

**Lewisville Town Council**  
**Special Meeting Minutes**  
**December 29, 2022 – 6:30 PM**  
**Lewisville Town Hall 1<sup>st</sup> Floor Conference Room - 6510 Shallowford Road**

Mayor Horn opened the special called meeting on December 29, 2022 at 6:30 PM. In attendance were Mayor Mike Horn (remote), Mayor Pro Tem Jeanne Marie Foster, and Council Members Fred Franklin, Melissa Hunt, Ken Sadler, and Jane Welch. Also in attendance were Town Manager James Ayers, Assistant Town Manager/Planner Stacy Tolbert, Town Clerk Dora Moore, Finance Director Pam Orrell, Town Attorney Bowen Houff, Attorney Elliot Fus, and Attorney Andy Santaniello. Council Member David Smitherman was absent.

Council Member Hunt moved to enter into closed session related to the attorney-client privilege pursuant to NCGS 143-318.11(a)(3) at 6:30 PM. The motion was seconded by Council Member Welch and approved unanimously.

Council returned to open session at 7:25 PM.

Ordinance 2022-067 – Amending Budget Ordinance 2022-001 – Mediation settlement - \$1,975,000 -  
Council Member Sadler moved to approve Ordinance 2022-067. The motion was seconded by Council Member Hunt and approved unanimously. (*Ordinance 2022-067 is herein incorporated by reference into the minutes.*)

Resolution 2022-073 – Mediated settlement agreement between Town of Lewisville and Solomon development, LLC -  
Council Member Sadler moved to approve Resolution 2022-073. The motion was seconded by Council Member Hunt.

Council Member Welch shared the following statement – “After voting for denial twice, it is very upsetting to vote in favor of a monetary settlement. The alternative could mean years of possible attorney fee costs, and even more money from the town. I have been incensed; with the hours of discussion this council has devoted to this issue; and in the emotional drain taken. INCENSED!!!”

Council Member Franklin echoed Council Member Welch’s comments stating he feels he made the right vote at the time. He further stated this has been the worst thing in his twenty-two years of service and feels it was the best decision for the Town and residents. He thanked the mediation team for their efforts.

Mayor Pro Tem Foster noted the unprecedented challenges the Town faced during the pandemic while operating under an extended state of emergency; therefore, she believes her duty to the Town residents requires a vote in the affirmative. By not voting for the agreement, Mayor Pro Tem Foster expressed concern that existing and future board and committee members may be less inclined to volunteer due to perceived risk.

Mayor Horn stated this is the one vote in his twenty-two years that he will remember as being unfortunate. He also wants boards and committees to make their decisions based on what they feel is best for the Town and the Town stand behind them.

Council Member Franklin called the vote to question.

The Council voted unanimously to approve Resolution 2022-073. (*Resolution 2022-073 is herein incorporated by reference into the minutes.*)

Mayor Horn thanked staff for their perseverance and their caliber of professionalism.

Having no further business to discuss, Council Member Sadler made a motion to adjourn at 7:37 PM. The motion was seconded by Council Member Franklin and approved unanimously.

ATTEST:

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Mike Horn, Mayor

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Dora K. Moore, Town Clerk