

Lewisville Town Council
Regular Meeting Minutes
October 10, 2024 – 6:00 PM
Lewisville Town Hall Council Chambers
6510 Shallowford Road

1. Call to Order:

- A. Mayor Horn opened the meeting at 6:00 PM. In attendance were Mayor Mike Horn, Mayor Pro Tem Melissa Hunt, and Council Members Ivan Huffman, Monte Long, Julie Puckett, Ken Sadler and Jane Welch. Also attending were Town Manager Stacy Tolbert, Town Clerk Dora Moore, Finance Director Pam Orrell, Public Works Director Jon Hanna, Planning Director Lynn Cochran and Town Attorney Elliot Fus.
- B. Invocation – Council Member Monte Long
- C. Pledge of Allegiance – Council Member Ken Sadler
- D. Adoption of Agenda – Council Member Huffman moved to approve the agenda as amended. The motion was seconded by Council Member Puckett and approved unanimously.

2. Consent Agenda

- A. Resolution 2024-045– Financial statements for two months ended August 31, 2024
- B. Approval of Agenda Briefing Minutes – September 5, 2024
- C. Approval of Regular Meeting Minutes – September 12, 2024

Mayor Pro Tem Hunt moved to approve the consent agenda items. The motion was seconded by Council Member Huffman and approved unanimously. *(Resolution 2024-045 is herein incorporated by reference into the minutes.)*

3. Introductions, Recognitions, Presentations and/or Proclamations

- A. Introduction of Planning Director
 - i. Manager Tolbert introduced Lynn Cochran as the Town’s Planning Director. Mr. Cochran has worked previously for Rockingham County Planning and Inspections and Piedmont Triad Regional Council.
- B. Presentations
 - i. Sheriff’s Office – Sergeant Stringer shared recent call information. He encouraged everyone to continue praying for Western North Carolina (WNC) noting how the community has come together to help. Mayor Horn, who has been in the Plum Tree community, shared the devastation is quite severe. He expressed pride in staff, Council and volunteers who have helped with relief efforts.

2024													
TYPE OF INCIDENT	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Total calls for service	575	657	715	682	605	591	621	698	708				
Security Check	277	347	408	368	300	284	351	357	379				
Traffic Arrest / Violation	34	38	24	30	25	41	36	32	25				285
Alarm	11	1	19	14	16	8	19	12	16				116
Priority Call Response Time	5.9	5	5	4.1	5.4	4.8	5	4.5	5				44.7
2023													
TYPE OF INCIDENT	JAN	FEB	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Total calls for service	872	676	751	758	754	800	734	769	477				575
Security Check	570	396	136	446	442	518	388	464	207				
Traffic Arrest / Violation	49	47	51	75	41	35	30	72	26				
Alarm	17	23	23	22	15	20	7	7	9				
Priority Call Response Time	5.2	3.6	5.2	5.3	5.9	5	4.1	4.1	6				

- C. Proclamation
 - i. 2024-004 – National Literacy Day – November 1, 2024 (*Proclamation is incorporated into the minutes.*)

4. Public Forum

- A. Susan Frey, 165 Will Austin Court, spoke about concern in amending zoning uses for case-by-case issues. (*Ms. Frey's comments are incorporated into the minutes.*)
- B. Fred Franklin, 1420 Conrad Sawmill Road, spoke against the Council's consideration of staggered terms. (*Mr. Franklin's comments are incorporated into the minutes.*)
- C. Andy Kelly, Historic Nissen House, updated Council on the history display being showcased at local events. He then introduced PJ Lancaster as the new manager for the Historic Nissen House.
- D. PJ Lancaster, 185 Tullyries Lane, shared the Nissen House will now have daytime hours for visitors. She hopes to implement some programs and make the house a history center. She requested the Town help spread the word.
- E. Kyle Stalls, 7823 Wilson Farm Rd, Summerfield, NC, extended thanks for support by the Council shown to the Town of Summerfield regarding deannexation earlier in the year. He strongly encouraged leadership to learn what happened saying local government is not easily navigated in the General Assembly. Mayor Horn thanked Mr. Stalls for his comments stating the General Assembly is developer driven.

5. Public Hearings

- A. Unified Development Ordinance amendment – L-168 – Golf Driving Ranges
 - i. Staff presentation
 - a. Mr. Cochran presented the Planning Board's recommendation for a zoning text amendment. The amendment would allow golf driving ranges in same zoning classifications as golf course, since driving ranges are an accessory to a golf course. Any future requests would require review by the Planning Board. (*Presentation is included with the minutes.*)
 - ii. Public Hearing
 - a. No one spoke.
 - iii. Council discussion
 - a. Mayor Pro Tem Hunt researched five other municipalities and noted this was fairly constant for this use to be allowed in this manner.
 - iv. Council consideration – Ordinance 2024-033– Amend UDO
 - a. Mayor Pro Tem Hunt moved to approve Ordinance 2024-033. The motion was seconded by Council Member Puckett and motion passed unanimously. (*Ordinance 2024-033 is herein incorporated by reference into the minutes.*)
- B. Rezoning – L-110 – 7825 Shallowford Road (PIN 5865-98-6697, 5865-98-5943)
 - i. Staff presentation
 - a. The requested rezoning is for two lots and is part of an annexation request. The lots would be rezoned from Forsyth County RS-40 to Lewisville RS-40, contingent upon annexation of the property.
 - ii. Public Hearing
 - a. Ricky Lyons, petitioner, shared they began the rezoning process with Forsyth County but felt it would be good to be a part of the Town.
 - b. Fred Franklin, 1420 Conrad Sawmill Road, stated it took forty years for the land to be filled with stumps and the property looks better than it did previously.

- iii. Council discussion
 - a. Council Member Welch inquired what other uses would be permitted under this zoning. Mr. Cochran explained the zoning is for residential properties with a minimum lot size of 40,000 square feet. Intense commercial or industrial would not be allowed.
- iv. Council consideration – Ordinance 2024-034– Change zoning from Forsyth County RS-40 to Town of Lewisville RS-40 – 7825 Shallowford Road
 - a. Council Member Huffman moved to approve Ordinance 2024-034. The motion was seconded by Council Member Puckett. Mayor Horn, Mayor Pro Tem Hunt and Council Members Huffman, Long, Puckett and Sadler vote in favor. Council Member Welch voted in opposition. Motion passed 6-1. *(Ordinance 2024-034 is herein incorporated by reference into the minutes.)*

C. Annexation – Satellite – 7825 Shallowford Road

- i. Staff presentation
 - a. The annexation before Council is a non-contiguous annexation consisting of 16.76 acres +/- and is located less than one mile from the Town’s primary corporate limits.
- ii. Public Hearing
 - a. No one spoke.
- iii. Council discussion
 - a. No one spoke.
- iv. Council consideration – Ordinance 2024-035 – Extend the Town of Lewisville corporate limits to include 7825 Shallowford Road
 - a. Mayor Pro Tem Hunt moved to approve Ordinance 2024-035. The motion was seconded by Council Member Huffman and motion passed unanimously. *(Ordinance 2024-035 is herein incorporated by reference into the minutes.)*

6. **Appointment**

- A. Zoning Board of Adjustment
 - i. Alternate Member (Appoint 1)

2024 BOARD APPOINTMENTS

October 10, 2024

<u>Zoning Board of Adjustments</u>	Donald Bolar	Kelly Reavis Jr.
Horn		1
Huffman		1
Hunt	1	
Long		1
Puckett		1
Sadler		1
Welch		1
TOTAL	1	6

Kelly Reavis Jr. was appointed to fill the alternate member position with term expiring March 31, 2027.

7. **New Business**

- A. 2025 Meeting Schedule – Council Member Hunt moved to approve the 2025 Meeting Schedule. The motion was seconded by Council Member Puckett and motion passed unanimously. *(2025 Meeting Schedule is herein incorporated into the minutes.)*

- B. Resolution 2024-046 – Correction to Resolution 2021023 – Declaration of Withdrawal of Road Dedication – Resolution 2021023 and the *Declaration of Withdrawal Road Dedication* erroneously referenced Lots 17 and 18. The correct lot numbers are Lots 18 and 19. Adoption of the resolution would be retroactive to April 18, 2021, the original resolution adoption date. Council Member Long moved to approve Resolution 2024-046. The motion was seconded by Council Member Sadler and motion passed unanimously. *(Resolution 2024-046 is herein incorporated by reference into the minutes.)*
- C. Resolution 2024-047 – Remote Participation Policy – Attorney Fus shared that in the recent case of *State of North Carolina v. Anson County*, the North Carolina Court of Appeals held remote participation by commissioners at a county commissioners meeting did not count toward quorum. Therefore, Attorney Fus is requesting the quorum provisions in the Town’s Remote Participation Policy be revised. Council Member Puckett moved to approve Resolution 2024-047. The motion was seconded by Council Member Huffman and motion passed unanimously. *(Resolution 2024-047 is herein incorporated by reference into the minutes.)*
- D. Resolution 2024-048– Special Projects Review Policy – Council Member Welch moved to approve Resolution 2024-048. The motion was seconded by Council Member Long and motion passed unanimously. *(Resolution 2024-048 is herein incorporated by reference into the minutes.)*
- E. Ordinance 2024-036 – Amending Budget Ordinance 2024-001 – Classification and Compensation Study - \$9,200 – Manager Tolbert requested Council to approve a budget amendment to hire the MAPS Group (The Management and Personnel Services Group), a preferred partner of the North Carolina League of Municipalities, to complete a classification and compensation study in an amount not to exceed \$9,200. The study will be completed by the end of February 2025 in time for budget preparations. Scope of work includes:
- Study orientation sessions with employees
 - Review and study of existing employee positions
 - Conferences with department heads to review and verify info
 - Preparation of job descriptions
 - Determine what positions should be exempt/non-exempt per Fair Labor Standards Act (FLSA).
 - Salary survey of public sector jurisdictions
 - Ensures ranges are competitive and sufficient to attract and retain employees
 - Determination if town’s salaries, benefits & wages are competitive
 - Prepare updated pay plan (salary grades)
 - Give implementation options with costs associated
 - Comprehensive review of the town’s personnel policy
 - Modern & effective HR management
 - Current laws & regulations

Mayor Pro Tem Hunt moved to approve Ordinance 2024-036. The motion was seconded by Council Member Puckett and motion passed unanimously. *(Ordinance 2024-036 is herein incorporated by reference into the minutes.)*

- F. Resolution 2024-049 – Voice and internet contract with Spectrum Enterprise - \$91,440 – Council Member Welch moved to approve Resolution 2024-049. The motion was seconded by Council Member Long and motion passed unanimously. *(Resolution 2024-049 is herein incorporated by reference into the minutes.)*
- G. Resolution 2024-050 – Amendment #2 to Kimley-Horn preliminary engineering contract - Roundabout at Lewisville-Vienna Road and Robinhood Road Project - \$33,066.77 – Due to changes required by North Carolina Department of Transportation, utility plans for the Lewisville-Vienna Road and Robinhood Road roundabout had to be amended to relocate water lines,

hydrants, meters, etc. outside of the roundabout. This amendment also includes additional meetings and coordination associated with the updated plans. Council Member Long moved to approve Resolution 2024-050. The motion was seconded by Council Member Welch and motion passed unanimously. *(Resolution 2024-050 is herein incorporated by reference into the minutes.)*

- H. Resolution 2024-051 – Utility relocation agreement with Duke Energy - Roundabout at Lewisville-Vienna Road and Robinhood Road Project - \$280,637.89 – Council Member Puckett moved to approve Resolution 2024-051. The motion was seconded by Council Member Long and motion passed unanimously. *(Resolution 2024-051 is herein incorporated by reference into the minutes.)*
- I. Ordinance 2024-037 – Amending Great Wagon Road Improvements Capital Project Ordinance - \$6,217,453.72 – The proposed ordinance is to amend the Great Wagon Road Improvements Capital Project Ordinance to increase the project amount by \$6,217,453.72. This budget amendment is required to enter into a 3-party agreement between the Town, NCDOT and the City of Winston-Salem for water and sewer lines to be constructed within the Great Wagon Road during road construction. Council Member Huffman moved to approve Ordinance 2024-037. The motion was seconded by Council Member Puckett. Mayor Horn and Council Members Huffman and Puckett voted in favor. Mayor Pro Tem Hunt and Council Members Long, Sadler and Welch voted in opposition. Motion failed with a vote of 3-4.

Mayor Horn stated that with failure to pass the ordinance, the project stops. Council asked questions about the increased amount, what it included and how additional funding would be acquired. Council also inquired if the road construction and pump station projects could be separated. Manager Tolbert explained the new pump station is being constructed in conjunction with the road construction 1) so lines will be constructed before paving Great Wagon Road and 2) the current pump station cannot handle additional construction as a result of the Great Wagon Road. Mayor Horn stated the Town can pursue grants and supplemental funding. Mayor Pro Tem Hunt suggested reprioritizing current projects to fund the project. Council Member Welch expressed concern about depleting the general fund and suggested placing the new pump station on hold until after road construction is completed.

Council Members Huffman and Long left the room 7:44 PM-7:47 PM.

Council Member Long moved to reconsider the previous motion. The motion was seconded by Mayor Pro Tem Hun and motion passed unanimously.

A break was taken 7:59 PM-8:06 PM to develop wording for the ordinance about using funds from completed projects and evaluating other reserves.

The following additional language to Ordinance 2024-037 was proposed: *To address the potential shortfall, other Town reserves and excess funds in existing capital projects should be considered as funding sources before funding the shortfall from the General Fund.*

Mayor Pro Tem Hunt moved to approve Ordinance 2024-037 with the additional language. The motion was seconded by Council Member Welch and motion passed unanimously. Staff was also requested to explore lift station options. *(Ordinance 2024-037 is herein incorporated by reference into the minutes.)*

- J. Resolution 2024-052 – Utility Agreement with the City of Winston-Salem and the NC Department of Transportation - \$6,217,453.72 – Council Member Puckett moved to approve Resolution 2024-052. The motion was seconded by Council Member Long and motion passed unanimously. *(Resolution 2024-052 is herein incorporated by reference into the minutes.)*
- K. Staggered terms discussion – Council Member Sadler stated Council had a robust discussion at the agenda briefing regarding staggered terms and noted Council voted in favor of staggered terms. He expressed his desire that this decision be made by the residents. Council Members expressed reasons they were for and against staggered terms. Mayor Pro Tem Hunt made a motion directing staff to develop a resolution of intent to be considered by Council at the December 2024 meeting and a public hearing scheduled for the January 2025 meeting. This will provide an opportunity to advertise the public hearing in the *Lewisville Citizen* and to adhere to election schedules for the November 2025 ballot. The motion was seconded by Council Member Huffman and motion passed unanimously.

Agenda was amended to add the next item.

- L. Resolution 2024-053 – Historic Nissen House landmark indicator sign – Council Member Welch moved to approve Resolution 2024-053. The motion was seconded by Council Member Huffman and motion passed unanimously. *(Resolution 2024-053 is herein incorporated by reference into the minutes.)*

8. Administrative Reports

- A. Upcoming events and closings
 - i. Jumanji movie, October 11
 - ii. Bulky item pickup, October 14
 - iii. Shalloween, October 19, 1-2:30 PM
 - iv. Special Recycling event, October 26
 - v. CPR class, November 1, 4-8 PM, MAWCC
 - vi. Shallowford Square art call deadline, November 27
 - vii. MAWCC mural art call deadline, December 1
- B. Approvals at the Briefing and Action Meeting on October 3, 2024
 - i. Ordinance 2024-032 – Amending Budget Ordinance 2024-001 to increase dependent medical, vision and dental insurance - \$8,650
 - ii. Council voted to move forward with staggered terms

9. For the Good of the Order

- A. Public comments
 - i. Fred Franklin, 1420 Conrad Sawmill Road, expressed disappointment in Council for taking up action on staggered terms. He further commented the sewer lift station is at capacity and a new station is needed to replace the old one and open development along Great Wagon Road.
- B. Council comments
 - i. Mayor Pro Tem Hunt thanked Town and staff for what is contributed to the State as a whole, hosting training, Mayor serving on NCLM Board, etc.
 - ii. Council Member Puckett thanked everyone for staying and speaking up noting this is why they serve.
 - iii. Mayor Horn extended prayers and thoughts to those impacted by recent storms in WNC and Florida. Many communities in WNC no longer exist and many people have a daunting task to rebuild.
 - iv. Council Members Puckett and Welch noted October is Breast Cancer Awareness Month.

10. **Adjournment** – Council Member Long moved to adjourn the meeting at 8:51 PM. The motion was seconded by Council Member Huffman and motion passed unanimously.

ATTEST:

Mike Horn, Mayor

Dora K. Moore, Town Clerk