

Lewisville Town Council
Regular Meeting Minutes - 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:

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1. Call to Order

- a. Mayor Horn opened the meeting being simultaneously streamed electronically at 6:01 p.m. Council members attending electronically were Jeanne Marie Foster, Fred Franklin, Melissa Hunt, Ken Sadler, David Smitherman, and Jane Welch. Also attending electronically were Town Manager Hank Perkins, Attorney Bo Houff, Town Planner Stacy Tolbert, Finance Director Pam Orrell, and Town Clerk Joyce Walker.
- b. Adoption of Agenda
 - i. Mayor Horn asked to add a Closed Session at the end of the meeting.
 - ii. Mrs. Walker asked to remove the March 11, 2021 minutes from the consent agenda and place on the May agenda for approval.
 - iii. With those two amendments, Council Member Sadler moved to approve the agenda. 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.
- c. The Invocation was provided by Bo Houff and the Pledge of Allegiance by Melissa Hunt.

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](#) (moved to the May agenda)
 - 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
- b. Council Member Welch moved to approve the Consent agenda (minus the March 11, 2021 minutes). 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.

3. Introductions, Presentations, Recognitions and/or Proclamations

- a. **Introductions, Recognitions, Presentations and/or Proclamations**

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- i. Presentations
 - (1) Sgt. Stringer provided current call statistics:
 - (a) Calls for *Service* - 590
 - (b) *Security Checks* - 284
 - (c) *Traffic Violations/Arrests* - 53
 - (d) *Alarms* - 22
 - (e) *Priority Call Response times* - 4.8 minutes
 - (i) Sgt. Stringer did not see anything significant that stood out.
 - (ii) He did encourage everyone to slow down in the neighborhoods.
 - (2) Town Manager Hank Perkins presented the 2021-2022 Budget Message:

April 8, 2021

To: Mayor Mike Horn
Mayor Pro Tempore Jeanne Marie Foster
Council Member Fred Franklin
Council Member Melissa Hunt
Council Member Kenneth Sadler
Council Member David Smitherman
Council Member Jane Welch

Subject: Fiscal Year 2021-2022 Budget Message

Honorable Mayor and Town Council:

Budget Message

Executive Summary

As Town Manager, I am pleased to present the proposed General Fund budget of \$5,309,944 for fiscal year 2021-2022. The budget as proposed includes maintaining the current tax rate of 17.7 cents per \$100 of valuation. This budget shows an increase in the General Fund budget from the previous year budget, as adopted for July 1, 2020, of \$558,459 or 11.7%. This budget as proposed is balanced with \$423,354 in fund balance from the General Fund. This fund balance appropriation represents the costs associated with projects that are not recurring operational costs.

Forsyth County has completed and released new valuation numbers as part of a four-year cycle. Tax values for fiscal year 2020-2021 were \$1,432,093,848. According to the Forsyth County Tax Appraisers, the total tax value for the Town of Lewisville for the upcoming fiscal year is estimated at \$1,608,414,955. This is a gain of approximately 12.3% or approximately \$312,100 in Ad Valorem revenue. The estimated Ad Valorem tax revenue for fiscal 2021-2022 is \$2,761,490 with one cent of the tax rate equaling approximately \$156,016.

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For fiscal years when there is a property revaluation, the Town produces a revenue neutral rate calculation. This calculation represents the tax rate required for the Town to collect the same amount of property tax revenue as it did in the prior year, using the values determined under the revaluation process.

The resulting revenue neutral rate for fiscal year 2021-2022 is 16.07 cents per \$100 of valuation for the General Fund. The current tax rate for the General Fund is 17.7 cents per \$100 of valuation.

The Town of Lewisville also collects a levy for a municipal service district. The current tax rate is 5 cents per \$100 of valuation. The revenue neutral rate for the municipal service district is 4.49 cents per \$100 of valuation. The proposed tax rate for the municipal service district for fiscal year 2021-2022 is unchanged at 5 cents per \$100 valuation.

The Town Council has been diligent and used sound financial planning to continue its commitment to the citizens of Lewisville to provide the highest standard of services. They have done this while maintaining a level of fund balance to secure future funding opportunities. The available fund balance was \$6,752,793 as of June 30, 2020. This represents a fund balance at approximately 127.17% based on the projected upcoming fiscal year budget for 2021-2022. This measure is well within the guidelines established in the Comprehensive Financial Management Policy adopted by the Town Council.

The Economy

At this time a year ago, in April 2020, the future of the Town's revenues was highly uncertain. Widespread lockdowns were beginning to be instituted across the country, and it seemed entirely possible that the national economy could experience significant disruptions for months to come. After a decline in local sales tax revenues for March, April and May of 2020, local sales tax revenues rebounded in the month of June 2020 and have remained strongly positive in the months since.

In projecting revenues for the 2021-2022 budget, we have followed the guidance of the North Carolina League of Municipalities along with their researchers and economists. They have provided their most conservative projections for how our municipal revenues will emerge in the new fiscal year. As stay-at-home orders are lifted and commercial businesses return to operations reaching pre-pandemic levels, the League is cautiously optimistic about the economic recovery of the nation.

Town Services

The Town of Lewisville stays committed to the continuation of all of its existing services for the upcoming fiscal year to include, parks and recreation, finance, administration, planning and zoning, public works, residential garbage and recycling, storm water management, community policing, and beautification. All services are proposed to continue at current service delivery levels for the upcoming fiscal year.

Capital Reserve Funds

The Town has four capital reserve funds. In the current fiscal year 2020-2021, annual appropriations to all these funds total \$220,825.

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At the Town Council planning session, recently held on February 6, Council re-affirmed its desire to proactively support the development of the downtown area, and road and sidewalk improvements throughout the Town, as well as its desire to develop future capital facilities such as the new Mary Alice Warren Community Center.

During fiscal year 2017-2018, the Town Council learned that the North Carolina Department of Transportation plans to assume financial responsibility for the remaining work to be done on the Great Wagon Road to include design, right-of-way acquisition, and construction. As construction of the Great Wagon Road progresses, we anticipate that the Town of Lewisville will participate financially with the NC Department of Transportation (NCDOT) on enhancements such as trees, and streetlights as well as the design and installation of water and sewer infrastructure. The Town currently has \$934,369 saved in a capital reserve fund and \$734,764 available in the Great Wagon Road ROW/Construction Capital Projects Fund. Between the funds in the capital reserve fund and those in the capital project fund, the Town has \$1,669,133 to fund any future expenditures related to the Great Wagon Road. The budget for 2020-2021 suspended the annual contribution to the capital reserve fund due to the uncertainties of the economy during the pandemic. The proposed budget for 2021-2022 reinstates the annual contribution to the capital reserve fund of \$115,000.

The NCDOT has recently changed a policy regarding cost sharing for sidewalk betterments. In the past, the Town of Lewisville would be expected to participate financially in the cost of sidewalks for a project like the Great Wagon Road. As of this year, the NCDOT no longer requires any cost sharing from a municipality for sidewalks that are designed as "complete streets" projects offering various forms of multimodal traffic.

In February, 2021 the Town Council voted to discontinue the design and construction of the Heritage Drive Regional Storm Water Pond #1. The related capital project fund was subsequently closed. With this decision, the Town no longer needs to set money aside in the Storm Water Capital Reserve Fund for future capital projects. As such, I recommend that the Storm Water Capital Reserve Fund be closed and the residual balance of \$404,674 be transferred to a newly established capital reserve to accumulate funds for the construction of a public works facility in the Town. The 2021-2022 budget as proposed also includes an allocation from the general fund to the newly established capital reserve for the construction of a public works building of \$95,000.

The Town borrowed \$2 million to finance the cost of the Mary Alice Warren Community Center. To help meet the debt service costs, the 2021-2022 budget as proposed suspends the annual contribution of \$170,000 to the Municipal Buildings/Land Capital Reserve.

Funding for all of the capital reserves is proposed as follows:

Storm Water Capital Reserve	\$0
GWR ROW/Construction Capital Reserve	\$115,000
Sidewalks/Bike Paths/Greenways Capital Reserve	\$25,000
Municipal Buildings/Land Capital Reserve	\$0
Public Works Building Capital Reserve	<u>\$95,000</u>
 Total	 <u>\$235,000</u>

These contribution changes have made it possible to propose this budget as balanced for fiscal year 2021-2022.

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Capital Projects

The Capital Projects that remain in the budget during Fiscal Year 2021-2022 are as follows.

Active Projects

Great Wagon Road ROW/Construction

Gateway Project

Community Center

Roundabout at Lewisville-Vienna Road and Robinhood Road

Non-Active Projects

JWP Maintenance Facility/Playground Expansion

Mary Alice Warren Community Center

In April, 2019 the Town Council authorized the Community Center Capital Projects Fund. The new community center is financed using funds from the Town's Municipal Buildings/Land Capital Reserve Fund, the Storm Water Capital Reserve Fund, a \$2 million bank installment loan, and transfers from the general fund as necessary. The Town plans to complete construction on the new Community Center in September, 2021. It has a current budget of \$4,789,393.

Transportation Projects

The Town will continue design work on the Gateway Project along with right-of-way and construction work in the coming fiscal year. This project is a roadway project to make improvements from the Highway 421 Interchange on Williams Road with improvements continuing on Williams Road between the interchange and the newly constructed roundabout at Shallowford Road and Williams Road. This is a project utilizing federal STP-DA funds. This project has an estimated cost of approximately \$1.5 million. The project will be paid for with 80% of the expected costs coming from federal aid with a 20% match from the Town.

The Town has also been awarded funding for the construction of a single lane roundabout at Robinhood Road and Lewisville-Vienna Road. The project will include necessary sidewalk connections at the roundabout and streetscape, lighting, and landscaping. The project has an estimated cost of approximately \$1,270,000. The project will be paid for with 80% of the expected costs coming from federal aid with a 20% match from the Town.

The Town has also been awarded funding for a CMAQ project to extend the sidewalk along Lewisville-Vienna Road from Riverwood Drive to Robinhood Road. The project will be paid for with 80% of the expected costs coming from federal aid with a 20% match from the Town. The total cost of the project is estimated at \$1,234,411.

Planning

The Planning Board, the Parks, Recreation and Cultural Development Board, and staff desire to engage in work related to two core project areas. The first area would be the redrafting of the Town's Comprehensive Plan. The second area of work would be to reformat the Parks, Recreation and Cultural Development Master Plan.

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A consulting firm was hired in March 2021 to help accomplish these two goals.

The budget as proposed contains funding to facilitate the continuation of this work in the upcoming fiscal year budget.

Conclusion

In conclusion, this budget reflects the desire of Council to address the needs of the Town, while being cognizant of economic conditions. Choices made in expenditures were done to meet the priorities and goals of the Council established during the year with the assistance of numerous advisory boards and committees. During the next few weeks, the Council will meet to deliberate the proposal set forth, and make adjustments as needed.

I would like to thank the staff for their assistance with the development of this budget and the Town Council for their continued guidance and support. Final adoption of the budget will be scheduled for the Council meeting in June.

If I may be of any assistance, please feel free to contact me.

Sincerely,

William H. Perkins, Jr.
Town Manager

4. Public Forum

- a. The Public Forum was electronically opened at 6:29 p.m.
 - i. Blaine Brinton, 1955 Conrad-Sawmill Road, said that there is a junk yard at Robinhood Road and Conrad-Sawmill Road and that the resident is hauling brush to build a brush fence. Mr. Brinton also asked whether the resident was allowed to park construction equipment in the right-of-way and that the vehicle no longer has a valid tag. He has signs on his fence and revs engines. The Sheriff has been called.
 - (1) Mayor Horn indicated some of the items mentioned by Mr. Brinton are being addressed.
- b. Having no other speakers, the Public Forum was closed at 6:35 p.m.
- c. Written comments may be sent to townclerk@lewisvillenc.net.

5. Appointments

- a. None.

6. Preliminary Site Plan Approvals

- a. None.

7. Evidentiary Hearings

- a. None.

8. Public Hearings

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- 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
 - i. Staff presentation
 - (1) Mrs. Tolbert presented a **PowerPoint (see attached)** to provide information on the amendment.
 - (2) She also asked Council to move this ordinance to the May meeting because the public hearing had not been advertised.
 - (a) Council Member Sadler moved to place Ordinance 2021018 on the May agenda. 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.
9. **Technical Review(s)**
 - a. [Resolution 2021021](#) - Lewisville Technical Review for Compliance (LTCR) for Solomon Development case L-PBR 2021001
 - i. The developer has requested a postponement to the May 13th meeting.
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
 - i. Council members were reminded that this is a complaint driven ordinance.
 - ii. Staff will work with citizens if they are making a good faith effort but may take more than the prescribed number of days in the ordinance.
 - iii. Council Member Welch moved to approve Ordinance 2021017. 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. Ordinance 2021017 is herein incorporated by reference into the minutes.
11. **New Business**
 - a. [Resolution 2021023](#) - accepting the *Declaration of Withdrawal of Road Dedication* for Aria Drive in Shallowford Lakes
 - i. Council Member Franklin moved to approve Resolution 2021023. 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. Resolution 2021023 is herein incorporated by reference into the minutes.
 - 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
 - (1) Council Member Smitherman moved to approve Ordinance 2021019. The

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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. Ordinance 2021019 is herein incorporated by reference into the minutes.

- ii. **Ordinance 2021020** - amending Budget Ordinance 2020001 to transfer \$68,354.⁰⁰ from the General Fund to the Community Center Capital Project Fund
 - (1) Council Member Franklin moved to approve Ordinance 2021020. 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 2021020 is herein incorporated by reference into the minutes.
- 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
 - (1) Council Member Sadler moved to approve Resolution 2021026. 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. Resolution 2021026 is herein incorporated by reference into the minutes.

12. Administrative Reports

- a. Upcoming **Events at Shallowford Square** and Town Holidays
 - i. There are no events scheduled for Shallowford Square and no upcoming holidays.
- b. Manager's Report
 - i. None.
- c. Planning
 - i. Paid planning internship has been posted. So far, there are seven applicants.
- 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

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- 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. Public Comments were electronically opened at 7:08 p.m.
 - ii. Having no electronically raised hands to speak, Public Comments were closed at 7:10 p.m.
 - iii. Written comments may be sent to townclerk@lewisvillenc.net.
 - b. Council Comments/Discussion
 - i. Mrs. Tolbert advised that a stakeholder list is being compiled for the Comprehensive Plan and asked Council to let her know of anyone interested on being a member of the group. She is hoping to have representatives from the town's boards and committees, developers, churches, civic organizations, etc. who play an integral part with the town.
 - c. Closed Session
 - i. Attorney Houff read the reason for the Closed Session: §143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body.
 - ii. Council Member Smitherman moved to go into Closed Session at 7:14 p.m. 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, Welch and Mayor Horn.
 - iii. Council returned from Closed Session at 8:18 p.m.
 - d. Adjournment
 - i. Having no other business to discuss, Council Member Smitherman moved to adjourn the meeting at 8:22 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