

**Lewisville Town Council**  
**Regular Meeting Minutes**  
**March 12, 2020 - 7:30 p.m.**  
**Town Hall - 6510 Shallowford Road - Room 110**

**1. Call to Order**

- a. Mayor Horn called the meeting to order at 7:30 p.m. Council members present were Council member Jeanne Marie Foster, Fred Franklin, Melissa Hunt, Ken Sadler, David Smitherman, and Jane Welch. Also present were Town Manager Hank Perkins, Finance Officer Pam Orrell, Attorney Bo Houff, Planner Stacy Tolbert, Acting Public Works Director Ryan Moser and Town Clerk Joyce Walker.
- b. Invocation was led by Attorney Bo Houff and the Pledge of Allegiance by Council Member Fred Franklin.
- c. Adoption of Agenda
  - i. Mayor Horn asked that the minutes of February 6, 2020 and February 13, 2020 be placed on the April agenda and noted that the meeting calendar changes had been added.
  - ii. Council Member Foster moved to approve adoption of the amended agenda. The motion was seconded by Council Member Hunt and approved unanimously.

**2. Consent Agenda**

- a. Consent Agenda for approval
  - i. [Resolution 2020011](#) - Acceptance and Approval of Monthly [Financials for the seven months ending January 31, 2020](#)
  - ii. Approval of Council Planning meeting [Minutes - February 1, 2020](#)
  - iii. Approval of Council Briefing and Action [Minutes - February 6, 2020](#) (moved to the April agenda)
  - iv. Approval of Council Regular Meeting [Minutes - February 13, 2020](#) (moved to the April agenda)
  - v. [Resolution 2020009](#) - Accepting the resignation of Sonsera Kiger from the Lewisville Beautification Committee
  - vi. [Resolution 2020010](#) - Accepting the resignation of Derek Duggins from the Lewisville Utilities Committee
- b. Council Member Welch moved to approve the Consent Agenda. The motion was seconded by Council Member Hunt and approved unanimously. Resolution 2020011, Resolution 2020009, and Resolution 2020010 are herein incorporated by reference into the minutes.

**3. Introductions, Presentations, Recognitions and/or Proclamations**

- a. **Introductions, Recognitions, Presentations and/or Proclamations**
  - i. None.

**4. Public Forum**

- a. Mayor Horn opened the Public Forum at 7:35 p.m.
- b. Having no speakers, the Public Forum was closed at 7:36 p.m.

**NOTE: Minutes follow the original agenda while the meeting items did not follow the agenda to allow for tallying and reporting of votes.**

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5. **Appointments**

a. Boards (by voting tally)

i. Zoning Board of Adjustment

(1) [Permanent - 3 positions available](#)

|               | Foster | Franklin | Horn | Hunt | Sadler | Smitherman | Welch | <b>Total</b> |
|---------------|--------|----------|------|------|--------|------------|-------|--------------|
| Horner, Vance | X      | X        | X    | X    | X      | X          | X     | <b>7</b>     |
| Hunt, David   | X      | X        | X    | X    | X      | X          | X     | <b>7</b>     |
| May, Phillip  | X      | X        | X    | X    | X      | X          | X     | <b>7</b>     |

(a) By voting tally, Vance Horner has been re-appointed as a permanent member to the Zoning Board of Adjustment and David Hunt and Phillip May have been appointed as new permanent members to the ZBOA.

(b) Council Member Hunt acknowledged that David Hunt is her spouse and has applied for a position on the ZBOA.

(c) Mayor Horn clarified that Council members may vote on items that do not provide a financial gain.

(2) [Alternate - 1 position available](#)

|                | Foster | Franklin | Horn | Hunt | Sadler | Smitherman | Welch | <b>Total</b> |
|----------------|--------|----------|------|------|--------|------------|-------|--------------|
| Nealeans, Alan | X      | X        | X    | X    | X      | X          | X     | <b>7</b>     |

(a) By voting tally, Alan Nealeans has been reappointed as an alternate member to the Zoning Board of Adjustment.

ii. Willow Run Municipal Service District

(1) [Area 5 - 1 position available](#)

|              | Foster | Franklin | Horn | Hunt | Sadler | Smitherman | Welch | <b>Total</b> |
|--------------|--------|----------|------|------|--------|------------|-------|--------------|
| May, Phillip | X      | X        | X    | X    | X      | X          | X     | <b>7</b>     |

(a) By voting tally, Phillip May has been appointed to Service District 5 of the Willow Run Municipal Service District.

(2) [At-Large - 1 position available](#)

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|                | Foster | Franklin | Horn | Hunt | Sadler | Smitherman | Welch | Total |
|----------------|--------|----------|------|------|--------|------------|-------|-------|
| Yarnell, Glenn | X      | X        | X    | X    | X      | X          | X     | 7     |

- (a) By voting tally, Glenn Yarnell has been appointed to the At-Large position of the Willow Run Municipal Service District.

iii. **Planning Board - 3 positions available**

|                  | Foster | Franklin | Horn | Hunt | Sadler | Smitherman | Welch | Total |
|------------------|--------|----------|------|------|--------|------------|-------|-------|
| Aldhizer, George |        |          |      |      |        |            | X     | 1     |
| Eskridge, Joseph |        |          | X    |      |        |            | X     | 2     |
| Flow, Meghan     | X      | X        |      | X    | X      | X          |       | 5     |
| Green, Tony      |        |          |      |      |        |            |       |       |
| Higgins, Jessica | X      | X        | X    | X    | X      | X          |       | 6     |
| Long, Monte      |        |          |      |      |        |            |       |       |
| Lough, Rachel    |        |          |      |      |        |            | X     | 1     |
| May, Phillip     |        | X        |      |      |        | X          |       | 2     |
| Redwine, Cynthia |        |          |      |      |        |            |       |       |
| Sloop, Joseph    | X      | X        |      | X    | X      |            |       | 4     |

- (1) As noted above by voting tally, Jessica Higgins and Meghan Flow have been re-appointed to fill 3-year terms ending in 2023 while Joseph Sloop will complete a 3-year term ending in 2022.
- (2) Phillip May, who had applied to several boards, was recommended to be a member of the Zoning Board of Adjustment and the Willow Run Municipal Service District. (See above.)

iv. **Parks, Recreation and Cultural Development** - 1 position available

|                  | Foster | Franklin | Horn | Hunt | Sadler | Smitherman | Welch | Total |
|------------------|--------|----------|------|------|--------|------------|-------|-------|
| Paquette, Cara   |        |          |      |      |        |            |       |       |
| Smitherman, Lisa |        |          |      |      | X      |            |       | 1     |

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|              |   |   |   |   |  |  |   |   |
|--------------|---|---|---|---|--|--|---|---|
| Walker, Ryan | X | X | X | X |  |  | X | 5 |
|--------------|---|---|---|---|--|--|---|---|

- (1) As noted above by voting tally, Ryan Walker has been appointed to fill the 3-year term ending in 2023.
- (2) Mr. Smitherman opted not to vote, acknowledging that Lisa Smitherman was his wife and had applied for a position on the Parks and Rec Board.

b. Committees (by appointment orders)

i. [Appointment Order 2020001](#) - Lewisville Beautification Committee

- (1) Council Member Welch moved to approve Appointment Order 2020001. The motion was seconded by Council Member Hunt and approved unanimously. Appointment Order 2020001 is herein incorporated by reference into the minutes.

ii. [Appointment Order 2020002](#) - Public Safety Advisory Committee

- (1) Council Member Franklin moved to approve Appointment Order 2020002. The motion was seconded by Council Member Hunt and approved unanimously. Appointment Order 2020002 is herein incorporated by reference into the minutes.

iii. [Appointment Order 2020003](#) - Recycling Committee

- (1) Council Member Hunt moved to approve Appointment Order 2020003. The motion was seconded by Council Member Smitherman and approved unanimously. Appointment Order 2020003 is herein incorporated by reference into the minutes.

iv. [Appointment Order 2020004](#) - Lewisville Utilities

- (1) Council Member Smitherman moved to approve Appointment Order 2020004. The motion was seconded by Council Member Franklin and approved unanimously. Appointment Order 2020004 is herein incorporated by reference into the minutes.

6. **Public Hearings**

a. Order to close a portion of Dexter Drive

i. Staff Presentation

- (1) The portion of the road being closed appears on the property owned by the Winston-Salem/Forsyth County Schools. It is the only section of the road to be closed and was on the map in Council's packet. It was also noted that the requirement to close a road or portion of a road is by resolution and not by ordinance.

ii. Public Hearing

- (1) The Public Hearing was opened at 7:58 p.m.
- (2) Having no speakers, the Public Hearing was closed at 7:59 p.m.

iii. Council Discussion

- (1) None.

iv. Council Consideration - [Resolution 2020015](#)

- (1) Council Member Franklin moved to approve Resolution 2020015. The

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motion was seconded by Council Member Smitherman and approved unanimously. Resolution 2020015 and its attachments are herein incorporated by reference into the minutes.

- b. UDO L-159 Text Amendment adding a community center to definitions, amending the Permitted Use Table, and providing for off-street parking requirements
  - i. Staff Presentation
    - (1) Mrs. Tolbert provided information on the update to the UDO and cited the addition of the definition of Community Center, that it will be added under Institutional and Public Uses on the Permitted Use Table and the parking requirements, noting how staff and the Planning Board researched its findings.
      - (a) She also noted that the Planning Board added a maximum number of spaces for parking.
      - (b) A site plan will be required and will have to conform with residential use and standards.
  - ii. Council asked for clarification on the calculation on the maximum number of parking spaces noted on the amendment.

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**STAFF REPORT**

**DOCKET # UDO L-159**

**REQUEST**

This UDO text amendment was drafted by staff at the request of the Town Council to amend the Unified Development Ordinances (UDO) to add community center as a permitted use to the permitted use table (PUT) along with a definition and parking calculation. The amendment applies to UDO Chapter A, Article II Definitions; Chapter B, Article II Table B.2.6 Permitted Uses; & Chapter B, Article III Table B.3.8 Parking Requirements.

**BACKGROUND**

The Town Council wishes to build a new Community Center in the Town of Lewisville. Community Center is not currently a use listed in the Permitted Use Table. Without the amendment to the PUT, the project can not move forward as proposed.

**ANALYSIS**

Through continued research, Staff, along with the Planning Board, has developed a definition and a parking calculation to be added to the UDO to allow a Community Center in the Town of Lewisville. Many municipalities were researched in order to find out similar uses and regulations. With the definition specifying the use as one owned and operated by a public or non-profit group or agency, Staff felt it best to allow the use in certain zoning districts but not all districts. The use will still be considered a non-residential use, therefore will have to follow the other zoning standards in the UDO such as lighting, landscaping, buffer

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requirements, etc.

## SUMMARY

This UDO text amendment will add Community Center as a use in the permitted use table. The new Town of Lewisville Community Center is in the design phase. Once the text amendment is adopted, the project can move forward with a rezoning. Staff believes this change to the UDO is reasonable because it will allow an additional use in the Town with the proper regulations.

The exact language to be added and/or amended to the UDO is included in the ordinance.

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- iii. Public Hearing
  - (1) The Public Hearing was opened at 7:44 p.m.
  - (2) Having no speakers, the Public Hearing was closed at 7:45 p.m.
- iv. Council Discussion
  - (1) Mayor Horn pointed out that the largest room in the building will hold about 250 guests which would probably need at least 125 parking spaces to accommodate a particular gathering. He asked Council to consider removing the maximum number spaces as noted in the ordinance recommended by the Planning Board.
- v. Council Consideration - **Ordinance 2020014 (See Attached.)**
  - (1) Council Member Franklin moved to approve Ordinance 2020014 and to include the **removal of the Note section** showing a maximum one space per 200 sq ft of gross floor area. The motion was seconded by Council Member Hunt and approved unanimously. Ordinance 2020014 and its attachment are herein incorporated by reference into the minutes.

7. **Evidentiary Hearings**

- a. None.

8. **Annexation Requests**

- a. None.

9. **Preliminary Site Plan Approvals**

- a. None.

10. **Unfinished Business**

- a. None.

11. **New Business**

- a. **Ordinance 2020006** - amending Chapter 4 of the Lewisville Town Code to place into code the allowance of the sale of alcoholic beverages before noon on Sunday as approved by Council in April 2018
  - i. Council Member Franklin moved to approve Ordinance 2020006. The motion was

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seconded by Council Member Foster and approved unanimously. Ordinance 2020006 is herein incorporated by reference into the minutes.

- b. Approval of 2020 calendar changes
  - i. **Town meeting calendar**
    - (1) Council Member Foster moved to approve the Town meeting calendar date changes. The motion was seconded by Council Member Welch and approved unanimously.
  - ii. **Council budget calendar**
    - (1) Council Member Foster moved to approve the budget meeting calendar changes. The motion was seconded by Council Member Welch and approved unanimously.

12. **Administrative Reports**

- a. Upcoming **Events at Shallowford Square** and Town Holidays
  - i. The Town will have a special recycling day on March 28<sup>th</sup> and Town offices will be closed on April 10<sup>th</sup> in observance of the Good Friday holiday.
- b. Manager's Report
  - i. PARTF grant update
    - (1) Mr. Perkins reported that the Town will be moving forward with the grant application.
      - (a) He has scheduled two (2) presentations to civic organizations the following week and a drop-in session at 6:30 p.m. on the 23<sup>rd</sup> at Town Hall to get feedback on park expansion.
- c. Clerk's Report
  - i. None.
- d. **Approvals at the Briefing and Action Meeting on March 5, 2020**
  - i. **Ordinance 2020010** - amending Budget Ordinance 2019001 in the amount of \$2,215.<sup>00</sup> to budget for purchase of 500 lapel pins with Town of Lewisville seal at a cost of \$745.<sup>00</sup>, to budget \$250.<sup>00</sup> for musical entertainment at the volunteer lunch on May 2, 2020 and to budget \$1,220.<sup>00</sup> to cater a meal for the volunteers at the May 2<sup>nd</sup> event
  - ii. NCLM City Vision Annual conference
    - (1) **Ordinance 2020012** - amending Budget Ordinance 2019001 in the amount of \$13,500.<sup>00</sup> to provide for 6 council members and 3 staff to attend the NCLM Annual City Vision Conference in Wilmington
    - (2) Discussion of May briefing meeting date change (moved to Monday, May 11, 2020)
      - (a) Primary delegate - Jeanne Marie Foster
      - (b) Alternate delegate - Hank Perkins
  - iii. Grant application assistance
    - (1) **Ordinance 2020011** - amending Budget Ordinance 2019001 in the amount of \$20,000.<sup>00</sup> to contract with McGill Associates of Hickory for professional planning services for the PARTF Grant application assistance
    - (2) **Resolution 2020012** - Authorizing the Town Manager to award the contract to McGill Associates for an amount not to exceed \$20,000.<sup>00</sup> to

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- iv. provide planning services for the PARTF Grant application assistance
- iv. Continue membership with the Forsyth County Home Consortium - concurred
- v. [Ordinance 2020015](#) - amending Budget Ordinance 2019001 in the amount of \$5,692.43 to replace Annex upstairs air handler, one exterior unit and repair of upstairs duct work

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

- a. Public Comments
  - i. Mayor Horn opened Public Comments at 8:04 p.m.
  - ii. Having no speakers, Public Comments were closed 8:05 p.m.
- b. Council Comments
  - i. Mayor Horn advised everyone of the conference call with State officials that discussed the Coronavirus and the State of Emergency issued by the Governor.
    - (1) He noted those who would be most affected (those 65 and older) and that the highest number in a gathering should be limited to 100.
    - (2) In addition, the State was asking people to “telework” (work from home), wipe surfaces, stay home where possible, check nursing homes for access, and wash hands frequently.
    - (3) A State web site, [NCDHHS.gov/coronavirus](http://NCDHHS.gov/coronavirus) has been established for updates.
    - (4) The Town will be supporting the Health Department and Emergency Services for their efforts.
    - (5) The clerk will be sending a notice on Monday to the Town’s boards and committees to postpone their meetings until the next meeting date.
- c. Adjournment
  - i. Having no other business to discuss, Council Member Foster moved to adjourn the meeting at 8:10 p.m. The motion was seconded by Council Member Melissa Hunt and approved unanimously.

\_\_\_\_\_  
Mike Horn, Mayor

ATTEST:

\_\_\_\_\_  
Joyce C. McWilliams Walker, Town Clerk