

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:

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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.

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- 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.

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- (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.

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- (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](#)

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- (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.

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- (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

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- (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.

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- 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.

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ATTEST:

Mike Horn, Mayor

Joyce C. McWilliams Walker, Town Clerk