

Lewisville Town Council
Regular Meeting Minutes
March 14, 2019 - 7:30 p.m.
Town Hall - 6510 Shallowford Road - Room 110

1. Call to Order

- a. Mayor Mike Horn called the meeting to order at 7:30 p.m. Council Members present were Marci Gallman, Robert Greene, Fred Franklin, Sandra Mock, Ed Smith and Jeff Zenger. Also present were Town Manager Hank Perkins, Attorney Bo Houff, Finance Officer Pam Orrell, Public Works Director George Hauser, Planner Stacy Tolbert, and Town Clerk Joyce Walker.
- b. Invocation was provided by Attorney Bo Houff and the Pledge of Allegiance led by members of Boy Scout Troops 752 and 714.
- c. Adoption of Agenda
 - i. Mayor Horn asked to add Theresa Hoffman-Maker to Item 3.a.ii. - Age Friendly Forsyth.
 - ii. Item 3.a.ii was added to receive information from Age Friendly Forsyth. Under New Business, to add items as discussed in the briefing but were not on the email set earlier: add item 10.c.i; 10.d.ii(1),and (2) to set public hearings; and 10.d.ii.(3), to set an evidentiary hearing; and 10.g. to oppose legislation changing municipal elections partisan
 - iii. With the items that were noted, Council Member Mock moved to approve the agenda as amended. The motion was seconded by Council Member Smith and approved unanimously.

2. Consent Agenda

- a. Consent Items for Approval
 - i. [Resolution 2019008](#) - Acceptance and Approval of Monthly [Financials for January 2019](#)
 - ii. Approval of Council Planning [Minutes - February 2, 2019](#) (moved to April)
 - iii. Approval of Council Briefing and Action [Minutes - February 7, 2019](#) (moved to April)
 - iv. Approval of Council Meeting [Minutes - February 14, 2019](#) (moved to April)
 - v. [Resolution 2019012](#) - accepting the resignation of Yvonne Hall from the Lewisville Beautification Committee
 - vi. [Resolution 2019014](#) - accepting the resignation of Kevin Rice from the Lewisville Public Safety Advisory Committee
 - vii. Mrs. Walker asked to move all the minutes to the April agenda.
- b. Council Member Zenger moved to approve the Consent Agenda. The motion was seconded by Council Member Smith and approved unanimously. Resolution 2019008, Resolution 2019012 and Resolution 2019014 are herein incorporated by reference into the minutes.

3. Introductions, Presentations, Recognitions and/or Proclamations

- a. Introductions
 - i. Forsyth County Sheriff's Office
 - (1) Cpl. PJ Stringer introduced the town's newest deputy, Travis Southard, noting the loss of Deputy Mabe.
 - ii. Theresa Hoffman-Maker, Age Friendly Forsyth, presented information on this community initiative. She noted that there are 6 key areas of concentration and that

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the organization is composed of several county government and community groups.

4. Public Forum

- a. The Public Forum was opened at 7:48 p.m.
 - i. Mary Gaines, 7270 Lalanda Drive, Lewisville, co-chair of the Nissen House Steering Committee, read the following report:

Nissen House Report to Lewisville Town Council
March 14, 2019

In late December, 2018, the Lewisville Town Council voted to extend lease/purchase option and rental agreement for one year. We express our thanks for this vote and for the Council's support of the Nissen House Project over the years.

The Nissen House Steering Committee continues to meet and plan for completion, furnishing and operation of the Nissen House. We are now beginning work on a business plan for the house. We will form a focus group to help identify best uses for house and for marketing. We are pleased to report we have already received donations of a limited number of pieces of Victorian furniture to be used in the house.

Here is partial listing of work completed:

- 1) Mid-2018, Westbend Construction on the interior of the house demolished all none-original items and damaged or termite-eaten wood taking it back to the original structure.
- 2) Fall of 2018, existing standing-seam metal roof was cleaned, rust removed and repainted.
- 3) Late November, 2018, entered into contract with Westbend Construction to complete interior of house.
- 4) Worked with contractor and Inspections Division and commercial use building permit obtained.
- 5) Worked with engineer and contractor to complete drawings/plans for mechanical equipment.
- 6) Rough driveway graded and graveled, silt fence installed.
- 7) Repaired, re-enforced and leveled floor structure in rear area, framed bathrooms, entry hall, kitchen & storage room in this area.
- 8) Installed subfloor for this area, retaining original floor in storage room. Replaced damaged framing.
- 9) 4 fireplaces opened to original size, repaired/rebuilt as needed. Hearths rebuilt to floor level.
- 10) Removed old insulation material and cleaned attic, built enclosure for stairwell.
- 11) Cleaned and leveled crawl space, installed vapor barrier.

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- 12) Insulation installed in walls, ceilings, floor.
- 13) Rough in plumbing, electrical and fire alarm/security system done and inspected.
- 14) Ready for HVAC rough in.
- 15) Portion of interior doors, windows and display areas framed.

It now appears we will not finish by estimated date of March 31. We hope to have the house completed by end of April or soon thereafter.

Respectfully submitted,
 Mary Gaines and Susan Linker
 Co-Chairs, Nissen House Steering Committee
 Lewisville Historical Society

- b. Having no other speakers, the Public Forum was closed at 7:56 p.m.

5. Appointments

- a. Appointments
 - i. [Parks, Recreation and Cultural Development](#) - 3 positions available
 - (1) Votes follow:

	Franklin	Gallman	Greene	Horn	Mock	Smith	Zenger
Shaida Horner	X	X	X	X	X	X	X
Daniel Lough	X	X	X				
Warren McMahan					X	X	X
Janice Orsini	X	X	X	X	X	X	X
Nelson Sebright							

- (2) Mrs. Horner and Mrs. Orsini were selected.
- (3) A tie was announced between Lough and McMahan. Votes follow:

	Franklin	Gallman	Greene	Horn	Mock	Smith	Zenger
Daniel Lough	X	X	X	X			
Warren McMahan					X	X	X

- (4) Mr. Lough was announced as the person selected.

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- ii. After the vote, Council Member Franklin moved to appoint Mr. McMahan to the Public Safety Advisory Committee. The motion was seconded by Council Member Zenger and approved unanimously.
- iii. **Planning Board** - 3 positions available
 - (1) Voting follows:

	Franklin	Gallman	Greene	Horn	Mock	Smith	Zenger
Christine T. Dzula					X		
Jeanne Marie Foster	X	X	X	X	X	X	X
Joseph Hamby	X	X	X	X	X	X	X
William O McGuire							
Cynthia Redwine							
Michael Sullivan	X	X	X	X		X	X

- (2) Jeanne Marie Foster, Joseph Hamby and Michael were announced as the members of the Planning Board.

- iv. Willow Run Municipal Service District
 - (1) David Mazza - District 3 - vote for 1

	Franklin	Gallman	Greene	Horn	Mock	Smith	Zenger
David Mazza	X	X	X	X	X	X	X

- (2) David Mazza was reappointed to District 3 of the Willow Run Municipal Service District.

- v. Willow Run Municipal Service District
 - (1) Jeffrey Rawls - At-Large - vote for 1

	Franklin	Gallman	Greene	Horn	Mock	Smith	Zenger
Jeffrey Rawls	X	X	X	X	X	X	X

- (2) Jeffrey Rawls was reappointed to the At-Large position of the Willow Run Municipal Service District.

- vi. Zoning Board of Adjustment - 1 seat available

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	Franklin	Gallman	Greene	Horn	Mock	Smith	Zenger
Eugene H. Cassell							
Kenneth Wernick	X	X	X	X	X	X	X

- (1) Ken Wernick is appointed to the Zoning Board of Adjustment.
- vii. Committees
 - (1) [Appointment Order 2019003](#) - appointing Carolyn A. Fulton to the Beautification Committee
 - (a) Council Member Franklin moved to approve Appointment Order 2019003. The motion was seconded by Council Member Smith and approved unanimously.

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. [Resolution 2019013](#) - in support of the current ABC Control System for the Sale of Liquor
 - i. Mr. Perkins advised that he could only find information regarding the ABC Control System in HB91 and it relates to reorganization & consolidation of boards, the amounts of liquor that could be purchased and the sale of alcohol on Sundays. The bill did not mention privatization.
 - ii. Council Member Zenger moved to **table** Resolution 2019013. The motion was seconded by Council Member Smith and approved unanimously.
 - b. [Resolution 2019017](#) - reiterating allowing site plan changes as noted in the Unified Development Ordinances (UDO) Chapter B Section 7-5.5
 - i. Council Member Franklin moved to approve Resolution 2019017. The motion was seconded by Council Member Mock and approved unanimously. Resolution 2019017 is herein incorporated by reference into the minutes.
 - c. Rezoning Requests
 - i. [Resolution 2019024](#) - setting a public hearing for April 11, 2019 to receive comments on UDO L-087 rezoning request by South Creek Development to rezone 6550 Pegram Farm Road, Pegram Landing Phase II from RS9 Residential Single Family to RM12-S Residential Multi-family
 - (1) Council Member Smith moved to approve Resolution 2019024. The

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motion was seconded by Council Member Zenger and approved unanimously. Resolution 2019024 is herein incorporated by reference into the minutes.

- d. Annexation requests
 - i. 1181 Reynolds Road
 - (1) [**Resolution 2019018**](#) - fixing the date of public hearing on the question of annexation pursuant to G.S. 160A-31 at 1181 Reynolds Road, an area contiguous to the Town of Lewisville, for Thursday, April 11, 2019 at 7:30 p.m. at the Lewisville Town Hall as requested by Brian and Tracy Shumack
 - (a) Council Member Mock moved to approve Resolution 2019018. The motion was seconded by Council Member Smith and approved unanimously. Resolution 2019018 is herein incorporated by reference into the minutes.
 - (2) [**Resolution 2019020**](#) - fixing the date of public hearing on annexed property for zoning case L-089 on the request to change zoning from RS30 under Forsyth County jurisdiction to RS30 Lewisville jurisdiction for Thursday, April 11, 2019 at 7:30 p.m. at the Lewisville Town Hall
 - (a) Council Member Mock moved to approve Resolution 2019020. The motion was seconded by Council Member Smith and approved unanimously. Resolution 2019020 is herein incorporated by reference into the minutes.
 - ii. Lissara Phase II Section V
 - (1) [**Resolution 2019021**](#) - fixing the date of public hearing on the question of annexation pursuant to G.S. 160A-31 for Phase II Section V of Lissara, an area contiguous to the Town of Lewisville, for Thursday, April 11, 2019 at 7:30 p.m. at the Lewisville Town Hall as requested by Lissara Partners, LLC, Bobby Graham Messick, Jr. And Lynn Marie H. Messick and Stanley O. Mock
 - (a) Council Member Mock advised that Stanley Mock is not an immediate relative.
 - (b) Council Member Zenger moved to approve Resolution 2019022. The motion was seconded by Council Member Gallman and approved unanimously. Resolution 2019021 is herein incorporated by reference into the minutes.
 - (2) [**Resolution 2019022**](#) - setting a public hearing to receive comments on zoning case L-086 rezoning request by Lissara Partners, LLC and others to rezone annexed property from RS40 Forsyth County jurisdiction to RS40-S Lewisville jurisdiction for Thursday, April 11, 2019 at 7:30 p.m. at the Lewisville Town Hall
 - (a) Council Member Zenger moved to approve Resolution 2019022. The motion was seconded by Council Member Smith and approved unanimously. Resolution 2019022 is herein incorporated by reference into the minutes.
 - (3) [**Resolution 2019023**](#) - setting an evidentiary public hearing for Thursday, April 11, 2019 to receive comments on zoning case L-086 by Lissara

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Partners, LLC and others requesting a Special Use Permit for a Planned Residential Development (PRD)

- (a) Council Member Smith moved to approve Resolution 2019023. The motion was seconded by Council Member Zenger and approved unanimously. Resolution 2019023 is herein incorporated by reference into the minutes.
- e. [Resolution 2019009](#) - authorizing the contract for fiscal year 2018-2019 auditing services to Gibson & Company in the amount of \$23,550.⁰⁰ (\$19,550.⁰⁰ for the audit and annual financial statements and \$4,000.⁰⁰ only - if single audit required)
 - i. Council Member Franklin moved to approve Resolution 2019009. The motion was seconded by Council Member Zenger and approved unanimously. Resolution 2019009 is herein incorporated by reference into the minutes.
- f. [Ordinance 2019009](#) - amending Budget Ordinance 2018001 in the amount of \$17,000.⁰⁰ to increase the budget for Powell Bill Right-of-Way maintenance
 - i. Council Member Smith moved to approve Ordinance 2019009. The motion was seconded by Council Member Zenger and approved unanimously. Ordinance 2019009 is herein incorporated by reference into the minutes.
- g. [Resolution 2019019](#) - opposing proposed legislation changes to Municipal Elections by making the elections partisan
 - i. Council Member Smith moved to approve Resolution 2019019. The motion was seconded by Council Member Franklin and approved unanimously. Resolution 2019019 is herein incorporated by reference into the minutes.
- h. Choosing an option for the lift station behind the Food Lion store off of Shallowford Rd
 - i. Mr. Perkins recapped the information on why the town has been asked by CCUC to select an option for the replacement of the lift station behind the Food Lion and reviewed the maps associated with Alternative #1 and Alternative #2.
 - (1) This lift station will need to service the Great Wagon Road when the road is built.
 - (2) The current station is undersized and is not large enough to serve the immediate area.
 - (3) CCUC had a study to determine necessary improvements.
 - (4) Two alternatives were provided.
 - (a) Alternative #1 would replace the existing station to serve a larger area with regard to potential development and land use at a cost of \$2,560,000.⁰⁰ and would service 408 acres and will also service the gateway, soon to be built.
 - (b) Alternative #2 would require the existing station to be kept in service, rehabilitated at a cost of \$100,000.⁰⁰ and, if increased capacity at \$200,000.⁰⁰, would cost \$2,650,000.⁰⁰ and would service 327 acres.
 - (5) After reviewing the information received from the study, CCUC and staff support Alternative #1.
 - (a) CCUC is interested in participating with the funding of Alternative #1 but are not interested in participating in Alternative #2 because they would have to maintain the existing unit.

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- ii. The Utilities Committee was presented the information on the relocation of the lift station and at their meeting voted 4-1 for Alternative #2, with their reasoning being they would like to have existing homes to hook onto the system.
- iii. Both alternatives are interim.
- iv. Alternative #2 will not support all of the GWR.
 - (1) Getting sewer to neighborhoods was explained, especially the cost to individual property owners to hook on to the system.
- v. After review of the maps and discussion, Council Member Franklin moved to recommend Alternative #1. The motion was seconded by Council Member Zenger and approved unanimously.

11. **Administrative Reports**

- a. Upcoming [Events at Shallowford Square](#) and Town Holidays
- b. Manager's Report
 - i. Consideration to lower the speed on a section of Yadkinville Road to 35 mph from Vienna Village
 - (1) Pros and cons were discussed at briefing. Council asked that public opinion be shared and this will be on the agenda for April.
 - ii. Junked cars with no plates
 - (1) There is an ordinance in Chapter 17 of the Town Code as well as a general statute. The Sheriff's Office has been contacted and is confirming that the Sheriff's Office will be able to assist the town with towing.
 - (a) The definition of junked vehicle, abandoned vehicle and nuisance vehicle were read.
 - iii. 2019 Lewisville Town Survey
 - (1) The last revision of the survey is in process to be mailed to all residents in the town.
- c. **Approvals at the Briefing and Action Meeting on March 7, 2019**
 - i. [Ordinance 2019010](#) - amending Budget Ordinance 2018001 in the amount of \$1,483.⁰⁰ to purchase a new desktop computer for Public Works Director George Hauser
 - ii. Storm drain repair at Arbor Run Drive and Lewisville-Clemmons Road
 - (1) [Ordinance 2019011](#) - amending Budget Ordinance 2018001 in the amount of \$23,690.⁰⁰ to set new catch basin at intersection of Arbor Run Drive and Lewisville-Clemmons Road and do associated ditch work
 - (2) [Resolution 2019016](#) - awarding contract to Russell Construction Company of Advance, North Carolina for an amount no to exceed \$23,690.⁰⁰ to repair the catch basin at the intersection of Arbor Run Drive and Lewisville-Clemmons Road
 - iii. On page 3339 of the January Council minutes, Conrad Farm development was referenced as Ordinance 2017003 and it should have been referenced as Ordinance 2017033. The correction will be noted in the minutes book.
 - iv. Council agreed to renew its agreement with the HOME Consortium of Forsyth County for 2020-2022.

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

- a. Public Comments
 - i. Mayor Horn opened the Public Comments at 8:54 p.m.
 - ii. Having no speakers, Public Comments were closed at 8:55 p.m.
- b. Council Comments
 - i. Mayor Horn advised everyone that Council will be going into Closed Session and Attorney Houff read the following, citing § 143-318.11(a)(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.
 - ii. At 8:56 p.m. Council Member Smith moved to go into Closed Session. The motion was seconded by Council Member Zenger and approved unanimously.
 - iii. At 9:18 p.m., Council returned from Closed Session.
- c. Adjournment
 - i. At 9:19 p.m., Council Member Zenger moved to adjourn the meeting. The motion was seconded by Council Member Gallman and approved unanimously.

Mike Horn, Mayor

ATTEST:

Joyce C. McWilliams Walker, Town Clerk