Lewisville Town Council
Regular Meeting Agenda
April 8, 2021 - 6:00 p.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

Town of Lewisville, Regular Meeting

Please click the link below to join the webinar:
https://us02web.zoom.us/j/86916229267?pwd=VnQwNmZwaTliaE9NRkg0VURQVC9SZz09
Passcode: 532547
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Webinar ID: 869 1622 9267
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1. Call to Order
- a. Roll Call
- b. Invocation: Bo Houff
- c. Pledge of Allegiance - Melissa Hunt
- d. Adoption of Agenda

2. **Consent Agenda**
- a. Consent Agenda for approval
  - i. **Resolution 2021024** - Acceptance and Approval of Monthly **Financials for the seven months ending January 31, 2021**
  - ii. Approval of Town Council Briefing Meeting **Minutes - March 4, 2021**
  - iii. Approval of Town Council Meeting **Minutes - March 11, 2021**
  - iv. Approval of Town Council Special Meeting **Minutes** - **March 16, 2021**
  - v. **Resolution 2021025** - accepting the resignation of Eric Hermanson from the Environmental Conservation and Sustainability Committee

3. **Introductions, Presentations, Recognitions and/or Proclamations**
- a. **Introductions, Recognitions, Presentations and/or Proclamations**
  - i. Presentations
    - (1) Public Safety Report
    - (2) Town Manager Hank Perkins - 2021-2022 Budget Message

4. **Public Forum**
- a. Citizens should limit their comments to three (3) minutes.
- b. Written comments may be sent to townclerk@lewisvillenc.net.

5. **Appointments**
- a. None.

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6. **Preliminary Site Plan Approvals**
   a. None.

7. **Evidentiary Hearings**
   a. None.

8. **Public Hearings**
   a. **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

9. **Technical Review(s)**
   a. **Resolution 2021021** - Lewisville Technical Review for Compliance (LTCR) for Solomon Development case L-PBR 2021001

10. **Unfinished Business**
    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

11. **New Business**
    a. **Resolution 2021023** - accepting the *Declaration of Withdrawal of Road Dedication* for Aria Drive in Shallowford Lakes
    b. Mary Alice Warren Community Center amendments
       i. **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
       ii. **Ordinance 2021020** - amending Budget Ordinance 2020001 to transfer $68,354.00 from the General Fund to the Community Center Capital Project Fund
       iii. **Resolution 2021026** - awarding contract for an irrigation system for the Mary Alice Warren Community Center to Carolina Irrigation of Lowgap in an amount not to exceed $26,550.00

12. **Administrative Reports**
    a. Upcoming **Events at Shallowford Square** and Town Holidays
    b. Manager's Report
       i.
    c. Planning
       i. Paid planning internship
    d. Clerk's Report
       i. The Special Projects Review Committee will meet tonight following the

adjournment of the regular Council meeting.

ii. Reminder of Budget meeting dates:

			2021
6:00 pm	Budget workshop	M	4-12
6:00 pm	Budget workshop	M	4-19
6:00 p.m.	Budget workshop following briefing	Th	5-6
6:00 pm	Budget workshop	M	5-10
6:00 pm	Budget ordinance final review	Th	6-3
6:00 pm	Budget public hearing at regular council meeting	Th	6-10

e. **Approvals at the Briefing and Action Meeting on April 1, 2021**
   i. Voting delegate for the CityVision conference 2021 - Mike Horn
   ii. **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

13. **For the Good of the Order:**
   a. Public Comments
      i. Citizens should limit their comments to three (3) minutes.
      ii. Written comments may be sent to townclerk@lewisvillenc.net.
   b. Council Comments/Discussion
   c. Adjournment

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.

_____
Mike Horn, Mayor

ATTEST:

_____
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			
	$ 6,428,849.00			

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	$ 6,428,849.00	$ 4,241,993.94	$ 649,824.20	$ 1,537,030.86	76.09%

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

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	$ 32,150.00	$ 35,128.21	$ (2,978.21)	109.26%
Appropriation from Fund Balance	$ -			
	$ 32,150.00			

	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	$ 32,150.00	$ 2,580.44	$ -	$ 29,569.56	8.03%

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

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	$	1,458,706.84

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	$	3,574,579.35

DRAFT
Lewisville Town Council Briefing and Action Meeting Minutes
March 4, 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=UU5aMXYySU00VElzU3A2Rng5eHlOZz09
Passcode: 537190
Or
Telephone: (312) 626-6799
Webinar ID: 830 0737 8005
Passcode: 537190

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1. **Call to Order:**
   a. Mayor Horn opened the meeting being simultaneously streamed electronically at 6:00 p.m. Council members attending electronically were Jeanne Marie Foster, Fred Franklin, Melissa Hunt, David Smitherman, and Jane Welch. Dr. Sadler advised that he would be late. Also attending electronically were Town Manager Hank Perkins, Attorney Bo Houff, Town Planner Stacy Tolbert, Finance Director Pam Orrell, Public Works Director Ryan Moser, and Town Clerk Joyce Walker.
   b. Adoption of Agenda
      i. Mayor Horn added the geocaching project by Sarina Horner to ***Items that require Council Direction***.
      ii. Mr. Perkins added the lease agreement for "EdTV" to the Manager's Administrative Reports.
      iii. Dog Park was added to Council Discussion under ***For the Good of the Order***.
      iv. Council Member Welch moved to approve the agenda as amended. The motion was seconded by Council Member Foster and approved unanimously 6-0 with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Smitherman, Welch and Mayor Horn.

2. **Guests, Introductions, Recognitions and Presentations for March 4, 2021**
   a. None.

3. **Items That Require Council Direction**
   a. ZBOA meetings
      i. Council members were advised that Zoning Board members need to meet in person in order to be sworn in.
      ii. There are seven back logged cases that need to be heard: renewals, variances and special use permits.
         (1) The renewals do not have to appear in person. They can be meeting electronically.
      iii. After discussing logistics, staff is to move forward with an in-person meeting with

limited persons attending.

iv. Mrs. Foster asked to report what staff is doing on the process.

b. Report from meeting with Recycling Committee

i. The Recycling Committee met to review the changes to their charter and recommend approval by the Council.

(1) This ordinance will be on next week's agenda.

c. Mayor Horn advised that one of the female members of Student Leadership will be one of the first Eagle inductees to the Boy Scouts. She would like to place her geocaching project at town locations.

i. After discussion, there was consensus by Council members to approve the request.

4. **Items Requiring Action at Briefing**

a. **Ordinance 2021009** - to formally close the Heritage Drive Regional Storm Water Pond #1 and transferring funds to the Storm Water Capital Reserve Fund

i. Background on closing this project was presented and discussed at the February retreat meeting, at which time it was agreed to close the project.

ii. Council Member Smitherman moved to approve Ordinance 2021009. The motion was seconded by Council Member Franklin and approved 5-1 with a roll call vote of 5 ayes from Council members Franklin, Hunt, Smitherman, Welch and Mayor Horn and 1 nay from Council member Foster. Ordinance 2021009 is herein incorporated by reference into the minutes.

b. **Ordinance 2021012** - amending Budget Ordinance 2020001 in the amount of $30,000.00 to increase the budget for Storm Water drainage system repairs

i. Mapping is being prepared by PTRC.

(1) So far, around 80% is complete.

Dr. Sadler arrived at 6:31 p.m.

ii. After discussion, Council Member Foster moved to approve Ordinance 2021012. The motion was seconded by Council Member Welch and approved unanimously 7-0 with a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

5. **Unfinished Business:**

a. Board and Committee update

i. Council Member Foster advised that the survey of board and committee members is complete and results shared with those members before sharing with Council.

ii. Zoom sessions will be scheduled to discuss with responding members.

iii. Next steps are being discussed and outlined.

iv. The special group is also looking at voluntary exit surveys.

v. The group hopes to have a recommendation by May for volunteer appreciation.

vi. Hopefully, by the end of April, newly appointed members will be on-boarded.

b. Updating nuisance codes
   i. Mr. Perkins advised Council that draft ordinance proposals for changes to junk, unkept lots and noise have been sent to Council members for review.
      (1) He advised that City/County Inspections has only been enforcing land related issues and other issues are usually being handled by the Sheriff's Office.
   ii. He has been working with Clemmons on these revisions.
      (1) There has also been discussion to out-source the enforcement of these nuisance codes and possibly work with Clemmons in a joint agreement.
         (a) The ordinances sent to Council will strengthen what we already have; however, there is a need for inspection and enforcement.
            (i) Mr. Perkins is to investigate this.
            (ii) Attorney Houff provided information on injunctive relief.
      (2) The drafts will be refined to fairly address long term issues.
      (3) Council Member Foster asked if Council would consider bringing inspections and enforcement in-house.

c. Discussion on enforcement of existing ordinances
   i. The Town's overgrown grass ordinance is currently being enforced.

6. **Administrative Reports:**
   a. Manager
      i. Mary Alice Warren Community Center - furniture update
         (1) Council members were advised that the Council Community Center Committee, consisting of Jane Welch, Mike Horn and David Smitherman, had identified furniture needs in the meeting and activity rooms. This also included the fabric and designs.
            (a) Capacity of the large meeting room is 300, that is a total of all three rooms total.
            (b) It was determined that furniture would not be ordered for capacity, but instead a portion of seating now and to monitor for future purchases.
            (c) Color palates, padding for sound management and paint schemes were also chosen.
         (2) Staff is to move forward with furniture purchase #1, as there will be other furniture orders to follow.
      ii. Report from meeting with Parks and Recreation Board
         (1) Dog park.
            (a) There was consensus to move forward but not to use the Lewisville-Vienna Road location.
            (b) Parks and Recreation board members do not agree with dogs being

allowed at Jack Warren Park.

iii. VC3 web site design

Dale Graver, VC3, was electronically admitted to the meeting at 7:30 p.m.

(1) The web site survey has been announced.

(2) Council was advised on the Partnership Plan with VC3 and that the Town's Partnership Plan with VC3 allows for a redesign every four years and that it is ADA compatible.

(a) Mr. Graver explained how the plan works and that he was there to answer any questions.

(b) He also explained that web sites seemed to trend in four-year cycles.

iv. Lease on "EdTV"

(1) Council members were advised that the Town would be able to save money on the smart board by renewing the lease now instead of waiting to the end of the lease. The new board has all of the upgraded technology and is larger.

(a) Council Member Franklin moved to approve the new lease. The motion was seconded by Council Member Smitherman and approved unanimously with a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

(b) Staff is to prepare a resolution for the regular meeting.

b. Attorney

i. None.

c. Public Works

i. Public Works Director Moser reported that Bulky Item pickup start date has been provided to the Town: Monday, April 19, 2021.

ii. There is work being done on the third house on the right on Arbor Run Drive; however, there is no road work being done by the Town at that location.

d. Planning

i. There was a question about the dog park being located off of Lewisville-Vienna Road.

(1) Mrs. Tolbert explained that the Lewisville-Vienna Road location can't be used as long as there is someone living on the property.

(2) Property will need to be located that will accommodate amenities.

(3) She also reminded everyone that the Parks and Recreation Master Plan should be complete by October of this year and the Comprehensive Plan by April of 2022.

(4) The question was: advance now or wait for October?

e. Finance
   i. None
f. Clerk
   i. None.

There was a break from 7:57 p.m. to 8:05 p.m.

7. **Agenda Items for Regular Meeting on March 11, 2021**
   a. Tentative Agenda
      i. **Consent Agenda**
         (1) **Resolution 2021014** - Acceptance and Approval of Monthly **Financials for the seven months ending January 31, 2021**
         (2) Approval of Town Council Briefing Meeting **Minutes - February 4, 2021**
         (3) Approval of Town Council Retreat Meeting **Minutes** - **February 6, 2021**
         (4) Approval of Town Council Meeting **Minutes - February 11, 2021**
         (5) **Resolution 2021015** - accepting the resignation of Bill Scantland from the Lewisville Planning Board
         (6) **Resolution 2021016** - accepting the resignation of Susan Stevens from the Lewisville Zoning Board of Adjustment
         (7) **Resolution 2021017** - accepting the resignation of Catherine Spross from the Lewisville Parks, Recreation and Cultural Development Board
         (8) **Resolution 2021018** - accepting the resignation of Daniel Frey from the Lewisville Utilities Committee
      ii. **Introductions, Recognitions, Presentations and/or Proclamations**
         (1) Presentations
            (a) I'm One of the Reasons Lewisville is a Great Place to Live
               (i) Rita Smith - LCAP
                  1) This presentation is for all the work that Mrs. Smith does with the food pantry.
         (2) Recognitions
            (a) Mary Alice Warren
               (i) Staff was asked to draft a proclamation celebrating Mrs. Warren's 100th birthday on March 17th.
      iii. **Public Hearings**
         (1) Doub Road
            (a) Annexation request
               (i) **Ordinance 2021010** - requesting the annexation of 7.723 acres off of Doub Road into the town limits with no existing homes
                  1) Council set the consideration date as March 16th.
            (b) Rezoning request

(i) **Ordinance 2021011** - requesting the rezoning of an area annexed off of Doub Road into the Town of Lewisville
1) Council set the consideration date as March 16th.

iv. **Technical Review(s)**

(1) **Resolution 2021020** - Lewisville Technical Review for Compliance (LTCR) for Gameway Estates case L-PBR 2020002
(a) This subdivision is a large lot subdivision use by right and does not require a public hearing.
(b) The approval of this subdivision is based on the approval of the annexation and rezoning.
(c) Because this is a large lot subdivision, curb and gutter and sidewalks are not required.
(d) This does meet fire code even though there is only one way in and out.
(e) The developer is requesting a connectivity waiver due to the topography at connection points and streams that need to be crossed.
(i) These plans have been reviewed by the NCDOT, stormwater, public works, erosion control, city fire, utilities and other TRC members who review the requirements of a variety of rules and regulations to make sure the plans meet code.
(ii) Council Member Franklin asked if there was a possibility of having walking trails to the adjoining property.
(f) The consideration date for this resolution is also set for March 16th.

(2) **Resolution 2021021** - Lewisville Technical Review for Compliance (LTCR) for Solomon Development case L-PBR 2021001
(a) This request is also a technical review for compliance and does not require a public hearing.
(b) This plan is in the Downtown Overlay Core area.
(c) The PB-S combined use, multi-family zoning exists with a proposed restaurant and rear and underground parking.
(i) Plans for the Great Wagon Road were considered when rendering the site plan.
(d) The site plan being presented is similar to the earlier plan that was presented, the only change being to the elevations as level 1 and level 2.
(e) The height of the building meets the 48 feet.
(i) Council members asked staff to print the site plan on the plotter for them.
(f) The Planning Board recommends approval to Council with 4-3

vote.

(g) Attorney Houff advised Council that written information from residents can be sent to Council and they can listen to comments and concerns; however, unless those comments relate to the UDO, they may not be relevant for what is being considered.

(h) After discussion, by consensus, this review was moved to the April meeting agenda.

v. **Preliminary Site Plan Review(s)**

(1) None.

vi. **Evidentiary Hearings**

(1) None.

vii. **Old Business**

(1) None.

viii. **New Business**

(1) **Resolution 2021019** - setting a 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

(a) The Beautification Committee worked closely with the Planning Board to produce a list of small, medium and large trees that can be planted in developments that will not cause sidewalk issues.

ix. **Appointments**

(1) Applicants have been interviewed and recommendations will be sent to Council members.

(2) Boards

(a) Parks, Recreation and Cultural Development Board (3)

(i) Susan Frey
(ii) Wayne Hall
(iii) Jason Jones
(iv) Julie Rutledge

(b) Planning Board (2)

(i) Terrance Lynn Fulton
(ii) Charles David Geary
(iii) Tom Lawson

(c) Willow Run Municipal Service District

(i) Area 1 (1)

1) Martin Beale

(ii) Area 2 (1)

1) No applicants

(iii) Area 4 (1)

1) Denise Criss

(d) Zoning Board of Adjustment

(i) Permanent Member (1)
1) Jennifer Hill
(ii) Alternate Member (1)
1) Charles David Geary

b. Approval of Tentative Agenda for regular meeting on **March 11, 2021**
i. Council Member Smitherman moved to approve the tentative agenda for March 11th. The motion was seconded by Council Member Sadler and approved unanimously with a roll call vote of ayes from Council members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

8. **For the Good of the Order:**
a. Council Discussion
i. Safety issues - Council Member Hunt
(1) Mrs. Hunt was concerned about the recent child abductions in the news and wanted to know if there was anything the town could do.
(a) Sgt. Stringer advised that everyone must be proactive in the wake of human traffickers and on-line predators. He will see what resources are available from the NC Department of Administration that can be made available to residents.
ii. Dog Park
(1) Move dog park forward?
(a) The dog park will be a priority; however, the location will be determined as part of the total recreation plan.

9. **Adjournment**
a. Having no other business to discuss, Council Member Hunt moved to adjourn the meeting at 9:00 p.m. The motion was seconded by Council Member Foster and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

_____
Mike Horn, Mayor

ATTEST:

_____
Joyce C. McWilliams Walker, Town Clerk

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

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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.

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

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

ORDINANCE 2021018 OF THE LEWISVILLE TOWN COUNCIL
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AMENDING REFERENCES TO TREES AND TREE PLANTINGS FOR SUBDIVISIONS

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

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

~~Sourwood~~	~~*Oxydendrum arboreum*~~
Thornless Honeylocust	*Gleditsia triacanthos "Inermis"*
~~Eastern Redbud~~	~~*Cercis canadensis*~~
Yoshino Cherry	*Prunus yedoensis*
Golden-Rain-Tree	*Koelreutreria paniculata*
~~Saucer Magnolia~~	~~*Magnolia soulangeana*~~
~~Weeping Cherry~~	~~*Prunus subhirtilla pendula*~~
Kwansan Cherry	*Prunus serrucata "Kwansan"*
Yellowood	*Cladastris lutea*
Ironwood	*Carpinus carolineana*

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

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

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

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Chalkbark Maple	*Acer Leucoderme*
Trident Maple	*Acer buergeranum*
Saucer Magnolia	*Magnolia soulangeana*
Weeping Cherry	*Prunus subhirtilla pendula*
Fall Blooming Cherry	*Prunus autumnalis*
American Hornbeam	*Carpinus caroliniana*
Hophornbeam	*Ostrya virginiana*
Japanese Pagodatree	*Sophora japonica (Princeton Upright, Regent)*

(D) Streetyard and Interior Shrubs
(mature height: approximately thirty-six (36) inches):

(1) Evergreen.

Warty Barberry	*Berberis verruculosa*
Dwarf Burford Holly	*Ilex cornuta "Burfordii" nana*
Japanese Holly (var.)	*Ilex crenata (var.)*
Azalea (var.)	*Azalea sp.*
Mugo Pine	*Pinus mugo*
Juniper (var.)	*Juniperus sp.*
Euonymous (var.)	*Euonymous sp.*
Leatherleaf Viburnum	*Viburnum rhytidophyllum*

(2) Deciduous.

Forsythia	*Forsythia sp.*
Dwarf Burning Bush	*Euonymous alatus "Compacta"*
Thunberg Spirea	*Spirea thunbergi*
Viburnum (var.)	*Viburnum sp.*
Oakleaf Hydrangea	*Hydrangea quercifolia*
Japanese Flowering Quince	*Chaenomeles japonic*
Potentilla	*Potentilla fruticosa*
Ornamental Grass Varieties	
Oregonholly Grape	*Mahonia bealei*
Nandina	*Nandina domestica*
Dwarf Nandina	*Nandina domestica nana*

(E) Outdoor Storage Area Screening Plants
(installation height: six (6) feet):

American Holly	*Ilex opaca*
Burfora Holly	*Ilex cornuta "Burfordii"*
Nellie Stevens Holly	*Ilex cornata "Nellie Stevens"*
Wax Myrtle	*Myrica cerifera*
Hetz Juniper	*Juniperus hetzi*

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Arborvitae	*Thuja occidentalis*
Eastern Red Cedar	*Juniperus virginiana*
Japanese Black Pine	*Pinus thunbergiana*

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

Lily-Turf	*Liriope muscarii*
Hybrid Daylily	*Hemerocallis hybrida*
Aaronsbeard	*Hypericum calysinum*
Rockspray Cotoneaster	*Cotoneaster horizontalis*

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

Bradford Pear	*Pyrus calleryana "Bradford"*
Silver Maple	*Acer saccharinum*
Hybrid Poplars	*Populus spp.*
Tree of Heaven	*Ailanthus altisimma*
Mimosa	*Albizia julibrissin*
Royal Paulownia	*Paulownia Tomentosa*
Pine (var.)	*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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AMENDING REFERENCES TO TREES AND TREE PLANTINGS FOR SUBDIVISIONS

~~(ii) Wooded areas and other natural features,~~

(ii~~i~~) Topography at no greater than four (4) foot intervals when available. D~~d~~istinction 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.

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 xxxxxxxx and passed/not passed by a roll call vote of x to x.

_____
Mike Horn, Mayor

ATTEST:

_____
Joyce C. McWilliams Walker, Town Clerk

STAFF REPORT
Solomon Development

DOCKET: L-PBR 2021001
STAFF: Stacy Tolbert, Town Planner

Petitioner: Jeff Zenger, Solomon Development LLC
Ownership: Solomon Development, LLC

REQUEST OF AMENDMENT:
Zoning: PB-S (Pedestrian Business)
Uses Allowed: Combined Use Multi-Family
PIN#: 5875-97-7671 & 5875-97-8451
Acreage: 1.56 Acres

LOCATION:
Street: Great Wagon Road
Jurisdiction: Town of Lewisville

PROPERTY SITE/IMMEDIATE AREA:
Existing Structures on Site: The site is currently vacant.

Adjacent uses:
* North - Single family residence, 204 North St, zoned RS-20
* East - Single family residences, 196 Will Austin Ct & 135 Belnette Dr, zoned RS-20
* South - property fronts Great Wagon Rd and Shallowford Square
* West - Single family residence, 155 Belnette Dr, zoned RS-20

GENERAL AREA:
Character/Maintenance: This area is located in the Downtown Overlay District which includes residential, commercial and recreational uses.

PHYSICAL FEATURES:
Topography: The site slopes gently from the south to west but is predominately flat.
Vegetation/habitat: The property is covered with natural vegetation including grasses and some trees.
Impact on Existing Features: Impacts are to be expected, However the main building is to be placed on the front property where there are not many trees.

WATER AND SEWER FACILITIES:
Public water and sewer are available to the site.

TRANSPORTATION:
Direct Access to Site: Great Wagon Road and North Street, to be accessed off North Street.
Street Classification(s): Local arterial
Average Daily Traffic Count/Estimated: Closest measurement is Shallowford Rd at 10,000 adt (source: NCDOT AADT 2017)

HISTORY/RELEVANT ZONING CASES:

* L-083; RS-9 to RM-12-S (Multi Family Residential) approved 05/10/2018; west side of Styers Ferry Rd adjacent to this property for Phase I of this same project including an apartment complex of 60 units; Planning Board and staff recommended approval.

* L-096; Technical Review for Compliance on current property for request. Zoned PB-S for Combined Use, Multi-Family. Request was for a 4 story multi-family building with 39 units to include a restaurant on the ground floor. Staff recommended approval, Planning Board recommended denial to the Town Council and the Town Council denied the request.

CONFORMITY TO PLANS:

Lewisville Unified Development Ordinance (UDO) - There are a few instances in the UDO where some regulations do not support other regulations throughout the ordinance. For instance, the property is located within the Downtown Overlay District where properties zoned PB are not required to have any building setbacks. However, in other parts of the UDO, bufferyard and building setback requirements differ from that of the Downtown Overlay and if applied, would make the properties downtown un-buildable. These requirements include 15 foot landscaped bufferyards and 40 ft building setbacks from residential properties. As staff, I do not feel these regulations support the intent of the Downtown Overlay. Staff's interpretation of the ordinance is to allow properties in the Downtown Overlay that are zoned PB to maintain the zero build-to line and to install plantings around the perimeter of the property to accomplish a separation between existing uses. In the Downtown Overlay, landscape requirements are mentioned which include plantings along the front facade of buildings but no specific requirements are detailed for side and rear property lines. Elevations have been submitted for the project and are included in the packet material. The applicant meets the elevation requirements including building height in the Downtown Overlay of 2 stories, 48 feet, color scheme and roof pitch. Overall, the proposal meets the requirements of the UDO.

Lewisville Comprehensive Plan Update 2015 - The Plan describes this area as being where higher density uses are appropriate, particularly where sewer is available. This area is located in the downtown area of Lewisville where it is recommended by the Comprehensive Plan to have a mixture of office, retail and residential uses. This area would be suitable for a multifamily mixed-use development to include a restaurant due to ease of access to surrounding complementary uses.

The Plan also contains a number of "Recommended Actions." In the chapter on Land Use, recommendations include; support of design standards in the development of downtown, allow for higher density zoning surrounding the downtown area, and require parking for multi-family to be to the rear of the structures or screened from the road.

Legacy Development Guide - *Legacy* encourages a mixture of office, retail and housing along Growth Corridors that do not contribute to "strip development." The property is located in Growth Management Area 2 but abuts Growth Management Area 1 which is Town Centers. In Town Centers, it is encouraged to have more residential development at higher densities while promoting deck parking over surface parking.

ANALYSIS:

This property was zoned PB-S in 2000 and was zoned for combined use - multi family. In the Unified Development Ordinance, the definition of a combined use is a principle building which is used for any

combination of dwelling units(s), including single family, duplex and multifamily, and any other use(s) permitted in the zoning district. The original site plan that was approved in 2000 has sunset, or expired. A request was submitted for this property in 2020 for a 4-story multi-family building of 39 units with a restaurant. This request was denied by the Town Council. A new request has been submitted for a 2-story multi-family building of 39 units with a restaurant. A restaurant without drive-thru service is a use allowed by right in the PB (Pedestrian Business) zoning district.

PB is primarily intended to accommodate office, retail, service, institutional and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of municipalities.

RECOMMENDATION:

Town staff is of the opinion that the request meets the standards of the Unified Development Ordinance. The site has available infrastructure to support the density of development that is being proposed. Statements found in both the *Lewisville Comprehensive Plan* and *Forsyth County Legacy Plan* encourages higher residential density that promotes pedestrian connectivity and availability in a downtown center.

6 FRONT ELEVATION
1/8" = 1'-0"
07-2020 BP01

16 EAST ELEVATION (SIDE)
1/8" = 1'-0"
07-2020 BP01

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STEVEN McCAFFREY LLOYD
REGISTERED ARCHITECT
No. 7182
STATE OF NORTH CAROLINA
WINSTON-SALEM, NC

1.7.2021

NOT FOR CONSTRUCTION

SCHEMATIC DESIGN DOCUMENTS

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Project:
Proposed

Solomon Development Apartment Building

Lewisville, NC

Project Number:
07-2020

Issue Date:
--/--/2021

Revisions:
△ --/--/2021

Sheet Title:
BUILDING ELEVATIONS

Sheet Number:
A5.1

6 WEST ELEVATION (SIDE)
1/8" = 1'-0" 07-2020 BP01

16 NORTH ELEVATION (REAR)
1/8" = 1'-0" 07-2020 BP01

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WINSTON-SALEM, NC

1.7.2021

NOT FOR CONSTRUCTION

SCHEMATIC DESIGN DOCUMENTS

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Project:
Proposed

Solomon Development Apartment Building

Lewisville, NC

Project Number:
07-2020

Issue Date:
--/--/2021

Revisions:
△ --/--/2021

Sheet Title:
BUILDING ELEVATIONS

Sheet Number:
A5.2

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 Chapter 43 of the Town of Lewisville be amended as follows:

Section 1. Amend the Table of Contents title for Chapter 43 of the Lewisville Town Code, Overgrown and Unkept Lots, and re-title as Nuisances.

Section 2. Delete 43-1 Title: Lots to be kept clean and free of debris and is expanded and described in amended section 43-3
Delete 43-2 Title: Investigation and is re-written in amended Section 43-5.
Delete 43-3 Title: Notification and is re-written in amended Section 43-6.
Delete 43-4 Title: Cost of Abatement
Delete 43-5 Title: Failute to pay the cost for the abatement
Delete 43-6 Title: Other prosecution

Section 3. Amended sections 43-1 through 43-6 are re-titled to Town Code Section 43 and new sections 43-7 through 43-9 are added.
Section 43-1 Title: Definitions
Section 43-2 Title: Jurisdiction
Section 43-3 Title: Declaration of a Public Health Nuisance
Section 43-4 Title: Administration and Enforcement Responsibility
Section 43-5 Title: Complaints and Investigations
Section 43-6 Title: Notice to Abate Public Health Nuisance
Section 43-7 Title: Failure of Owner to Abate Public Health Nuisance
Section 43-8 Title: Alternate Remedies
Section 43-9 Title: Severability

Section 4. For the purposes of this chapter, the following definitions are added to Chapter 43-1 and shall apply unless the context clearly indicates a different meaning:

Definitions

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.

CHRONIC VIOLATOR. Any person described in §160A-200.1(d) as a person who owns property, whereupon, in the previous calendar year, the city gave notice of violation at least 3 times under any provision of the public nuisance ordinance.

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.

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 5. Section 43-2, Jurisdiction, is hereby added to Town Code Chapter 43.

43-2 JURISDICTION. The provisions of this ordinance shall apply within the corporate limits of the Town of Lewisville.

Section 6. Section 43-3, Declaration of a Public Health Nuisance, is hereby added to Town Code Chapter 43.

43-3 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:

A. ***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.

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

1. 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.

2. 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.

C. ***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.

D. ***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.

E. ***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.

F. ***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.

G. ***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.

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

I. ***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.

1. Damaged structure in danger of collapsing.

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

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

K. ***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 7. Section 43-4, Administration and Enforcement Responsibility, is hereby added to Chapter 43.

43-4 ***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 8. Section 43-5, Complaints and Investigations, is hereby added to Chapter 43.

43-5 ***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 Chapter 43-3, investigate to determine whether conditions exist as to constitute a public nuisance as declared in this chapter.

Section 9. Section 43-6, Notice to Abate Public Health Nuisance, is hereby added to Chapter 43.

43-6 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.

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 and 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.

Section 10. **43-7 Failure of owner to abate public health nuisance** is hereby added to Chapter 43.

43-7 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 11. **43-8 Alternate remedies** is hereby added to Chapter 43.

43-8 ***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 12. **43-9 Severability** is hereby added to Chapter 43.

43-9 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 13. ***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 14. 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 15. This ordinance shall become effective upon its adoption.

Adopted this the xth day of xxx, 2021 by the Lewisville Town Council.

_____
Mike Horn, Mayor

ATTEST:

_____
Joyce C. McWilliams Walker, Town Clerk

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

BTM:812575v1

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.

Rebecca Jo Chmura
Notary Public

My commission expires:

1/20/2025
(Notarial Seal/Stamp)

REBECCA JO CHMURA
Notary Public - North Carolina
Forsyth County
My Commission Expires 1/20/2025

BTM:812575v1

Exhibit A

FINAL APPROVAL

day of ____ 19____

Director of Planning

I, JOHN E. BERSON certify that this map was drawn from (an actual survey made by me) (this description recorded in Book ____, Page ____, Book ____, Page ____ etc.) (other); that the error of closure as calculated by latitudes and departures is 1:6000; that the boundaries not surveyed are shown as broken lines plotted from information found in Book ____, Page ____; that this map was prepared in accordance with G.S. 47-30 as amended. Witness my hand and seal this 22 day of January, A.D., 1979.

(Surveyor's Seal) NORTH CAROLINA

SEAL L-1828 LAND SURVEYOR JOHN EDWARD BERSON

I, Nancy P. Berson, Register of Deeds, Notary Public or Clerk of Superior Court of Forsyth County N. C. do certify that John E. Berson, Surveyor, personally appeared before me this day and acknowledged the due execution of the foregoing certificate.

Witness my hand and notarial seal this 22 day of Jan., 1979.

(SEAL) Nancy P. Berson, Notary SIGNATURE AND TITLE

My commission expires Oct. 30, 1982 NORTH CAROLINA — FORSYTH COUNTY

NANCY P. BERSON
NOTARY PUBLIC
FORSYTH COUNTY, N. C.

The foregoing certificate of Nancy P. Berson, Notary Public, NORTH CAROLINA, FORSYTH CO. N.C. and duplicate certificate of the officers signature is certified to be correct. This 12 day of February, 1979. Probate Fee $5.00. Grace Ayers, Register of Deeds

Filed for registration at 10:45 o'clock A.M. February 16, 1979 and recorded in Plat Book 27 Page 53

Grace Ayers, Register of Deeds
Filing Fee $10.00 Paid
By Lynne Smith

LOCATION MAP

Final APPROVAL

THIS IS TO CERTIFY THAT THIS PLAT MEETS THE MINIMUM REQUIREMENTS FOR WINSTON-SALEM/FORSYTH COUNTY AND IS ELIGIBLE, THAT A CERTIFICATE OF APPROVAL HAS BEEN ISSUED BY THE DIVISION OF HIGHWAYS PURSUANT TO ART. 2, CHAPTER 136 OF THE GENERAL STATUTES, STATE OF N.C.

5 DAY OF Feb 1979

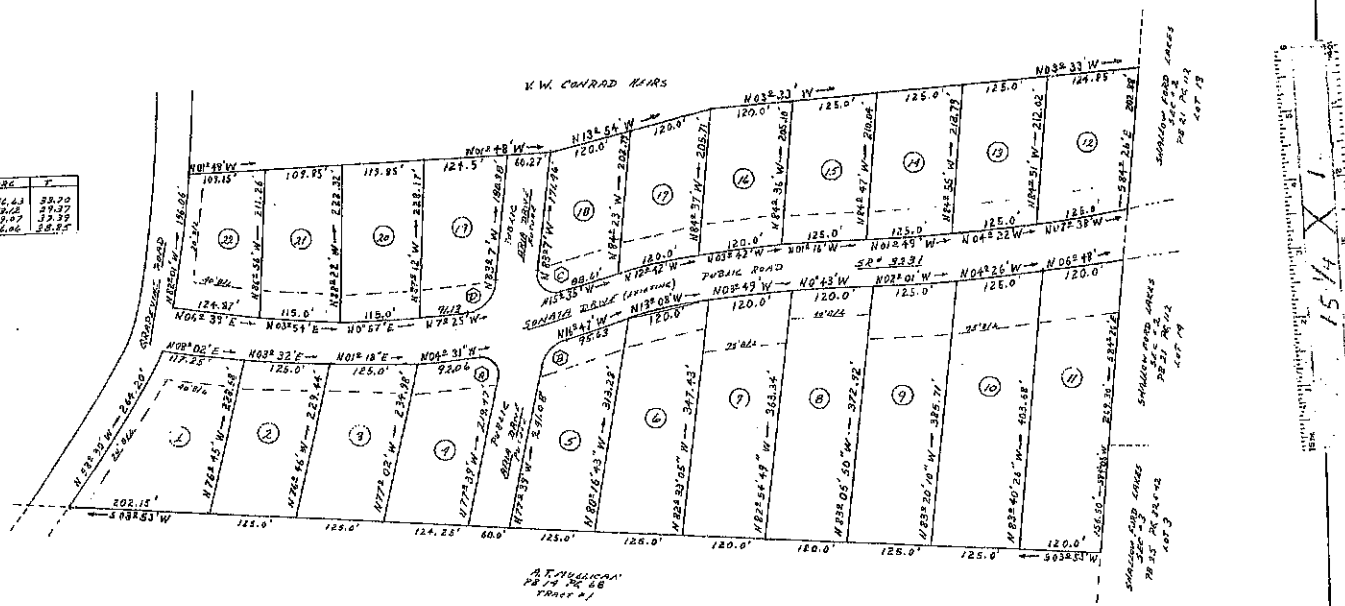
DIRECTOR OF PLANNING

DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

PROPOSED ROAD
CONSTRUCTION CERTIFICATION

APPROVED

DATE



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	**$ 68,354**

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	**$ 68,354**

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
Budget Amendment Number: #25
Finance Officer: **PAM ORRELL**

DEBIT			***CREDIT***		
CODE	***ACCOUNT DESCRIPTION***	***AMOUNT***	***CODE***	***ACCOUNT DESCRIPTION***	***AMOUNT***
	General Fund			General Fund	
10-00-4110-4994	Transfer to Community Center Capital Project	$68,354.00	10-00-3990-9000	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

RESOLUTION 2021026 OF THE LEWISVILLE TOWN COUNCIL AWARDING CONTRACT FOR AN IRRIGATION SYSTEM FOR THE MARY ALICE WARREN COMMUNITY CENTER

WHEREAS, surrounding vegetation has been designed for the new Mary Alice Warren Coomunity Center; and

WHEREAS, it is easier to construct the irrigation system prior to completion of the site; and

WHEREAS, the Scope of Work is detailed in the attached contract; and

WHEREAS, Carolina Irrigation has been selected to complete this project.

NOW, THEREFORE, BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL that the Town Manager is authorized to award the contract attached hereto for the construction of the irrigation system for the Mary Alice Warren Community Center to Carolina Irrigation of Lowgap, North Carolina for an amount not to exceed $26,550.$\underline{00}$ (Twenty-six thousand five hundred fifty dollars and no cents).

Resolved, approved and effective upon adoption, 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 CONTRACT

Carolina Irrigation- Mary Alice Warren Community Center Irrigation

1 Contractor Billing Name and Address:

Carolina Irrigation
268 David's Place
Lowgap, NC 27024
(336) 352-4733
carolinairrigation@gmail.com
www.caroilabirrigation.net

2 Scope of Work:

2.1 Contractor proposes to furnish all the necessary materials, equipment, supervision, and labor to complete the following work, as described in the attached quote from the contractor.

2.2 Contractor's quote is a part of this contract and shall be used as reference.

2.3 There is a possible additional cost of $800.00. This will only be needed if it is determined that grass will be included in all the islands. If the grass is omitted, these extra funds will not be needed.

3 Independent Contractor:

3.1 The Contractor agrees that he/she is an Independent Contractor not under the control or supervision of the Town and therefore not eligible for Worker's Compensation or other Town Employee benefits. The Contractor does not make this agreement under any duress.

4 Insurance:

4.1 The Contractor shall maintain in full force and effect throughout the term of this Contract and throughout any extension or renewal thereof the following types of insurance in at least the limits specified below:

4.1.1 Workman's Compensation at or above the Statutory Minimum.

4.1.2 Employer's Liability at or above $500,000 (Five hundred thousand dollars).

4.1.3 General Liability at or above $1,000,000 (One million dollars).

~~4.1.4 Automobile Liability Combined Single Limit at or above $1,000,000 (One million dollars).~~

4.1.5 Products/Completed Operations (Each Occurrence/Aggregate) $1,000,000/$$1,000,000 (One million dollars).

4.1.6 Excess Umbrella Liability is not required.

4.2 Employer's Liability Coverage will be required of the Contractor and any sub-Contractor where any class of employee engaged in work under this Contract is not protected under the Workmen's Compensation Statute.

4.3 All insurance will be by insurers acceptable to the Town and authorized to do business in the State of North Carolina. Prior to the commencement of work the Contractor shall furnish the Town with certificates of insurance or other satisfactory evidence that such insurance has been produced and in force. Said policies shall not thereafter be cancelled, permitted to expire, or be changed without thirty (30) days advance written notice to the Town.

4.4 To the extent permitted by law, all or any part of required insurance coverage(s) may be provided under a plan of self-insurance (acceptable to the Town in its reasonable discretion).

5 Indemnity:

5.1 The Contractor will indemnify and save harmless the Town, its officers, agents, servants, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and attorneys' fees resulting from a willful or negligent act or omission of the Contractor, its officers, agents, servants and employees in the performance of this Contract; provided, however, that the Contractor shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorneys' fees arising out of the award of this Agreement or a willful or negligent act or omission of the Town, its officers,

agents, servants and employees. The contractor has signed the Town's Hold Harmless Agreement which shall be a part of this document.

6 Scope of Contract:

6.1 Effective Date - This Contract shall become effective on the day of execution.

6.2 Term - The term of this contract shall be from date of execution and end June 15th, 2021.

6.3 Contract Extension -The parties agree that by mutual consent, each expressed in writing and received at least ten (10) day(s) before the termination contract period, that this Contract may be extended for an additional day upon the same terms and conditions as set forth in this Contract.-

6.4 Exclusive Right -The Town, as grantor, does not grant the Contractor, as grantee, the exclusive right during the term of this Contract to be the Town's Contractor for storm drain services.

6.5 Compliance with Applicable Laws -The parties to this Contract agree that the laws of the State of North Carolina shall govern the validity, construction, interpretation, and effect of this contract. The Contractor shall conduct the specified renovation as provided for by this Contract in compliance with all applicable federal, state and local regulations and laws including the OSHA standards set and enforced by the Department of Labor. This Contract and the work to be done as described herein is also subject to the provisions of all pertinent municipal ordinances which are hereby made a part hereof with the same force and effect as if specifically set out herein.

6.6 Bankruptcy -"Insolvent" for the purposes of this clause shall mean the party's inability to pay its debts as they mature.

6.6.1 The party's insolvency, or voluntary or involuntary bankruptcy, shall not constitute prospective unwillingness and/or inability to perform nor a repudiation of this agreement unless the party fails to give a timely and adequate assurance of its ability to perform. Until such assurances are received, the demanding party may suspend, if commercially reasonable, any performance due upon its part unless already paid for. If a party is unable to give adequate assurance, the other party may terminate the Contact with ten (10) days written notice. Assumption of this Contract by a bankrupt debtor's trustee shall initially give rise only to a reasonable sense of insecurity and shall not operate as an automatic repudiation, prospective unwillingness to perform, or a breach of the Contract where the Contractor is in the process of voluntary or involuntary bankruptcy.

6.6.2 The Town shall not be bound to the contract by an insolvent Contractor's trustee or receiver.

6.6.3 In the event of the Contractor's bankruptcy, the Town will have the same remedies as provided for Breach of Contract.

6.7 Breach of Contract -If the Contractor fails to comply with applicable Federal, State, or Local Laws or regulations the Contractor will be in default and the Town may immediately terminate the Contract without notice. The Town may seek any or all remedies available at law or in equity. If the Contractor fails to perform, or fails to perform in a satisfactory manner, or to perform in accordance with applicable ordinances, its obligations hereunder, the Town shall have the right to demand in writing adequate assurance from the Contractor that steps have been or are being taken to rectify the situation. Within ten (10) days of receipt of such demand, the Contractor must return to the Town a written statement that explains reasons for nonperformance, or delayed, partial or substandard performance during that period and any continuation thereof. Upon receipt of the Contractor's statement or the failure of the Contractor to submit one, the Town may, except under conditions of Force Majeure, terminate this Contract and, shall have any and all remedies available at law or in equity.

6.8 Force Majeure

6.8.1 Neither the Contractor nor the Town shall be liable for the failure to perform their duties nor for any resultant damage, loss, etc., if such failure is caused by a catastrophe, riot, war, governmental order or regulation, strike, fine, accident, act of God or other similar contingency beyond the reasonable control of the Contractor or Town.

6.8.2 If such circumstances persist for more than ten (10) days or if after their cessation the Contractor is unable to render full or substantial performance for a period of ten (10) days, he or the Town may terminate this Contract

upon giving not less than twenty (20) days written notice to the Town.

6.9 Arbitration and Award -Any controversy or claim arising out of or relating to this agreement, or breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association by arbitration in Forsyth County, North Carolina. Judgment upon the award rendered by the arbitrators may be entered in any court having jurisdiction thereof.

6.10 Assignment of Contract -No assignment of this Contract or any right accruing under this Contract shall be made in whole or in part by the Contractor, directly or indirectly by sale of stock of the Contractor to an entity unrelated to the Contractor, or other device, without the express written consent of the Town, which consent shall not be unreasonably withheld. The delegation of any Contract duties will require the written consent of the Surety as such a delegation will not relieve the Contractor or his Surety of any liability and/or obligation to perform. In the event of any delegation of duty, the delegate shall assume full responsibility and liability for performance of that duty without affecting the Contractor's liability.

6.11 Change of Ownership -In the event that the Contractor's business assets are sold, without the written consent of the Town, the Town maintains the right, to terminate this agreement and, to hold the original owner solely liable. If, however, the Town determines, in its sole discretion, that the new ownership can adequately and faithfully render the services called for in this Contract for the remaining term of the Contract, then the Town may elect to execute a novation, allowing the new ownership to assume the rights and duties of this Contract and releasing the previous ownership of all obligation and liability. The new ownership would then be solely liable for any work and/or claims attendant to this agreement.

6.12 Waivers:

6.12.1 A waiver by either party of any breach of any provisions hereof shall not be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of any provision itself. No payment or acceptance of compensation for any period subsequent to any breach shall be deemed a waiver of any right or acceptance of defective performance.

6.12.2 Where the condition to be waived is a material part of the Contract such that its waiver would affect the essential bargains of the parties, the waiver must be supported by consideration and take the form of a Contract modification as provided for elsewhere in this section.

6.13 Illegal and Invalid Provisions -Should any term, provision or other part of this Contract be declared illegal it shall be excised and modified to conform to the appropriate laws or regulations. Should any term, provision or other part of this contract be held to be inoperative, invalid or unenforceable, then such provision or portion thereof shall be reformed in accordance with applicable laws or regulations. In both cases of illegal and invalid provisions, the remainder of the Contract shall not be affected but shall remain in full force and effect.

6.14 Joint and Several Liability -If the Contractor is comprised of more than one individual, corporation or other entity, each of the entities comprising the Contractor shall be jointly and severally liable.

6.15 Binding Effect -The provisions, covenants, and conditions in this Contract apply to bind the parties, their legal heirs, representative, successors, and assigns.

6.16 Amendment of the Contract -No modification or amendment of the terms hereof shall be effective unless written and signed by the authorized representatives of all parties entitled to receive a right or obligated to perform a duty under this Contract. A signed original is to be fastened to the original Contract with signed copies retained by all the parties.

6.17 Merger Clause: Previous Agreements Suspended -This agreement constitutes the final and complete agreement and understanding between the parties. All prior and contemporaneous agreements and understandings, whether oral or written, are to be without effect in the construction of any provision or term of this Contract if they alter, vary or contradict this agreement.

7 <u>Safety of Workers and Accident Exposure</u>:

7.1 The Contractor is expected to comply with OSHA standards as they may apply to the Contractor's execution of

the requirements of this Contract.

7.2 The Contractor shall provide to the town a copy of employee safety policies and procedures.

7.3 The Contractor's employee safety policies and procedures must provide for adequate protection of all employees performing duties as a part of this Contract and adequate safety of other individuals at or near the work area.

7.4 The Contractor shall conduct its own "frequent" and "regular" inspections at the job site for compliance with its safety program and pertinent OSHA regulations.

7.5 The Contractor shall provide in all subcontracts that each subcontractor and their subcontractors strictly adhere to all safety standards, rules, and OSHA regulations pertinent to the type of work being performed.

7.6 The Contractor shall provide in all subcontracts that each subcontractor and their subcontractors develop a safety program for work covered by the subcontract.

7.7 The Contractor shall provide in all subcontracts that each subcontractor and their subcontractors conduct their own "frequent" and "regular" inspections at the job site for compliance with its safety program and all pertinent OSHA regulations.

7.8 The Contractor shall include the following statement in subcontracts: "Subcontractor shall, at its own expense, strictly adhere to all pertinent safety standards, rules and OSHA regulations required or recommended by governmental or quasi-governmental authorities having jurisdiction. The Subcontractor hereby acknowledges that it has its own safety program for all work covered by or performed under this Subcontract. The Subcontractor agrees to conduct its own frequent and regular inspections of all work covered by or performed under this Subcontract at the project site to verify compliance with the Subcontractor's safety program and all applicable safety standards, rules and OSHA regulations. The Subcontractor and Contractor acknowledge and agree that the Contractor has no control, responsibility or authority over the Subcontractor or the Subcontractor's employees or subcontractors with regard to the safety and health conditions relating to or arising out of the Subcontractor's work or the performance of any work covered by this Subcontract. The Subcontractor has the sole responsibility and authority for ensuring that any and all hazardous conditions relating to or arising out of the Subcontractor's work are corrected. With regard to the Subcontractor's work or any work covered by or performed under this Subcontract, the Contractor is not the controlling employer or controlling entity for the purpose of detecting hazardous conditions or ensuring that hazardous conditions are corrected."

8 Nondiscrimination:

8.1 Neither the Contractor nor any sub-Contractor nor any Person(s) acting on his behalf shall discriminate against any person because of race, sex, age, creed, color, religion, national origin, or disability.

9 Warranty:

9.1 The Contractor shall warranty all workmanship and materials for up to one year after completion of the project.

9.2 Contractor warrants that the work will be performed in accordance with generally accepted standards associated with the particular professional discipline involved, as practiced by members of such discipline in the same locality and under similar conditions.

10 E-Verify

10.1 The provider and its subcontractors shall comply with Article 2 of Chapter 64 of the North Carolina General Statutes relating to the required use of the federal E-Verify program to verify the work authorization of new hired employees. Failure of the provider to comply with this provision or failure of its subcontractors to comply could render this contract void under North Carolina law. It is the expectation of The Town of Lewisville that the provider will comply with all applicable federal immigration laws in its hiring and contracting practices relating to the services covered by this contract involving Town funds.

11 Contractor's Proposal:

11.1 Contractor proposes to accomplish all work described in the Scope of Work for a sum not to exceed $25,750(Twenty-five thousand seven hundred fifty and 00/100 dollars).
Added option (grass in islands.) total would not exceed $26,550 (Twenty-six thousand five hundred fifty and 00/100 dollars).

11.2 After determination of satisfactory completion of work described in the Scope of Work within in the term as described in the Scope of the Contract, the Town will pay the contractor a sum not to exceed $25,750.00 (Twenty-five thousand seven hundred fifty and 00/100 dollars).

Added option (grass in islands). Total cost would not exceed$26,550 (Twenty-six thousand five hundred fifty and 00/100 dollars).

12 Notice:

12.1 A letter properly addressed and sent by mail, certified mail, or registered mail to any party at the addresses provided below shall constitute sufficient notice whenever written notice is required for any purpose of this agreement. Notice will be considered sent either when received at the appropriate address or deposited in the United States mail.

12.1.1 Address for notices to the Town:

Town of Lewisville

Attention: Town Manager

Post Office Box 547
Lewisville, North Carolina 27023
Telephone: 945-5558

Signature Date
William H. Perkins Jr., Town Manager

12.1.2 Address for notices to Contractor:

Carolina Irrigation
268 David's Place
Lowgap, NC 27024
(336) 352-4733

Signature Date

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Pam Orrell, Finance Officer

CAROLINA IRRIGATION

268 David's Place Lowgap, NC 27024 336-352-4733

carolinairrigation@gmail.com www.carolinairrigation.net

Irrigation License # 523 Plumbing License # 32666

Serving the Triad since 1999!

March 26, 2021

Lewisville Community Center
c/o Ryan

Thank you for the opportunity to bid on your project. In compliance with N.C. Law, we are a fully licensed, insured and bonded company. We have been in business since 1999 and still maintain the first system we installed. We believe in quality, attention to detail and only use premium products. We also strive to be careful not to damage existing root systems of trees and plants.

Our systems are designed to save you money. We do this by designing the system to conserve water, i.e. not throwing water onto hard scapes such as drives/walks/streets, by using the latest innovative products such as the smart controller technology and by doing it right the first time. We also offer a two year labor warranty. We believe strongly in good communication, excellent service and, of course, customer satisfaction.

Attached is the proposal you have requested. The system we have designed gives you 100% head to head coverage in all installed areas. If you find this proposal to be acceptable, we would be happy to answer any questions you may have and walk your property with you to show you how the system is designed. Feel free to contact me on my mobile phone at 336-462-6200 or by email at carolinairrigation@gmail.com.

Thank you again for this opportunity and we hope you have a wonderful day!

Respectfully,
Scott Forte

CAROLINA IRRIGATION

268 David's Place Lowgap, NC 27024 336-352-4733

carolinairrigation@gmail.com www.carolinairrigation.net

Irrigation License # 523 Plumbing License # 32666

Serving the Triad since 1999!

Proposal

Meter:	Existing
Backflow:	Existing
Controller:	22 station Rain Bird ESP- ME3 modular with WiFi capability and rain sensor
Valves:	Twenty 1.5" Rain Bird PGA valves & one Rain Bird drip valve assembly
Main line:	1.5"
Zones:	13 rotor zones, 7 spray head zones & 1 drip zone
Rotors:	156 Hunter PGP rotors
Sprays:	93 Hunter Pro-Sprays, 6"
Drip:	Solid drip line with emitters to each plant
Optional:	Upgrade to 40 station HCC Hunter controller & relocate to inside building, add $3,250.00
Optional:	Keep grass in islands & add drip to boundary bed & entrance island, add $800.00
Optional:	Substitute grass in islands for boundary bed & entrance island drip, no price change
Warranty:	Controller & valves – 3 years Rotors & spray heads – 5 years Labor – 2 years

System cost: $22,500.00 (does not include options above)

Please note that payment in full is required during our walk thru appointment after the system has been installed.

Town of Lewisville

Budget Amendment Ordinance 2021016
Amending Budget Ordinance 2020001

Finance Department Use Only
Budget Amendment Number: #24
Finance Officer: **PAM ORRELL**

DEBIT			***CREDIT***		
CODE	***ACCOUNT DESCRIPTION***	***AMOUNT***	***CODE***	***ACCOUNT DESCRIPTION***	***AMOUNT***
	General Fund			General Fund	
10-40-4900-1210	Planning Salaries	$4,000.00	10-00-3990-9000	Fund Balance Appropriated	$4,306.00
10-40-4900-1810	Planning - FICA	$306.00			

To fund a summer internship in the Planning Department for 400 hours at $10 per hour

RECOMMENDED By: Pam Orrell
Town Finance Officer

Approved and effective upon adoption, this the 1st day of April, 2021 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk