

Lewisville Town Council Regular Meeting Minutes
February 11, 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:

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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. Council Member Sadler advised 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. Invocation was provided by Attorney Bo Houff and the Pledge of Allegiance led by Scouts Sarina Horner and Morghyn Frederick.
- c. Adoption of Agenda
 - i. Council Member Hunt moved to approve the agenda. The motion was seconded by Council Member Smitherman and approved unanimously 6-0 with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Smitherman, Welch and Mayor Horn.

2. Consent Agenda

- a. Consent Agenda for approval
 - i. [Resolution 2021011](#) - Acceptance and Approval of Monthly [Financials for the six months ending December, 2020](#)
 - ii. Approval of Town Council Briefing Meeting [Minutes - January 7, 2021](#)
 - iii. Approval of Town Council Meeting [Minutes - January 14, 2021](#)
 - iv. Approval of Town Council Special Called Meeting [Minutes - January 22, 2021](#)
 - v. [Resolution 2021006](#) - accepting the resignation of Daryl Siefert from the Lewisville Beautification Committee
- b. Council Member Franklin moved to approve the Consent Agenda with the acceptance of the amendments to the Special Called Meeting. The motion was seconded by Council Member Welch and approved unanimously 6-0 with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Smitherman, Welch and Mayor Horn. Resolution 2021011 and Resolution 2021006 are herein incorporated by reference into the minutes.

3. Introductions, Presentations, Recognitions and/or Proclamations

- a. Presentations
 - i. Sheriff Bobby Kimbrough and PR Manager LaShanda Millner-Murphy

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- (1) Sheriff Kimbrough is hoping to be able to continue to visit with municipalities to update on what the Sheriff's Office is doing. He was present as part of the Office's good will visit to provide information about the Intelligence Center and its program. He wanted to advise everyone of the program being initiated that will be using cameras throughout the county and partnering with numerous businesses and organizations. In addition, he would like to launch a program to partner with a security company to provide Ring type security systems for seniors. He also hopes to get the approval for use of personal cameras tied into the system from property owners that could be used in emergency situations. Additionally, he shared some of the other organizations with whom the Office is partnering to make everything safe.

Council Member Sadler entered the meeting electronically at 6:11 p.m.

- ii. Public Safety Report - Sgt. Stringer
 - (1) Sgt. Stringer reported that there were 700 total calls for service, 408 security checks, 16 alarms, 50 traffic related violations and the average response time was 5.2 minutes.
 - (2) Sgt. Stringer will start to compare numbers between the two years to look at trends.
 - (a) He will send copies of the raw data to Council members.
 - (b) The color codes were also explained.
 - (3) Council Member Franklin, supported by Sheriff Kimbrough, did remind everyone that response time is important, but not as important as getting to the incident safely.
 - (4) He also explained information provided by the county whenever a situation is encountered on domestic disturbances and violence.
 - (a) Staff will provide information on whether the signs placed on Yadkinville Road have had an affect on slowing the speeding.

b. Introductions

- i. Deputy William (Wax) Armstrong was introduced as the Town's new deputy and welcomed by all.

c. Recognitions

- i. Teresa Forchey, a volunteer, was recognized by the Western Forsyth Rotary Club as the Fire Fighter of the Year.
- ii. Student Leadership member Sarina Horner and Morghyn Frederick, members of BSA 729, were recognized as members of the inaugural group of girls to attain the rank of Eagle in the Boy Scouts of America.

4. **Public Forum**

- a. The Public Forum was electronically opened at 6:34 p.m.
 - i. Blaine Brinton, 1955 Conrad-Sawmill Road, complained about the junk, wrecked cars, dogs and unsightliness of the property on the corner of Conrad-Sawmill and Robinhood Road as well as wrecked vehicles, races motor engines loudly and other junk. He also has had to call the Sheriff and animal control about his dogs. He

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wanted to know if the town could do anything about this.

- (1) Mayor Horn advised that the issue had been discussed at Council's retreat and had directed staff to see if the current code could be tightened.
 - ii. Patty Thompson, 6532 Benson Lane, who also owns the house at 1523 Runabout Road, also complained about the resident at the corner of Robinhood and Conrad-Sawmill that races up and down the road. She said that anyone turning left into the ballfield is not safe.
 - iii. Ava Williamson, 5931 Robinhood Road, also owns a house at 1940 Conrad-Sawmill, said she was piggy-backing on the comments made by Mr. Brinton and wanted everyone to know the unsightliness of the property.
 - iv. Vicki McKeever, 1930 Conrad-Sawmill Road, also complained of the same neighbor whose dogs have attacked her horses and that he also works on vehicles in the road. She has contacted the Sheriff's Office and animal control.
 - v. John Shoaff owns property across the street but lives at the coast. He said the property is an eyesore. It is a pigpen and something needs to be done.
 - vi. Mary Blaine, 7011 Robinhood Road, lives across the street. He is threatening whenever the Sheriff's Office is called. He's aggressive in general. His goats and donkeys roam free. His dogs are aggressive. Noise goes on at all hours.
 - vii. Linley Harrison, 1940 Conrad-Sawmill Road, said he could hear him all hours of the day and night even though her house sits way back. He's pulled a gun on her friend. She just asked if something can be done.
 - viii. Vicki McKeever, 1930 Conrad-Sawmill Road, said that the neighborhood is afraid of his retaliation.
- b. Having no other comments, the Public Forum was closed at 7:00 p.m.
 - c. Written comments may be sent to townclerk@lewisvillenc.net.

5. Appointments

- a. [Appointment Order 2021001](#) - appointing Sonsera Trella Kiger to the Lewisville Beautification Committee
 - i. Council Member Foster moved to approve Appointment Order 2021001. The motion was seconded by Council Member Smitherman and approved unanimously 7-0 with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Appointment Order 2021001 is herein incorporated by reference into the minutes.
- b. [Appointment Order 2021002](#) - appointing Bryan Schroeder to the Lewisville Recycling Committee
 - i. Council Member Foster moved to approve Appointment Order 2021002. 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. Appointment Order 2021002 is herein incorporated by reference into the minutes.

6. Technical Review(s)

- a. None.

7. Preliminary Site Plan Approvals

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- a. None.
- 8. **Evidentiary Hearings**
 - a. None.
- 9. **Public Hearings**
 - a. None.
- 10. **Annexation Requests**
 - a. None.
- 11. **Unfinished Business**
 - a. None.
- 12. **New Business**
 - a. [Resolution 2021007](#) - revising the Personnel Policy by adding information to Article 6 Employee Benefits, Section 6 - 10 Insurance
 - i. Council Member Smitherman moved to approve Resolution 2021007. The motion was seconded by Council Member Hunt and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2021007 is herein incorporated by reference into the minutes.
 - b. [Resolution 2021005](#) - approving the contract with Gibson and Company, P. A. in the amount of \$20,745.⁰⁰ (with an additional \$4,000.⁰⁰ if a single audit needed) to perform the annual independent audit of the town's financial statements for fiscal year 2020-2021
 - i. Council Member Franklin moved to approve resolution 2021005. 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. Resolution 2021005 is herein incorporated by reference into the minutes.
 - c. [Resolution 2021009](#) - fixing the date of public hearing for March 11, 2021 on the question of Annexation of a portion of the Doub Road area into the Town pursuant to G. S. 160A-31
 - i. Council Member Smitherman moved to approve Resolution 2021009. The motion was seconded by Council Member Welch.
 - (1) There was discussion on which date to hold the requisite meeting to allow 24 hours following the close of the public hearing to receive any written comments.
 - (2) After discussion, Council settled on Tuesday, March 16, 2021 as the date to vote, allowing the requisite 24 hours following the close of the public hearing.
 - ii. Council Member Smitherman amended his motion to approve Resolution 2021009 with the date to meet to vote as Tuesday, March 16th at 6:00 p.m. Mrs Welch accepted the amended motion and made the second. The motion was approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2021009 is herein

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- incorporated by reference into the minutes.
- d. [Resolution 2021010](#) - setting a public hearing to receive comments on L-098 rezoning request from McChesney Properties to rezone a portion of the Doub Road area from RS-40 Forsyth County planning jurisdiction to RS-20 Lewisville planning jurisdiction for the Gameway Estates subdivision
- i. Council Member Franklin moved to approve Resolution 2021010 for the public hearing for March 11, 2021 and the vote on the rezoning to be held on March 16, 2021 at 6:00 p.m. 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. Resolution 2021010 is herein incorporated by reference into the minutes.
- e. [Ordinance 2021007](#) - amending Budget Ordinance 2020001 in the amount of \$12,495.⁰⁰ to replace the trees on Feldspar Lane in Dryden Park
- i. Council Member Smitherman moved to approve Ordinance 2021007. 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. Ordinance 2021007 is herein incorporated by reference into the minutes.
- f. Access controls for Town Hall, the Town Hall Annex and the G. Galloway Reynolds Community Center
- i. [Ordinance 2021008](#) - amending Budget Ordinance 2020001 in the amount of \$20,787.⁰⁰ to upgrade the access controls in Town Hall, the Town Hall Annex and the G. Galloway Reynolds Community Center
- (1) Council Member Foster moved to approve Ordinance 2021008. 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. Ordinance 2021008 is herein incorporated by reference into the minutes.
- ii. [Resolution 2021012](#) - awarding contract for security access upgrades to Town buildings for an amount not to exceed \$20,787.⁰⁰ to Sage Security Solutions of Mooresville, NC
- (1) Council Member Franklin moved to approve Resolution 2021012. 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. Resolution 2021012 is herein incorporated by reference into the minutes.
- (2) Council asked for staff to provide information on when and how vendors are selected.
- g. Meeting Calendar amendment to include the Budget Meeting Calendar
- i. [Town meeting calendar](#) updated to reflect the addition of the Budget Schedule approval
- (1) Council Member Smitheman moved to approve the Town's meeting calendar adding the budget meeting dates. The motion was seconded by Council Member Welch and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman,

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Welch and Mayor Horn.

- ii. [Budget meeting calendar](#)
 - (1) The dates for the Budget meeting calendar were approved to be added to the Town's meeting calendar at the Briefing meeting.
 - h. [Resolution 2021013](#) - confirming the discontinuance of Capital Project Heritage Drive Regional Storm Water Pond #1 Capital Project
 - i. The discontinuance of this project was discussed at the retreat on February 6th.
 - ii. Council Member Smitherman moved to approve Resolution 2021013. The motion was seconded by Council Member Franklin and approved 6-1 with a roll call vote of six (6) ayes from Council Members Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn and a roll call vote of one (1) nay from Council Member Foster.
13. **Administrative Reports**
- a. Upcoming [Events at Shallowford Square](#) and Town Holidays
 - i. There are no scheduled events and no holidays to report.
 - b. Manager's Report
 - i. None.
 - c. Clerk's Report
 - i. None.
 - d. **Approvals at the Briefing and Action Meeting on February 4, 2021**
 - i. [Ordinance 2021006](#) - amending Budget Ordinance 2020001 in the amount of \$112,031.⁰⁰ to fund Change Order #2 from Fairwood Construction for the increase in the market price for lumber
 - e. **Approvals at the Special Called meeting on January 22, 2021**
 - i. [Resolution 2021008](#) - accepting Change Order #2 for the New Mary Alice Warren Community Center
 - ii. [Ordinance 2021005](#) - amending the Capital Project Ordinance of the Community Center Capital Projects Fund
14. **For the Good of the Order:**
- a. Public Comments
 - i. Public Comments were electronically opened at 7:53 p.m.
 - ii. Having no electronically raised hands, Public Comments were closed at 7:55 p.m.
 - iii. Written comments may be sent to townclerk@lewisvillenc.net.
 - b. Council Comments/Discussion
 - i. Mayor Horn advised that generally, Council will not respond to persons in either the Public Forum or Public Comment periods but it doesn't mean that Council doesn't hear you. Sometimes it will take some time to determine what the response should be. Council would like to make sure there is a full understanding of a situation before giving an appropriate response.
 - (1) Mayor Horn referenced the problem(s) identified by the earlier callers and has asked staff to look at the current ordinances to see what might address the current situation and if there are no ordinances in place, to ask staff to address the issues. He wants to be respectful of property rights.
 - (a) Mr. Perkins has already started to address the noise issue.
 - (b) Mrs. Welch would also like to have Sgt. Stringer involved.

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- (c) Mrs. Hunt asked to have information available for the March agenda.
 - (2) Mayor Horn noted that whatever steps are taken will be applied uniformly across the town.
 - (3) Council Member Franklin asked if there was already something on the books.
 - (4) Mrs. Tolbert indication Inspections from Winston-Salem have been out numerous times and the examples cited by residents need to go the the Sheriff's Office. Certain items do not qualify as junk.
 - (a) Council Member Franklin suggested calling the Highway Patrol on traffic issues.
 - (5) The Sheriff's Office is working closely with animal control.
 - ii. There Town pays a monthly fee for the use of Zoom.
 - iii. The property on Lasley has been visited and determined that it would not be a good public works site. Mayor Horn also mentioned that he had spoken with the Piedmont Land Conservancy and that was not the property in which they were interested.
 - iv. Mrs. Hunt asked for a 2 year historical background, by month, on budget amendments.
 - (1) This will be sent to everyone.
 - v. She also asked how early in the month the activity reports could be available.
 - vi. Mrs. Foster expressed her style of information review.
 - vii. Mrs. Orrell explained that when budget amendments are brought forward, the reason for the amendment is that this was something that was not anticipated and is unforeseen or there may be an opportunity that can be afforded but again unforeseen.
 - (1) Revenues are underestimated and expenditures conservatively estimated.
 - viii. Council Member Sadler noted that there is a positive variance because of the approach taken in budgeting.
- c. Adjournment
- i. Having no other business to discuss, Council Member Smitherman moved to adjourn the meeting at 8:23 p.m. The motion was seconded by Council Member Franklin and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk