

Lewisville Town Council
Briefing and Action Meeting Agenda
January 3, 2019 - 6:00 p.m.

Conference Room 201 - Lewisville Town Hall - 6510 Shallowford Road

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

2. **Guests, Introductions and Presentations for January 3, 2019**
 - a. None.

3. **Items That Require Council Direction**
 - a. [Ordinance 2019002](#) - amending Budget Ordinance 2018001 in the amount of \$3,080.00 for taxes on gifted property
 - b. Request from the Lewisville Historical Society to extend the term for both agreements to December 31, 2019 for the Nissen House
 - c. Report on request from property owners on Pine Trails Rd
 - d. Council work session - Saturday, February 2, 2019
 - i. Facilities planning
 - ii. Economic development

4. **Items Requiring Action at Briefing**
 - a. Letter to Wildlife Resources

5. **Unfinished Business:**
 - a. None.

6. **Administrative Reports:**
 - a. Manager's Report
 - i. Update from engineering firm on the relocation of the lift station behind Food Lion and associated infrastructure
 - ii. Report on status of town survey
 - b. Staff Reports
 - i. Attorney
 - (1) None
 - ii. Public Works
 - (1) Conrad Circle
 - (2) Sequoia Drive
 - (3) Arbor Run Drive
 - iii. Planning
 - (1) Geo-Data update
 - (2) Update on approved developments
 - iv. Finance
 - (1) Snow removal update
 - v. Clerk

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- (1) [Budget schedule](#)
- (2) Christmas tree pickup begins on January 7, 2019
- (3) Bulky Item pickup begins on January 14, 2019

7. **For the Good of the Order:**

- a. Council Discussion
 - i. **Agenda Items for Regular Meeting on January 10, 2019**
 - (1) Consent Agenda
 - (a) [Resolution 2019001](#) - Acceptance and Approval of Monthly [Financials for November, 2018](#)
 - (b) Approval of Joint Town Council and Planning Board [Minutes - November 3, 2018](#)
 - (c) Approval of Council Briefing and Action [Minutes -December 6, 2018](#)
 - (d) Approval of Council Meeting [Minutes - December 13, 2018](#)
 - (2) **Introductions, Presentations and/or Proclamations**
 - (a) [Resolution or Proclamation 2019xxx](#) for Sheriff Schatzman
 - (3) Public Hearings
 - (a) None
 - (4) Approval of tentative agenda for regular meeting on [January 10, 2019](#)
- b. Adjournment

Town of Lewisville

**Budget Amendment Ordinance 2019002
Amending Budget Ordinance 2018001**

Finance Department Use Only
<i>Budget Amendment Number: # 14</i>
<i>Finance Officer: PAM ORRELL</i>

<i>DEBIT</i>			<i>CREDIT</i>		
<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>	<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>
10-00-4120-4990	General Fund Admin - Miscellaneous	\$3,080.00	10-00-3990-9000	General Fund Fund Balance Appropriated	\$3,080.00

To pay 2018 property taxes owed on 312 and 314 Lewisville-Vienna Road Moser gift property

RECOMMENDED By: Pam Orrell
Town Finance Officer

Approved and effective upon adoption, this the 3rd day of January, 2019 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

2018 BUDGET DATES

			Day	Date
2019	mtg held			2018
4-11	✓	Present to Council at Regular meeting	Th	04-12
4-15	✓	Budget workshop	M	04-16
4-22		Budget workshop	M	04-23
5-2	✓	Budget workshop following briefing	Th	05-03
5-6		Budget workshop	M	05-07
6-6	✓	Budget ordinance final review	Th	06-07
6-13	✓	Budget public hearing at regular council meeting	Th	06-14

**RESOLUTION 2019001 OF THE LEWISVILLE TOWN COUNCIL
PERTAINING TO
ACCEPTANCE AND APPROVAL OF MONTHLY DISBURSEMENTS**

WHEREAS, the Finance Officer has presented the Town Council with the preliminary Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary of figures for the month ending November 30, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL accepts the preliminary monthly Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary dated December 31, 2018 and incorporated herein.

Resolved and effective upon adoption, this the 10th Day of January, 2019 by the Lewisville Town Council.

Mike Horn,
Mayor

ATTEST:

Joyce C. McWilliams Walker
Town Clerk

12/31/18
13:01:42

Fiscal Year: 2019
Fiscal Month Range: 1-5

TOWN OF LEWISVILLE
Revenue Statement Summary
Period Ending: November 30, 2018

Selected Department Page 1
(ALL) All Departments

Fund No	Description	Estimated Revenue	Activity This Period	Revenue To Date	Uncollected To Date	Percent Collected %
10	GENERAL FUND	4,583,597.00	1,139,718.32	1,139,718.32	3,443,878.68	24.86
20	SPECIAL REVENUE - MSD	28,630.00	9,509.72	9,509.72	19,120.28	33.21
21	STORMWATER CAPITAL RESERVE FUND	95,000.00	3,232.48	3,232.48	91,767.52	3.40
22	CAP RES-GWR ROW/CONSTRUCTION FUND	115,000.00	6,146.38	6,146.38	108,853.62	5.34
23	CAP.RES-SIDEWALKS/Bikepaths/Greenways	25,000.00	520.14	520.14	24,479.86	2.08
24	MUN BLDGS/LAND CAPITAL RESERVE	170,000.00	8,100.67	8,100.67	161,899.33	4.76
42	CAP PROJ GWR ROW/CONSTRUCTION FUND	1,563,800.00	5,712.55	1,809,071.55	-245,271.55	115.68
47	CAP PROJ MAINTFAC/PLAYGRD EXP JWP	55,000.00	160.37	55,573.89	-573.89	101.04
50	GATEWAY PROJECT	1,494,680.00	64,229.01	366,890.37	1,127,789.63	24.54
51	REGIONAL STORMWATER POND #1	33,600.00	270.97	33,949.77	-349.77	101.04
TOTAL REVENUE:		8,164,307.00	1,237,600.61	3,432,713.29	4,731,593.71	42.04

12/31/18 Fiscal Year: 2019
 13:01:10 Fiscal Month Range: 1-5
 (D)

TOWN OF LEWISVILLE
Encumbrances & Expenditure Statement Summary
 Period Ending: November 30, 2018
10 GENERAL FUND

Department	Budget Amount	Activity This Period	Expenditure Year to Date	Encumbrance Year to Date	Unencumbered Balance	% Spent
FUND (10) GENERAL FUND						
TOTAL DEPT: (4110) GOVERNING BODY	400,910.00	91,540.54	91,540.54	8,371.30	300,998.16	24.92
TOTAL DEPT: (4120) ADMINISTRATION	600,390.00	226,719.00	226,719.00	36,859.14	336,811.86	43.90
TOTAL DEPT: (4121) STUDENT LEADERSHIP	700.00	143.63	143.63	0.00	556.37	20.51
TOTAL DEPT: (4150) FINANCE	212,430.00	88,615.30	88,615.30	243.00	123,571.70	41.82
TOTAL DEPT: (4160) DEBT SERVICE GENERAL FUND	207,300.00	104,211.04	104,211.04	0.00	103,088.96	50.27
TOTAL DEPT: (4900) PLANNING & ZONING	260,164.00	46,065.30	46,065.30	27,433.30	186,665.40	28.25
TOTAL DEPT: (4931) BEAUTIFICATION	76,815.00	24,668.20	24,668.20	30,777.50	21,369.30	72.18
TOTAL DEPT: (5100) COMMUNITY POLICING	620,319.00	160,744.26	160,744.26	0.00	459,574.74	25.91
TOTAL DEPT: (5110) PUBLIC SAFETY	8,160.00	2,100.00	2,100.00	0.00	6,060.00	25.73
TOTAL DEPT: (5500) PUBLIC WORKS	440,600.00	116,642.29	116,642.29	20,930.00	303,027.71	31.22
TOTAL DEPT: (5600) STREETS	254,620.00	11,257.67	11,257.67	9,931.24	233,431.09	8.32
TOTAL DEPT: (5650) POWELL BILL	347,000.00	7,577.69	7,577.69	219,181.47	120,240.84	65.34
TOTAL DEPT: (5700) STORMWATER	159,044.00	4,824.36	4,824.36	21,188.80	133,030.84	16.35
TOTAL DEPT: (5800) SOLID WASTE	784,480.00	250,470.06	250,470.06	0.00	534,009.94	31.92
TOTAL DEPT: (5801) RECYCLING	2,095.00	209.83	209.83	0.00	1,885.17	10.01
TOTAL DEPT: (6120) PARKS & RECREATION	208,570.00	57,491.74	57,491.74	11,922.46	139,155.80	33.28
TOTAL FUND: (10) GENERAL FUND	4,583,597.00	1,193,280.91	1,193,280.91	386,838.21	3,003,477.88	34.47
FUND (20) SPECIAL REVENUE - MSD						
TOTAL DEPT: (4110) MUNICIPAL SERVICE DISTRICT	28,630.00	757.22	757.22	0.00	27,872.78	2.64
TOTAL FUND: (20) SPECIAL REVENUE - MSD	28,630.00	757.22	757.22	0.00	27,872.78	2.64
FUND (21) STORMWATER CAPITAL RESERVE FUND						
TOTAL DEPT: (9820) STORMWATER CAPITAL RESERVE	95,000.00	0.00	0.00	0.00	95,000.00	0.00
TOTAL FUND: (21) STORMWATER CAPITAL RESERVE FUND	95,000.00	0.00	0.00	0.00	95,000.00	0.00
FUND (22) CAP RES-GWR ROW/CONSTRUCTION FUND						

12/31/18 Fiscal Year: 2019
 13:01:10 Fiscal Month Range: 1-5

TOWN OF LEWISVILLE
Encumbrances & Expenditure Statement Summary
 Period Ending: November 30, 2018

Selected Department *Page 2*
 (ALL) All Departments

(D) **22 CAP RES-GWR ROW/CONSTRUCTION FUND**

Department	Budget Amount	Activity This Period	Expenditure Year to Date	Encumbrance Year to Date	Unencumbered Balance	% Spent
TOTAL DEPT: (9820) CAP RES GWR ROW/CONSTRUCTION	115,000.00	0.00	0.00	0.00	115,000.00	0.00
TOTAL FUND: (22) CAP RES-GWR ROW/CONSTRUCTION FUND	115,000.00	0.00	0.00	0.00	115,000.00	0.00
FUND (23) CAP.RES-SIDEWALKS/Bikepaths/Greenways						
TOTAL DEPT: (9820) CAP RES SIDEWALKS/BIKEPATHS/GRE	25,000.00	0.00	0.00	0.00	25,000.00	0.00
TOTAL FUND: (23) CAP.RES-SIDEWALKS/Bikepaths/Green	25,000.00	0.00	0.00	0.00	25,000.00	0.00
FUND (24) MUN BLDGS/LAND CAPITAL RESERVE						
TOTAL DEPT: (9820) MUN BLDGS/LAND CAPITAL RESERVE	170,000.00	0.00	0.00	0.00	170,000.00	0.00
TOTAL FUND: (24) MUN BLDGS/LAND CAPITAL RESERVE	170,000.00	0.00	0.00	0.00	170,000.00	0.00
FUND (42) CAP PROJ GWR ROW/CONSTRUCTION FUND						
TOTAL DEPT: (5600) CAP PROJ GWR ROW/CONST	1,563,800.00	0.00	1,093,360.03	0.00	470,439.97	69.91
TOTAL FUND: (42) CAP PROJ GWR ROW/CONSTRUCTION FUN	1,563,800.00	0.00	1,093,360.03	0.00	470,439.97	69.91
FUND (47) CAP PROJ MAINTFAC/PLAYGRD EXP JWP						
TOTAL DEPT: (6120) CAP PROJ MAINTFAC/PLAYGRDEXP JW	55,000.00	0.00	35,481.33	0.00	19,518.67	64.51
TOTAL FUND: (47) CAP PROJ MAINTFAC/PLAYGRD EXP JWP	55,000.00	0.00	35,481.33	0.00	19,518.67	64.51
FUND (50) GATEWAY PROJECT						
TOTAL DEPT: (00000)	1,494,680.00	77,242.30	77,242.30	0.00	1,417,437.70	5.16
TOTAL FUND: (50) GATEWAY PROJECT	1,494,680.00	77,242.30	77,242.30	0.00	1,417,437.70	5.16
FUND (51) REGIONAL STORMWATER POND #1						
TOTAL DEPT: (00000)	33,600.00	11,128.50	11,128.50	0.00	22,471.50	33.12

Encumbrances & Expenditure Statement Summary

(ALL) All Departments

12/31/18 Fiscal Year: 2019

Period Ending: November 30, 2018

13:01:10 Fiscal Month Range: 1-5

(D)

51 REGIONAL STORMWATER POND #1

Department	Budget Amount	Activity This Period	Expenditure Year to Date	Encumbrance Year to Date	Unencumbered Balance	% Spent
TOTAL FUND: (51) REGIONAL STORMWATER POND #1	33,600.00	11,128.50	11,128.50	0.00	22,471.50	33.12
TOTAL EXPENDITURES	8,164,307.00	1,282,408.93	2,411,250.29	386,838.21	5,366,218.50	34.27

DRAFT
Lewisville Town Council/Planning Board
Special Joint Meeting Minutes
Saturday, November 3, 2018 - 8:00 a.m.
Town Hall - 6510 Shallowford Road - Room 110

1. Call to Order

- a. Mayor Mike Horn called the meeting to order at 8:10 a.m. Council Members present were Fred Franklin, Marci Gallman, Sandra Mock and Jeff Zenger as well as Town Manager Hank Perkins, Attorney Bo Houff and Town Clerk Joyce Walker. Planning Board Members present were Chair Jeanne Marie Foster, Meghan Flow, Joseph Hamby, Tom Lawson, Bill Scantland and Mike Sullivan. Council Members Robert Greene and Ed Smith and Planning Board Member Jessica Higgins were unable to attend.
- b. Guests present were Susan Frey, Lynn Fulton, Ed Rachlin and John Sangimino.

2. Meeting Goals

- a. Introductions between Town Council and Planning Board
 - i. Members of the Planning Board and Town Council introduced themselves with background information and provided a brief summary of why they are interested in serving.
- b. Clarify roles/expectations between Town Council and Planning Board
 - i. Mrs. Foster stated one of the reasons for the joint meeting is to clarify what the Council expects from the Planning Board and what the Planning Board expects from Council as well as how those expectations tie back to staff. The other reason for the meeting is to review the vision/assumptions for Lewisville's downtown.

3. Discussion Items

- a. Review process of veterinary office rezoning
 - i. There were concerns expressed by members of Council on the site plan (L-085) that was approved at their September meeting. Planning Board addressed the concerns at a subsequent PB meeting and requested that the interim planner from Piedmont Triad Regional Council (PTRC) reviewed the concerns, reviewed the supporting material and prepared the following report:

Docket: L-085

Staff: Anna Leonard, Interim Planner

Background

The Shallowford Animal Hospital (L-085) was discussed in a pre-application conference with Josh Harrold in May 2018 and a preliminary site plan was submitted on May 16, 2018 with an LD1-S checklist. The Planning Board was introduced to project on June 13, 2018 and inclusion of veterinary services in the LD-1 Permitted Use Table (PUT) was discussed. The Technical Review Committee (TRC) submitted comments on June 18, 2018. The staff report was completed by Josh Harrold on June 22, 2018 and emailed to the Planning Board staff. The Planning Board Briefing meeting was held on June 27, 2018 and TRC and Staff reports were presented. The July 11, 2018 Planning Board Meeting heard public comments and approved the site plan. The Town Council briefing was held on August 9, 2018. The Town Council Public hearing was

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held on September 13, 2018 and approval was granted. Concerns were later raised regarding multiple areas of the site plan. These concerns have been reviewed by staff.

Key Concerns

Parking

The approved site plan shows 25 parking spaces. According to the UDO 3-3.2 Veterinary services are allowed 1 space per 400 sf gross floor area (GFA). The animal hospital is 5,526 sf which allows for 14 spaces.

The LD-1 zoning allows for the reduction of spaces by 30% (2-1.5(E)(8)(a)). The zoning officer may approve the installation of more than the maximum spaces if the property owner demonstrates that additional parking is necessary to meet the parking demand, cooperative use parking is not available or is not adequate, and the maximum number of compact cars size spaces has been used (3-3.2(D)).

The site plan states in the legend "due to the number of patrons and staff, there are 25 shown". The minutes do not reflect the discussion of the additional spaces allowed. The TRC and staff reports also do not mention the number of parking spaces.

Roof Pitch

A concern was raised about the allowance of a flat roof on the animal hospital. The animal hospital will use parapet walls to hide these sections. This is allowed in the UDO 2-1.5(E)(11)(c) "All roofs of new buildings shall be low sloped between 8:12 and 12:12 pitch or a combination thereof. All low sloped roofs shall be hidden by parapet walls capped with continuous masonry, stone or a decorative stucco element or with a concealing sloped roof. As appropriate, roof lines should be interrupted by the use of gables, dormers, and other roof features to create distinguishing architectural character. Overhanging eaves are encouraged. All rooftop utility structures and equipment shall be screened from view. Parapet walls may be used to screen roof top equipment."

Roof pitch was specifically discussed at the July 11, 2018 meeting.

Materials

The Animal Hospital will be constructed using CertainTeed Cementitious Horizontal Lap Siding and cementitious board and batten siding that will be stained or painted with a stacked stone base. The building will have a standing-seam metal roof. These materials are allowed in the UDO 2-1.5(E)(11)(b) "...All new building façades shall be constructed of pedestrian scaled brick, wood, stone, cast stone, decorative concrete masonry, exposed architectural concrete, stucco, complimentary non-vinyl siding, or a combination thereof. The combination of materials shall be done so that the materials and colors will complement each other. Exposed vinyl siding, exposed metal siding, painted concrete, painted brick, painted concrete masonry and standard gray concrete masonry are not acceptable exterior materials. Roofing materials exposed to view shall be standing seam metal or copper, concrete, slate or clay roof tile, or architectural dimensional asphaltic shingles..."

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Cementitious Horizontal Lap Siding (aka Hardie Board) is a complementary non-vinyl siding and should not be classified as painted concrete.

Orientation

The orientation of the building has the front entrance is to the East, facing the future Tom Voss Street. Jeff Moncus, Sr. Assistant District Engineer with the NCDOT requested site access to be from the future Tom Voss or the Great Wagon Rd (GWR). "Temporary access to the site will be allowed from Shallowford Rd. Removal of this access is required upon construction of the GWR and Tom Voss Rd [sic] or the GWR".

This orientation was discussed at both the June 27 and July 11 Planning Board Meetings. Town Attorney Bo Houff suggested a wrap-around porch with shed roof in the July 11 meeting.

Connectivity

The connection to Textures Salon was not included in the preliminary plans presented to the Planning Board but is included in the final site plan presented to the Council. This connectivity meets the requirements in 2-1.5(E)(8)(d) "Interior parking areas shall accommodate connectivity with neighboring or planned neighboring parking areas."

Findings

The number of parking spaces does not meet the Town's UDO requirements for LD-1. The required number of parking spaces is typically determined during the TRC meeting or the staff report. A request for a variance does not appear to have been made. The remaining concerns meet all UDO requirements. The plan was submitted and went through all necessary steps for review by Planning Board and Town Council.

-
- ii. Concerns
 - (1) One of the items that was not identified for the veterinary project was the Town's Access Management Plan.
 - (a) Mr. Zenger provided background on the history of how and why Access Management was developed.
 - (2) Changes identified by the Planning Board were made to the final site plan but were not identified on the plan that was presented to Council.
 - (a) Planning Board did not have an opportunity to see the site plan with changes.
 - (3) There was a discussion on the need for staffing to support planning and enforcement. There is no redundancy if the planner is on vacation, in training or out doing other assigned duties.
 - (4) There was one concern raised by a Council member regarding consistency and that at some point, exemptions become the rule.
 - (a) It was explained that alternative compliance was written into the UDO to provide alternatives to plans when there are physical problems with a site or when the requirement in the UDO doesn't

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“make sense” for the site.

- iii. Improvement opportunities: Council/Planning Board
 - (1) Any material presented to the Planning Board should also be presented to Council.
 - (2) After discussion, there was agreement to identify minor changes by staff; however, a large number of changes should be reviewed by the staff and Planning Board before forwarding to Council.
 - (3) The Planning Board would like for the Council to protect and support its following prescribed and appropriate development review processes and standards.
 - (4) Mr. Perkins asked everyone to keep staffing resources in mind and that there are shared responsibilities of the nine (and one half) employees when it comes to duties and support of the other boards and committees. He also identified five DOT projects and three sewer projects in which the Town is involved.
- b. Ongoing Downtown development projects
 - i. Mr. Perkins reviewed the GWR project and the updated map that has been provided by the DOT.
 - (1) The time-line for construction was provided.
 - (2) The two (2) sewer projects for downtown were reviewed: pump station behind the Food Lion and the inclusion of sewer in the Great Wagon Road project.
 - (3) There is a follow-up meeting with the stakeholders to review the
 - ii. Stormwater Pond #1
 - (1) Mrs. Mock did not participate in this conversation since she may have property and interest in this project.
 - iii. Stormwater Pond #2
 - (1) This is on hold.
 - iv. Williams Road Gateway Project
 - (1) A short vision of the project was reviewed.
 - v. Lewisville-Clemmons Road Project
 - (1) The Town’s sidewalk project has been put on hold because the State of North Carolina is proposing a widening project for the length of the road that will include sidewalk and other amenities.
 - vi. There was discussion on the involvement of the current Planning Board in some of the projects mentioned above.
 - (1) It was generally thought that the vision/assumption(s) of the Planning Board(s) in the past provided a vision/assumption(s) through the Comprehensive Plan(s) and that helped to set the stage for the projects that are being accomplished today.
 - (2) The planner should play a key role and serve as communication liaison between the bodies of TC, PB and staff.

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- c. Downtown vision - past, present, future
 - i. The original vision had small shops; however, there was no formal economic development plan and instead there were services that developed.
 - (1) It was pointed out that the traffic patterns don't support retail; however, foot traffic should support retail.
 - (2) Mayor Horn suggested that a topic of discussion at their retreat should be a discussion on the role of government since there are legal and political issues around this subject of land development.
 - (3) It was also pointed out that changing technology's impacts should be considered (on-line retail, people working from home).
 - (4) Question: Have the vision/assumption(s) of the downtown changed and what are the impacts to the Comprehensive Plan?
 - ii. After reviewing the map of the downtown, it was noted that there were a number of large properties; however, there was no sewer for development.
- 4. **Wrap up**
 - a. Next steps
 - i. Check with the planner that just left on his insight into the positive, negative, needs, etc.
 - ii. Planning Board requested an opportunity to provide recommendations for Town Council consideration regarding staffing and resources to support planning for 2018/2019 and Council will be discussing staffing needs.
- 5. **Adjournment**
 - a. Having not other business to discuss, the meeting adjourned at 10:25 a.m.

Jeanne Marie Foster, Chair

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk

DRAFT
Lewisville Town Council
Briefing and Action Meeting Minutes
December 6, 2018 - 6:00 p.m.

Conference Room 201 - Lewisville Town Hall - 6510 Shallowford Road

1. **Call to Order:**

- a. Mayor Horn called the meeting to order at 6:00 p.m. Council Members present were Marci Gallman, Sandra Mock, Ed Smith and Jeff Zenger. Council Member Greene advised that he will be late and Council Member Franklin was out of town. Also present were Town Manager Hank Perkins, Attorney Bo Houff, Planner Stacy Tolbert, Public Works Director George Hauser, and Town Clerk Joyce Walker.
- b. Adoption of Agenda
 - i. Mayor Horn advised of the items added since the agenda was first sent to everyone and also asked to add the manager's evaluation and recommendation to item 3.a.
 - ii. With that addition, Council Member Smith moved to approve the agenda. The motion was seconded by Council Member Zenger and approved unanimously.

2. **Guests, Introductions and Presentations for December 6, 2018**

- a. Jeff Rawls - MSD Chair (per Council's request at the November Briefing)
 - i. Mr. Rawls advised that the MSD board had discussed changing the charter in order to have a complete board since it has become increasingly difficult to find board members. Rather than have only two at-large members, the recommendation from the board was to make all board members at-larger. He did note that there are two residents applying for one of the districts which leaves only one seat to fill.
 - (1) Council members discussed the need to have representation from all areas of Willowmede and Runnymede as directed in the charter and determined not to make any changes to the charter.

3. **Items That Require Council Direction**

- a. Manager's evaluation and recommendation
 - i. A 3% increase to salary has been recommended: 1 ½ % to base salary and 1 ½% as bonus retroactive to December 1, 2018.
 - (1) This consideration will be on the agenda for the regular meeting on Thursday, December 13th.

4. **Items Requiring Action at Briefing**

- a. Arbor Run storm drain improvements
 - i. [Ordinance 2018062](#) - Amending Budget Ordinance 2018001 in the amount of \$42,630.⁰⁰ to contract with Russell Construction Company for Arbor Run Drive storm drain improvements
 - (1) Council was advised that this price does not include paving.
 - (2) Council Member Zenger moved to approve Ordinance 2018062. The motion was seconded by Council Member Mock and approved unanimously. Ordinance 2018062 is herein incorporated by reference into the minutes.

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- ii. [Resolution 2018075](#) - awarding contract to Russell Construction Company in an amount not to exceed \$42,630.⁰⁰ for storm drain improvements on Arbor Run Drive
 - (1) Council Member Mock moved to approve Resolution 2018075. The motion was seconded by Council Member Zenger and approved unanimously. Resolution 2018075 is herein incorporated by reference into the minutes.
 - b. [Ordinance 2018063](#) - amending Budget Ordinance 2018001 in the amount of \$1,225.⁰⁰ for legal review by Municode of 2018 Session Law on Criminal Penalty listings
 - i. Council Member Mock moved to approve Ordinance 2018063. The motion was seconded by Council Member Smith and approved unanimously. Ordinance 2018063 is herein incorporated by reference into the minutes.
5. **Unfinished Business**
- a. None.
6. **Administrative Reports**
- a. Manager's Report
 - i. Contract and scope for Insight Research (Town survey)
 - (1) The Parks and Rec Board and the Planning Board will be reviewing the questionnaire for their areas of the survey so that by January or February at the latest will be ready for review. Turnaround will be 8-9 weeks. This current survey will provide a comparison to the 2014 survey
 - (2) Council agreed to send to all 5200 town households and that the survey should be identified on the front of the envelope. Staff was also asked to place a 2019 calendar in the survey.
 - (3) Council asked that the Communications Specialist prepare a communications plan for the survey.
 - ii. Report on use of \$475.⁰⁰ contingency funds for asbestos inspection
 - (1) Mr. Perkins said he is required to report the use of contingency funds. This inspection was for the duplex units on Lewisville-Vienna Road so that the demolition can move forward.
- Council Member Greene arrived at 6:25 p.m.
- (2) Well drillers have been contacted but they generally deal with 4" and 6" size. The contractor is looking for a driller with an auger.
 - iii. Update on storm drain calls to residents
 - (1) An automated call has been placed to those residents with curb and gutter asking them not to place leaves in front of the storm drains.
 - b. Staff Reports
 - i. Attorney

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Conference Room 201 - Lewisville Town Hall - 6510 Shallowford Road

- (1) None
- ii. Public Works
 - (1) Catch basin update
 - (a) There are several sink holes on Conrad Circle. A number of incorrect installations done years ago. Sizes don't match sizes. When all problems have been identified, Mr. Hauser said he will be bringing the results to Council which may require a budget amendment.
- iii. Planning
 - (1) None
- iv. Finance
 - (1) None
- v. Clerk
 - (1) [2019 Calendar](#)
 - (a) Planning day
 - (i) February 2, 2019
 - (b) Budget schedule
 - (i) Discuss at the January briefing.
 - (c) Due to the forecast of inclement weather for December 9th, the Lewisville Civic Club has postponed the Christmas Parade to December 16th at 3:00 p.m.
 - (d) Council members were advised that a contact has been made to get the pens requested by Council Member Greene but will not be available until January. One thousand pens are to be ordered.

7. **For the Good of the Order:**

- a. Council Discussion
 - i. **Agenda Items for Regular Meeting on December 13, 2018**
 - (1) Consent Agenda
 - (a) [Resolution 2018076](#) - Acceptance and Approval of Monthly [Financials for October, 2018](#)
 - (b) Approval of Council Briefing and Action [Minutes - November 1, 2018](#)
 - (c) Approval of Joint Council/Planning Board [Minutes - November 3, 2018](#)
 - (d) Approval of Council Meeting [Minutes - November 8, 2018](#)
 - (2) **Introductions, Presentations and/or Proclamations**
 - (a) Monty Pendry - Fiscal Year Audit report
 - (3) Public Hearings
 - (a) None
 - (4) Major subdivision preliminary site plan approvals

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- (a) None
- (5) Site Plan amendments
 - (a) None
 - (6) [Ordinance 2018061](#) - Amending Budget Ordinance 2018001 in the amount of \$1,880.⁰⁰ to install a new Sonic Wall (internet security) in Town Hall
 - (7) Appointment to MSD board
 - (8) Material has been received to prevent candy from going down the storm drain.
- ii. Approval of tentative agenda for regular meeting on [December 13, 2018](#)
 - (1) Council Member Mock moved to approve the agenda for December 13, 2018. The motion was seconded by Council Member Smith and approved unanimously.
- iii. The Lewisville Fire Department will be having a bike give away on Saturday from noon to 2pm.
- iv. Christmas lights are up and decorations placed downtown and in the northern area of town.
- b. Adjournment
 - i. Having no other business to discuss, Council Member Smith moved to adjourn the meeting at 6:46 p.m. The motion was seconded by Council Member Zenger and approved unanimously.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk

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1. Call to Order

- a. Mayor Mike Horn called the meeting to order at 7:30 p.m. Council Members present were Fred Franklin, Marci Gallman, Robert Greene, Sandra Mock, Ed Smith and Jeff Zenger. Also present were Town Manager Hank Perkins, Attorney Bo Houff, Planner Stacy Tolbert, Public Works Director George Hauser, Communications Specialist Gennie Taylor, Finance Officer Pam Orrell, and Town Clerk Joyce Walker.
- b. Invocation was given by Attorney Bo Houff and the Pledge of Allegiance by Council Member Fred Franklin.
- c. Adoption of Agenda
 - i. Mayor Horn asked to move the November 3, 2018 joint Planning Board minutes to the January agenda for approval.
 - ii. With that amendment, Council Member Smith moved to approve the agenda. The motion was seconded by Council Member Zenger and approved unanimously.

2. Consent Agenda

- a. Consent Items for Approval
 - i. [Resolution 2018076](#) - Acceptance and Approval of Monthly [Financials for October, 2018](#)
 - ii. Approval of Council Briefing and Action [Minutes - November 1, 2018](#)
 - iii. Approval of Joint Council/Planning Board [Minutes - November 3, 2018](#) (Moved to the January agenda for approval.)
 - iv. Approval of Council Meeting [Minutes - November 8, 2018](#)
- b. Council Member Franklin moved to approve the Consent Agenda. The motion was seconded by Council Member Mock and approved unanimously. Resolution 2018076 is herein incorporated by reference into the minutes.

3. Introductions, Presentations, Recognitions and/or Proclamations

- a. Monty Pendry, Gibson and Company - Fiscal Year Audit report
 - i. Mr. Pendry stated the July 1, 2017 - June 30, 2018 was completed and approved by the LGC. The audit was completed using government standards and given an unmodified or clean opinion which is the best approval that could be given. The Town has a strong balance sheet with increased net assets. The LGC recommends municipalities maintain at least an 8% cushion and the Town has a 131% cushion.
 - (1) Council members noted the recent approval of a financial policy as guidance and that the Town has not accumulated a lot of debt.
 - (2) Council Member Zenger moved to accept the audit report. The motion was seconded by Council Member Smith and approved unanimously.

4. Public Forum

- a. Mayor Horn opened the Public Forum at 7:45 p.m.
 - i. Terry and Jennifer Simmons, 7500 Pine Trails Road, Pfafftown, gave photos to members of Council showing how the water run-off has created the problem. The original site plan shows the property in question as a proposed stub street that has

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never been built. Mr. Simmons read the following statement and asked Council to please take ownership of the (stub) property in question:

Hello, my name is Terry Simmons and this is my wife Jennifer. We live at 7500 Pine Trails Rd. I have lived there for 24 years. In between our house and our neighbors is a narrow piece of property with a creek on it. This is a right of way that nobody technically owns. We don't own it, neither does Lewisville, but they tell me it is considered private property. Our road is like the letter V, and our property sits at the bottom of the V. Most of our neighborhoods rain water is diverted with culverts under their driveways and dumps into this creek on both sides of the road. This past July between 8 to 10 feet of creek bank fell off at one time. Now the edge of the creek bank is within 3 feet of our driveway and has encroached over past our property line. Not only is it going to take out our driveway it is a serious and dangerous situation. The pictures that I gave you do not describe the magnitude of this situation, it is a huge sink hole. If you put a straight edge from the top of our driveway over the creek, it would be at least a 15 foot drop off or more to the bottom of the creek. If my wife or I, would run a vehicle off into their it would probably kill us. I have contacted everybody that I can think of, including the Town of Lewisville looking for help. What I have been told is that when this neighborhood was developed the property owner was made to deem this section of land a right of way. After 25 years and if nothing was done with this right of way, the ownership of this property would revert back to the original owner, which should be Floyd Mock, of Mock Tire. I talked to an attorney about this and he said that this was such a grey area in the law that I would never have any recourse from the Mock family. I have been told there is State funding for such situations but first we would have to take ownership of the property. Then we would have to apply and the likely hood of being approved is very slim. If we did get approved, they would pay very little and the rest would be on us and they say that the State is running about 3 years behind, our driveway will not last 3 more years. I talked with North State Environmental a local creek restoration company, and with out putting pen to paper they estimated the cost of repair no less than \$42,000, but once they got involved the cost might be much more. My wife and I are at wit's end worrying about this. I have lost many nights sleep and continue to do so thinking about what should we do or what the final outcome will be. I get the same response from everybody I talk to, it is either Oh Well, it is what it is or it Sucks to be you. We paid \$100,000 for our house and it blows my mind to think that we would be asked to take out a loan for 40, 50, or \$60,000 to pay for something that we don't own and we don't want to own it. This is not normal home maintenance like having a dead tree cut down, having to put a roof on your house, etc. This is major. My wife and I are here tonight to ask, no beg the Lewisville Town Council to consider taking ownership of this property and getting this problem resolved. We feel like this should be a Town issue and not a citizen issue. As it stands right now our house value is 0, no one would buy our house in this condition and it is a dangerous situation. At some point our driveway could cave in as we drive across it. So, please, please consider what we have ask of you and get us some help. Thank You

- (1) After reviewing the photos, the manager, public works director and attorney were instructed to investigate the situation and report to Council at the January briefing.
- ii. Having no other speakers, the Pubic Forum for closed at 7:55 p.m.

5. Appointments

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a. [Willow Run Municipal Service District Board - District 4](#)

i. There were two applicants for District 4 of the Willow Run Municipal Service District Board. Voting follows:

	Franklin	Gallman	Greene	Horn	Mock	Smith	Zenger
Denise Criss	x	x	x	x	x	x	
Elaine Hardacker							x

ii. Denise Criss was selected as the representative.

6. **Public Hearings**

a. None.

7. **Evidentiary Hearings**

a. None.

8. **Site Plan Amendments**

a. None.

9. **Unfinished Business**

a. None.

10. **New Business**

a. Consideration of Town Manager’s 2019 compensation

i. A 3% increase to salary has been recommended: 1 ½ % to base salary and 1 ½% as bonus retroactive to December 1, 2018.

ii. Council Member Mock moved to approve the manager’s 2019 compensation. The motion was seconded by Council Member Gallman and approved unanimously.

b. [Ordinance 2018061](#) - Amending Budget Ordinance 2018001 in the amount of \$1,880.⁰⁰ to install a new Sonic Wall in Town Hall

i. Council Member Smith moved to approve Ordinance 2018061. The motion was seconded by Council Member Zenger and approved unanimously. Ordinance 2018061 is herein incorporated by reference into the minutes.

c. Approval of the [2019 meeting calendar](#) for Council and all boards and committees

i. Council Member Franklin moved to approve the 2019 meeting calendar. The motion was seconded by Council Member Mock and approved unanimously.

d. [Resolution 2018077](#) - awarding [contract](#) and authorizing a town-wide survey to Insight Research, Inc. in the amount of \$17,680.⁰⁰ in preparation for the 2020 Comprehensive Plan

i. Council Member Mock moved to approve Resolution 2018077. The motion was seconded by Council Member Gallman and approved unanimously. Resolution 2018077 is herein incorporated by reference into the minutes.

e. [Ordinance 2018064](#) - Amending Budget Ordinance 2018001 in the amount of \$3,000.⁰⁰ to

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place a deposit for the 2019 Blue Grass Festival band

- i. Council Member Zenger moved to approve Ordinance 2018064. The motion was seconded by Council Member Smith and approved unanimously. Ordinance 2018064 is herein incorporated by reference into the minutes.

11. Administrative Reports

- a. Upcoming [Events at Shallowford Square](#) and Town Holidays were reviewed.
- b. **Approvals at the Briefing and Action Meeting on December 6, 2018**
 - i. Arbor Run storm drain improvements
 - (1) [Ordinance 2018062](#) - Amending Budget Ordinance 2018001 in the amount of \$42,630.⁰⁰ to contract with Russell Construction Company for Arbor Run Drive storm drain improvements
 - (2) [Resolution 2018075](#) - awarding contract to Russell Construction Company in an amount not to exceed \$42,630.⁰⁰ for storm drain improvements on Arbor Run Drive
 - ii. [Ordinance 2018063](#) - amending Budget Ordinance 2018001 in the amount of \$1,225.⁰⁰ for legal review by Municode of 2018 Session Law on Criminal Penalty listings
- c. Manager's Report
 - i. The Lewisville Civic Club's 35th Annual Parade will be held on Sunday, December 16th at 3:15 p.m. There will be a charitable 5K race preceding the parade that begins at 2:45 p.m.
- d. Public Works
 - i. Snow removal
 - (1) Mr. Hauser reported that 14" to 18" of snow fell in parts of the Town during the December 9th snow storm. Lower night temperatures exasperated the situation. Streets were salted so that snow wouldn't bond to the asphalt. Our contractor had four trucks working the Town and they went to areas as quickly as possible given the inclement weather circumstances. First main (town maintained) roads were cleared, and then side roads and finally cul-de-sacs. So far, most complaints have been about mail boxes that have been inadvertently hit by the trucks and those are being addressed. Residents were asked to be patient since this was an unusually large snowfall.
 - (a) There was a concern mentioned about the snow that the DOT pushed onto the storm drains since heavy rain is being predicted.
 - (i) Staff will be monitoring.
 - (b) Residents were also reminded of changes in the trash and recycling schedule due to the inclement weather.
 - ii. Arbor Run Drive road project
 - (1) The contract has been approved and a special pipe has been ordered and manufacturing started; however, the work will not be complete before the end of the year. This was a major engineering undertaking because the road bed was collapsing and there are utilities that will have to be moved

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also.

12. **For the Good of the Order:**

- a. Public Comments
 - i. Public Comments were opened at 8:22 p.m.
 - ii. Having no speakers, Public Comments were closed at 8:23 p.m.
- b. Council Comments
 - i. Council Member Zenger recalled comments from a new resident who felt the community was like no other. He commented that spending a lot of time on planning and zoning makes the community what it is.
 - ii. Mayor Horn wished everyone a very happy holiday and prosperous new year.
- c. Adjournment
 - i. Having no other business to discuss, Council Member Franklin moved to adjourn the meeting at 8:25 p.m. The motion was seconded by Council Member Mock and approved unanimously.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk