

Lewisville Town Council
Briefing and Action Meeting Minutes
January 5, 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 (remote), Mayor Pro Tem Jeanne Marie Foster and Council Members Fred Franklin, Melissa Hunt, 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, Facilities Manager Brian Moore, and Attorney Elliot Fus. Council Member David Smitherman was absent.
- B. Adoption of Agenda – Council Member Franklin moved to approve the agenda. The motion was seconded by Council Member Hunt and approved unanimously.
- C. Council Member Ken Sadler joined the meeting remotely at 6:33 PM.

2. Introductions, Recognitions and Presentations for January 5, 2023 – None

3. Items Requiring Council Direction

- A. North Carolina League of Municipalities (NCLM) voting delegate for biennium legislative goals – Council Member Welch nominated Mayor Horn to serve as the voting delegate for the biennium legislative goals. The motion was seconded by Council Member Hunt and passed unanimously.
- B. Nomination – I’m One of the Reasons Lewisville is a Great Place to Live – Council Member Welch shared her nomination request for Maureen Barton to receive the *I’m One of the Reasons Lewisville is a Great Place to Live* award. Council Member Welch stated that Mrs. Barton has coordinated the annual Christmas parade for 23 years and is a long-time member of the Lewisville Civic Club. Council consensus was to give this award to Mrs. Barton at the January 12 meeting. (*Nomination form is herein incorporated into the minutes.*)

4. Items Requiring Action at Briefing

- A. Ordinance 2023-003 – Amending 2022-001 Budget Ordinance – Replenish Parks & Recreation Department Contingency Fund - \$10,000 – Mr. Ayers emailed the Council on December 16 reporting the need to hire sheriff’s deputies for an event hosted by Tim Sutton Ministries at the Mary Alice Warren Community Center (MAWCC) due to projected participants well above the initially projected 150. Contingency funds were used to hire the deputies. To avoid this situation in the future, the event rental process will be updated requiring event organizers to pay for deputies and giving the Town enforcement options should attendance projections differ from event application. Staff is requesting the Council to approve replenishing the contingency fund with \$10,000. Mayor Pro Tem Foster moved to approve Ordinance 2023-003. The motion was seconded by Council Member Welch and passed unanimously. (*Ordinance 2023-003 is herein incorporated by reference into the minutes.*)
- B. Ordinance 2023-004 – Amending 2022-001 Budget Ordinance – Increase MAWCC maintenance and repairs - \$25,000 – Contingency funds were also used to due to emergency repairs from a sewer back-up at MAWCC. Mr. Ayers notified Council on December 29 of the issue. The plumber had to excavate through the hall floor outside the family restrooms to access a defective section of pipe, which caused the issue. Plumbing repairs have been completed and tile replacement is hoped to be done soon. Staff is requesting \$25,000 to increase the MAWCC repair and maintenance line item. Mr. Ayers has also submitted formal notice to the contractor regarding

the construction defect. Council Member Franklin moved to approve Ordinance 2023-004. The motion was seconded by Council Member Hunt and passed unanimously. (*Ordinance 2023-004 is herein incorporated by reference into the minutes.*)

5. **Old Business – None**

6. **Administrative Reports**

A. Manager

- i. Council Retreat – January 27-28 – The 2023 Council retreat will be at MAWCC. Dinner will be served at 5:30 PM on January 27 with session being 6:00-9:00 PM. On January 28th, the morning will begin with breakfast at 8:30 AM and the session will be 9:00 AM-2:00 PM with a working lunch. Topics will focus on projects, programs and people.
- ii. Public Works Director position – Mr. Ayers reported an offer was extended in December to a Public Works Director candidate and the Town is awaiting background check, etc. He also reported that Public Works employee Bryan Grimsley has resigned as Maintenance Technician and a job posting will be forthcoming for that position.

B. Attorney

C. Public Works

D. Planning

E. Finance

F. Clerk

- i. Town & State Dinner - February 22, 5 PM, Raleigh Convention Center – Let Mrs. Moore know by February 1 if you would like to attend.
- ii. CityVision – April 25-27 – Concord

G. Community Center Facilities & Programming Manager – Mr. Moore announced the Shallowford Foundation extended their program grant for the Mary Alice Warren Community Center and he is currently working with them on upcoming programs. A new yoga class begins this week, a new shag instructor begins in February, and rental inquiries for upcoming months are being received. He also reported a lot of large events were held in December. Council Member Hunt shared that she has spoken with Sergeant Stringer about a potential safety class and she feels quarterly meet and greet events with the officers or Sheriff would be beneficial to the community. Council Member Franklin inquired about a blood drive being held at MAWCC due to some of the other area host facilities being too small.

7. **Agenda Items for Regular Meeting on January 12, 2023**

A. Tentative Agenda

i. Consent Agenda

- a. Resolution 2023-001– Financial statements for the five months ended November 30, 2022
- b. Approval of Agenda Briefing Minutes – December 1, 2022
- c. Approval of Regular Meeting Minutes – December 8, 2022
- d. Approval of Closed Session Minutes – December 8, 2022

ii. Introductions, Recognitions, Presentations and/or Proclamations

a. Presentations

1. Sheriff's office

ii. Appointment(s)

iii. Public Hearings

a. L-104 – Site plan amendment and amendment of uses - 771 Williams Rd from HB-C to HB-C requested by Stephen Long c/o Williams Rd HQ, LLC

1. Staff presentation
2. Public hearing
3. Council discussion
4. Consideration of Ordinance 2023-002

A. Mrs. Tolbert reported that last year Council approved rezoning and site plan for Advance Appliance, who decided not to construct on the site. The property has been sold and the new owners are requesting site plan and use amendments, no zoning change. At their November 9 meeting, the Planning Board unanimously recommended approval to Council. Although the property is not in the downtown overlay, elevation plans have been provided and they are using a lot of the downtown overlay material even though it is not required. The ground level could possibly house a deli, wine tasting, and office spaces. The second floor will have realty offices and weekend and evening realtor school sessions will be offered; hence the school designation request. As required, everyone within 500 feet of the property boundary were notified of both public hearings. A sign has been posted and newspaper ads ran. Only a few people attended the Planning Board public hearing where they expressed some concern with traffic mitigation but feel the proposal is a betterment and had no negative feedback. Council Member Franklin expressed concern about sewage. Mrs. Tolbert noted the property has perked in three different locations and the property owner will work with Forsyth County.

iv. Technical Review(s)

v. Preliminary Site Plan Approvals

vi. Evidentiary Hearings

vii. Old Business

viii. New Business

a. Resolution 2023-002 - Qualifications-Based Selection exemption

1. Projects under \$50,000 can be exempted from the Request for Qualifications (RFQ) process for architectural, engineering and related services. This would make it easier to procure professional services such as an architect for the Town Hall Annex assessment or a surveyor for property being acquired.

b. Moser property – Lewisville-Vienna Road

1. An attempt to donate .046-acre tract on Lewisville-Vienna Road previously owned by Dianne Jones Moser to the Town was reported by Mr. Ayers. Although the Town is grateful when property owners consider donating their property to the Town, the Town must determine if acquisition is beneficial to the Town. Due to the very small size of this lot and it is not adjacent to existing Town-owned property, Mr. Ayers recommended the donation be declined.

c. Resolution 2023-003 – L-103 – To set a public hearing on February 9, 2023 for conditional district rezoning request of 7.45 acres off future extension of Great Wagon Road (PIN 5875-87-6070) from RS-20 to RM-8-C by Luke Dickey; Stimmel Associates, PA

1. Mrs. Tolbert reported forty-four townhomes are proposed. Current access is off Belnette Drive; however, once the Great Wagon Road is completed, access will be off the Great Wagon Road.
2. Council Member Hunt feels the townhomes will be an asset to the community.

3. Council Member Franklin stated the Council at the time of construction will need to seriously consider usage of the Fred Moser property.
- d. Resolution 2023-004– L-105 – To set a public hearing on February 9, 2023 for conditional district rezoning request for 1138 Lewisville-Clemmons Road from RS-9-C to RM-5-C by Ron Davis with Allegro Investment Properties, LLC
 1. Mrs. Tolbert reported this property backs up to Kaplan and twin homes are proposed.
 2. Previously, a site plan amendment was done when the developer was considering single-family homes. An emergency exit is still required.

iii. **For the Good of the Order**

- a. Council Member Sadler requested recusal from the January 12 meeting due to vacation.
- b. Mayor Pro Tem Foster also requested recusal from the January 12 meeting due to vacation.
- c. Mayor Horn shared that the Shallow Ford Foundation gave the Town \$500 that can be used for anything at MAWCC. He also reported that they extended the program grant in the amount of \$15,000 for 2023. The 2022 grant was \$25,000.

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

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk