

Lewisville Town Council Regular Meeting Minutes - June 10, 2021 - 6:00 p.m.
Digitally originating in Council Chambers - 1st floor - Lewisville Town Hall
6510 Shallowford Road

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Or

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1. **Call to Order**

- a. Mayor Mike Horn opened the meeting being simultaneously streamed electronically at 6:07 p.m. Council members attending electronically were Jeanne Marie Foster, Fred Franklin, Melissa Hunt, Ken Sadler, David Smitherman, and Jane Welch. Also attending electronically were Town Manager Hank Perkins, Attorney Bo Houff, Town Planner Stacy Tolbert, Public Works Director Ryan Moser and Sgt. Stringer.
- b. The Invocation was provided by Bo Houff and the Pledge of Allegiance by Council Member Smitherman.
- c. Adoption of Agenda
 - i. Council Member Smitherman moved to approve the agenda. The motion was seconded by Council Member Franklin and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

2. **Consent Agenda**

- a. Consent agenda for approval
 - i. [Resolution 2021039 - Acceptance and Approval of Monthly Financials for the **ten months ending April 30, 2021**](#)
 - ii. No minutes were available (due to the absence of the clerk).
- b. Council Member Franklin moved to approve the Consent Agenda. The motion was seconded by Council Member Smitherman and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2021039 is herein incorporated by reference into the minutes.

3. **Introductions, Presentations, Recognitions and/or Proclamations**

- a. Presentations
 - i. Sheriff's Office Introduction
 - (1) Sgt. Stringer introduced Deputy Mills and noted that Deputy Armstrong, who was introduced a month ago, has been injured. Deputy Mills will temporarily be taking Deputy Armstrong's place.
 - ii. Sheriff's Office Report
 - (1) Sgt. Stringer provided current call statistics:
 - (i) Calls for *Service* - 625

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- (ii) *Security Checks - 262*
 - (iii) *Traffic Violations/Arrests - 41*
 - (iv) *Alarms - 26*
 - (v) *Priority Call Response times - 7 minutes*
 - (b) Comparisons were made with the same stats for 2020.
 - (c) He plans on placing some information in the newsletter on §20-157, the Move Over Law, that was updated in 2019.
 - (d) The status of the ordinance with whom the Sheriff's Office has been reviewing has been referred to the County Attorney's Office for review.
- 4. **Public Forum**
 - a. The Public Forum was electronically opened.
 - b. Having no electronically raised hands, the Public Forum was closed.
 - c. Written comments may be sent to townclerk@lewisvillenc.net
- 5. **Appointments**
 - a. None.
- 6. **Preliminary Site Plan Approvals**
 - a. None.
- 7. **Evidentiary Hearings**
 - a. None.
- 8. **Public Hearings**
 - a. **Ordinance 2021001** - Public hearing to receive comments on 2021-2022 budget
 - i. Staff presentation
 - (1) Mr. Perkins read highlights of the Budget Message as amended based on the deliberations of Council.

Town of Lewisville
2021-2022 Budget Highlights

The proposed budget for the General Fund is \$5,312,544 (an increase of 11.8% over the prior year's budget as adopted for July 1, 2020).

The budget as proposed includes maintaining the current tax rate of 17.7 cents per \$100 of valuation.

This budget is balanced with \$425,954 in fund balance from the General Fund.

The Town of Lewisville also collects a levy for a municipal service district. The budget as proposed includes maintaining the current tax rate of 5 cents per \$100 of valuation.

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Forsyth County has completed and released new valuation numbers as part of a four year cycle. According to the Forsyth County Tax Appraisers, the total tax value for the Town of Lewisville for the upcoming fiscal year is estimated at \$1,608,414,955. This produces estimated Ad Valorem tax revenue of \$2,761,490. This is a 12.3% increase over the prior year amount or a \$312,100 increase in ad valorem revenue.

Town Services

Budgeting for the economic uncertainty of our municipal revenues, brought about by the COVID-19 pandemic, and the increase in our service costs has been a challenge. However, the Town of Lewisville stays committed to the continuation of all of its existing services for the upcoming fiscal year to include, parks and recreation, finance, administration, planning and zoning, public works, residential garbage and recycling, storm water management, community policing, and beautification. All services are proposed to continue at current service delivery levels for the upcoming fiscal year.

Capital Reserve Funds

The Town has 4 capital reserve funds. Currently, annual appropriations to all of these funds total \$220,825 per year.

At the Town Council planning session, held on February 6, the Council re-affirmed its desire to proactively support the development of the downtown area, and road and sidewalk improvements throughout the Town, as well as its desire to develop future capital facilities such as the new Mary Alice Warren Community center.

During fiscal year 2017-2018 the Town Council learned that the NC Department of Transportation plans to assume financial responsibility for the remaining work to be done on the Great Wagon Road to include design, right-of-way acquisition, and construction. As construction of the Great Wagon Road progresses, we anticipate that the Town of Lewisville will participate financially with the NC Department of Transportation on enhancements such as sidewalks, trees, and streetlights, as well as the design and installation of water and sewer infrastructure. The budget for 2020-2021 suspended the annual contribution to the capital reserve fund due to the uncertainties of the economy during the pandemic. The proposed budget for 2021-2022 reinstates the annual contribution to the capital reserve fund of \$115,000.

In February, the Town Council voted to discontinue the design and construction of the Heritage Drive Regional Storm Water Pond #1. With this decision, the Town no longer needs to set money aside in the Storm Water Capital Reserve Fund for future capital projects. As such, we recommend that the Storm Water Capital Reserve Fund be closed. We propose that the residual balance in the fund of \$404,682 be allocated to other capital reserves, with \$170,000 transferred to the Municipal Buildings/Land Capital Reserve Fund and the remaining \$234,682 transferred to a newly created Public Works Facility Capital Reserve Fund.

The 2021-2022 budget as proposed also includes an allocation from the general fund to the newly established Public Works Facility Capital Reserve Fund for the construction of a public works building of \$95,000.

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The budget as proposed suspends the annual \$170,000 contribution to the Municipal Buildings/Land Capital Reserve Fund to help fund the debt service costs on the \$2 million bank installment loan for the new Mary Alice Warren Community Center.

The transfer to the Sidewalks, Bike Paths, and Greenways Capital Reserve is proposed to remain unchanged at \$25,000.

Thus proposed funding in this budget for all capital reserves is \$235,000.

Projects for the Upcoming Fiscal Year

The Town will continue design work on the Gateway Project along with construction work in the coming fiscal year.

The Town has also been awarded funding for the construction of a single lane roundabout at Robinhood Road and Lewisville-Vienna Road.

And lastly, the Town plans to complete construction of the Mary Alice Warren Community Center in September 2021. It has a current budget of \$4,907,137.

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- ii. Comments
 - (1) Mrs. Orrell stated that the Town's finances are in good shape.
 - (2) Mayor Horn also noted that the Town's philosophy is to save and the only debt is for the Mary Alice Warren Community Center.
 - iii. Public Hearing
 - (1) The Public Hearing was electronically opened.
 - (2) Having no electronically raised hands, the Public Hearing was closed.
 - iv. Council discussion
 - (1) None.
 - v. Set date for Council consideration Monday, June 14, 2021 at 6:00 p.m.
 - (1) Mayor Horn moved to meet on June 14, 2021 for consideration of the budget ordinance as required by SL 2020-3 requiring 24 hours to receive written comments after the close of a public hearing.

9. Technical Reviews

- a. None.

10. Unfinished Business

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- a. Board and Committee Report
 - i. Mrs. Foster presented a PowerPoint identifying goals, objective and the status of the project which had been emailed to Council members prior to the meeting.

Communications Specialist, Gennie Taylor was electronically admitted to the meeting.

- (1) There was discussion on communications between boards and committees and the Council and the perception of the boards and committees when Council did not approve a suggestion.
 - (2) She also shared a video from Asheville as an example of what could be done to provide information to board and committee members.
 - ii. She asked everyone to review the material she had provided and to let her know of any questions.
 - iii. Mrs. Foster suggested having a “meet and great” with Council, boards, and committees before the opening of the Mary Alice Warren Community Center so all can be familiar with one another.
 - (1) Mayor Horn was supportive of this and an expansion as an appreciation to the boards, committees and volunteers.
 - (2) It was suggested that Appreciation Week is in April and might be the time to have something to show appreciation.
 - iv. There was discussion about how the Board and Committee members might interact with Council at future meetings. Council Member Welch was concerned about the amount of time involved if a representative from each BAC came before Town Council every month.

11. New Business

- a. Approval of 2021 Meeting Schedule
 - i. The change on the schedule is to show that all Council meetings will be at 7:00 p.m.
 - ii. Council Member Franklin moved to approve the amended meeting schedule. The motion was seconded by Council Member Welch and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.
- b. [Resolution 2021038](#) – To set the public hearing on July 8, 2021 to receive comments on UDO L-164 amending the Unified Development Ordinance for compliance to NC G.S. 160D
 - i. Council members were provided a copy of the amendments prior to this meeting.
 - ii. Mrs. Tolbert noted highlights of the amendments and asked everyone to read the staff report for background information.

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- iii. Council Member Smitherman moved to approve Resolution 2021038. The motion was seconded by Council Member Hunt and approved unanimously.
 - (1) Mrs. Tolbert was asked if *stories* is defined in 160D.
 - (a) The definition is found in the North Carolina Building Code.
 - (b) Council was also advised that the Planning Board is working on the Downtown Overlay and references to *stories* is going to be removed.
 - (2) Council was also advised that the Planning Board has had their public hearing and will be sending to Council for July.
 - (3) With those questions and comments, the motion was approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2021038 is herein incorporated by reference into the minutes.
- c. [Resolution 2021048](#) - To withdraw a portion of approved major subdivision L-PBR 2020001 Lewisville Place Section V
 - i. Council previously approved this as a major subdivision because the right-of-way was being extended which is way the subdivision had to come before Council.
 - ii. The final plat cannot be recorded until the approved subdivision road is built.
 - iii. The developer has made a request to withdraw lot #7 which faces Lewisville-Clemmons Road.
 - (1) This will make the remaining lots a minor subdivision which can be approved by the Planner as the Town's Review Officer and Subdivision Administrator.
 - (2) Action is required by Council to withdraw the lot so that the remaining lots become a minor subdivision within a major subdivision.
 - (3) Removing this one lot will allow that lot to be recorded as a stand-alone and not part of the subdivision.
 - (4) Stormwater is not a requirement of the remaining six lots.
 - (a) Concerns were discussed about not having a stormwater pond.
 - (b) Council was advised that there are still other rules that will need to be followed regarding stormwater even if the pond is eliminated.
 - (c) Mrs. Tolbert indicated that the ordinance says "and" instead of "or" in calculations.
 - (i) Other than stormwater calculations, nothing else has changed.
 - (d) Stormwater will now be considered low density instead of high density.
 - iv. After additional discussion, to allow for additional review, this resolution will be

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carried forward for consideration in July.

12. **Administrative Reports**

- a. Upcoming [Events](#) at Shallowford Square and Town Holidays
 - i. A list of upcoming events have been provided to Council. They have also been noted on the Town's Facebook page. He also noted the 2 upcoming events.
- b. Manager's Report
 - i. Gateway Project Bidding Update
 - (1) Presently, no bids were received this week at the bid opening even though there were four participants at the pre-bid. Right now contractors have more work than they can handle. Staff will wait until after July 4th to try again with a re-bid. One bid can be considered; however, there is no obligation to do so. If that happens, the recommendation from the DOT is to wait several months to try again.
 - ii. In-person meetings will begin in July.
 - (1) All meetings will be held in Council chambers, including boards and committees, with chairs spread at a distance.
 - (2) Masks will be recommended but not required.
 - (3) Council was in agreement to starting in-person meetings.
 - iii. Town Clerk, Joyce Walker, will be returning to work on June 14th.

David Smitherman lost power at 7:50 p.m. and returned at 7:54 p.m.

- c. Planning
 - i. Mrs. Tolbert introduced Hannah Etter, who is interning in the Planning Department. Council was updated on the projects on which Ms. Etter had been working.
 - (1) Files have been organized and up-to-date.
 - (2) The UDO has been reviewed and a check list created for reviewing site plans.
 - (3) She has been working on the update for 160D and other text amendments.
 - (4) She is an art major and has created visuals for the UDO.
 - (5) Ms. Etter is working on her masters degree in Planning at Chapel Hill.
- d. Clerk's Report
 - i. None.
- e. **Approvals at the Briefing and Action Meeting on June 3, 2021**
 - i. [Resolution 2021040](#) – Acceptance of federal funds under the American Rescue Plan Act of 2021
 - ii. [Ordinance 2021028](#) – Establishment and maintenance of the American Rescue

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Plan Special Revenue Fund

- iii. [Ordinance 2021031](#) – Amending Budget Ordinance 2020001 in the amount of \$10,000 to increase the budget for legal fees in the Governing Body Department
- iv. [Ordinance 2021033](#) – Amending Budget Ordinance 2020001 in the amount of \$10,000 to increase the budget for Powell Bill right-of-way maintenance

13. For the Good of the Order

- a. Public Comments
 - i. Public Comments were opened electronically.
 - ii. Having no electronic hands waived, Public Comments were closed.
 - iii. Written comments may be sent to townclerk@lewisvillenc.net.
- b. Council comments/discussion
 - i. Council Member Welch advised of the Governor’s lottery for those taking the COVID vaccines.
- c. Adjournment
 - i. Having no other comments, at 8:03 p.m., Council Member Franklin moved to adjourn the meeting. The motion was seconded by Council Member Sadler and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk