

Lewisville Town Council
Briefing and Action Meeting Agenda
April 1, 2021 - 6:00 p.m.

Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83007378005?pwd=UU5aMXYYySU00VEIzU3A2Rng5eHlOZz09>

Passcode: 537190

Or

Telephone: (312) 626-6799

Webinar ID: 830 0737 8005

Passcode: 537190

-
-
1. **Call to Order:**
 - a. Roll Call
 - b. Adoption of Agenda

 2. **Guests, Introductions, Recognitions and Presentations for April 1, 2021**
 - a. Joint Comprehensive Plan and Parks, Recreation and Cultural Development Plan update - Kimley Horn

 3. **Items That Require Council Direction**
 - a. [Ordinance 2021017](#) - amending Town Code Chapter 43, Overgrown and Unkept Lots, and changing the name to *Nuisances*, adding definitions, and expanding the conditions and remedies

 4. **Items Requiring Action at Briefing**
 - a. Voting delegate for the CityVision conference 2021 (keep current delegate Mike Horn?)
 - b. [Ordinance 2021016](#) - amending Budget Ordinance 2020001 in the amount of \$4,306.⁰⁰ to fund a summer internship in the Planning Department for 400 hours at \$10.⁰⁰ per hour

 5. **Unfinished Business:**
 - a. Board and committee update
 - b. Communication protocols

 6. **Administrative Reports:**
 - a. Manager
 - i. RFLOI update
 - (1) Gateway Project
 - (2) Robinhood Road and Lewisville-Vienna Road roundabout
 - b. Attorney
 - i. None.
 - c. Public Works

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- i. None.
- d. Planning
 - i. None.
- e. Finance
 - i. None
- f. Clerk
 - i. **The Special Projects Review Committee will NOT meet following the adjournment of the Council briefing meeting, but will, instead, meet on April 8th following the adjournment of the regular Council meeting.**

7. **Agenda Items for Regular Meeting on April 8, 2021**

- a. Tentative Agenda
 - i. **Consent Agenda**
 - (1) [Resolution 2021024](#) - Acceptance and Approval of Monthly [Financials for the seven months ending January 31, 2021](#)
 - (2) Approval of Town Council Briefing Meeting [Minutes - March 4, 2021](#)
 - (3) Approval of Town Council Meeting [Minutes - March 11, 2021](#)
 - (4) Approval of Town Council Special Meeting [Minutes - March 16, 2021](#)
 - (5) [Resolution 2021025](#) - accepting the resignation of Eric Hermanson from the Environmental Conservation and Sustainability Committee
 - ii. **Introductions, Recognitions, Presentations and/or Proclamations**
 - (1) Presentations
 - (a) Sheriff's Office Report
 - (b) Town Manager Hank Perkins - 2021-2022 Budget Message
 - iii. **Public Hearings**
 - (1) [Ordinance 2021018](#) - public hearing on April 8, 2021 to receive comments on UDO L-163 amending the UDO to create detailed requirements for the planting of street trees in residential developments
 - iv. **Technical Review(s)**
 - (1) [Resolution 2021021](#) - Lewisville Technical Review for Compliance (LTCR) for Solomon Development case L-PBR 2021001
 - v. **Preliminary Site Plan Review(s)**
 - (1) None.
 - vi. **Evidentiary Hearings**
 - (1) None.
 - vii. **Old Business**
 - (1) None.
 - viii. **New Business**
 - (1) [Resolution 2021023](#) - accepting the *Declaration of Withdrawal of Road Dedication* for Aria Drive in Shallowford Lakes
 - (2) Mary Alice Warren Community Center amendments

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- (a) [Ordinance 2021019](#) - amending Capital Project Ordinance of the town of Lewisville Town Council Community Center Capital Projects Fund in the amount of \$68,354.⁰⁰ to provide for the installation of an irrigation system, kitchen appliances and kitchen shelving and for the expansion of the IT budget and for the increase in outdoor site lighting costs
 - (b) [Ordinance 2021020](#) - amending Budget Ordinance 2020001 in the amount of \$68,354.⁰⁰ to increase the new Community Center budget for appliances and shelving in the kitchen and for the installation of an irrigation system and for the expansion of the IT budget and for the increase in outdoor site lighting costs
 - (c) [Contract for irrigation](#)
 - ix. **Appointments**
 - (1) None
 - b. Approval of Tentative Agenda for regular meeting on **April 8, 2021**
- 8. **For the Good of the Order:**
 - a. Council Discussion
 - b. Closed Session
- 9. **Adjournment**

**ORDINANCE 2021017 OF THE LEWISVILLE TOWN COUNCIL
AMENDING CHAPTER 43, OVERGROWN AND UNKEPT LOTS, OF THE LEWISVILLE
TOWN CODE AND RENAMING CHAPTER 43 AS *NUISANCES***

WHEREAS, pursuant to N. C. Gen. Statute §160A-174 a municipality may by ordinance define, prohibit, regulate or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the municipality; and

WHEREAS, pursuant to N.C. Gen. Statute §160A-193 a municipality has the authority to summarily remove, abate, or remedy any condition in the municipal limits, or within one mile thereof, that is dangerous or prejudicial to the public health or public safety.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lewisville, North Carolina that the Code of Ordinances of the Town of Lewisville be amended as follows:

Section 1. Chapter 43 of the Lewisville Town Code, Overgrown and Unkept Lots, is re-titled as Nuisances, replaced and hereby rewritten to read as follows:

Section 2. **Definitions.** For the purposes of this chapter the following definitions shall apply unless the context clearly indicates a different meaning.

APPLIANCE. Any machinery and all instruments used in operating it, a mechanical thing, device or apparatus. The machine or instrument does not have to be operational.

BUILDING MATERIAL (also called Construction and Demolition Material). Brick, stone, carpet, plumbing materials, plaster, concrete, asphalt, roofing, floor coverings, gutters, wooden pallets, or other material or substances accumulated as a result of construction, repairs, or additions to existing structures or accessory structures or demolition of such.

BUSINESS TRASH. Any accumulation of incidental waste products, garbage, other than household trash, which is associated with the operation of stores, offices, and commercial establishments.

GARBAGE. A by-product of animal or vegetable foodstuffs resulting from the handling, preparation, cooking, and consumption of food or other matter which is subject to decomposition, decay, and/or the generation of noxious or offensive gases or odors, or which during and/or after decay may serve as breeding or feeding material for flies, insects, and/or animals.

HAZARDOUS WASTE. Potentially dangerous by-products which cannot be handled, treated, or disposed of without special precautions. Hazardous waste includes ignitable, corrosive, reactive, and toxic wastes such as acetone, gasoline, industrial metal, alkaline cleaners, acids, cyanide, chlorine, arsenic, pesticide wastes, paint, caustics, infected materials, offal, fecal matter (human and animal) and explosives.

HOUSEHOLD TRASH. Accumulation of sweepings, rags, or other matter of any kind, other than garbage and recyclables, which is usually attendant to housekeeping.

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INDUSTRIAL WASTE. All waste, including solids, semi-solids, sludges and liquids created by factories, processing plants, or other manufacturing enterprises (sometimes referred to as special waste, as it requires special handling).

JUNK. Any item creating a littered condition including, but not limited to household or office furnishings, household appliances, mattress, box springs, lawn equipment, machinery, or other similar items which are either in a wholly or partially rusted, wrecked, dismantled, or inoperative condition.

LITTER. All discarded dead animals and man-made materials, including, but not limited to, solid waste materials, building materials, industrial materials, and hazardous waste.

PREMISES. Lots, including sidewalks, rights-of-way, easements, grass strips, or curbs up to the edge of the pavement of any public street.

RECYCLABLES. Newspapers and accompanying inserts, magazines, junk mail, cardboard, glass, food and beverage containers, plastic soft drink and liquor bottles, spiral paper cans and yard waste.

RUBBISH. Useless waste or any material thrown away as worthless.

SOLID WASTE. Solid waste is defined as accumulations consisting of any combination of business trash, garbage, household trash, bulky items, yard waste, recyclables and junk.

TRASH. Defined herein as either household trash or business trash.

YARD WASTE. Grass, weeds, leaves, tree trimmings, plants, shrubbery pruning, and such other similar materials which are generated in the maintenance of yards and gardens, which are separate from other solid waste materials and placed in a designated recycling collection area. Yard waste shall not include trees, tree limbs, brush and other material resulting from commercial tree trimmers and/or commercial lawn-care services.

Section 3. **JURISDICTION.** The provisions of this ordinance shall apply within the corporate limits of the Town of Lewisville.

Section 4. **DECLARATION OF A PUBLIC HEALTH NUISANCE.** The following conditions shall constitute a nuisance to public health or safety and shall be prohibited within the municipality's jurisdiction:

1. ***Neglect of Property.*** It shall be unlawful for any person to endanger the public health, safety or welfare through the neglect of property by causing or allowing the accumulation of appliances, building materials, construction and demolition material, business trash, garbage, hazardous waste, household trash, industrial waste, junk, litter, recyclables, rubbish, solid waste, trash, yard waste or potentially dangerous devices to be discarded, abandoned, or remain on or emanate from any such property.

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2. ***Unauthorized accumulation of solid waste, trash, recyclables, garbage, junk, rubbish or building material.***

(a) It shall be unlawful for any person to allow or cause the accumulation of solid waste, trash, recyclables, garbage, junk, rubbish or building material which produces offensive, noxious or foul odors or vapors or which provides refuge or sustenance for rats, mice, snakes, or other vermin.

(b) It shall be unlawful for the owner and/or occupant of any property to cause or allow the accumulation of solid waste, trash, recyclables, garbage, junk, rubbish or building material causing or threatening to cause a fire hazard or causing or threatening to cause the accumulation of stagnant water.

3. ***Unauthorized accumulation of litter.*** It shall be unlawful for any person to scatter, cast, throw, blow, place, sweep, or deposit any litter in such a manner that it may be carried or deposited upon any street, sidewalk, alley, body of water, sewer, parkway, lot, public property, or private property.

4. ***Dilapidated condition on premises.*** It shall be unlawful for any person to have on their premises material that creates a littered condition, such as but not limited to, lawn furniture, appliances, machinery, equipment, building materials, automotive parts, tires, fencing, or any other items which are in a wholly or partially rusted, wrecked, junked, dismantled, or inoperative condition and which are not completely enclosed within a building or dwelling.

5. ***Uncontrolled growth of weeds or grass.*** It shall be unlawful for the owner and/or occupant of a property to allow grass, weeds or other overgrowth vegetation to exceed a height greater than eight (8) inches above the surrounding ground provided that the following shall not be considered to be overgrowth vegetation: trees and ornamental shrubs; cultured plants; natural vegetation on undeveloped property that is not a threat to the character of surrounding properties; and flowers and growing and producing vegetable plants. It shall be the duty of the of the owner and/or occupant to cut and remove all grass, weeds and other overgrowth vegetation as often as necessary to comply with the provisions of this section.

6. ***Unauthorized accumulation of hazardous or toxic materials and chemicals.*** It shall be unlawful to accumulate hazardous or toxic materials and chemicals in an open place.

7. ***Obstruction of Municipality or State Rights-of-Way.*** It shall be unlawful for the owner and/or occupant of any property to cause or allow any trees or shrubbery that shall interfere with or endanger the use of the public streets; interfere with or obstruct illumination of street lights; obscure sight distance or create a traffic hazard; interfere with the visibility of any traffic control device or sign; obstruct or impair the free passage of pedestrians on sidewalks or other municipality or state rights-of-way at a vertical clearance of less than seven (7) feet; or endanger the life, health, safety or property of the public.

8. ***Burned or partially burned buildings and structures.*** Any building or other structure which has been burned, partially burned or otherwise partially destroyed and which is unsightly or hazardous to the safety of any person, is a continuing fire hazard or which is structurally unsound to the extent that the

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municipality building official can reasonably determine that there is a likelihood of personal or property injury to any person or property entering the premises.

9. ***Storm or erosion damaged structures and resulting debris.*** The existence of any of the following conditions associated with storm or erosion damaged structures or their resultant debris shall constitute a public nuisance.

(a) Damaged structure in danger of collapsing.

(b) Damaged structure or debris from damaged structures where it can reasonably be determined that there is a likelihood of personal or property injury.

10. ***Conditions Violating Health Department Rules.*** Any condition detrimental to the public health, which violates the rules and regulations of the Forsyth County Health Department.

11. ***Any other conditions constituting a nuisance.*** In addition to the conditions set out in this section, any other condition declared by the Lewisville Town Council to pose a threat to the public's health or safety, also shall constitute a nuisance and shall be prohibited within the municipality's jurisdiction.

Section 5. **Administration and Enforcement Responsibility.** The Town Manager and/or his/her designee(s) are hereby charged with the administration and enforcement of this ordinance.

Section 6. **Complaints and investigations.** The Town Manager or his/her designee(s) shall, upon notice from any citizen or public official of the existence of any of the conditions described in Section 4, investigate to determine whether conditions exist as to constitute a public nuisance as declared in Section 4.

Section 7. ***Notice to abate public health nuisance.***

(A) Upon a determination that such conditions constituting a public health nuisance exist, the Town Manager or their designee(s) shall notify, in writing, the owner/responsible party as shown on the most recent Forsyth County tax records, occupant, and/or person in possession of the premises in question of the conditions constituting such public health nuisance and shall order the prompt abatement thereof within fifteen (15) days from the date the notice is served upon the responsible person(s). Service of such notice shall be by any one of the following methods.

1. By delivery to any owner personally or by leaving the notice at the usual place of abode of the owner with a person who is over the age of sixteen (16) years and a member of the family of the owner.

2. By depositing the notice in the United States Post Office addressed to the owner at his last known address with postage prepaid thereon.

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3. By posting and keeping posted, for ten (10) days, a copy of the notice, in placard form, in a conspicuous place on the premises on which the violation exists, when notice cannot be served by method (1) and (2).

Within the fifteen (15) day period mentioned above, the owner, occupant, and/or person in possession of the premises where the nuisance exists may appeal the findings of the Town Manager or of his/her designee(s) by giving written notice of appeal to the Town Clerk, the appeal to stay the abatement of the nuisances until a final determination by the Town Council. In the event no appeal is taken, the Town may proceed to abate the nuisance.

(B) The Town Council, in the event an appeal is taken as provided in Section 7 (A) may, after hearing all interested persons and reviewing the findings of the Town Manager or his/her designee(s), reverse those findings, but if the Town Council determines that the findings of the Town Manager or his/her designee(s) are correct and proper, it shall adopt a resolution specifically declaring the condition on the property to be a danger and hazard to the health, safety, or general welfare of the inhabitants of the Town and a public nuisance and directing the Town Manager or his/her designee(s) to cause the conditions to be abated.

(C) An owner of real property, whereupon, in the previous calendar year, the Town of Lewisville gave notice of violation at least three (3) times during the previous calendar year to abate a nuisance pursuant to Chapter 43 of this ordinance, shall be deemed a chronic violator. In accordance with N. C. Gen. Statute §160A-200.1, a chronic violator as defined herein shall be notified by the Town Manager or his/her designee(s) if property owned by the chronic violator is determined to be in violation of Chapter 43 of this ordinance, and the Town may take action to remedy the violation without further notice during the calendar year in which annual notice is given and the expense of such action, including any administrative fees as set forth and contained in the Town's Fee Schedule (including attorney fees), shall become a lien upon the property and shall be collected as unpaid taxes. The initial annual notice required herein shall be served by registered or certified mail or overnight delivery service and shall be complete upon delivery or deposit of the notice along with the appropriate fees under the care of the United States Postal Service or delivery service.

(D) Abatement of a public nuisance shall consist of taking whatever appropriate steps are reasonably necessary to remove the condition or conditions which result in the declaration of a public nuisance by resolution under 7B, such removal to be determined by the town Manager or his/her designee(s). Without limitation, the Town Manager or his/her designee(s), in ordering the abatement of a public nuisance, may require the removal of debris, rubbish, accumulations of animal or vegetable matter, growth of weeds and grass, burned or partially burned buildings, the isolation of the condition to be abated so that access cannot be gained by persons or property which may be injured by the nuisance or such other steps which are reasonably necessary to abate the nuisance. The Order of Abatement shall be delivered in person or by registered or certified mail or overnight delivery service to the address of the property upon which the condition or conditions exist as shown in the Forsyth County tax records.

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Section 8. *Failure of owner to abate public health nuisance.*

If any person, having been ordered to abate such a public nuisance, fails, neglects, or refuses to abate or remove the condition constituting the nuisance within fifteen (15) days of being provided notice pursuant to Section 7 of such order, he/she shall be subject to prosecution for violation of this Ordinance in accordance with law and each day that such failure continues shall constitute a separate offense. In addition, the Town Manager or his/her designee(s) may have the condition described in the notice abated, removed or otherwise corrected and all expenses incurred thereby shall be chargeable to and paid by the owner of the property.

The actual cost incurred by the municipality in removing or otherwise remedying a public nuisance shall be charged to the owner of such lot or parcel of land, and it shall be the duty of the Town Clerk or his/her designee to mail a statement of such charges to the owner with instructions that such charges are due and payable within thirty (30) days from the receipt thereof.

In the event charges for the removal or abatement of a public nuisance are not paid within thirty (30) days after the receipt of a statement of charges, such charges shall become a lien upon the land or premises where the public nuisance existed and shall be collected as unpaid property taxes, as provided in G.S. 160A-193

Section 9. *Alternate remedies.* The procedures set forth in this Ordinance shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances and this Ordinance shall not prevent the Town from proceeding in a criminal action against any person, firm or corporation violating the provisions of this Ordinance as provided in G.S. 14-4.

Section 10. *Repeal and re-enactment of existing nuisance ordinance of the Town of Lewisville.* The rewriting of this Ordinance, in part, carries forth by re-enactment some of the provisions of the existing Nuisance Ordinance of the municipality and is not intended to repeal, but rather to reenact and continue in force such existing provisions so that all rights and liabilities that have been accrued are preserved and may be enforced. All provisions of *Chapter 43 Overgrown and Unkept Lots* which are not reenacted are hereby repealed.

Section 11. *Severability.* If any part of this ordinance or the application thereof to any person or condition is held invalid, such invalidity shall not affect other parts of this ordinance or their application to any other person or condition, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 12. It is the intent of the Lewisville Town Council that the provisions of this ordinance shall be made a part of the Town of Lewisville Town Code; that the sections of this ordinance may be re-numbered or re-lettered; and that the word “ordinance” may be changed to “section”, “article”, “chapter” or other appropriate designation to accomplish such intention.

Section 13. This ordinance shall become effective upon its adoption.

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TOWN CODE AND RENAMING CHAPTER 43 AS *NUISANCES***

Adopted this the 8th day of April, 2021 by the Lewisville Town Council.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk

**RESOLUTION 2021024 OF THE LEWISVILLE TOWN COUNCIL
PERTAINING TO
ACCEPTANCE AND APPROVAL OF MONTHLY DISBURSEMENTS**

WHEREAS, the Finance Officer has presented the Town Council with the Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary of figures for the eight months ending February 28, 2021; and

WHEREAS, the Finance Officer did not report any unusual expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT the Lewisville Town Council accepts the Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary for the eight months ending February 28, 2021 and incorporated herein.

Resolved and effective upon adoption, this the 8th day of April, 2021 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Joyce C. McWilliams Walker, Town Clerk

**Town of Lewisville
Financial Budget to Actual Report - General Fund
Eight Months Ended February 28, 2021**

General Fund

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Property Tax Collections	\$ 2,452,605.00	\$ 2,367,121.84	\$ 85,483.16	96.51%
Sales Tax Revenue	802,400.00	445,817.60	356,582.40	55.56%
Other Revenues	1,265,970.00	644,021.33	621,948.67	50.87%
Total	4,520,975.00	\$ 3,456,960.77	\$ 1,064,014.23	76.46%
Appropriation from Fund Balance	1,907,874.00			
	<u>\$ 6,428,849.00</u>			

Departments	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Governing Body	\$ 227,910.00	\$ 140,301.77	\$ 5,314.25	\$ 82,293.98	63.89%
Administration	681,682.00	356,651.14	35,168.32	289,862.54	57.48%
Student Leadership	700.00	-	-	700.00	0.00%
Finance	231,040.00	144,526.15	-	86,513.85	62.55%
Debt Service	470,752.00	470,650.44	-	101.56	99.98%
Planning & Zoning	292,205.00	91,378.38	111,609.00	89,217.62	69.47%
Beautification	99,085.00	68,053.17	21,030.00	10,001.83	89.91%
Community Policing	664,310.00	318,031.49	315,350.00	30,928.51	95.34%
Public Safety	9,650.00	2,625.00	-	7,025.00	27.20%
Public Works	403,840.00	143,592.09	51,320.20	208,927.71	48.26%
Streets	290,570.00	140,484.71	12,495.00	137,590.29	52.65%
Powell Bill	352,170.00	263,296.20	500.00	88,373.80	74.91%
Storm Water	168,042.00	106,100.05	34,771.76	27,170.19	83.83%
Solid Waste	832,450.00	517,059.08	-	315,390.92	62.11%
Recycling	3,555.00	640.70	-	2,914.30	18.02%
Parks and Recreation	271,095.00	48,810.57	62,265.67	160,018.76	40.97%
Transfers to Capital Projects Funds	1,208,968.00	1,208,968.00	-	-	100.00%
Transfers to Capital Reserves	220,825.00	220,825.00	-	-	100.00%
Total	<u>\$ 6,428,849.00</u>	<u>\$ 4,241,993.94</u>	<u>\$ 649,824.20</u>	<u>\$ 1,537,030.86</u>	76.09%

General Fund Balance 7/1/2020	\$ 7,254,710.83
Year-to-Date Increase (Decrease) FY 6/30/2021	<u>(785,033.17)</u>
General Fund Balance 2/28/2021	<u>\$ 6,469,677.66</u>

**Town of Lewisville
Financial Budget to Actual Report - Willow Run Municipal Service District
Eight Months Ended February 28, 2021**

Willow Run Municipal Service District

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Revenues	\$ 32,150.00	\$ 35,128.21	\$ (2,978.21)	109.26%
Total	<u>\$ 32,150.00</u>	<u>\$ 35,128.21</u>	<u>\$ (2,978.21)</u>	109.26%
Appropriation from Fund Balance	\$ -			
	<u>\$ 32,150.00</u>			

	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Expenditures	\$ 32,150.00	\$ 2,580.44	\$ -	\$ 29,569.56	8.03%
Total	<u>\$ 32,150.00</u>	<u>\$ 2,580.44</u>	<u>\$ -</u>	<u>\$ 29,569.56</u>	8.03%

MSD Fund Balance 7/1/2020	\$ 165,275.34
Year-to-Date Increase (Decrease) FY 6/30/2021	<u>32,547.77</u>
MSD Fund Balance 2/28/2021	<u>\$ 197,823.11</u>

**Town of Lewisville
Other Funds
February 28, 2021**

Capital Reserves Funds

Storm Water Capital Reserve	\$ 400,952.17
GWR ROW/Construction Capital Reserve	934,369.28
Sidewalks, Bike Paths, and Greenways Capital Reserve	123,167.74
Municipal Buildings/Land Capital Reserve	217.65
Total Capital Reserve Fund Balances	<u><u>\$ 1,458,706.84</u></u>

Capital Projects Funds

GWR ROW/Construction Capital Project	\$ 734,764.29
JWP Maintenance Facility/Playground Expansion Capital Project	20,627.47
Gateway Project Capital Project	175,115.83
Heritage Drive Regional Storm Water Pond #1 Capital Project	3,721.77
Community Center Capital Project	2,382,759.16
Roundabout at Lewisville-Vienna Road and Robinhood Road Capital Project	257,590.83
Total Capital Projects Fund Balances	<u><u>\$ 3,574,579.35</u></u>

DRAFT
Special Called Meeting of the Lewisville Town Council
Meeting Minutes - Tuesday, March 16, 2021 - 6:00 p.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

When: Mar 16, 2021 06:00 PM Eastern Time (US and Canada)
Topic: Council Follow Up Meeting for Public Hearing

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87245650632?pwd=cWt6ek9ET1pKOTZmQXNESHg4akJzQT09>

Passcode: 369607

Or Telephone:

US: +1 301 715 8592

Webinar ID: 872 4565 0632

Passcode: 369607

1. **Call to Order:**

- a. Mayor Horn opened the meeting being simultaneously streaming electronically at 6:01 p.m. Council members attending electronically were Jeanne Marie Foster, Melissa Hunt, Ken Sadler, and Jane Welch. Council Members Fred Franklin and David Smitherman were not in attendance. Also attending electronically were Town Manager Hank Perkins, Attorney Bo Houff, Planner Stacy Tolbert and Town Clerk Joyce Walker.
- b. Approval of Agenda
 - i. Set at the meeting held on March 11, 2021.

2. **Considerations**

- a. **Ordinance 2021010** - Annexation of 7.723 acres off of Doub Road into the Town Limits with no existing homes on the property
 - i. Staff report.
 - (1) The information and copy of the map for the annexation were reviewed by Council at the meeting held on March 11, 2021. (See attached map)
 - (2) No written comments have been received through the 24 hour period required by SL 2020-3.
 - (3) Council was advised that an email had been received after 5:00 p.m. today; however, that email falls outside of the 24-hour period for receiving written comment.
 - (a) The email had questions instead of comments.
 - (b) Everyone was advised that the clerk will answer any questions tomorrow.
 - ii. Council discussion
 - (1) None.

DRAFT
Special Called Meeting of the Lewisville Town Council
Meeting Minutes - Tuesday, March 16, 2021 - 6:00 p.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

- iii. Council consideration.
 - (1) Council Member Hunt moved to approve Ordinance 2021010 annexing 7.723 acres off of Doub Road into the Town Limits with no existing homes on the property. The motion was seconded by Council Member Sadler and approved unanimously with a roll call vote of ayes from Council Members Jeanne Marie Foster, Melissa Hunt, Ken Sadler, Jane Welch and Mayor Mike Horn.
- b. [Ordinance 2021011](#) - Rezoning of 7.723 annexed property from RS-40 Forsyth County planning jurisdiction to RS-20 Lewisville planning jurisdiction
 - i. Staff report.
 - (1) Background information and map ([see attached](#)) for this ordinance were provided at the March 11, 2021 meeting.
 - (2) Now that the annexed property has become part of the town, zoning needs to fall under the town's regulations and is being changed from RS-40 to RS-20 so that there will not be split zoning in the development and all lots will comply to RS-20 regulations.
 - ii. Council discussion
 - (1) It was pointed out that the change in zoning would reduce the lot size from 1 acre to ½ acre; however, it was noted that the smallest lot in the development will be 1 acre.
 - iii. Council consideration.
 - (1) Having no other discussion, Council Member Sadler move to approve Ordinance 2021011 changing the planning jurisdiction of the annexed area. The motion was seconded by Council Member Welch and approved unanimously with a roll call vote of ayes from Council Members Jeanne Marie Foster, Melissa Hunt, Ken Sadler, Jane Welch and Mayor Mike Horn.
- c. [Resolution 2021020](#) - Lewisville Technical Review for Compliance (LTCR) for Gameway Estates case L-PBR 2020002
 - i. Staff report.
 - (1) Since this is a review for compliance, no public hearing is required; however, no vote could be taken on this resolution until it was determined that the annexation and rezoning were approved.
 - (2) Council was provided a map ([see attached](#)) of the proposed development at the meeting on March 11, 2021.
 - ii. Council discussion.
 - (1) There was a question whether the developer could add any amenities that could connect to the adjoining neighborhood (as discussed at a previous meeting); however, it was noted that this is not a rezoning but a review for compliance and adding other requirements doesn't apply.
 - (2) It was reiterated that public works will be closely monitoring the road, especially in the area that the developer needs to widen from 14 feet to 18

DRAFT
Special Called Meeting of the Lewisville Town Council
Meeting Minutes - Tuesday, March 16, 2021 - 6:00 p.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

- feet.
 - (3) There was a question whether lighting will be provided for the subdivision.
 - (a) Any lighting would be provided by the developer and would be part of any HOA maintenance.
 - iii. Council consideration.
 - (1) Having no other discussion, Council Member Welch moved to approve Resolution 2021020 and the request for the connectivity waiver. The motion was seconded by Council Member Sadler and approved unanimously with a roll call vote of ayes from Council Members Jeanne Marie Foster, Melissa Hunt, Ken Sadler, Jane Welch and Mayor Mike Horn.
3. **Comments**
- a. Mayor Horn will be sending emails to Council members regarding upcoming legislation to move municipal elections to even years and the Town's policy on appointing council members to steering committees.
4. **Adjournment**
- a. With no other business on the agenda for consideration or discussion, Council Member Foster moved to adjourn the meeting at 6:19 p.m. The motion was seconded by Council Member Hunt and approved unanimously with a roll call vote of ayes from Council Members Jeanne Marie Foster, Melissa Hunt, Ken Sadler, Jane Welch and Mayor Mike Horn.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk

**RESOLUTION 2021025 OF THE LEWISVILLE TOWN COUNCIL
ACCEPTING THE RESIGNATION OF ERIC HERMANSON
FROM THE ENVIRONMENTAL CONSERVATION AND SUSTAINABILITY
COMMITTEE (FORMERLY RECYCLING)**

WHEREAS, the Town Clerk has been notified by Eric Hermanson of his plans to resign from the Lewisville Environmental Conservation and Sustainability Committee effective at the approval of Council at their April meeting; and

WHEREAS, Eric Hermanson has been a member of the Lewisville Environmental Conservation and Sustainability Committee since 2018; and

WHEREAS, the Lewisville Environmental Conservation and Sustainability Committee appreciates the dedicated work of Eric Hermanson.

NOW, THEREFORE, BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL accepts the resignation of Eric Hermanson from the Lewisville Environmental Conservation and Sustainability Committee effective April 8, 2021, and wishes him well in any new endeavors.

Adopted this the 8th Day of April, 2021 by the Lewisville Town Council.

Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

**ORDINANCE 2021018 OF THE LEWISVILLE TOWN COUNCIL
UDO L-163 OF THE UNIFIED DEVELOPMENT ORDINANCES (UDO)
AMENDING REFERENCES TO TREES AND TREE PLANTINGS FOR SUBDIVISIONS**

WHEREAS, the Town of Lewisville wishes to clarify tree references for subdivisions found in the UDO.

Additions to the UDO are *highlighted and italicized*.
Deletions are shown in ~~strikethrough~~.

Chapter A, Article 2 – Definitions:

TREE, LARGE VARIETY. Any deciduous or evergreen tree whose maximum mature height is *equal to* ~~or~~ greater than ~~thirty-five (35)~~ *fifty (50)* feet.

TREE, MEDIUM VARIETY. Any deciduous or evergreen tree whose maximum mature height is *equal to or* greater than ~~twenty-five (25)~~ *thirty (30)* feet and less than ~~thirty-five (35)~~ *fifty (50)* feet.

TREE, SMALL VARIETY. Any deciduous or evergreen tree whose maximum mature height is ~~no~~ greater *less* than ~~twenty-five (35)~~ *thirty (30)* feet.

**Chapter B, Article 3, Section 3-4 LANDSCAPING STANDARDS:
3-4.10 SUGGESTED PLANT MATERIALS LIST**

The suggested plant materials list includes common trees and shrubs suitable for use in the Forsyth County area. Due to individual site soil, moisture, and microclimate conditions, professional expertise should be sought to determine the appropriate plant materials for any particular development project. Other appropriate plants not included in the list may also be used with the approval of the Zoning Officer or designee.

(A) Large Variety Trees

(mature height: ~~thirty-five (35)~~ *fifty (50)* feet or greater):

European Black Alder	<i>Alnus glutinosa (Pyramidalis)</i>
Bald Cypress	<i>Taxodium distichum</i> (Monarch of Illinois, Shawnee Brave)
Sugar Hackberry	<i>Celtis laevigata</i>
Chalkbark Maple	<i>Acer Leucoderme</i>
Freeman Maple	<i>Acer x freemanii</i> (Armstrong, Autumn Blaze, Celebration, Scarlet Sentinel)
Green Mountain Sugar Maple	<i>Acer saccharum</i> "Green Mountain"
Hedge Maple	<i>Acer campestre</i>
Southern Sugar Maple	<i>Acer Barbatum</i>
Trident Maple	<i>Acer buergerianum</i>
Bur Oak	<i>Quercus macrocarpa</i>
Sawtooth Oak	<i>Quercus acutissima</i>
Shingle Oak	<i>Quercus imbricaria</i>
Swamp White Oak	<i>Quercus bicolor</i>

**ORDINANCE 2021018 OF THE LEWISVILLE TOWN COUNCIL
UDO L-163 OF THE UNIFIED DEVELOPMENT ORDINANCES (UDO)
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Northern Red Oak	<i>Quercus rubra</i>
Nuttall Oak	<i>Quercus nutalli</i>
Overcup Oak	<i>Quercus lyrata</i>
Green Ash	<i>Fraxinus pennsylvanica</i> (Marshall Seedless, Newport, Patmore, Summit, Lakeview)
Kentucky Coffeetree	<i>Gymnocladus dioicus</i>
Japanese Pagodatree	<i>Sophora japonica</i> (Princeton Upright, Regent)
Silver Linden	<i>Tilia tomentosa</i> (Green Mountain, Sterling)
Hybrid Elm	<i>Ulmus spp.</i> (Homestead, Pioneer, Urban)
Willow Oak	<i>Quercus phellos</i>
Sugar Maple	<i>Acer saccharum</i>
Red Maple	<i>Acer Rubrum</i> (Autumn Flame, Bowhall, Northwood, October Glory, Red Kin, Red Sunset)
Karpick,	
Scarlet Oak	<i>Quercus coccinea</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
London Plane-tree	<i>Platanus acerifolia</i>
River Birch	<i>Betula nigra</i>
Japanese Zelkova	<i>Zelkova serrata</i> (Green Vase, Village Green)
Tulip Poplar	<i>Liriodendron tulipifera</i>
Black Gum	<i>Nyssa sylvatica</i>
Littleleaf Linden	<i>Tilia cordata</i>
White Oak	<i>Quercus alba</i>
Japanese Scholartree	<i>Sophora japonicum</i>
Ginkgo	<i>Ginkgo biloba</i> (Lakeview, Princeton Sentry)
English Oak	<i>Quercus robur</i>
Japanese Katsuratree	<i>Cercidiphyllum japonicum</i>
Schumard Oak	<i>Quercus schumardi</i>
Chinese Elm	<i>Ulmus parviflora</i> (Lacebark, Athena, Allee)
Redmond Linden	<i>Tilia americana "Redmond"</i>
Fruitless Sweetgum	<i>Liquidambar styraciflua "Rotundaloba"</i>
Littleleaf Linden	<i>Tilia cordata</i>

(B) Medium Variety Trees

(mature height: ~~twenty-five (25) to thirty-five (35)~~ *thirty (30) to less than fifty (50)* feet):

Sourwood	<i>Oxydendrum arboreum</i>
Thornless Honeylocust	<i>Gleditsia triacanthos "Inermis"</i>
Eastern Redbud	<i>Cercis canadensis</i>
Yoshino Cherry	<i>Prunus yedoensis</i>
Golden-Rain-Tree	<i>Koelreuteria paniculata</i>
Saucer Magnolia	<i>Magnolia soulangeana</i>
Weeping Cherry	<i>Prunus subhirtilla pendula</i>
Kwansan Cherry	<i>Prunus serrucata "Kwansan"</i>
Yellowwood	<i>Cladastris lutea</i>
Ironwood	<i>Carpinus carolineana</i>

**ORDINANCE 2021018 OF THE LEWISVILLE TOWN COUNCIL
UDO L-163 OF THE UNIFIED DEVELOPMENT ORDINANCES (UDO)
AMENDING REFERENCES TO TREES AND TREE PLANTINGS FOR SUBDIVISIONS**

Pistache	<i>Pistachia chinensis</i>
Redmond Linden	<i>Tilia americana "Redmond"</i>
American Holly	<i>Ilex opaca</i> (East Palatka, Foster's #2, Nellie R. Stevens)
Eastern Red Cedar	<i>Juniperus virginiana</i> (Emerald Sentinel, Princeton Sentry, Pendula)
Little Gem Magnolia	<i>Magnolia "Little gem"</i>
Fall Blooming Cherry	<i>Prunus autumnalis</i>
Fruitless Sweetgum	<i>Liquidambar styraciflua "Rotundaloba"</i>
European Hornbeam	<i>Carpinus betulus (Fastigiata)</i>
Hophornbeam	<i>Ostrya virginiana</i>
<i>Carolina Silverbell</i>	<i>Halesia tetraptera</i>
<i>Lacebark Elm</i>	<i>Ulmus parvifolia</i>
<i>Black Gum</i>	<i>Nyssa sylvatica</i>
<i>Hedge Maple</i>	<i>Acer campestre</i>
<i>Hybrid Elm</i>	<i>Ulmus spp. (Homestead, Pioneer, Urban)</i>
<i>Gingko</i>	<i>Gingko biloba (Lakeview, Princeton Sentry)</i>
<i>Sargent Cherry</i>	<i>Prunus sargentii (Columnaris, Hillier Spire)</i>

(C) Small Variety Trees

(mature height: less than ~~twenty-five (25)~~ **thirty (30)** feet):

Japanese Maple	<i>Acer palmatum</i>
Japanese Dogwood	<i>Cornus kousa</i>
Flowering Dogwood	<i>Cornus florida</i>
Smoketree	<i>Cotinus coggyria</i> (Daydream, Royal Purple)
Crape Myrtle	<i>Lagerstroemia indica</i> (Dallas Red, Lipan, Natchez, Sioux, Tonto, Yuma)
Crabapple (var.)	<i>Malus hybrida</i> (var.)
Amur Maple	<i>Acer ginnala</i>
Wax Myrtle	<i>Myrica Cerifer</i>
Star Magnolia	<i>Magnolia stellata</i>
Japanese Tree Lilac	<i>Syringa reticulata</i>
Green Hawthorn	<i>Crataegus viridis</i>
Carolina Cherrylaurel	<i>Prunus caroliniana</i>
Choke Cherry	<i>Prunus virginiana</i>
Sargent Cherry	<i>Prunus sargentii (Columnaris, Hillier Spire)</i>
<i>Eastern Redbud</i>	<i>Cercis canadensis</i>
<i>Little Gem Magnolia</i>	<i>Magnolia "Little gem" (Dwarf Southern Magnolia)</i>
<i>Chinese Fringe Tree</i>	<i>Chionanthus retusus</i>
<i>Chinese Pistache</i>	<i>Pistacia chinensis</i>
<i>Fosteri Holly</i>	<i>Ilex fosterii</i>
<i>Witch Hazel 'Arnold Promise'</i>	<i>Hamamelis virginiana</i>
<i>Sourwood</i>	<i>Oxydendrum arboretum</i>
<i>Japanese Snowbell</i>	<i>Styrax japonica</i>
<i>Serviceberry</i>	<i>Amelanchier arborea</i>

**ORDINANCE 2021018 OF THE LEWISVILLE TOWN COUNCIL
UDO L-163 OF THE UNIFIED DEVELOPMENT ORDINANCES (UDO)
AMENDING REFERENCES TO TREES AND TREE PLANTINGS FOR SUBDIVISIONS**

Chalkbark Maple

Trident Maple

Saucer Magnolia

Weeping Cherry

Fall Blooming Cherry

American Hornbeam

Hophornbeam

Japanese Pagodatree

Acer Leucoderme

Acer buergeranum

Magnolia soulangeana

Prunus subhirtilla pendula

Prunus autumnalis

Carpinus caroliniana

Ostrya virginiana

Sophora japonica (Princeton Upright, Regent)

(D) Streetyard and Interior Shrubs

(mature height: approximately thirty-six (36) inches):

(1) Evergreen.

Warty Barberry

Dwarf Burford Holly

Japanese Holly (var.)

Azalea (var.)

Mugo Pine

Juniper (var.)

Euonymous (var.)

Leatherleaf Viburnum

Berberis verruculosa

Ilex cornuta "Burfordii" nana

Ilex crenata (var.)

Azalea sp.

Pinus mugo

Juniperus sp.

Euonymous sp.

Viburnum rhytidophyllum

(2) Deciduous.

Forsythia

Dwarf Burning Bush

Thunberg Spirea

Viburnum (var.)

Oakleaf Hydrangea

Japanese Flowering Quince

Potentilla

Ornamental Grass Varieties

Oregonholly Grape

Nandina

Dwarf Nandina

Forsythia sp.

Euonymous alatus "Compacta"

Spirea thunbergi

Viburnum sp.

Hydrangea quercifolia

Chaenomeles japonic

Potentilla fruticosa

Mahonia bealei

Nandina domestica

Nandina domestica nana

(E) Outdoor Storage Area Screening Plants

(installation height: six (6) feet):

American Holly

Burforda Holly

Nellie Stevens Holly

Wax Myrtle

Hetz Juniper

Ilex opaca

Ilex cornuta "Burfordii"

Ilex cornata "Nellie Stevens"

Myrica cerifera

Juniperus hetzi

**ORDINANCE 2021018 OF THE LEWISVILLE TOWN COUNCIL
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Arborvitae
Eastern Red Cedar
Japanese Black Pine

Thuja occidentalis
Juniperus virginiana
Pinus thunbergiana

(F) Groundcovers
(planting areas, berms, wall planters):

Lily-Turf
Hybrid Daylily
Aaronsbeard
Rockspray Cotoneaster

Liriope muscarii
Hemerocallis hybrida
Hypericum calycinum
Cotoneaster horizontalis

(G) The following trees shall not be credited toward the requirements of Section B.3-4.2.1:

Bradford Pear
Silver Maple
Hybrid Poplars
Tree of Heaven
Mimosa
Royal Paulownia
Pine (var.)

Pyrus calleryana "Bradford"
Acer saccharinum
Populus spp.
Ailanthus altissima
Albizia julibrissin
Paulownia Tomentosa
Pinus sp.

(UDO L-142, § 19, 11-14-13)

Chapter D, Article 4, Section B (1) Development Standards and Requirements for Preliminary Subdivision Approval; Streets or Roads

(s) Street trees, planted to define a street canopy, shall be provided **in all conventional subdivisions in addition to one tree per lot. Street Trees shall meet the following requirements:** at a rate of one tree per forty-five (45) linear feet of frontage plus one additional tree per lot in all conventional subdivisions.

(i) Street trees shall be provided at a rate of one tree per forty-five (45) linear feet of street frontage along both sides of the right-of-way.

(ii) Street trees shall be setback from the curb or sidewalk, whichever creates the greater setback, based on the variety of tree. Small variety trees shall be setback a minimum of four (4) feet and medium variety trees shall be setback a minimum of six (6) feet. Large variety trees shall not be used for street tree plantings.

Chapter D, Article 4, Section D (4) Existing Features and Development Map for Preliminary Subdivision Approval.

(f) Natural features ~~—~~ existing **and proposed:**

(i) Streams, drainage ways, floodway and floodway fringe boundaries and elevations,

**ORDINANCE 2021018 OF THE LEWISVILLE TOWN COUNCIL
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- ~~(ii) — Wooded areas and other natural features;~~
- (iii) Topography at no greater than four (4) foot intervals when available. Distinction between existing and proposed topography lines to be shown according to the following; existing – light dashed lines; proposed – thin solid lines); and,
- ~~(iv) — Natural features to be left undisturbed. Any existing trees to be retained shall be preserved during construction in accordance with Section D.4(B)(4)(h).~~
- (iii) A landscape plan shall be included in the submittal for preliminary subdivision approval. The landscape plan shall include wooded areas and natural features to be left undisturbed and preserved during construction in accordance with Section D.4(B)(4)(h), existing and proposed plantings in buffer areas, street trees and any other plantings as required.*
- (iv) Landscape plans shall take into consideration placement of driveways, utilities, street tree setback requirements, distance between trees, sight distance at intersections, signage, and any street lighting.*
- (iv) If plantings are to be delayed, a planting schedule shall be submitted in accordance with Section B.3-4.2(B).*
- (v) All plantings, existing or proposed, intended to meet landscape or bufferyard requirements shall be warranted by the developer or their designee. They will be responsible for maintaining all required plant materials in good health. Any plant material becoming dead, diseased, or missing within one (1) year from the date of planting shall be replaced.*

TOWN OF LEWISVILLE RESOLUTION 2021021
TECHNICAL REVIEW FOR COMPLIANCE - SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-PBR 2021001

WHEREAS, in March 2000, the Lewisville Town Council approved a rezoning of Block 4442 Lot 17 from RS-20 to PB-S; and

WHEREAS, the March 2000 approval shows a zoning map change to PB-S; and

WHEREAS, a Special Use District Permit was issued for a 3-story, Combined Use, Multi-Family along with this approval; and

WHEREAS, the approved Special Use District Permit was accompanied by a site plan; and

WHEREAS, this property is located in the northern right-of-way of the Great Wagon Road; and

WHEREAS, said property consisted of approximately 0.749± acres more or less; and

WHEREAS, the owner did not develop the approved site plan; and

WHEREAS, under Chapter B, Article VII, Section 7-5.4 of the Unified Development Ordinances (UDO), site plans that have not been developed within two (2) years of approval are considered sunset; and

WHEREAS, any new site plan must be approved by the Lewisville Town Council; and

WHEREAS, under new ownership, a request has been received for approval of a new site plan that includes property for additional parking; and

WHEREAS, the new request will remain as *PB-S* (Pedestrian Business - Special) zoning *Combined Use Multi-Family* and will include a residential building - multifamily, and restaurant without drive through on the new site plan being submitted; and

WHEREAS, this plan consists of Block 4442 Lot 17, PIN 5875-97-8451 fronting the Great Wagon Road and Block 4612D Lot 036A, PIN 5875-97-7671 fronting North Street; and

WHEREAS, this new site plan includes approximately 1.56 acres; and

WHEREAS, Chapter B, Article III, Section 3-3.4 of the UDO provides that multifamily parking in a residential district shall be allowed only if said lot abuts for a distance of not less than twenty-five (25) feet upon the zoning lot to which such parking would be accessory; and

WHEREAS, this site plan supports designs fronting the Great Wagon Road as described in the Lewisville Downtown Design Guidelines approved by the Lewisville Town Council in September 2014 for properties to the north of the Great Wagon Road, described as transitional urban residential comprised of lower density live work units and/or multi-family and is within the Downtown Overlay District; and

WHEREAS, this site plan meets the height restrictions in the Downtown Overlay of no more than 48 feet; and

WHEREAS, this site plan meets the requirement of no more than two and one half (2 ½) stories; and

TOWN OF LEWISVILLE RESOLUTION 2021021
TECHNICAL REVIEW FOR COMPLIANCE - SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-PBR 2021001

WHEREAS, Chapter B, Article II, Section 2-1.6 (H)(3)(d) states that for proposals requiring site plan review but not rezoning or zoning map amendment, the Planning Board shall recommend approval and the Elected Body shall approve any plans that meet all requirements of this Downtown Overlay District and the UDO or consistent with the alternative compliance provision in DTO 3(c).

NOW THEREFORE BE IT ORDAINED BY THE LEWISVILLE TOWN COUNCIL that:

Section 1. The Lewisville Town Council issues this approval for the site shown on the site plan map included in this zoning petition of Solomon Development, LLC c/o Jeff Zenger in accordance with Chapter B, Article II, Section 2-1.6 (H)(3)(d) which states that for proposals requiring site plan review but not rezoning or zoning map amendment, the Planning Board shall recommend approval and the Elected Body shall approve any plans that meet all requirements of this Downtown Overlay District and the UDO or consistent with the alternative compliance provision in DTO 3(c).

Section 2. The properties included in the site plan consists of 1.56 acres, attached herein, and include:

PIN 5875-97-8451, Block 4442 Lot 17 fronting the Great Wagon road (PB-S)
and
PIN 5875-97-7671, Block 4612D Lot 036A fronting North Street (RS-20)

Section 3. The location and character of the use must be developed in accordance with the requirements of the PB-S zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, other applicable laws, and according to the application and plan submitted and approved.

Section 4. The following conditions must be met:

PRIOR TO THE ISSUANCE OF GRADING PERMITS:

- A. Developer shall obtain a driveway permit from the Town of Lewisville; additional improvements may be required prior to issuance of driveway permit.
- B. An Environmental Grading and Erosion Sedimentation Control Plan must be submitted and approved before the permit can be issued.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

- A. Town Driveway permits are to be submitted to the Public Works Director when applying for building permits.
 - 1. Approval of driveway permit is a condition of receiving the Certificate of Occupancy (CO).

OTHER REQUIREMENTS:

- A. Any signage shall conform to the Town's permanent sign regulations, and shall be permitted by the Inspections Division.

TOWN OF LEWISVILLE RESOLUTION 2021021
TECHNICAL REVIEW FOR COMPLIANCE - SITE PLAN APPROVAL
ISSUED BY THE LEWISVILLE TOWN COUNCIL FOR ZONING CASE L-PBR 2021001

- B. The Dumpster will be screened with wood, vinyl, or brick materials.
- C. All mechanical and electrical units must be screened from views from the street.
- D. All lighting greater than 12' in height shall be of “shoe box” type or otherwise shielded to prohibit direct light onto adjacent properties.

Section 5. This ordinance shall take effect from and after its adoption.

This ordinance is effective upon its adoption this the **11th day of March, 2021**

The motion to adopt this ordinance was made by **xxxxxxxxx**, seconded by **xxxxxxxxx** and **passed/not passed** by a roll call vote of **x to x**.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk



Allman Spry

ALLMAN SPRY DAVIS LEGGETT & CRUMPLER, P.A.
Attorneys and Counsellors at Law

Scott T. Horn

Direct Dial: (336) 631-1474
Facsimile: (336) 721-0414
Email: shorn@allmanspry.com

Date: March 4, 2021

**Memo to: Mayor and Town Council of Lewisville
Lewisville Town Manager
Lewisville Town Clerk**

Via Email Only: mayor@lewisvillenc.net
dsmitherman@lewisvillenc.net
ksadler@lewisvillenc.net
ffranklin@lewisvillenc.net
jwelch@lewisvillenc.net
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jfoster@lewisvillenc.net
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townclerk@lewisvillenc.net

**Re: Case L-PBR 2021001
Solomon Development, LLC
Technical Review for Compliance**

Ladies and Gentlemen:

Our firm was engaged by Solomon Development, LLC, (“Solomon”) to assist in the process of obtaining site plan approval for the proposed development of a mixed-use building on Solomon’s land fronting Great Wagon Road and Shallowford Square in Lewisville (the “Project”).

My understanding is that the Project will be presented for technical compliance review at the Town Council’s meeting scheduled for March 11, 2021. As I am sure you are all aware, a similar building design was proposed by Solomon at the site in 2020, but after numerous revisions to the plan, and perhaps some unfortunate misunderstandings, both the Lewisville Planning Board and Town Council determined the prior design did not comply with the requirements of the Unified Development Ordinance (“UDO”).

While the Planning Board has recommended approval of the Project as currently designed, there is a possibility that members of the Council may desire or need more details concerning the Project’s compliance with the requirements of the UDO. Also, based on the questions and

discussions surrounding the Project during the numerous 2020 meetings, I believe it is in all interested parties' best interests to make sure the review and decisions regarding the Project stay within the prescribed limits of the UDO. All of the questions necessarily involve specific provisions of the UDO, and rather than take an inordinate amount of meeting time presenting the Project with these clarifications to you on March 11, I thought it would be more helpful and efficient to provide this memo in advance for your reference and consideration.

It is important to understand how different provisions of the UDO fit together, and how what may initially appear to be a contradiction among terms can be easily resolved without looking beyond the UDO itself. Please understand, I am by no means presuming to instruct the Town Council on how to perform its duties – I simply want to highlight and hopefully provide some clarity to those portions of the UDO which seem to have been either improperly applied or misinterpreted in conjunction with the Project.

For purposes of this memo and for the sake simplicity, numerical section references are all truncated from the Downtown Overlay District (“DTO”) section of the UDO, Chapter B, Article II, 2-1.6(H).

The first and perhaps most significant provision of the DTO for this case is found in the General Regulations, Section 3(d), which states in part:

“For proposals requiring **simply site plan review** but not rezoning or zoning map amendment, . . . the Elected Body **shall approve** any plans that meet all the requirements of this Downtown Overlay District and the UDO . . . and deny any such requests that do not meet the requirements. The Planning Board and the Elected Body may exercise their full authority when considering requests for rezonings or map amendments.” (emphasis added)

There is no ambiguity to be found in the foregoing provision. For site plan review of projects proposed within the DTO, the Town Council *shall* approve all plans that meet the requirements. Section 3(d) essentially creates two layers of analysis for the Town Council to apply in the planning process – the first being the question of *zoning*, or what kinds of uses and structures in general should or should not be developed on particular properties; and the second being the question of whether a particular plan for a project that is already *allowed by zoning* meets the more specific, objective requirements of the DTO.

As to questions of *zoning*, the Town Council has virtually unlimited discretion in deciding whether to change the classification of a property within the DTO to allow for more (or less) intensive uses. Section 3(b) contemplates the reality of having different zoning districts within the DTO. The broad and subjective goals of “enhancing the village character”, “promoting a sense of human scale”, and “architectural transition” [Section 3(e)], while at the same time

“accommodating many types of approved uses, including civic and institutional, commercial retail and business mixed-use, live/work and multi-family/single family residential developments” [Section 4] are what the Town Council should rightfully consider in a *rezoning* case. In fact, for the Downtown Core Area (“DCA”) of Lewisville (where the Project is located), Section 6 contemplates “a broad array of uses . . . in a pattern which integrates shops, restaurants, services, work places, civic, educational, and religious facilities, single family housing, and higher density housing”. No single zoning district is likely to accommodate the entire list of uses, so certainly part of the consideration in a re-zoning case would have to be whether the potential uses within the particular zoning district would fit within the objectives for the DCA relative to the location, size, and shape of a particular property, and the property’s relation to uses made of surrounding properties.

But the second question of whether a plan complies with the requirements *necessarily* shifts from subjective to objective considerations *because* the Town Council has very little discretion in the decision-making process – either a plan complies with the requirements of the DTO, or it does not. The owner of every property is generally entitled to develop the property for any use that is permitted by the applicable zoning classification, as long as the standards of development for the zoning classification are met.

A fundamental principle of statutory interpretation is to give effect to the plain language of a statute (or an ordinance) when the language is clear and unambiguous. When internal provisions appear to be in conflict, the ordinance should be construed and interpreted in such a way as to avoid absurd or illogical results. Put another way, the standards and requirements of the DTO have to be read and applied in a rational and harmonious fashion so that all property owners will have a high degree of certainty about a potential project before investing thousands of dollars in the planning and design. If a proposed development involves a use which is allowed by applicable zoning, but does not meet the requirements of the DTO, there must *necessarily* be specific and objective answers to the question of how the plan could be modified so that it would meet the requirements. Were this not the case, then the types of plans allowed or denied over time could vary greatly based purely on the whims and opinions of the individuals composing the Town Council at any given moment.

Keeping the foregoing analytical framework in mind, I will briefly review certain aspects of the Project’s compliance with the DTO which were debated to some extent before the Planning Board voted to recommend approval.

1. Building height.

The number of stories in the building planned for the Project was perhaps the most heavily discussed aspect of the plan among the members of the Planning Board, as it was by the Town

Council during the review of the previous design in 2020, but the *overall height* of the building barely received any attention.

Section 4(i)(i) states for the Downtown Core Area “maximum building height . . . shall be two and one-half (2½) stories with a maximum height of forty-eight (48) feet.” The next provision, Section 4(i)(ii), states for the Downtown Gateway Area the maximum building height is “three (3) to four (4) stories with a maximum height of forty-eight (48) feet.”

The juxtaposition of these two sections of the DTO reveals what, at best, can be described as a strange standard for limiting the heights of buildings *if* the number of stories was intended to be the dispositive measure. Neither the DTO, nor any other part of the UDO, defines what a “story” is in terms of height or any other way, and there is no common or standard definition of the word *in terms of height*. How could a maximum *height* be two and one-half stories, if the height of a whole story is indeterminate? What exactly would one-half of an indeterminate height be? How could a *maximum* height be three or four stories? The “or” renders the “three” meaningless as a sole limitation on height. Would a “five-story” 25-foot high building be rejected at the same time a “one-story” 40-foot high building is approved?

It is obvious that the drafters of the DTO did not intend such absurd results, but realized that, regardless of the number of stories, no buildings within the DTO should be higher than forty-eight feet. The maximum building height in several Lewisville zoning districts outside the DTO is 60, 70, and even 75 feet. A building as high as sixty feet is permitted on properties that are zoned PB. The DTO, as an overlay district, provides a greater restriction on building height no matter what greater height may be permitted under the zoning classification of a property. By including the definitive measure of 48 feet, any questions about the height of a story become unnecessary.

Regardless of the foregoing, all controversy and questions concerning the number of stories in the building has now been resolved. The current plan for the Project reflects a two-story building that is 45-feet tall, which is without a doubt well within the height limitations prescribed by Section 4(i)(i), whether in reference to the number of stories or the number of feet. The plan was drawn and stamped by an architect licensed in the state of North Carolina. While the interior design of the building is not properly within the scope of review for site plan compliance, the concept Solomon will proceed with is to have a mezzanine area with separate living units on the first and second floors of the building, and the total number of units in the building may have to be reduced so that the space within each unit is larger.

2. Small town character.

Sections (2) and (3) set out general goals and the broad intent of the DTO, using a myriad of *subjective* terms and phrases, such as: “small town character”, “aesthetic interests”, “appropriate

for the downtown and central area”, “unique character”, “image and economic vitality”, “good urban design”, “village integrity”, and “high quality architecture”.

There is absolutely nothing inappropriate for those and other subjective phrases to be used as guiding principles in the Town’s planning and development decisions *when the Council has discretion* in the decision-making process. The DTO itself is not divided into two distinct parts for the application of the provisions of Section 3(d), which would be logically one for discretionary rezoning decisions, and one for non-discretionary compliance review. Given that fact, there are many provisions of the DTO which are (or should be) inapplicable for purposes of non-discretionary compliance review.

As mentioned above, the first stage of analysis for this Project under the DTO was completed over twenty years ago, when a previous Council determined that the Project property was suitable to be zoned PB, that structures and uses conforming to the dimensional and other requirements of the UDO related to PB zoning would be appropriate for the site, and obviously, that such structures and uses would preserve and promote the unique, small town character and aesthetic interests of Lewisville.

The last sentence of Section 3(e) supports the notion of moving beyond the generalities of the preceding sections by stating: “New development shall be evaluated in relation to the development standards of DTO Section 4.”

Section 4 is entitled “Architectural Character Standards” and is the section of the DTO which delves into much more *objective* detail about aspects of exterior building design which are much less ambiguous than other sections. Specifics about permissible and non-permissible building materials, roof slopes, building façade design, site improvements, utility installations, color schemes, lighting and landscaping are among the many particulars that a property owner can look to with certainty in planning a development.

Again, the provisions of the DTO must be taken and construed as a whole, so that one part does not contradict another. By specifically allowing up to 48-foot tall, one, two, or two and a half story, multifamily mixed-use buildings, with no street front or side yard setbacks on property that is zoned PB within the DTO, the DTO has established the threshold or dividing line between what buildings may or may not support the “small town character” and “aesthetic interests” of downtown Lewisville.

In this case, a licensed architect and the Town’s professional planner have determined the Project complies with the standards of the DTO, and the Planning Board has agreed. In fact, the exterior of the Project building is echoes the design of Lewisville’s historic landmark Langenour House. To the extent there is any room for subjective requirements to be applied for compliance purposes, this Project readily meets the requirements.

3. Mass, bulk, proportions and scale.

The general provisions of Sections 2 and 3, and the introductory portion of Section 4, mention or imply that developments within the DTO should be compatible, considerate, and sensitive to the area and surrounding properties, and “appropriate” in terms of “mass and scale”. The analysis of these provisions, and their application to the Project, is virtually identical to what has been stated in paragraph 2 above. The question of compatibility with the area and surrounding properties is conclusively answered through the zoning classification of a property. And if the mass and scale of a building which falls well within the parameters of the “mass and scale” which are expressly allowed under Section 4 are deemed to be “inappropriate” for this Project, then the DTO is self-contradictory and impossible to comply with.

Thank you for your attention to this matter. If you have any questions or comments you would like to discuss before the March 11 meeting, I am more than happy to speak with you any time at your convenience.

Very Truly,



Scott T. Horn

STH/kaf

c: Jeff@lishacustombuilders.com
bch@blancolaw.com
planner@lewisvillenc.net

**RESOLUTION 2021023 OF THE LEWISVILLE TOWN COUNCIL
ACCEPTING THE DECLARATION OF WITHDRAWAL
OF ROAD DEDICATION**

WHEREAS, Mrs. V. M. Conrad and Mr. Phillip Conrad, filed a plat with the Register of Deeds of Forsyth County on February 6, 1979, dedicating a 60" road right-of-way for a road off Sonata Drive in the Shallowford Lakes Subdivision, as described in the attached *Declaration of Withdrawal of Road Dedication Exhibit A*; and

WHEREAS, This right-of-way has not been utilized nor road built by the Town of Lewisville; and

WHEREAS, The Town of Lewisville has no plans to build the road so dedicated and the road dedication is not part of any street plan adopted under G. S. Section 136-66.2; and

WHEREAS, G. S. 136-96 provides for the withdrawal of dedication of roads not used in fifteen (15) years; and

WHEREAS, G. S. 136-96 deems these dedications to be abandoned and dedication may be withdrawn; and

WHEREAS, The Town of Lewisville has received a Declaration of Withdrawal of Road Dedication from Jon R. Reynolds as Liquidator for Fisher River Timber Land & Cattle Company, successor in interest, to withdraw the dedication of property described in *Exhibit A* of the *Declaration of Withdrawal of Road Dedication* and attached hereto.

NOW, THEREFORE BE IT RESOLVED THAT the Lewisville Town Council accepts the *Declaration of Withdrawal of Road Dedication* for the strip of land known as Aria Drive between lots 17 and 18 and declares that The Town of Lewisville has no street or thoroughfare plan of which this road right-of-way would be a part.

A motion was made to accept by xxxx and seconded by xxxx for adoption of Resolution 2021023, and upon being put to a vote of x to x was duly adopted.

Resolved and effective upon adoption, this the 8th day of April, 2021 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

Return to: Blanco Tackabery & Matamoros, P.A.
P.O. Box 25008, Winston-Salem, North Carolina 27114
Prepared by: Bowen C. Houff, Esquire

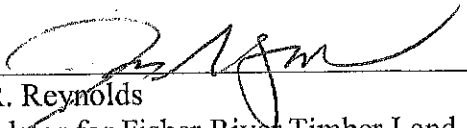
NORTH CAROLINA)
FORSYTH COUNTY)

**DECLARATION OF WITHDRAWAL
OF ROAD DEDICATION**

JON R. REYNOLDS, LIQUIDATOR FOR FISHER RIVER TIMBER LAND & CATTLE COMPANY, successor-in-interest to L.A. Reynolds Company, a North Carolina corporation, pursuant to N. C. Gen. Stat. § 136-96, does hereby withdraw from dedication that certain 60 foot strip or parcel of land located between Lots 17 and 18 on that certain Plat of Shallowford Lakes, Section 14, recorded in Plat Book 27, Page 53, Forsyth County Registry, recorded on or about February 6, 1979. Said 60 foot strip or parcel of land has never been opened, and more than 15 years have passed since the dedication. The 60 foot said strip or parcel is located between Lots 17 and 18, as shown on said recorded Plat, a copy of which is attached hereto as Exhibit A.

IN TESTIMONY WHEREOF, JON R. REYNOLDS has caused this instrument to be executed this 22 day of March, 2021.

**FISHER RIVER TIMBER LAND & CATTLE
COMPANY**

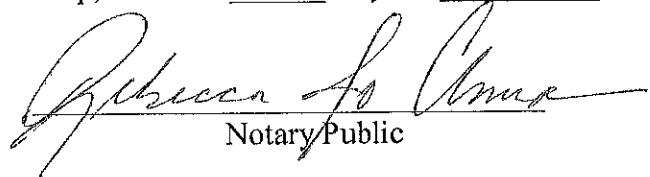
By:  (SEAL)
Jon R. Reynolds
Liquidator for Fisher River Timber Land &
Cattle Company

STATE OF NORTH CAROLINA

COUNTY OF Forsyth

I, a Notary Public of the County and State aforesaid, certify that JON R. REYNOLDS personally appeared before me this day and acknowledged that he is the Liquidator for Fisher River Timber Land & Cattle Company, and that as Liquidator, being authorized to do so, executed the foregoing Declaration of Withdrawal of Road Dedication on behalf of the corporation.

WITNESS my hand and notarial seal or stamp, this the 22 day of March, 2021.


Notary Public

My commission expires:

1/20/2025
(Notarial Seal/Stamp)

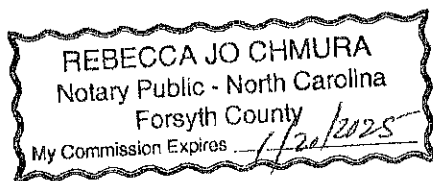
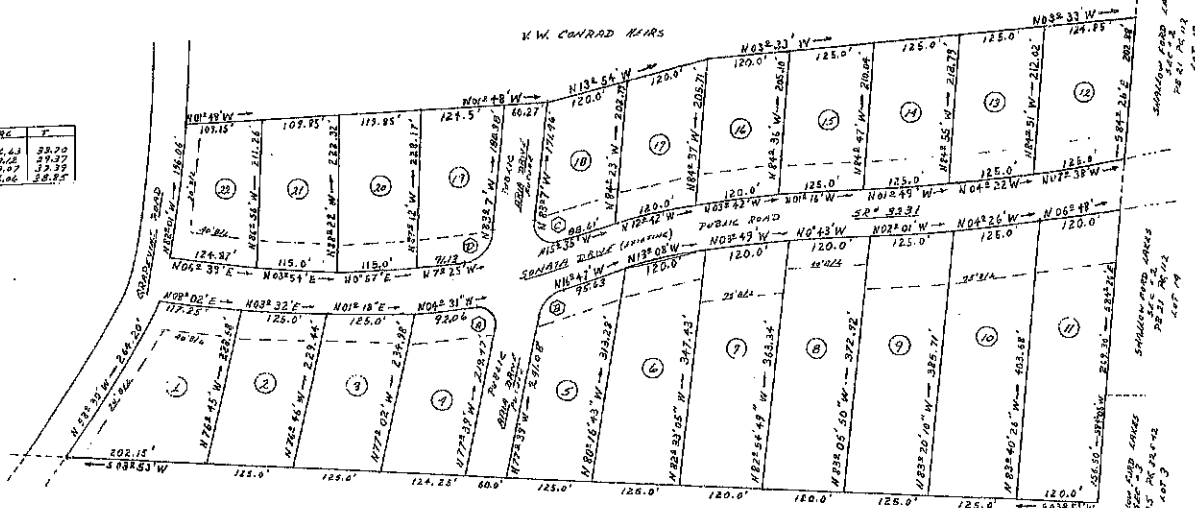


Exhibit A

<p>FINAL APPROVAL</p> <p style="text-align: center;">_____</p> <p>Director of Planning</p>	<p>JOHN E. BEESON</p> <p>Seal of the State of North Carolina</p> <p>Notary Public</p>	<p>Nancy P. Beeson</p> <p>Notary Public</p>	<p>The foregoing certificate was filed for registration at _____ o'clock _____ A.M. on _____ day of _____ 1979.</p> <p>Filed by registration at 10:45 o'clock A.M. on February 16, 1979 and recorded in Plat Book 27, Page 53.</p> <p>By _____</p>	<p>LOCATION MAP</p>
<p>FINAL APPROVAL</p> <p>THIS IS TO CERTIFY THAT THIS PLAT MEETS THE READING REQUIREMENTS OF THE SUBDIVISION REGULATIONS FOR UNINCORPORATED TOWNSHIPS AND VILLAGES, 1961 AS AMENDED, AND THAT THE PLAT IS IN ACCORDANCE WITH THE GENERAL STATUTES OF NORTH CAROLINA, CHAPTER 136 OF THE GENERAL STATUTES, STATE OF N.C.</p> <p>5 DAY OF Feb. 1979</p> <p>John E. Beeson</p> <p>Director of Planning</p>		<p>NANCY P. BEESON</p> <p>NOTARY PUBLIC</p> <p>FORSYTH COUNTY, N. C.</p>	<p>DEPARTMENT OF TRANSPORTATION</p> <p>DIVISION OF HIGHWAYS</p> <p>PROPOSED ROAD CONSTRUCTION</p> <p>APPROVED _____</p> <p>DATE _____</p>	

CURVE	R	Δ	Δ/2	Δ/4	T
A	25	106.52	16.43	39.20	
B	50	201.04	32.86	78.40	
C	15	56.52	8.61	21.60	
D	50	201.04	32.86	78.40	



ALL CORNERS ARE IRON STAKES
18.00 IN. x 33.00 IN.
1.55 IN. x 1.55 IN. STRIKES

SHALLOWFORD LAKES

SECTION 11

LOUISVILLE TWP. FORSYTH COUNTY NORTH CAROLINA

OWNERS: MRS. W.M. CONRAD, PHILIP CONRAD, L. CONROY CONRAD, JAMES CONRAD

MADE BY: ELM VARNER & ASSOCIATES

E.L. BEESON ENGINEERING, 4524 REDWOOD DR. WINSTON-SALEM, N.C. 27152

JANUARY, 1979

5.3

PB
27/53

**TOWN OF LEWISVILLE
ORDINANCE 2021019
AMENDING CAPITAL PROJECT ORDINANCE OF THE LEWISVILLE TOWN COUNCIL
COMMUNITY CENTER CAPITAL PROJECTS FUND**

WHEREAS, the Lewisville Town Council established the Capital Project Ordinance 2019023 for the construction of a new community center building; and

WHEREAS, the Town of Lewisville engaged ADW Architects of Charlotte to conduct a pre-design study to assess the size, placement, cost estimations, and programming of a new community center; and

WHEREAS, appropriations were made in the amount of \$16,000 for this project; and

WHEREAS, the Lewisville Town Council amended Ordinance 2019023 by approving Ordinance 2019045 at their meeting on October 10, 2019, to move forward to the next phase of design work with ADW Architects and amended Sections 3 and 4 in an amount of \$379,000; and

WHEREAS, additional information has been received that requires an additional amendment to Sections 3 and 4 of the Community Center Capital Project Ordinance; and

WHEREAS, in November 2019, Sections 3 and 4 amended Ordinance 2019023 in the amount of \$28,200 to appropriate funds for design by approving Ordinance 2019052; and

WHEREAS, appropriations were made by amendment to Sections 3 and 4 to Ordinance 2019023 to complete this project; and

WHEREAS, funds in the amount of \$4,094,725 were appropriated in August 2020 in order to move to the construction phase of this project; and

WHEREAS, appropriations were made by Ordinance 2020053 to Sections 3 and 4 to amend Ordinance 2019023 in the amount of \$159,437 in order to fund Change Order #1 from Fairwood Construction, LLC to construct a bio-cell pond on the site of the new Community Center.

WHEREAS, appropriations were made by Ordinance 2021005 to fund Change Order #2 from Fairwood Construction, LLC in the amount of \$112,031.⁰⁰ to fund additional costs related to market adjustments in the cost of lumber; and

WHEREAS, funds will need to be appropriated in the amount of \$26,550.⁰⁰ to install an irrigation system on the property of the Mary Alice Warren Community Center; and

WHEREAS, funds will need to be appropriated to expand the budget for kitchen appliances and shelving in the amount of \$7,632.⁰⁰; and

WHEREAS, funding will need to be appropriated to expand the IT budget in the amount of \$7,542.⁰⁰ for a network cabling package and to install a network rack in the server room; and

**TOWN OF LEWISVILLE
ORDINANCE 2021019
AMENDING CAPITAL PROJECT ORDINANCE OF THE LEWISVILLE TOWN COUNCIL
COMMUNITY CENTER CAPITAL PROJECTS FUND**

WHEREAS, funds will need to be appropriated to expand the budget for outdoor site lighting in the amount of \$26,630.⁰⁰.

NOW THEREFORE BE IT ORDAINED THAT the following appropriations are being made to Sections 3 and 4 of Ordinance 2019023 to complete this project:

Section 3. The following amounts are appropriated to complete this project:

Construction	52-00-4110-6001	\$ 60,722
Furniture & Equipment	52-00-4110-6002	\$ 7,632
	Total Expenditures	<u>\$ 68,354</u>

Section 4. The following revenues are anticipated to be available to complete this project:

Transfer from General Fund	52-00-3980-0000	\$ 68,354
	Total Revenues	<u>\$ 68,354</u>

Section 5. The Finance Officer is hereby directed to maintain within the Capital Projects Fund sufficient detailed accounting records to satisfy the requirements of the contract agreements and state regulations.

Section 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of this project.

Section 7. Copies of this capital project ordinance shall be furnished to the Clerk of the Governing Body and to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the 8th day of April, 2021 by the Lewisville Town Council.

Mike Horn,
Mayor

ATTEST:

Joyce C. McWilliams Walker
Town Clerk

Town of Lewisville

**Budget Amendment Ordinance 2021020
Amending Budget Ordinance 2020001**

Finance Department Use Only
<i>Budget Amendment Number: #25</i>
<i>Finance Officer: PAM ORRELL</i>

<i>DEBIT</i>			<i>CREDIT</i>		
<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>	<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>
10-00-4110-4994	General Fund Transfer to Community Center Capital Project	\$68,354.00	10-00-3990-9000	General Fund Fund Balance Appropriated	\$68,354.00

To increase the new Community Center budget for appliances and shelving in the kitchen and for the installation of an irrigation system and for the expansion of the IT budget and for the increase in outdoor site lighting costs

RECOMMENDED By: Pam Orrell
Town Finance Officer

Approved and effective upon adoption, this the 8th day of April, 2021 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk