

**Lewisville Town Council - Regular Meeting Minutes**  
**August 13, 2020 - 6:00 p.m.**  
**Digitally originating in Council Chambers 1<sup>st</sup> floor - Lewisville Town Hall**  
**6510 Shallowford Road**

**NOTE 1:** There was an electrical storm taking place during the meeting. Attorney Houff advised if all electrical contact is lost, there is a meeting scheduled for Monday, August 17<sup>th</sup> that can be used to continue this meeting. If individuals are lost that affect quorum, the meeting will stop.

**NOTE 2:** A few items were discussed out of order because of the storm; however, the written minutes will follow the agenda.

**1. Call to Order**

- a. Mayor Horn opened the meeting being simultaneously streamed electronically at 6:00 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, Public Works Acting Director Ryan Moser and Town Clerk Joyce Walker. Sgt. Stringer and Deputy E. D. Goins were also electronically attending.
- b. Invocation was provided by Attorney Houff.
- c. Adoption of Agenda
  - i. Prior to approving the agenda, Mrs. Tolbert informed Council that a discovery had been made regarding the definition of building height in the UDO which affects Case L-096.
    - (1) Building height is defined as the average of the mid-point, at grade, of all four sides.
    - (2) Using this calculation, the average height of the building submitted for Case L-096 was calculated at fifty-one feet (51 ft.).
    - (3) The developer was informed of this information and this morning, submitted a revised plan to meet the forty-eight feet (48 ft.) maximum height.
    - (4) With this new information, Council members needed to either:
      - (a) Look at the revision and proceed;
      - (b) Continue the Public Hearing to a later date; or
      - (c) Return the case to the Planning Board for approval or denial.
    - (5) Council Member Smitherman moved to send L-096 back to the Planning Board to consider the site plan modifications made by the developer. 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.
      - (a) The meeting for the Planning Board is not a Public Hearing; however, comments from the public can be heard.
      - (b) Council would also like to understand Planning Board reasoning.
    - (6) Planning Board will brief on August 26<sup>th</sup> and consider on September 9<sup>th</sup>. Planning Board consideration will be forwarded to Council for their meeting on September 10<sup>th</sup> with their consideration on Monday, September 14<sup>th</sup>.

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- ii. With Item 11, the Public Hearing, remanded back to the Planning Board, Council Member Franklin moved to approve the amended agenda. 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.

**2. Consent Agenda**

- a. Consent Agenda for approval
  - i. [Resolution 2020057 - Acceptance and Approval of preliminary Monthly Financials for the twelve months ending June 30, 2020](#)
    - (1) Mrs. Orrell pointed out that this is a preliminary report and that she anticipates a strong finish at the end of the fiscal year for the fund balance. There is a 2% growth in sales tax and ABC growth is up by 12%.
  - ii. Approval of Council Debt Issuance Meeting Approval [Minutes - July 23, 2020](#)
- b. Council Member Smitherman moved to approve the Consent Agenda. 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. Resolution 2020057 is herein incorporated by reference into the minutes. Resolution 2020057 is herein incorporated by reference into the minutes.

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

- a. **Introductions, Recognitions, Presentations and/or Proclamations**
  - i. Introductions
    - (1) Forsyth County Sheriff's Office
      - (a) Sgt. PJ Stringer introduced Deputy Goings to Council. He will be replacing Deputy Lang.
  - ii. Presentations
    - (1) Public Safety Report
      - (a) Sgt. Stringer also provided a report on Calls for Service and explained some of the entries.
        - (i) This report has been revised from the original format.
    - (2) I'm One of the Reasons Lewisville Is A Great Place to Live
      - (a) Mrs. Welch recommended Susan Linker for this award and provided some of the following to support her recommendation:
        - (i) Volunteer leader for many years.
        - (ii) Member and officer of Lewisville Beautification Committee with endless hours of work at Jack Warren Park on gardens.
        - (iii) Member and officer of the Lewisville Historical Society with endless hours of work restoring the Nissen House.
      - (b) This recommendation was agreed to by Council.

**4. Public Forum**

- a. Mayor Horn opened the Public Forum at 7:03 p.m.
  - i. Liza Tamer, 309 Tarawood Dr, Lewisville, said she missed the beginning of the

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meeting and asked about the proposed apartment building and how was this proceeding.

- (1) The information about the revised information was recapped and the new dates noted.
- ii. Dan and Susan Frey, 165 Will Austin Ct, Lewisville, thanked Council for recognizing Susan Linker for all that she has done for the Town.
- b. Having no other electronically raised hands to speak, Mayor Horn closed the Public Forum at 7:07 p.m.
  - i. Residents were advised they could send written comments to the Town Clerk at [townclerk@lewisvillenc.net](mailto:townclerk@lewisvillenc.net).

**5. Appointments**

- a. [Appointment Order 2020005](#) - appointing members to the Student Leadership Committee for school year 2020-2021
  - i. Council Member Franklin moved to approve Appointment Order 2020005. 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. Appointment Order 2020005 is herein incorporated by reference into the minutes.
- b. [Appointment Order 2020006](#) - appointing Ronald H. Morris, Jr. to the Lewisville Public Safety Advisory Committee
  - i. Council Member Foster moved to approve Appointment Order 2020006. 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. Appointment Order 2020006 is herein incorporated by reference into the minutes.

**6. Evidentiary Hearings**

- a. None.

**7. Annexation Requests**

- a. None.

**8. Preliminary Site Plan Approvals**

- a. None.

**9. Unfinished Business**

- a. Vienna Village discussion
  - i. Council was advised that Chris Parker, Vienna Village, was in electronic attendance.
  - ii. Mr. Perkins reviewed the background on the request from Vienna Village: to provide assistance in reducing the speed along Yadkinville Road after the DOT (DOT maintained road) declined the request.

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- iii. Vienna Village then asked the Town to support placing signage to warn drivers that pedestrians are crossing the road.
  - (1) The DOT did, however, agree to the following:
    - (a) If signage placement on a DOT road is approved by the Town, any request received by the DOT will be forwarded to the Town for consideration.
    - (b) The DOT approval will be placed in a file for future reference.
  - (2) Vienna Village agreed to pay the cost of the signage.
- iv. Mr. Franklin referenced Resolution 2020058 to be addressed later in the agenda and he would like specific information from the (federal) Manual on Uniform Control Devices (MUTCD) noted in the policy document.
- v. Mayor Horn moved to approve the pedestrian warning signs on both sides of Yadkinville Road near Vienna Village to conform with the MUTCD guidelines. The motion was seconded by Council Member Hunt.
  - (1) The motion was amended and accepted to include Vienna Village's responsibility for the financial cost of the signs.
  - (2) The motion/amended motion was approved unanimously with a roll call vote of ayes from Council Members Foster, Franklin, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

**10. New Business**

- a. [Resolution 2020056](#) - granting a sidewalk easement to the Lewisville Historical Society from the Town Hall Annex rear parking lot to the Nissen House
  - i. Council Member Foster moved to approve Resolution 2020056. 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. Resolution 2020056 is herein incorporated by reference into the minutes.
- b. [Resolution 2020049](#) - disposition of public records
  - i. Council Member Franklin moved to approve Resolution 2020049. 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. Resolution 2020049 is herein incorporated by reference into the minutes.
- c. [Resolution 2020052](#) - adopting the 2020 Northern Piedmont Regional Hazard Mitigation Plan
  - i. Council Member Hunt moved to approve Resolution 2020052. 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 2020052 is herein incorporated by reference into the minutes.

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- d. [Resolution 2020053](#) - authorizing the interlocal agreement with Forsyth County for the grant of Coronavirus Relief Funds
  - i. Council Member Sadler moved to approve Resolution 2020053. 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. Resolution 2020053 is herein incorporated by reference into the minutes.
- e. [Ordinance 2020038](#) - updating the Lewisville Unified Development Ordinances by adding **Supplement 10** (Ordinance 2019044 - UDO L-160 to provide for additional notifications to property owners on zoning cases) and **Supplement 11** (Ordinance 2020014 - UDO L-159 adding Community Center to definitions, the Permitted Use Table and providing for off-street parking)
  - i. Council Member Foster moved to approve Ordinance 2020053. 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 2020038 is herein incorporated by reference into the minutes.
- f. New Community Center
  - i. [Ordinance 2020039](#) - amending the Capital Project Ordinance Community Center in the amount of \$4,094,725.<sup>00</sup> to increase the budget
    - (1) Council Member Welch moved to approve Ordinance 2020039. 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 2020039 is herein incorporated by reference into the minutes.
  - ii. [Ordinance 2020040](#) - amending Budget Ordinance 2020001 in the amount of \$997,788.<sup>00</sup> to transfer funds from the Municipal Buildings/Land Capital Reserve to the Community Center Capital Project to fund completion of the new Community Center construction
    - (1) Council Member Franklin moved to approve Ordinance 2020040. 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 2020040 is herein incorporated by reference into the minutes.
  - iii. [Ordinance 2020041](#) - amending Budget Ordinance 2020001 in the amount of \$1,096,937.<sup>00</sup> to transfer funds from the General Fund to the Community Center Capital Project to fund completion of the new Community Center construction
    - (1) Council Member Sadler moved to approve Ordinance 2020041. 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. Ordinance 2020041 is herein incorporated by reference into the minutes.
  - iv. [Resolution 2020054](#) - awarding construction contract to Fairwood Construction, LLC of Charlotte, North Carolina for construction of the new Community Center in the amount of \$3,688,218.<sup>00</sup>

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- (1) Council Member Sadler moved to approve Resolution 2020054. 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. Resolution 2020054 is herein incorporated by reference into the minutes.
- v. [Resolution 2020055](#) - awarding contract to Terracon of Greensboro in the amount of \$23,920.<sup>00</sup> to conduct materials testing and special inspections as required
  - (1) Council Member Smitherman moved to approve Resolution 2020055. 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 2020055 is herein incorporated by reference into the minutes.
- vi. Groundbreaking date for the new Community Center
  - (1) Saturday, September 12, 2020.
- vii. Official name of the new Community Center
  - (1) Mayor Horn moved to officially name the new Community Center the *Mary Alice Warren Community Center*. 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.

Council took a bread from 7:50 p.m. to 7:56 p.m.

- g. Pedestrian Crossing Treatment Policy
  - i. [Resolution 2020058](#) - approving the Pedestrian Crossing Treatments Policy
    - (1) Council Member Franklin moved to approve Resolution 2020058. 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 2020058 is herein incorporated by reference into the minutes.
      - (a) Only signs listed in the MUTCD will be used.
      - (b) Mr. Franklin suggested considering other types of requests for warning signs as a whole, focusing on the chapters in the MUTCD.
        - (i) This is to be referred to the Public Safety Advisory Committee.
  - ii. [Ordinance 2020043](#) - Amending Budget Ordinance 2020001 to add a reference to the Pedestrian Crossing Treatments Policy to the Fee Schedule
    - (1) Council Member Welch moved to approve Ordinance 2020043. 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 2020043 is herein incorporated by reference into the minutes.

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11. **Public Hearings**

- a. [Ordinance 2020042](#) - L-096 Special Use District Permit for PINS 5875-97-8451 and 5875-97-7671
  - i. Sent back to the Planning Board and moved to the Town Council September 10<sup>th</sup> meeting as noted in the *Call to Order* section of the minutes.

12. **Administrative Reports**

- a. Upcoming [Events at Shallowford Square](#) and Town Holidays
  - i. Town Hall will be closed on September 7<sup>th</sup> for the Labor Day Holiday.
- b. Manager's Report
  - i. Personnel announcement
    - (1) Mr. Perkins reminded Council that Public Works Director George Hauser had been out on medical leave since December and that Ryan Moser had been Acting Public Works Director since then. He was pleased to announce that Mr. Moser has been named as the Town's Public Works Director effective this past Monday. He has grown in his understanding of this position.
- c. Clerk's Report
  - i. None.
- d. **Approvals at the Briefing and Action Meeting on July 2, 2020**
  - i. [Options](#) to be included in the final contract for the new Community Center
  - ii. New Community Center funding considerations
  - iii. [Ordinance 2020028 Amended](#) - Zoning Docket L-095 Longwood Village adding the metes and bounds to the ordinance legal description as requested by Winston-Salem Planning Department

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

- a. Public Comments
  - i. Mayor Horn opened the Public Comments at 8:11p.m.
  - ii. Having no electronically raised hands to speak, Mayor Horn closed the Public Comments at 8:12 p.m.
  - iii. Written comments may be emailed to [townclerk@lewisvillenc.net](mailto:townclerk@lewisvillenc.net).
- b. Council Comments/Discussion
  - i. Mr. Franklin moved to cancel the August 17<sup>th</sup> meeting since the Public Hearing has been moved to September. 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.
  - ii. Staff will provide a summary of information on where L-096 stands for Channel 6, Facebook and the web site.
- c. Adjournment
  - i. Having no other business to discuss, Council Member Smitherman moved to adjourn the meeting at 8:16 p.m. 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.

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Jeanne Marie Foster,  
Mayor Pro Tem

ATTEST:

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Joyce C. McWilliams Walker,  
Town Clerk