

Lewisville Town Council
Regular Meeting Minutes
September 8, 2022 – 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 Interim Town Manager & Planner Stacy Tolbert, Finance Director Pam Orrell, Town Clerk Dora Moore and Town Attorney Bowen Houff.
- B. Invocation – Attorney Bo Houff
- C. Pledge of Allegiance – Mayor Pro Tem Jeanne Marie Foster
- D. Adoption of Agenda – Council Member Welch moved to approve the agenda as presented. The motion was seconded by Council Member Smitherman and approved unanimously.

2. Consent Agenda

- A. Consent agenda items
 - A. Resolution 2022-053 – Financial statements for the one month ended July 31, 2022
 - B. Approval of Agenda Briefing Minutes – August 4, 2022
 - C. Approval of Closed Session Minutes – August 4, 2022
 - D. Approval of Regular Meeting Minutes – August 11, 2022
 - E. Approval of Closed Session Minutes – August 11, 2022
 - F. Approval of Called Meeting Minutes – August 17, 2022
 - G. Approval of Closed Session Minutes – August 17, 2022
 - H. Approval of Called Meeting Minutes – August 22, 2022
 - I. Approval of Closed Session Minutes – August 22, 2022
 - J. Approval of Called Meeting Minutes – August 25, 2022
 - K. Approval of Closed Session Minutes – August 25, 2022
 - L. Resolution 2022-054 – Accepting resignation of Susan Frey from Parks and Recreation Advisory Board
 - a. Mrs. Frey was thanked for her years of service.
- B. Council Member Hunt moved to approve the consent agenda. The motion was seconded by Council Member Sadler and approved unanimously.
(Resolutions 2022-053 and 2022-054 are herein incorporated by reference into the minutes.)

3. Presentations, Introductions and/or Proclamations

- A. Forsyth County Sheriff's Office – Sergeant Stringer shared current call statistics and seat belt law. Sergeant Stringer also thanked Council for the additional officer noting the new scheduling works well. Mayor Horn extended thanks for the Public Safety Day held last Saturday by the Public Safety Advisory Committee.
- B. Proclamation 2022-005 – Constitution Week – September 17-23 – Council Member Hunt moved to approve Proclamation 2022-005. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. *(Proclamation 2022-005 is herein incorporated by reference into the minutes.)*
- C. Recognition of Summer Student Leadership participants – Mrs. Moore recognized two students in the audience who participated in the Summer Student Leadership on August 16. Twenty-one middle and high school students participated in the one-day session that included sessions on local government, planning, finance, stormwater, fire, and community policing. The day ended with a mock Council meeting. Students, and parents, were appreciative of the session and great feedback was received.

4. **Public Forum** – None

5. **Appointment(s)**

- A. Appointment Order 2022-008 – Jennifer W. Haydon – Beautification Committee – Council Member Franklin moved to approve Appointment Order 2022-008. The motion was seconded by Council Member Welch and approved unanimously. *(Appointment Order 2022-008 is herein incorporated by reference into the minutes.)*
- B. Appointment Order 2022-009 – Jennifer W. Haydon – Environmental, Conservation and Sustainability Committee – Mayor Pro Tem Foster moved to approve Appointment Order 2022-009. The motion was seconded by Council Member Hunt and approved unanimously. *(Appointment Order 2022-009 is herein incorporated by reference into the minutes.)*

6. **Public Hearing(s)**

- A. UDO L-167 Lewisville Rural Overlay
 - i. Ordinance 2022-029 – UDO L-167 Lewisville Rural Overlay
 - a. Mrs. Tolbert requested the public hearing be continued 60 days until November 10, 2022.
 - b. Council Member Hunt moved to continue the public hearing 60 days until November 10, 2022. The motion was seconded by Council Member Welch and approved unanimously.

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

8. **Preliminary Site Plan Approval(s)** – None

9. **Evidentiary Hearing(s)** – None

10. **Annexation Request(s)** – None

11. **Old Business**

- A. BAC status update
 - i. Plan of works – Plan of works from boards and committees are due September 30 and will be shared with Council on October 6.
 - ii. Orientation video – Mrs. Moore and Mrs. Tolbert will share the orientation video at the September and October board and committee meetings and be available to answer questions from the members.
 - iii. Exit survey – An electronic exit survey is being developed. Board and committee members not seeking reappointment or who resign will be requested to complete the survey.

12. **New Business**

- A. Ordinance 2022-047 – Budget amendment to purchase radar for Sergeant Stringer’s new patrol car - \$2,165 – Council Member Smitherman moved to approve Ordinance 2022-047. The motion was seconded by Council Member Franklin and approved unanimously. *(Ordinance 2022-047 is herein incorporated by reference into the minutes.)*
- B. Ordinance 2022-048 – Budget amendment to purchase four (4) mobile LED tower lights - \$13,196 – Council Member Hunt moved to approve Ordinance 2022-048. The motion was seconded by Council Member Sadler and approved unanimously. *(Ordinance 2022-048 is herein incorporated by reference into the minutes.)*

- C. Ordinance 2022-049 – Budget amendment to retrofit post lights and reinstall and retrofit post light at Jack Warren Park - \$3,090 – Council Member Welch moved to approve Ordinance 2022-049. The motion was seconded by Mayor Pro Tem Foster and approved unanimously. (*Ordinance 2022-049 is herein incorporated by reference into the minutes.*)
- D. Solar panel project – Mayor Horn shared information with Council about installing solar panels on the Mary Alice Warren Community Center (MAWCC). It was noted the Town could potentially obtain a Duke Energy grant and federal funding to possibly offset up to half the cost of installation. Council Member Sadler moved to begin discussions related to installing solar panels at MAWCC not to exceed \$40,000, including warranties cited in bid sheet. The motion was seconded by Council Member Smitherman and approved unanimously. (*Bid sheet is herein incorporated into the minutes.*)
- E. Resolution 2022-055 – Amending Remote Meeting Participation Policy (Resolution 2020028) – Mrs. Moore presented possible revisions to the Town’s Remote Meeting Participation Policy that would permit remote participation in closed sessions. The Town’s current policy does not permit such. Attorney Houff cautioned Council to not allow remote participation qualify quorum, even though the policy permits such. He noted there are no court cases on remote participation and he feels Council should err on the side of caution. If close votes are taken with remote participation, Council will be asked to ratify the votes at the next in-person meeting. Mayor Pro Tem Foster moved to approve Resolution 2022-055. The motion was seconded by Council Member Smitherman and approved unanimously. (*Resolution 2022-055 is herein incorporated by reference into the minutes.*)

13. Administrative Reports

- A. Upcoming Town events and holidays – Mrs. Tolbert shared the following upcoming events at Shallowford Square: September 9 – Clifford movie; September 17 – The Megan Doss Band; October 1 – Eyes of Silver – Doobie Brothers Tribute Band; and, October 8 – Lonesome River – bluegrass concert.
- B. Manager’s Report
 - i. Gateway project overview presentation – Mrs. Tolbert shared Gateway project diagrams and encouraged Council and residents to stop by Town Hall to view them. It was noted the project came in \$2,208,737.03 over budget. The Metropolitan Planning Organization (MPO) has approximately \$1.6 million in reserves and the Town has requested the full amount. The next reserve fund will not be available until 2024 and it is anticipated competition will be greater. If the Town chooses to pause the project, they will not lose funding. If the pause is longer than 60 days, the project will have to be rebid and it is anticipated the cost will be greater. If project is stopped completely, the project will not be eligible for future funding and the Town will have to repay \$400,000 of STP-DA, which have already been spent. Mrs. Tolbert shared the low bidder is willing to hold the bid until the Town learns if they will receive the additional MPO funding and Mrs. Tolbert has requested that in writing. Council consensus was to move forward as long as additional funding is received.
 - ii. PARTF grant – The Town received the PARTF grant for improvements at Jack Warren Park to include a nature trail, an 18-hole disc golf, an outdoor event space, connector paths, and sidewalk connectivity. The Town is required to match the grant for this project. Staff is awaiting official notification to proceed. Council thanked staff for their endeavors.
- C. Planner’s Report
- D. Attorney’s Report

- E. Clerk's Report
 - i. Ethics training – Council must complete the 2-hour required ethics training by October 31, 2022.
- F. Community Center Facilities & Programming Manager's Report
- G. Approvals at the Briefing and Action Meeting on September 1, 2022
 - i. Ordinance 2022-046 – Budget amendment to trim Crepe Myrtles at Jack Warren Park - \$5,500

14. For the Good of the Order

- A. Public comments
 - i. Stephanie Holcomb, 2169 Benwicke Drive, Pfafftown – Ms. Holcomb inquired about dogs at Jack Warren Park, brush and limb service, and a dog park.
 - ii. Susan Frey, 165 Will Austin Court – Mrs. Frey congratulated staff and former Manager Perkins on attaining the PARTF grant but wanted to recognize all the board and committee members who participated in the process as well.
- B. Council comments
 - i. Council Member Welch expressed concern over the lack of artwork at MAWCC. Staff will develop guidelines and an application to be brought back to Council for their consideration in October.
 - ii. Council Members Hunt and Sadler will attend Monday's Parks and Recreation Board meeting to discuss volunteerism at MAWCC.

- 15. Closed Session pursuant to NCGS 143-318.11(a)(6)** – Mayor Pro Tem Foster moved to enter into closed session related to the manager search at 8:34 PM. The motion was seconded by Council Member Welch and approved unanimously.

Council returned to open session at 9:50 PM.

- 16. Adjournment** – Council Member Smitherman moved to adjourn the meeting at 9:51 PM. The motion was seconded by Council Member Welch and approved unanimously.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk