

Lewisville Town Council
Briefing and Action Meeting Minutes - September 2, 2021 - 7:00 p.m.
Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

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1. **Call to Order:**
 - a. Mayor Horn called the meeting to order at 7:01 p.m. Council members present were Jeanne Marie Foster, Fred Franklin, Melissa Hunt, Ken Sadler and Jane Welch. David Smitherman was unable to attend. Also present were Town Manager Hank Perkins, Attorney Bo Houff, Finance Officer Pam Orrell, Planner Stacy Tolbert, Public Works Director Ryan Moser and Town Clerk Joyce Walker.
 - b. Adoption of Agenda
 - i. Council Member Sadler asked to move the proclamation on National Suicide Prevention Week for approval at this meeting because of the start date.
 - ii. With that change, Council Member Sadler moved to approve the amended agenda. The motion was seconded by Council Member Foster and approved unanimously.
 2. **Guests, Introductions, Recognitions and Presentations for September 2, 2021**
 - a. Emily Clodfelter - Fairwood Construction
 - b. Susan Frey - Parks, Recreation and Cultural Development Chair
 3. **Items That Require Council Direction**
 - a. Mary Alice Warren Community Center grading discussion
 - i. There was a concern that the slope behind the new community center was too steep and could be a safety issue.
 - (1) It was suggested that fill dirt be hauled in to reduce the angle of the slope.
 - ii. Ms. Clodfelter provided a drawing showing a proposed grade, noting that it will be difficult to get anything to grown on the slope in the future.
 - (1) It is considered a fill modification.
 - (2) What will future maintenance costs be if this fill isn't performed?
 - iii. There was discussion on the rendering portraying the space behind the center as being a gentle slope and usable space.
 - iv. There were also discussions and suggestions on what options can be done to minimize any safety or other issues.
 - (1) Should the fill be done?
 - (2) Should a fence be placed?
 - v. Council members discussed whether this steep slope should be a concern.
 - vi. Mayor Horn asked:

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- (1) Everyone to visit the site before the meeting next week.
 - (a) Coordinate with staff to minimize the number cars needing access to the site.
 - (2) Ask the town's risk management person to visit the site to determine whether the slope is a liability.
 - vii. If Council determines that using a fill is a remedy, the work will not occur until after all other contractual work has been completed.
 - b. Meetings (in-person or electronic)
 - i. Council members discussed whether to meet via ZOOM or in-person.
 - (1) Meeting by ZOOM eliminates social distancing and wearing masks.
 - (2) Council Member Foster has contacted most of the chairs and vice chairs who think that ZOOM is appropriate, especially with the rapid spread of the COVID-19 Delta variant.
 - ii. Council will review their meeting strategy on a month by month basis.
- 4. **Items Requiring Action at Briefing**
 - a. **Ordinance 2021050** - amending Budget Ordinance 2021001 in the amount of \$7,000.⁰⁰ to increase the budget for deputy hustles at the events at Shallowford Square
 - i. The basis for this request is because of a requirement from the Sheriff's Office to use ratios for events based on the expectation of the number of attendees and/or whether alcohol is going to be present. This is to complete this year's event season.
 - (1) This will be taken to Parks and Rec for discussion for the next season. A recommendation will be brought to Council.
 - ii. Council Member Franklin moved to approve Ordinance 2021050. The motion was seconded by Council Member Sadler and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn. Ordinance 2021050 is herein incorporated by reference into the minutes.
 - (1) Mayor Horn indicated he will meet with the Sheriff to find out the rationale for the change to using a ratio.
 - b. Gateway Project update
 - i. **Ordinance 2021046** - amending Capital Project Ordinance in the amount of \$16,114.⁰⁰ for other professional services and to survey for endangered sunflowers
 - (1) Council Member Welch moved to approve Ordinance 2021046. The motion was seconded by Council Member Sadler and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn. Ordinance 2021046 is herein incorporated by reference into the minutes.
 - (2) The study can only be done between August and October.
 - ii. **Ordinance 2021047** - Amending Budget Ordinance 2021001 transferring funds in the amount of \$16,114.⁰⁰ from the Sidewalks, Bike Paths/ Greenways Capital Reserve to the Gateway Project to amend the contract with Kimley Horn
 - (1) Council Member Franklin moved to approve Ordinance 2021047. The motion was seconded by Council Member Sadler and approved

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unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn. Ordinance 2021047 is herein incorporated by reference into the minutes.

- iii. [Resolution 2021059](#) - Amendment Number 1 amending the contract for the Williams Road Gateway Project to include additional professional services and other surveys as required by the Endangered Species Act in an amount not to exceed \$16,113.89
 - (1) Council Member Foster moved to approve Resolution 2021059. The motion was seconded by Council Member Franklin and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn. Resolution 2021059 is herein incorporated by reference into the minutes.
- c. [Ordinance 2021048](#) - amending Budget Ordinance 2021001 in the amount of \$3,965.⁰⁰ to budget for an endangered sunflower survey ahead of the CMAQ Project on Lewisville-Vienna Road
 - i. Council Member Foster moved to approve Ordinance 2021048. The motion was seconded by Council Member Sadler and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn. Ordinance 2021048 is herein incorporated by reference into the minutes.
- d. [Ordinance 2021049](#) - amending Budget Ordinance 2021001 in the amount of \$3,164.⁰⁰ to purchase a computer/monitor and a vinyl cutter plotter for sign making
 - i. Council Member Franklin moved to approve Ordinance 2021049. The motion was seconded by Council Member Hunt and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn. Ordinance 2021049 is herein incorporated by reference into the minutes.
- e. Approval of [grant letter](#) of support for the 205J project requesting funds to assist with the GIS mapping of the existing stormwater system to be in compliance with MS4 permit
 - i. Council Member Hunt moved to approve the grant letter request. The motion was seconded by Council Member Foster and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn. The grant letter of request is herein incorporated by reference into the minutes.
- f. [Proclamation 2021006](#) - proclaiming September 5, 2021 through September 11, 2021 as National Suicide Prevention Week
 - i. Council Member Sadler moved to approve Proclamation 2021006. The motion was seconded by Council Member Welch and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn. Proclamation 2021006 is herein incorporated by reference into the minutes.

5. **Unfinished Business:**

- a. None.

6. **Administrative Reports:**

- a. Manager

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- i. Mr. Perkins reminded Council members that the deadline for providing information on the public records request is the 3rd. Information has been sent to members of Council and the Planning Board.
 - ii. The Town was hoping to have a contract for approval for the Lewisville-Vienna Road/Robinhood Road roundabout (U-6154) project. The necessary paperwork from the DOT for review of the contract and pricing has not yet been received. The contract is planned for next week's agenda, provided the necessary paperwork has been received.
 - iii. The Town has submitted a request for supplemental funds to the MPO for the CMAQ project for the Lewisville-Vienna Road multi-purpose path up to the future roundabout. This *old* project is still on the books to be federally funded, however due to inflation and rising costs, the cost is above the original price. A letter of support for the additional 20% match is being requested to cover the rising cost. Next week staff will be bring a letter of support for this request.
 - iv. Mr. Perkins also reminded everyone that STP-DA Call for Projects will be coming to Council in December.
- b. Attorney
 - i. None.
 - c. Public Works
 - i. None.
 - d. Planning
 - i. None.
 - e. Finance
 - i. None.
 - f. Clerk
 - i. Session Law 2021-35 is an act to amend the Statute authorizing the use of remote meetings during certain States of Emergency. It became effective July 1, 2021 and changes the requirement that 24 hours are required **following** a public hearing **to** receive written comments to **24 hours prior** to the scheduled time for the beginning of the public hearing. This change can be found under G. S. 166A-19.24.
 - ii. Town Hall will be closed this coming Monday, September 6, 2021 for the Labor Day Holiday.
7. **Agenda Items for Regular Meeting on [September 9, 2021](#)**
- a. Tentative Agenda
 - i. **Consent Agenda**
 - (1) [Resolution 2021060](#) - Acceptance and Approval of Monthly [Financials for the one month ending July 31, 2021](#)
 - (2) Approval of Town Council Briefing Meeting [Minutes - August 5, 2021](#)
 - (3) Approval of Town Council Meeting [Minutes - August 12, 2021](#)
 - ii. **Introductions, Recognitions, Presentations and/or Proclamations**
 - (1) Presentations
 - (a) Sheriff's Office Report

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- (2) Proclamations
 - (a) [Proclamation 2021004](#) - proclaiming Constitution Day - September 17, 2021 and Constitution Week - September 17-23, 2021
 - (b) [Proclamation 2021005](#) - proclaiming September 11, 2021 as a day of remembrance of the 2001 attacks on three US locations
 - (c) [Proclamation 2021006](#) - proclaiming September 5, 2021 through September 11, 2021 as National Suicide Prevention Week (moved to 4.f. for approval)
- iii. **Appointments**
 - (1) [Appointment Order 2021007](#) - appointing Holli Conger to the Lewisville Beautification Committee
- iv. **Public Hearings**
 - (1) [Ordinance 2021045](#) - A rezoning petition to amend the zoning map in reference to recently annexed property 2675 Williams Road, Lewisville, NC 27023 from AG (Agriculture zoning Forsyth County) to AG (Agriculture zoning Lewisville)
 - (a) The zoning for this property must be completed within 60 days of annexation.
 - (b) This is a bon-a-fide farm on the federal, state and local level.
 - (c) Property owners within 500 feet have been notified of the rezoning.
 - (d) The Planning Board has had their public hearing and recommends AG as the zoning district.
 - (2) [Ordinance 2021053](#) - A Unified Development Ordinance text amendment to amend Chapter B, Article III, Section 3-3.4 Off-Site Parking to remove the provision allowing off-site parking accessory to multi-family and institutional uses
 - (a) This text amendment was requested by the Planning Board so that accessory lots would have to be rezoned, a requirement for other zoning districts.
 - (b) Of the two options that were presented to the Planning Board, the Planning Board chose Option 1 which would be the same for accessory lots for the other zoning districts.
 - (i) There was a question whether this change will constrain multi-family development in the downtown area.
- v. **Technical Review(s)**
 - (1) None.
- vi. **Preliminary Site Plan Review(s)**
 - (1) None.
- vii. **Evidentiary Hearings**
 - (1) None.
- viii. **Old Business**

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- (1) *Lewisville Tomorrow* update will be on the agenda for next week.
- ix. **New Business**
 - (1) [Resolution 2021058](#) - revising the youth participation activities in Town of Lewisville government which changes the format

Council Members took a break from 8:40 p.m. to 8:45 p.m.

- (2) Mary Alice Warren Community Center
 - (a) [Ordinance 2021051](#) - amending various sections of Chapter 16 of the Lewisville Town Code and to include new section 16-18 for the Mary Alice Warren Community Center
 - (i) Staff was asked to have resident vs. citizen be consistent and to use resident.
 - (b) [Ordinance 2021044](#) - amending Budget Ordinance 2021001 Fee Schedule to include fees for the Mary Alice Warren Community Center
 - (c) [Resolution 2021061](#) - amending the Town's Alcohol Beverage Policy to include Mary Alice Warren Community Center and some other minor changes regarding requirements of the Sheriff's Office
- (3) [Ordinance 2021052](#) - amending Town Code Chapter 8 to be in conformity with State Statutes regarding firearms
- (4) [Resolution 2021062](#) - setting a public hearing to receive comments on UDO L-099 for Longwood Village's request for a site plan amendment because of the addition of a stormwater pond, loss of lots and street changes for the October meeting
- (5) [Resolution 2021063](#) - awarding contract to Kimley Horn in the amount of \$419,877.51 for the Lewisville-Vienna Road/Robinhood Road Roundabout Project engineering
- (6) Willow Run Municipal Service District (WRMSD)
 - (a) [Ordinance 2021054](#) - amending Budget Ordinance 2021001 in the amount of \$5,000.⁰⁰ to increase the WRMSD budget for the Emergency Action Plan (EAP) for the high hazard Falmouth Dam
 - (b) [Resolution 2021064](#) - authorizing the Town Manager to award the contract to update the WRMSD EAP for Falmouth Dam to Grimes Engineering of Clemmons in the amount of \$16,800.⁰⁰
- b. Approval of Tentative Agenda for regular meeting on **September 9, 2021**
 - i. Council Member Sadler moved to approve the tentative agenda for the September 9th meeting. The motion was seconded by Council Member Welch and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn.

- 8. **For the Good of the Order:**
 - a. Council Discussion

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- i. Council Member Franklin advised that he will not be able to attend the briefing meeting on October 7th.
- ii. Council Member Foster asked for consideration to re-enforce CDC guidelines on outdoor settings for the Town's web site, especially with upcoming events.
 - (1) Council asked that a Lewisville Connect Call be made prior to the town's events as a reminder of the guidelines.

9. **Adjournment**

- a. Having no other business to discuss, Council Member Franklin moved to adjourn the meeting at 9:12 p.m. The motion was seconded by Council Member Sadler and approved unanimously by a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Welch and Mayor Horn.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk