
Financial Budget to Actual Report - Willow Run Municipal Service District
Eleven Months Ended May 31, 2023

Willow Run Municipal Service District

Revenues	Budget	Revenue Year to Date	Revenue Over (Under) Budget	Percentage Collected
Revenues	\$ 36,610.00	\$ 42,612.61	\$ 6,002.61	116.40%
Subtotal	36,610.00	\$ 42,612.61	\$ 6,002.61	116.40%
Appropriation from Fund Balance	-			
Total	\$ 36,610.00			

	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Expenditures	\$ 36,610.00	\$ 1,412.19	\$ -	\$ 35,197.81	3.86%
Total	\$ 36,610.00	\$ 1,412.19	\$ -	\$ 35,197.81	3.86%

MSD Fund Balance 7/1/2022	\$ 192,445.34
Year-to-Date Increase (Decrease) FY 6/30/2023	41,200.42
MSD Fund Balance 5/31/2023	<u><u>\$ 233,645.76</u></u>

**Town of Lewisville
Other Funds
May 31, 2023**

Capital Reserve Funds					
	Balance 7/1/2022	Transfers In	Transfers Out	Investment Earnings	Balance 5/31/2023
GWR ROW/Construction Capital Reserve	\$ 1,051,083.99	\$ -	\$ -	\$ 34,993.01	\$ 1,086,077.00
Sidewalks, Bike Paths, and Greenways Capital Reserve	132,269.89	25,000.00	-	5,229.29	162,499.18
Municipal Buildings/Land Capital Reserve	130,369.89	-	-	4,340.31	134,710.20
Public Works Facility Capital Reserve	330,120.65	495,000.00	-	27,339.61	852,460.26
Parks & Recreation Capital Reserve	-	400,000.00	-	13,148.82	413,148.82
Total	\$ 1,643,844.42	\$ 920,000.00	\$ -	\$ 85,051.04	\$ 2,648,895.46

Capital Projects Funds							
	Balance 7/1/2022	Revenue	Expenditures	Transfers In	Transfers Out	Investment Earnings	Balance 5/31/2023
GWR ROW/Construction Capital Project	\$ 735,968.24	\$ -	\$ -	\$ -	\$ -	\$ 24,502.09	\$ 760,470.33
JWP Maintenance Facility/Playground Expansion Capital Project	20,661.31	-	-	-	-	609.47	21,270.78
Gateway Project Capital Project	191,785.19	28,425.24	(211,282.56)	1,276,617.00	-	13,199.86	1,298,744.73
Community Center Capital Project	274,674.25	-	(13,416.13)	-	-	5,318.39	266,576.51
Roundabout at Lewisville-Vienna Road and Robinhood Road Capital Project	217,065.93	54,021.67	(67,527.09)	306,297.00	-	10,440.13	520,297.64
Total	\$ 1,440,154.92	\$ 82,446.91	\$ (292,225.78)	\$ 1,582,914.00	\$ -	\$ 54,069.94	\$ 2,867,359.99

American Rescue Plan Act Special Revenue Fund	
American Rescue Plan Act funding received	\$ 4,024,471.50
Transferred to General Fund to reimburse for general government services - revenue replacement - FY 2021-2022	(1,208,168.14)
Transferred to General Fund to reimburse for general government services - revenue replacement - first nine months of FY 2022-2023	(812,388.82)
Investment earnings	86,167.98
American Rescue Plan Act Special Revenue Fund - Cash Balance 5/31/2023	\$ 2,090,082.52

Lewisville Town Council
Briefing and Action Meeting Minutes
June 1, 2023 – 6:30 PM
Lewisville Town Hall 2nd Floor Conference Room
6510 Shallowford Road

1. Call to Order:

- A. Mayor Horn opened the meeting 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 James Ayers, Assistant Town Manager/Planning Director Stacy Tolbert, Finance Director Pam Orrell, Town Clerk Dora Moore, Public Works Director Jon Hanna, and Attorney Elliot Fus.
- B. Adoption of Agenda – Council Member Smitherman moved to approve the agenda. The motion was seconded by Council Member Hunt and approved unanimously.

2. Items Requiring Council Direction

- A. Application to serve on Environmental Conservation and Sustainability Committee – Brittany Burke – Council consensus was for Ms. Burke’s application to be placed on the June 8 agenda for consideration.

3. Items Requiring Action at Briefing

- A. Resolution 2023-030 – Authorizing Town Manager to acquire rights-of-way and easements for Lewisville-Vienna Road and Robinhood Road Roundabout project (U-6154) – Council Member Franklin moved to approve Resolution 2023-030. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. (*Resolution 2023-030 is herein incorporated by reference into the minutes.*)

4. Administrative Reports

- A. Manager
 - i. Communication and project update – Manager Ayers reported he has extended an offer to an individual from a wide candidate pool for the Communications Specialist position. If all goes well, the individual will begin June 12. In terms of project updates, Manager Ayers reported the Gateway project schedule is updated biweekly and the schedule is on the Town’s website.
 - ii. FY 2022-2023 Budget Amendments – Reclassification of appropriations between General Fund departments – Manager Ayers reported two recent interdepartmental transfers. A transfer of \$10,000 from the planning department to the governing body was done to cover Blanco Tackaberry legal fees associated with the Solomon case. The second transfer was from the administration department to the finance department in the amount of \$4,570 to cover overtime expenses for a staff member to assist with special events and facility rentals.
- B. Clerk
 - i. Municipal elections – Candidate filing for municipal elections begins at 12 PM Friday, July 7 and closes at 12 PM Friday, July 21. Filing fee is \$5.
 - ii. Zoning Board of Adjustment membership update – Mrs. Moore shared that Jennifer Hill has resigned from the Zoning Board of Adjustments due to moving outside the town limits.
 - iii. Blood drive update – Mrs. Moore shared 22 units were collected at the May blood drive at Mary Alice Warren Community Center (MAWCC). These numbers are good with it being the first blood drive at this location. The American Red Cross has inquired about another blood drive on August 9. The drive is scheduled to avoid the regularly scheduled community churches’ blood drive. Council consensus was to schedule the August 9 blood drive at MAWCC with hopes for the blood drive to become regularly scheduled. An ordinance for the American

Red Cross to be an exempt user for blood drives at MAWCC will be on the June 8 agenda for Council consideration.

C. Public Works Director

- i. Geese abatement at MAWCC – Mr. Hanna reported the control measures in place at MAWCC for geese abatement are working thus far. Staff will continue to monitor.

5. **Tentative Agenda Items for Regular Meeting on June 8, 2023**

A. Consent Agenda

- i. Resolution 2023-027 – Financial statements for the ten months ended April 30, 2023
- ii. Approval of Budget Work Session Minutes – April 20, 2023
- iii. Approval of Budget Work Session Minutes – May 1, 2023
- iv. Approval of Agenda Briefing Minutes – May 4, 2023
- v. Approval of Regular Meeting Minutes – May 11, 2023
- vi. Revised 2023 Meeting Schedule
 - a. The Planning Board has voted to cancel their second meeting each month. Should an additional meeting be needed, it will be advertised as a special called meeting. The revised meeting schedule reflects the removal of these meetings.

B. Introductions, Recognitions, Presentations and/or Proclamations

- i. Recognition
 - a. Congressional Student Merit Awardees
 1. This item was moved to the July 13 agenda.

- ii. Presentations
 - a. Sheriff's Office

C. Appointment Order

- i. Appointment Order 2023-006 – Zoning Board of Adjustment – Terrance L. Fulton, Jr. – Permanent Member
 - a. Staff recommends Mr. Fulton be appointed to fill Jennifer Hill's unexpired term as a permanent member. Mr. Fulton is the alternate member with the most tenure. If Mr. Fulton is appointed as the permanent member, staff will advertise for interest to fulfill the unexpired alternate member term that becomes available.

D. Old Business

E. New Business

- i. Ordinance 2023-001 – 2023-2024 Budget
- ii. Ordinance 2023-020 – Amending the Parks and Recreation Capital Reserve Fund
 - a. The Parks and Recreation Capital Reserve Fund is proposed to be amended for 1) the 2023-2024 contribution to be \$100,000 rather than \$400,000, and 2) to include that a dog park, an all-inclusive park, and any other parks and recreation amenities deemed appropriate by Council to be included in the purpose.
- iii. Ordinance 2023-021 – Amending the Great Wagon Road ROW/Construction Capital Reserve Fund
 - a. The amendment reflects no 2023-2024 contribution to the Great Wagon Road ROW/Construction Capital Reserve Fund.
- iv. Ordinance 2023-022 – Amending the Municipal Buildings and Land Capital Reserve Fund
 - a. The amendment reflects no 2023-2024 contribution to the Municipal Buildings and Land Capital Reserve Fund.
- v. Ordinance 2023-023 – Amending the Public Works Facility Capital Reserve Fund
 - a. The amendment reflects no 2023-2024 contribution to the Public Works Facility Capital Reserve Fund.

- vi. Resolution 2023-026 – Revising personnel policy
 - a. Staff proposed the following amendments:
 - 1. Increase the family insurance coverage from 20% to 50% based upon Council direction during budget work sessions.
 - 2. The Family and Medical Leave Act (FMLA) is a federal law that allows for unpaid job-protected leave. The Town’s Personnel Policy currently allows an employee to take advantage of FMLA. However, according to federal law, for an employee to be eligible for FMLA, they must work at a worksite that has at least 50 employees. As the Town of Lewisville employs less than 50 employees, the Town is not required to provide this benefit. This section would be removed from the policy
 - 3. **Section 2 – 2d Time and Attendance – Overtime** provides that all non-exempt employees be paid at a rate of 1 ½ hours for each hour worked in excess of 40 hours in a workweek. Staff wishes to emphasize and clarify in the Personnel Policy that the Town adheres to the Fair Labor Standards Act (FLSA) when it comes to how overtime is calculated for each employee.
- vii. Resolution 2023-028 – Community Policing Contract - \$787,910
- viii. Resolution 2023-029 – UDO update contract - \$149,565

6. For the Good of the Order

- A. Mayor Horn inquired if Council would like to evaluate the potential of partnering with Clemmons on an assessment of how planning outside each Town’s jurisdiction effects the respective jurisdiction. This would include, but not exclusive to, public safety, infrastructure, growth, etc. Council consensus was given to evaluate this endeavor.

7. **Closed Session pursuant to NCGS 143-318.11(6)** – Mayor Horn moved to enter into closed session at 7:50 PM pursuant to NCGS 143-318.11(6). The motion was seconded by Council Member Sadler and approved unanimously with a roll call vote of ayes from Mayor Mike Horn, Mayor Pro Tem Jeanne Marie Foster and Council Members Fred Franklin, Melissa Hunt, Ken Sadler, and Jane Welch.

Council returned to open session at 9:05 PM.

8. **Budget Work Session** – Manager Ayers provided background on statutory, operational and financial issues related to emergency management. Manager Ayers noted that after discussions with the local public safety agencies, the Public Safety Advisory Committee’s (PSAC) budget requests were not included in the proposed 2023-2024 Budget. To align with some of the PSAC’s recommendations, the following is recommended to be done in the current 2022-2023 Budget: 1) purchase a mobile Starlink internet access device; 2) verify there are three fully programmed emergency radios at Town Hall to deploy up to two staff teams in the field should an emergency arise to maintain communications with Town Hall, the fire departments, Forsyth County Emergency Management and other partners; and, 3) purchase less expensive walkie-talkies for staff use.

9. **Adjournment** – Council Member Welch moved to adjourn the meeting at 9:17 PM. The motion was seconded by Mayor Pro Tem Foster and approved unanimously.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

Lewisville Town Council
Regular Meeting Minutes
June 8, 2023 – 7:00 PM
Lewisville Town Hall Council Chambers
6510 Shallowford Road

1. Call to Order:

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

2. Consent Agenda

- A. Resolution 2023-027 – Financial statements for the ten months ended April 30, 2023
- B. Approval of Budget Work Session Minutes – April 20, 2023
- C. Approval of Budget Work Session Minutes – May 1, 2023
- D. Approval of Agenda Briefing Minutes – May 4, 2023
- E. Approval of Regular Meeting Minutes – May 11, 2023
- F. Revised 2023 Meeting Schedule
 - i. Council Member Franklin moved to approve the consent agenda items. The motion was seconded by Council Member Sadler and approved unanimously. *(Resolution 2023-027 is herein incorporated by reference into the minutes.)*

3. Presentations, Introductions and/or Proclamations

- A. Presentations
 - i. Forsyth County Sheriff's Office – Sergeant Stringer shared current call statistics. With upcoming Town events, Sergeant Stringer cautioned the traffic pattern could change and encouraged motorists to slow down while driving through Town.

2023													
TYPE OF INCIDENT	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Total calls for service	872	676	751	758	754								3811
Security Check	570	396	136	446	442								1990
Traffic Arrest / Violation	49	47	51	75	41								263
Alarm	17	23	23	22	15								100
Priority Call Response Time	5.2	3.6	5.2	5.3	5								24.3
2022													
TYPE OF INCIDENT	JAN	FEB	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Total calls for service	700	532	608	586	492								
Security Check	258	253	275	297	177								
Traffic Arrest / Violation	26	17	61	59	19								
Alarm	15	21	14	22	21								
Priority Call Response Time	6.4	5	5.5	5	5.2								

4. Public Forum – No comments.

5. Appointments

- A. Appointment Order 2023-006 – Zoning Board of Adjustment – Terrance L. Fulton, Jr. – Permanent Member – Council Member Franklin moved to approve Appointment Order 2023-006. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. *(Appointment Order 2023-006 is herein incorporated by reference into the minutes.)*
- B. Appointment Order 2023-007 – Environmental Conservation & Sustainability Committee – Brittany Burke – Mayor Pro Tem Foster moved to approve Appointment Order 2023-007. The motion was seconded by Council Member Hunt and approved unanimously. *(Appointment Order 2023-007 is herein incorporated by reference into the minutes.)*

6. New Business

- A. Ordinance 2023-001 – 2023-2024 Budget Ordinance – Manager Ayers shared the proposed 2023-2024 Budget is balanced with the tax rate remaining at 17.7 cents and services continuing at the current level. Council Member Smitherman moved to approve Ordinance 2023-0001. The motion was seconded by Council Member Franklin and approved unanimously. *(Ordinance 2023-001 is herein incorporated by reference into the minutes.)*
- B. Ordinance 2023-020 – Amending the Parks and Recreation Capital Reserve Fund – The Parks and Recreation Capital Reserve Fund is proposed to be amended for 1) the 2023-2024 contribution to be \$100,000 rather than \$400,000, and 2) to include that a dog park, an all-inclusive park, and any other parks and recreation amenities deemed appropriate by Council to be included in the purpose. Council Member Welch moved to approve Ordinance 2023-020. The motion was seconded by Council Member Hunt and approved unanimously. *(Ordinance 2023-020 is herein incorporated by reference into the minutes.)*
- C. Ordinance 2023-021 – Amending the Great Wagon Road ROW/Construction Capital Reserve Fund – The amendment reflects no 2023-2024 contribution to the Great Wagon Road ROW/Construction Capital Reserve Fund. Council Member Franklin moved to approve Ordinance 2023-021. The motion was seconded by Council Member Smitherman and approved unanimously. *(Ordinance 2023-021 is herein incorporated by reference into the minutes.)*
- D. Ordinance 2023-022 – Amending the Municipal Buildings and Land Capital Reserve Fund – The amendment reflects no 2023-2024 contribution to the Municipal Buildings and Land Capital Reserve Fund. Mayor Pro Tem Foster moved to approve Ordinance 2023-022. The motion was seconded by Council Member Franklin and passed unanimously. *(Ordinance 2023-022 is herein incorporated by reference into the minutes.)*
- E. Ordinance 2023-023 – Amending the Public Works Facility Capital Reserve Fund – The amendment reflects no 2023-2024 contribution to the Public Works Facility Capital Reserve Fund. Council Member Franklin moved to approve Ordinance 2023-023. The motion was seconded by Council Member Welch and passed unanimously. *(Ordinance 2023-023 is herein incorporated by reference into the minutes.)*
- F. Resolution 2023-026 – Revising personnel policy – The personnel policy is proposed to be revised for the following: 1) Increase the family insurance coverage from 20% to 50% based upon Council direction during budget work sessions; 2) The Family and Medical Leave Act (FMLA) is a federal law that allows for unpaid job-protected leave. The Town’s Personnel Policy currently allows an employee to take advantage of FMLA. However, according to federal law, for an employee to be eligible for FMLA, they must work at a worksite that has at least 50 employees. As the Town of Lewisville employs less than 50 employees, the Town is not required to provide this benefit. This section would be removed from the policy. 3) **Section 2 – 2d Time and Attendance – Overtime** provides that all non-exempt employees be paid at a rate of 1 ½ hours for each hour worked in excess of 40 hours in a workweek. Staff wishes to emphasize and clarify in the Personnel Policy that the Town adheres to the Fair Labor Standards Act (FLSA) when it comes to how overtime is

calculated for each employee. Mayor Pro Tem Foster moved to approve Resolution 2023-026. The motion was seconded by Council Member Franklin and passed unanimously. (*Resolution 2023-026 is herein incorporated by reference into the minutes.*)

- G. Resolution 2023-028 – Community Policing Contract - \$787,910 – Council Member Smitherman moved to approve Resolution 2023-028 for a 3-year fixed rate contract for community policing. The motion was seconded by Council Member Franklin and passed unanimously. (*Resolution 2023-028 is herein incorporated by reference into the minutes.*)
- H. Resolution 2023-029 – UDO Update Contract - \$149,565 – Following a recruitment and five-criterion evaluation process to update the Town’s Unified Development Ordinance (UDO), Kimley-Horn received the highest score and staff recommends contracting with Kimley-Horn for the UDO update. Mayor Pro Tem Foster moved to approve Resolution 2023-029. The motion was seconded by Council Member Welch and approved unanimously. (*Resolution 2023-029 is herein incorporated by reference into the minutes.*)
- I. Ordinance 2023-027 – Facility Use Exemption – American Red Cross – Council Member Franklin moved to approve Ordinance 2023-027 adding the American Red Cross as an exempt user for blood drives at the Mary Alice Warren Community Center. The motion was seconded by Council Member Smitherman and passed unanimously. (*Ordinance 2023-027 is herein incorporated by reference into the minutes.*)

7. **Administrative Reports**

- A. Upcoming events and closings
 - i. June 10 – Camel City Yacht Club – 7-9 PM
 - ii. June 24 – Street Party & Food Truck Festival – 6-9 PM; The Band of Oz – 7-9 PM
 - iii. July 1 – 70’s Kids in Concert – 7-9 PM
 - iv. July 4 – Town offices closed
- B. Clerk’s Report
 - i. Candidate filing for municipal elections begins at 12 PM Friday, July 7 and closes at 12 PM Friday, July 21. Filing fee is \$5.
 - ii. Summer Student Leadership – August 15
- C. Approvals at the Briefing and Action Meeting on June 1, 2023
 - i. Resolution 2023-030 – Authorizing Town Manager to acquire rights-of-way and easements for Lewisville-Vienna Road and Robinhood Road Roundabout project

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

- A. Public comments – None
- B. Council comments
 - i. Council Member Franklin inquired if the Gateway Project was going well. Manager Ayers answered the project is on schedule. He noted a 2-week look ahead schedule is on the Town’s website so the community can follow the progress. Lewisville Fire Department has set a flight plan whereby they will fly over the project to document the progress. Council Member Franklin stated the contractor has done a good job with erosion control.
 - ii. Mayor Horn expressed appreciation to staff on the budget development and presentation.
 - iii. Mayor Horn noted he missed seeing the Freys in the audience.

9. **Adjournment** – Council Member Hunt moved to adjourn the meeting at 7:33 PM. The motion was seconded by Council Member Smitherman and approved unanimously.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

DRAFT

I'm One of the Reasons Lewisville is a Great Place to Live

Presented to

Zeke Mock

for outstanding contributions to the Town of Lewisville and residents

Lewisville Town Council

Mayor Mike Horn

July 13, 2023



STAFF REPORT

ITEM:	<ol style="list-style-type: none"> 1. ORDINANCE 2023-024 2. ORDINANCE 2023-025 3. ORDINANCE 2023-026 4. ORDINANCE 2023-028
SUBJECT:	<ol style="list-style-type: none"> 1. CAPITAL PROJECT ORDINANCE – JACK WARREN PARK IMPROVEMENTS 2. CAPITAL PROJECT ORDINANCE – JACK WARREN PARK MAINTENANCE FACILITY/PLAYGROUND EXPANSION 3. BUDGET AMENDMENT TO TRANSFER \$459,854.22 FROM PARKS & RECREATION CAPITAL RESERVE FUND TO THE JACK WARREN PARK IMPROVEMENTS CAPITAL PROJECTS FUND 4. PARKS & RECREATION CAPITAL RESERVE FUND
PREPARED BY:	PAM ORRELL, FINANCE DIRECTOR
DATE SUBMITTED:	7/6/2023

BACKGROUND/SUMMARY:

In October, 2022 the Town learned that it is the recipient of a PARTF (Parks and Recreation Trust Fund) grant in the amount of \$230,940. The PARTF grant amount must be matched on at least a dollar-for-dollar basis by the Town. In accordance with the application that the Town submitted to the grant program, the grant will be used to fund additional amenities at Jack Warren Park to include a nature trail, an 18-hole disc golf course, and an outdoor event space proposed as an amphitheater. The budget presented by the Town in the application was as follows:

	Budget
PARTF Grant	\$ 230,940
Town Match	\$ 250,185
	\$ 481,125

In order to begin the project, staff is presenting to Council an Ordinance to establish the Jack Warren Park Improvements Capital Projects Fund with a total initial budget of \$481,125. Staff proposes to fund the capital project with the funds remaining in the Jack Warren Park Maintenance Facility/Playground Expansion Capital Projects Fund, transfers from the Parks & Recreation Capital Reserve Fund, and transfers from the General Fund as needed, as illustrated below.

Transfer from Parks & Recreation Capital Reserve Fund	\$ 459,854.22
Transfer from JWP Maintenance Facility/Playground Expansion Capital Projects Fund	\$ 21,270.78
General Fund	\$ -
Total Revenues	\$ 481,125.00

STAFF RECOMMENDATION AND REQUESTED ACTION:

1. Staff is requesting that Council approve Ordinance 2023-024 to establish the Jack Warren Park Improvements Capital Projects Fund.
2. Staff is requesting that Council approve Ordinance 2023-025 to close the Jack Warren Park Maintenance Facility/Playground Expansion Capital Projects Fund and transfer the remaining funds in the project fund to the newly created Jack Warren Park Improvements Capital Projects Fund.
3. Staff is requesting that Council approve Ordinance 2023-026 which is a budget amendment to transfer \$459,854.22 from the Parks & Recreation Capital Reserve Fund to the newly created Jack Warren Park Improvements Capital Projects Fund.
4. Staff is requesting that Council approve Ordinance 2023-027 to amend the Parks & Recreation Capital Reserve ordinance for the transfer of \$459,854.22 from the reserve to the Jack Warren Park Improvements Capital Projects Fund.

FISCAL IMPACT:

See Background/Summary Section Above.

ATTACHMENTS:

1. Ordinance 2023-024 Capital Project Ordinance – Jack Warren Park Improvements
2. Ordinance 2023-025 Capital Project Ordinance – Jack Warren Park Maintenance Facility/Playground Expansion
3. Ordinance 2023-026 Amending Ordinance 2022-001 – Budget amendment to transfer \$459,854.22 from the Parks & Recreation Capital Reserve Fund to the Jack Warren Park Improvements Capital Projects Fund
4. Ordinance 2023-028 Amending Ordinance 2023-020 – Parks & Recreation Capital Reserve



**ORDINANCE 2023-024 OF THE TOWN OF LEWISVILLE
ESTABLISHING CAPITAL PROJECT ORDINANCE
JACK WARREN PARK IMPROVEMENTS**

BE IT ORDAINED by the Lewisville Town Council that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby established and adopted:

Section 1. The project authorized is the addition of amenities to the existing Jack Warren Park. Additional amenities will include a nature trail with connector paths and sidewalks, an 18-hole disc golf course, and an outdoor event space proposed as an amphitheater. The project will be financed with a North Carolina PARTF (Parks and Recreation Trust Fund) grant in the amount of \$230,940. The project will also be financed with the funds currently remaining in the Jack Warren Park Maintenance Facility/Playground Expansion Capital Projects Fund as well as funds from the Town's Parks & Recreation Capital Reserve Fund and transfers from the General Fund as needed.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the contracting agreements and budget contained herein.

Section 3. The following amounts are appropriated to complete this project:

Design/Engineering	54-00-6120-6000	\$ 76,980.00
Nature Trail	54-00-6120-6001	\$ 124,900.00
18-Hole Disc Golf Course	54-00-6120-6002	\$ 60,000.00
Outdoor Event Space	54-00-6120-6003	\$ 200,000.00
Contingency	54-00-6120-6004	\$ 19,245.00
Total Expenditures		\$ 481,125.00

Section 4. The following revenues are anticipated to be available to complete this project:

Transfer from Parks & Recreation Capital Reserve Fund	54-00-3980-0004	\$ 459,854.22
Transfer from JWP Maintenance Facility/Playground Expansion Capital Projects Fund	54-00-3980-0005	\$ 21,270.78
Transfer from General Fund	54-00-3980-0000	\$ -
Total Revenues		\$ 481,125.00

Section 5. The Finance Director is hereby directed to maintain within the Capital Projects Fund sufficient detailed accounting records to satisfy the requirements of the contract agreements and state regulations.

Section 6. The Town Manager shall have the authority per G.S. 159-15 to transfer appropriations from one line item to another line item within the capital project ordinance. The Town Manager shall have the authority to approve and execute contracts and contract amendments in amounts not to exceed \$50,000.

Section 7. The Finance Director is directed to report, on a monthly basis, on the financial status of this project.

Section 8. Copies of this capital project ordinance shall be furnished to the Town Clerk, Budget Officer and Finance Director for direction in carrying out this project.

Adopted this the 13th day of July 2023 by the Lewisville Town Council.

Mike Horn, Mayor

ATTEST:

Dora K. Moore, Town Clerk



**ORDINANCE 2023-025 OF THE LEWISVILLE TOWN COUNCIL
CLOSING CAPITAL PROJECT ORDINANCE
JACK WARREN PARK MAINTENANCE FACILITY/PLAYGROUND EXPANSION**

WHEREAS, on June 9, 2011 a capital project ordinance was established for the construction of a maintenance facility at Jack Warren Park; and,

WHEREAS, funds in the amount of \$7,500 have been spent thus far on design fees for a new maintenance facility; and,

WHEREAS, on February 14, 2013, the capital project ordinance was amended to suspend construction of a new maintenance facility at Jack Warren Park; and,

WHEREAS, on February 14, 2013 the capital project ordinance was amended to use the funds in the project fund to expand the playground at Jack Warren Park; and,

WHEREAS, the playground expansion was completed at Jack Warren Park in May 2013 at a cost of \$27,981.33; and,

WHEREAS, the balance of the funds in the capital project (\$21,270.78) are to be transferred to the new Jack Warren Park Improvements Capital Projects Fund.

NOW, THEREFORE, THE FOLLOWING AMENDMENTS SHALL BE MADE TO THIS PROJECT:

Section 1.	Revenues		
	47-00-3990-9000	Capital Project – JWP Maintenance Facility/Playground Expansion – Fund Balance Appropriated	\$21,270.78 Cr
Section 2.	Expenditures		
	47-00-3980-0002	Capital Project – JWP Maintenance Facility/Playground Expansion – Transfer to JWP Improvements Capital Projects Fund	\$21,270.78 Dr

Section 3. This closes the Capital Project Fund for the Jack Warren Park Maintenance Facility/Playground Expansion.

Adopted this the 13th day of July 2023 by the Lewisville Town Council.

Mike Horn
Mayor

ATTEST:

Dora K. Moore
Town Clerk

DRAFT



TOWN OF LEWISVILLE
 Budget Amendment Ordinance 2023-025
 Amending Budget Ordinance 2024-001

FINANCE DEPARTMENT USE ONLY
Budget Amendment # 1
Pam Orrell, Finance Director

CODE	ACCOUNT DESCRIPTION	AMOUNT	CODE	ACCOUNT DESCRIPTION	AMOUNT
26-00-3980-0001	Parks & Recreation Capital Reserve Fund - Transfer to Jack Warren Park Improvements Capital Projects Fund	\$ 459,854.22	26-00-3990-9000	Parks & Recreation Capital Reserve Fund - Fund Balance Appropriated	\$ 459,854.22
		\$ 459,854.22			\$ 459,854.22

EXPLANATION: To transfer \$459,854.22 from the Parks & Recreation Capital Reserve Fund to the Jack Warren Park Improvements Capital Projects Fund.

RECOMMENDED BY: Pam Orrell, Town Finance Director

Approved and effective upon adoption this the 13th day of July 2023 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk



**ORDINANCE 2023-028 OF THE LEWISVILLE TOWN COUNCIL
AMENDING THE PARKS & RECREATION CAPITAL RESERVE FUND**

WHEREAS, on June 9, 2022, the Lewisville Town Council approved Ordinance 2022-026 establishing the Parks & Recreation Capital Reserve Fund for the purpose of purchasing land for parks and/or constructing additional amenities and facilities for parks and recreation.

WHEREAS, the terms of the Parks & Recreation Capital Reserve Fund are as follows:

- Section 1.** The Lewisville Town Council hereby creates a Capital Reserve Fund for the purpose of purchasing land for parks and/or constructing amenities and facilities for parks and recreation.
- Section 2.** This fund will remain operational for a period not to exceed ten years (beginning July 1, 2022 and ending June 30, 2032) or until the capital reserve fund reaches a balance of \$1,500,000.
- Section 3.** The Lewisville Town Council will appropriate or transfer an amount of no less than \$400,000 each year from the General Fund to this fund.
- Section 4.** This ordinance shall become effective upon its adoption.

WHEREAS, during budget discussions for FY 2023-2024, the Lewisville Town Council determined that the contribution to the Parks & Recreation Capital Reserve Fund from the General Fund would be \$100,000 for FY 2023-2024.

WHEREAS, on June 8, 2023, the Town Council amended the ordinance to state that the annual contribution from the General Fund to this reserve would be \$100,000 in FY 2023-2024.

WHEREAS, during budget discussions for FY 2023-2024, the Lewisville Town Council decided to amend the capital reserve ordinance to indicate that construction of future amenities and facilities may include a dog park, an all-inclusive park, and any other parks and recreation amenities deemed appropriate by the Lewisville Town Council.

WHEREAS, on June 8, 2023 the Town Council amended the scope in Section 1 to read as follows:

- Section 1.** The Lewisville Town Council hereby creates a Capital Reserve Fund for the purpose of purchasing land for parks and/or constructing amenities and facilities for parks and recreation that may include a dog park, an all-inclusive park, and any other parks and recreation amenities deemed appropriate by the Lewisville Town Council.

WHEREAS, there is a need to fund the construction of improvements at Jack Warren Park in relation to a PARTF grant.

NOW THEREFORE, BE IT ORDAINED BY THE LEWISVILLE TOWN COUNCIL THAT:

Ordinance 2023-020 is amended to transfer \$459,854.22 from the Parks & Recreation Capital Reserve to the Jack Warren Park Improvements Capital Projects Fund.

Adopted the 13th day of July, 2023 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk

DRAFT



STAFF REPORT

ITEM:	1.ORDINANCE 2023-029
SUBJECT:	1. AMENDING GRANT PROJECT ORDINANCE FOR THE AMERICAN RESCUE PLAN ACT OF 2021: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS
PREPARED BY:	PAM ORRELL, FINANCE DIRECTOR
DATE SUBMITTED:	7/6/2023

BACKGROUND/SUMMARY:

The Town of Lewisville has received a total of \$4,024,471.50 in ARPA funding. This money is housed in a separate fund of the Town (outside of the General Fund) until it can be spent on qualifying expenditures allowed by the United States Treasury. On March 10, 2022, the Lewisville Town Council established a **Grant Project Ordinance for the American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds (Grant Project Ordinance)**. It states that the Town has elected to take the “standard allowance” which allows the Town to use up to \$1 million in ARPA funds as revenue replacement to be spent for the provision of government services. At the recommendation of the UNC School of Government and the NC League of Municipalities, and in order to minimize the administrative burden that accompanies the use of federal money, the Town Council opted to use the ARPA money to cover the cost of Town staff salaries and related benefits. As staff salaries and benefits are paid out of the General Fund, transfers are made from the ARPA Fund to the General Fund to reimburse the General Fund.

The **Grant Project Ordinance** outlines the budget and timeline for the use of the ARPA funds. The Town has until December 31, 2024 to use its ARPA funding for the reimbursement to the General Fund for salaries and benefits. Staff is requesting that Council approve an amendment to the **Grant Project Ordinance** to incorporate the salaries and benefits for the FY 2023-2024.

In summary, the proposed amendment to the **Grant Project Ordinance** is as follows:

Expenditure	Current Budget	Budget as Amended
Salaries and Benefits for the period April 1, 2021 through June 30, 2022	\$ 1,208,168.14	\$ 1,208,168.14
Salaries and Benefits for the period July 1, 2022 through June 30, 2023	\$ 1,300,805.00	\$ 1,105,602.57
Salaries and Benefits for the period July 1, 2023 through June 30, 2024	\$ -	\$ 1,515,461.00
Unassigned	\$ 1,515,498.36	\$ 195,239.79
Total	\$ 4,024,471.50	\$ 4,024,471.50

STAFF RECOMMENDATION AND REQUESTED ACTION:

1. Staff is requesting that Council approve Ordinance 2023-029 to amend the Grant Project Ordinance for the American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds.

FISCAL IMPACT:

This amendment proposes to transfer up to \$1,515,461 in ARPA funds to the General Fund in FY 2023-2024 to reimburse for salaries and benefits.

ATTACHMENTS:

1. Ordinance 2023-029



TOWN OF LEWISVILLE
 Budget Amendment Ordinance 2023-025
 Amending Budget Ordinance 2023-001

FINANCE DEPARTMENT USE ONLY
Budget Amendment # 1
Pam Orrell, Finance Director

<u>CODE</u>	<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>	<u>CODE</u>	<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>
26-00-3980-0001	Parks & Recreation Capital Reserve Fund - Transfer to Jack Warren Park Improvements Capital Projects Fund	\$ 459,854.22	26-00-3990-9000	Parks & Recreation Capital Reserve Fund - Fund Balance Appropriated	\$ 459,854.22
		\$ 459,854.22			\$ 459,854.22

EXPLANATION: To transfer \$459,854.22 from the Parks & Recreation Capital Reserve Fund to the Jack Warren Park Improvements Capital Projects Fund.

RECOMMENDED BY: Pam Orrell, Town Finance Director

Approved and effective upon adoption this the 13th day of July 2023 by the Lewisville Town Council.

ATTEST:

 Mike Horn, Mayor

 Dora K. Moore, Town Clerk