

Lewisville Town Council
Regular Meeting Minutes
June 9, 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 Interim Town Manager & Planner Stacy Tolbert, Finance Director Pam Orrell, and Town Clerk Dora Moore.
- B. Invocation – Retired Minister Tom Lee
- C. Pledge of Allegiance – Council Member Ken Sadler
- D. Adoption of Agenda – Council Member Franklin moved to approve the agenda. The motion was seconded by Council Member Welch and approved unanimously.

2. Consent Agenda

- A. Consent agenda items
 - a. Resolution 2022-039 – Acceptance and Approval of Monthly Financials for ten months ended April 30, 2022
 - b. Approval of Special Meeting Minutes – April 25, 2022
 - c. Approval of Agenda Briefing Minutes – May 5, 2022
 - d. Approval of Budget Meeting Minutes – May 5, 2022
 - e. Approval of Closed Session Minutes – May 5, 2022
 - f. Approval of Budget Meeting Minutes – May 9, 2022
 - g. Approval of Regular Meeting Minutes – May 12, 2022
 - h. Approval of Closed Session Minutes – May 12, 2022
- B. Council Member Hunt moved to approve the consent agenda. The motion was seconded by Council Member Smitherman and approved unanimously.
(Resolution 2022-039 is herein incorporated by reference into the minutes.)

3. Presentations, Introductions and/or Proclamations

- A. Recognition of Army Air Corp Colonel by Representative Jeff Zenger, NC House District 74 – Representative Zenger recognized Colonel Thompson who served 36 years in the US Army. Representative Zenger presented Colonel Thompson with a NC state flag that was flown over the State Capital on Colonel Thompson's last day of service.
- B. Forsyth County Sheriff's Office – Sergeant Stringer shared current call statistics. With the warmer weather, pedestrian traffic increases so Sergeant Stringer shared some safety tips and statistics. Council Member Welch inquired about school safety. Sergeant Stringer stated that Sheriff Kimbrough is passionate about the schools and takes school safety seriously with many measures in place including School Resource Officers.
- C. Reagan 2020-2021 Girl's Golf Team – Mayor Horn presented a plaque to Jay Allred, Reagan High School Girl's Golf Coach, recognizing the Girl's 2020-2021 Golf Team as National Champions.

4. Public Forum – None

5. Appointment(s) – None

6. Public Hearing

A. 2022-2023 Budget

- i. Staff presentation
 - a. Mrs. Tolbert shared the 2022-2023 Budget message highlighting key areas. It was noted the Town's capital reserve funds serve as savings accounts for designated programs/projects. For example, reserves have been used in the past to build Town Hall, the Mary Alice Warren Community Center, and a number of road projects. Management of growth helps to maintain the Town's tax rate, which has remained the same for 17.5 years. *(2022-2023 Budget message and highlights are included with the minutes.)*
- ii. Public hearing – No comments.
- iii. Council discussion
 - a. Council Member Hunt thanked staff for their diligent efforts throughout the budget process.
- iv. Consideration of Ordinance 2022-001 – 2022-2023 Budget Ordinance
 - a. Council Member Smitherman moved to approve Ordinance 2022-001. The motion was seconded by Council Member Hunt and passed unanimously. *(Ordinance 2022-001 is herein incorporated by reference into the minutes.)*

B. UDO L-167 Lewisville Rural Overlay

- i. Staff presentation
 - a. Mrs. Tolbert shared the Planning Board has reviewed the Lewisville Rural Overlay (LRO) in terms of sewer capacity, planned residential developments (PRD), and private treatment plants. Since the presentation at the June 2, 2022 agenda briefing, it is felt the proposal needs further consideration.
- ii. Public hearing
 - a. Daniel Gapastione, 794 Conrad Road - Mr. Gapastione has lived in Lewisville for 25 years. He thanked the Planning Board and Town Council for listening to citizens and maintaining integrity of rural areas with the proposed changes, which he supports.
 - b. Brett Nelson, 140 Almont Forest Drive, Clemmons – Mr. Nelson shared that he formally lived in Lewisville and is considering moving back. He feels eliminating cluster homes is a great idea.
 - c. John Huffman, 1010 Conrad Road – Mr. Huffman yielded his time to Mandy Haggerson.
 - d. Mandy Haggerson, 832 Conrad Road – Ms. Haggerson echoed the sentiments of Mr. Gapastione. She thanked the Planning Board for the thoughtful text amendment noting the community is paying attention and taking note.
 - e. Lang Wilcox, 1210 Forest Wood Drive – Mr. Wilcox shared that he moved to Lewisville in 1983 and has been building and developing in the area. In 2007, the LRO did not benefit the area at the time and Lissara was built in the county with a private wastewater treatment plant. He noted a sewer study was done around 2012-2013 and changes adopted by the Council in 2014. Mr. Wilcox agreed some tweaking of the LRO language is needed but noted the UDO stops usage of private wastewater plants. He requested the proposal be sent back to the Planning Board with additional parties such as himself, businesses, CCUC and CCPB working with the Planning Board.
- iii. Council discussion
 - a. Mayor Horn noted the Town has looked at PRDs because it allows more compact development in order to preserve more open space. There is concern about removing the provision completely. He requested the Planning Board evaluate the LRO more and determine if PRDs should be removed entirely.

- b. Mayor Horn moved to continue the public hearing until August 11, involve CCUC in discussions, and Council and citizens work closely with the review. The motion was seconded by Council Member Franklin.
- c. Mrs. Tolbert feels there are ways to accommodate what Mayor Horn is trying to accomplish and noted the Planning Board has already begun looking at PRDs and comparing to other communities. Staff can also look at voluntary agricultural area if desired by Council.
- d. Council Member Welch noted PRDs help balance the community and this needs to be evaluated.
- e. Advertisement of the public hearing again is recommended only if the revised text amendment is significantly different than what has been presented.
- f. Motion passed unanimously.
- iv. Consideration of Ordinance 2022-029 – UDO L-167 Lewisville Rural Overlay – *No action taken due to continuance of public hearing until August 11.*

7. **Evidentiary Hearing(s)** – None

8. **Annexation Request(s)** – None

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

10. **Old Business**

- A. Facility Exempt Users – Mrs. Moore shared the proposed changes to Chapter 16, section 14 related to the facility use exemption policy. Changes include cleanup of wording and noting exempt user fees at Mary Alice Warren Community Center are different. A new guideline for considering exempt users has been added which mimics the Town’s current guidelines in the Special Projects Funding Policy. Council Member Smitherman moved to approve the proposed changes as presented noting wording may need to be tweaked in the future. Council Member Welch seconded the motion and motion passed unanimously. *(Draft changes as presented are included with the minutes.)*

11. **New Business**

- a. Resolution 2022-040 – Newsletter printing contract with Sir Speedy for \$2,000.25 – Council Member Franklin moved to approve Resolution 2022-040. The motion was seconded by Council Member Hunt and approved unanimously. *(Resolution 2022-040 is herein incorporated by reference into the minutes.)*
- b. Resolution 2022-041– Conflict of Interest Policy applicable to contracts and sub awards of the Town of Lewisville supported by federal financial assistance – Council Member Smitherman moved to approve Resolution 2022-041. The motion was seconded by Council Member Hunt and approved unanimously. *(Resolution 2022-041 is herein incorporated by reference into the minutes.)*
- c. Resolution 2022-042 – Semi-annual HVAC maintenance contract with Air One Industries, Inc. for \$10,629 – Council Member Franklin moved to approve Resolution 2022-042. The motion was seconded by Council Member Welch and approved unanimously. *(Resolution 2022-042 is herein incorporated by reference into the minutes.)*
- d. Resolution 2022-043 – Street Sweeping contract change order with McCoy’s Services, Inc. for \$4,650 – Council Member Sadler moved to approve Resolution 2022-043. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. *(Resolution 2022-043 is herein incorporated by reference into the minutes.)*

- e. Ordinance 2022-026 – Authorizing the establishment and maintenance of the Parks and Recreation Capital Reserve Fund – Council Member Hunt moved to approve Ordinance 2022-026. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. *(Ordinance 2022-026 is herein incorporated by reference into the minutes.)*
- f. Ordinance 2022-027 – amending the Great Wagon Road ROW/Construction Capital Reserve Fund – Council Member Welch moved to approve Ordinance 2022-027. The motion was seconded by Council Member Smitherman and approved unanimously. *(Ordinance 2022-027 is herein incorporated by reference into the minutes.)*
- g. Ordinance 2022-028 – Amending the Municipal Buildings and Land Capital Reserve Fund – Mayor Pro tem Foster moved to approve Ordinance 2022-028. The motion was seconded by Council Member Hunt and approved unanimously. *(Ordinance 2022-028 is herein incorporated by reference into the minutes.)*
- h. Ordinance 2022-030 – Amending Chapter 16 related to Mary Alice Warren Community Center - Council Member Franklin moved to approve Ordinance 2022-030. The motion was seconded by Council Member Sadler and approved unanimously. *(Ordinance 2022-030 is herein incorporated by reference into the minutes.)*
- i. Ordinance 2022-031 – Collection of 2022 Taxes - Council Member Sadler moved to approve Ordinance 2022-031. The motion was seconded by Council Member Hunt and approved unanimously. *(Ordinance 2022-031 is herein incorporated by reference into the minutes.)*
- j. Ordinance 2022-032 – Collection of 2021 and Prior Years’ Taxes - Council Member Franklin moved to approve Ordinance 2022-032. The motion was seconded by Council Member Welch and approved unanimously. *(Ordinance 2022-032 is herein incorporated by reference into the minutes.)*
- k. Resolution 2022-044 – Amending Community Policing contract to add an additional deputy – An additional deputy permits 24-hour coverage and full coverage when others are training or on leave. Council Member Smitherman moved to approve Resolution 2022-044. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. *(Resolution 2022-044 is herein incorporated by reference into the minutes.)*

12. Administrative Reports

- A. Upcoming Town holidays – Mrs. Tolbert shared the Food Truck Festival and Band of Oz are scheduled for June 25 and the Motown Tribute Band will perform on July 2.
- B. Manager’s Report
 - i. CERT Training Update – Mrs. Tolbert reported the Public Safety Advisory Committee, along with Forsyth County Emergency Management, hosted CERT training on June 3-5. There were twenty-four participants with approximately half living in Lewisville. Three participants were BAC members. Six participants will become instructors.
- C. Planning Report
- D. Clerk’s Report
 - i. Summer Leadership Session – August 16 – A fillable, online form is on the Town’s website. It was noted this is a great opportunity for students to learn more about their Town government.
- E. Approvals at the Briefing and Action Meeting on June 2, 2022
 - i. Ordinance 2022-024 – Budget amendment to increase budget for vehicle gasoline, repairs and maintenance for \$3,000
 - ii. Ordinance 2022-025 – Budget amendment to increase budget for repairs and maintenance at Jack Warren Park for \$5,000

13. **For the Good of the Order**

- A. Former Town Clerk Joyce Walker was recognized as being in attendance.
- B. Staff was requested to reflect attachments on the screen during Council meetings.
- C. Mrs. Orrell was recognized for her leadership during the budget process.
- D. *Crossing of Shallow Ford* will be presented at the Davie County Library on June 20.

14. **Adjournment** – Council Member Smitherman moved to adjourn the meeting at 8:11 PM. The motion was seconded by Council Member Franklin and approved unanimously.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk