

Lewisville Town Council
Regular Meeting Minutes - May 14, 2020 - 6:00 p.m.
Digitally originating in Council Chambers 1st floor - Lewisville Town Hall
6510 Shallowford Road

1. Call to Order

- a. Mayor Horn opened the meeting being simultaneously streamed electronically at 6:02 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, Acting Public Works Director Ryan Moser and Town Clerk Joyce Walker.
- b. Invocation was led by Attorney Bo Houff.
- c. Approval of Agenda
 - i. Mayor Horn noted that items 2.a.iii. and 11.d. had been added to the agenda since this meeting's agenda was emailed. (11.d. became 11.e after the Planning Time line discussion was added as the first item of discussion below for New Business.)
 - ii. Mayor Horn also asked that Mr. Perkins provide an update to the PARTF grant request and Vienna Village under Manager's Report.
 - iii. Mrs. Foster asked to have a Planning Time Line added as the first item under New Business to inform discussions for resolution 202033 setting a public hearing to rezone property at 7632 Warren Park Drive from RS-40 to IP.
 - iv. With those additions to the agenda, Council Member Hunt moved to approve the agenda. The motion was seconded by Council Member Sadler and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

2. Consent Agenda

- a. Consent Agenda for approval
 - i. [Resolution 2020026](#) - Acceptance and Approval of Monthly [Financials for the eight months ending March 31, 2020](#)
 - ii. Approval of Council Special Budget Meeting [Minutes - April 20, 2020](#)
 - iii. [Resolution 2020031](#) - accepting the resignation of Wayne Hutchens from the Lewisville Utilities Committee with an effective date of May 8, 2020
- b. Council Member Franklin moved to approve the Consent Agenda. The motion was seconded by Council Member Sadler and approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2020026 and Resolution 2020031 are herein incorporated by reference into the minutes.

3. Introductions, Presentations, Recognitions and/or Proclamations

- a. **Introductions, Recognitions, Presentations and/or Proclamations**
 - i. Recognitions
 - (1) Mayor Horn recognized Aden and Desiree Moraes, members of the Town's Student Leadership Committee, for their efforts in making face masks for health care workers.

4. Public Forum

- a. Mayor Horn opened the Public Forum at 6:13 p.m.

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- b. No one provided notice electronically that they would like to speak and the Public Forum was closed at 6:14 p.m.
- 5. **Appointments**
 - a. None.
- 6. **Public Hearings**
 - a. None.
- 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. Planning time line to get boards and committees to meet
 - i. Mrs. Foster briefly summarized the Board and Committee (BAC) meeting reboot process to date. Information has been received from boards and committees regarding their perceived need to meeting electronically to address outstanding and pressing issues. Items on the Planning Board docket (rezonings, applications for site amendments, etc.) were deemed a priority. A draft document delineating these and other forthcoming priorities was presented for Council consideration. The document was developed in conjunction with staff and management and was shared on the broadcast to punctuate the impact Council actions will have on typical workflow for Planning Board and public notification. It was suggested that having one document reflecting deadlines and accountabilities to regularly inform and update the Council at future meetings would be beneficial.
 - b. [Resolution 2020028](#) - amending the [Remote Meeting Participation Policy](#) of the Lewisville Town Council to allow for remote participation in public meetings when a State of Emergency is declared by the Governor or General Assembly
 - i. Attorney Houff reviewed the new rules under which public bodies may meet remotely as authorized by the State Legislature.
 - ii. Council Member Smitherman moved to approve Resolution 2020028. The motion was seconded by Council Member Welch and approved unanimously by a roll call

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vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2020028 is herein incorporated by reference into the minutes.

- c. [Resolution 2020032](#) - setting a public hearing for Thursday, June 11, 2020 to receive public comment on L-095 Longwood Village Subdivision, a request to rezone from HB-S and RS-20 to RS-9-S for a single family residential development
 - i. Council was advised that this request was heard by the Planning Board on March 11th with a vote of 5-1 to recommend to Council for approval.
 - ii. Council Member Foster moved to approve Resolution 2020032. The motion was seconded by Council Member Welch and approved unanimously by roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2020032 is herein incorporated by reference into the minutes.
- d. [Resolution 2020027](#) - setting a public hearing for Thursday, June 11, 2020 to receive public comments on the 2020-2021 Budget
 - i. Council Member Sadler moved to approve Resolution 2020027. The motion was seconded by Council Member Foster and approved unanimously by roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2020027 is herein incorporated by reference into the minutes.
- e. [Resolution 2020033](#) - setting a public hearing for Thursday, June 4, 2020 at 6:00 p.m. to receive public comments on rezoning property at 7632 Warren Park Drive from RS-40 to IP
 - i. Council Member Smitherman moved to approve Resolution 2020033. The motion was seconded by Council Member Sadler and approved unanimously by roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2020033 is herein incorporated by reference into the minutes.
 - ii. After the vote, management and staff summarized that this resolution reflects a desire to meet key deadlines for the Community Center project. The resolution requires special called meetings of the Planning Board, a public hearing at Council briefing on June 4, and slight changes to the typical timing of public notices; compliance with NC general statutes is maintained.
- f. [Ordinance 2020022](#) - Order to collect the 2020 taxes by the Forsyth County Tax Collector
 - i. Council Member Welch moved to approve Ordinance 2020022. The motion was seconded by Council Member Franklin and approved unanimously by roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Ordinance 2020022 is herein incorporated by reference into the minutes.
- g. [Ordinance 2020023](#) - Order to collect the 2019 and prior years taxes by the Forsyth County Tax Collector
 - i. Council Member Franklin moved to approve Ordinance 2020023. The motion was seconded by Council Member Hunt and approved unanimously by roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and

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Mayor Horn. Ordinance 2020023 is herein incorporated by reference into the minutes.

- h. Sidewalk Repairs
- i. [Ordinance 2020013](#) - amending Budget Ordinance 2019001 in the amount of \$35,315.⁰⁰ to increase budget for Powell Bill sidewalk repairs in order to contract with Precision Safe Sidewalks for trip hazard removal
 - (1) Council Member Smitherman moved to approve Ordinance 2020013. The motion was seconded by Council Member Franklin and approved unanimously by roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Ordinance 2020013 is herein incorporated by reference into the minutes.
 - ii. [Resolution 2020013](#) - authorizing the Town Manager to award a [contract](#) to Precision Safe Sidewalks of Alexandria, VA for trip hazard repairs to sidewalks on Lucy Lane, Dawnlea Drive, Feldspar Lane, Shallowford Road, and Shallowford Square in the amount of \$35,315.⁰⁰
 - (1) Council Member Foster moved to approve Resolution 2020013. The motion was seconded by Council Member Welch and approved unanimously by roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Resolution 2020013 is herein incorporated by reference into the minutes.
 - iii. [Ordinance 2020024](#) - amending Budget Ordinance 2019001 in the amount of \$2,800.⁰⁰ to increase the Powell Bill Budget for sidewalk repairs on Shallowford Road near the Lewisville Commons Shopping Center
 - (1) Council Member Franklin moved to approve Ordinance 2020024. The motion was seconded by Council Member Smitherman and approved unanimously by roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn. Ordinance 2020024 is herein incorporated by reference into the minutes.
 - iv. [Resolution 2020029](#) - authorizing the Town Manager to award a [contract](#) to Atlantic Coast Concrete, Clemmons, NC, in the amount of \$12,800.⁰⁰ to remove and replace sidewalk on Shallowford Road near the Lewisville Commons Shopping Center
 - (1) There was discussion on tree removal along the sidewalks and the order in which the work should be conducted.
 - (2) After discussion, Council Member Franklin moved to approve Resolution 2020029. The motion was seconded by Council Member Foster and approved by a roll call vote of 5-2 of ayes from Council Members Foster, Franklin, Sadler, Smitherman, and Mayor Horn and with Council Members Hunt and Welch voting *No* by roll call vote. Resolution 2020029 is herein incorporated by reference into the minutes.

12. **Administrative Reports**

- a. Upcoming [Events at Shallowford Square](#) and Town Holidays
 - i. The events scheduled for Memorial Day are doubtful due to the COVID-19 pandemic. The Memorial Day Holiday is Monday, May 25, 2020.

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- b. Manager's Report
 - i. PARTF update
 - (1) The application is complete and has been reviewed to be acceptable to be submitted well before the deadline. Final information is being gathered.
 - ii. Vienna Village update
 - (1) At the meeting on May 7th, staff was tasked with researching the cost of the signs that could be placed on Yadkinville Road.
 - (a) The cost for each sign and materials is \$200.⁰⁰.
 - (i) There was a question if Vienna Village would be willing to participate in the placement of the signs.
 - (b) Staff will be writing a policy for review by the Public Safety Advisory Committee (PSAC).
 - iii. Mr. Perkins further provided information on the liability discussions with the Sheriff's Office regarding claim payments.
 - (1) The estimate is recommended to be used as the final payment.
 - (2) Staff is recommending to leave as is.
 - (a) The interlocal agreement will be presented in June.
 - iv. DOT financial update
 - (1) The Town has received an email from the Department of Transportation regarding delays in reimbursements.
 - (2) ROW and Preliminary Engineering for Gateway acquisition will continue with all associated work that has been authorized.
 - c. Clerk's Report
 - i. Council was advised that the Special Projects Review Committee will be meeting on Thursday, June 4, 2020 following the Council's Briefing and Action meeting to approve minutes from previous meetings.
 - d. **Approvals at the Briefing and Action Meeting on May 7, 2020**
 - i. [Ordinance 2020021](#) - amending Budget Ordinance 2019001 in the amount of \$2,950.⁰⁰ for tree removal and cleanup at Moser property on Lewisville-Vienna road to include cut and take down of storm damaged trees at drive entrance
 - ii. [Resolution 2020030](#) - authorizing the Town Manager to award the spring paving contract to Yadkin Valley Paving, Inc. of Winston-Salem in an amount not to exceed \$263,309.07 for specific treatments for each road as described in the attached contract for Sequoia Drive, Yakima Court, Conrad Circle and Jennings Road
13. **For the Good of the Order:**
- a. Public Comments
 - i. Mayor Horn opened the Public Comments at 7:25 p.m.
 - (1) Chris Parker, 6601 Yadkinville Road, Pfafftown, Vienna Village, thanked Council for consideration of the request for signage.
 - ii. Having no one else indicating admittance to speak electronically, the Public Comments period was closed at 7:28 p.m.
 - b. Council Comments
 - i. Mayor Horn commented that TV6, Zoom, Facebook, and web site worked okay for

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- this meeting. Also banners have been placed around town to congratulate graduates.
- ii. Council Member Hunt thanked staff for their work and Mrs. Foster for her work with the boards and committees.
- c. Adjournment
- i. Having no other business to discuss, Council Member Smitherman moved to adjourn the meeting at 7:30 p.m. The motion was seconded by Council Member Welch and approved unanimously by 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