

MINUTES

DANBURY TOWN COUNCIL

APRIL 28, 2010

The regular meeting of the Danbury Town Council was held at the Danbury Public Library on April 28, 2010 at 7:00 p.m.

Present were Mayor Janet Whitt, Mike Barsness, Andrew Mathys, Olivia Shelton, Wendi Uselton, Town Administrator Byron Ellis, Town Attorney Mike Bruce and Town Clerk Dianne Starnes. Others present were Charles Eanes, Lee Charleville, Jane Priddy Charleville, Lauren Charleville, Leslie Bray Evans, Steve Shelton, John Turpin, Sherry Whitt, Raymond Brown, Rebecca Sullivan, Ken Carrick, Clara Nelson, and Bruce Burgess.

Mayor Whitt called the meeting to order at 7:00 p.m.

On motion of Mike Barsness, seconded by Olivia Shelton, it was unanimously

RESOLVED that a discussion on town council meeting procedures be added to the agenda.

Town Attorney Mike Bruce requested discussion on a proposal to increase criminal fines relating to zoning ordinance violations.

On motion of Andrew Mathys, seconded by Olivia Shelton, it was unanimously

RESOLVED that the agenda be approved as-amended.

On motion of Olivia Shelton, seconded by Andrew Mathys, it was unanimously

RESOLVED that the public hearing open at 7:03p.m.

There were no comments regarding the Raymond Brown Zoning Map Amendment request.

Jane Priddy Charleville spoke in opposition to adding internet gaming as a permitted use in a B-1 zoning district.

Ken Carrick spoke in opposition to adding internet gaming as a permitted use.

Bruce Burgess expressed concerns and opposition regarding internet gaming/sweepstakes as a permitted use. Mr. Burgess further talked about the close proximity of children to the proposed gaming business, increased traffic around King Circle and loud noise late at night.

On motion of Olivia Shelton, seconded by Andrew Mathys, it was unanimously

RESOLVED that the public hearing be closed.

Minutes

April 28, 2010

Page 2

John Turpin reported on the April 26, 2010 Planning Board meeting. Gary East was elected to serve as Chairperson of the Planning Board. John Turpin was elected to serve as Vice Chairperson. The Planning Board recommended that the Town Council set a public hearing on the consideration to add internet gaming/sweepstakes to the table of permitted uses in the Danbury Zoning Ordinance. It was also recommended that the Danbury Town Council hold a public hearing on the Rebecca Sullivan Zoning Map Amendment request.

On motion of Wendi Uselton, seconded by Mike Barsness, it was unanimously

RESOLVED that 'Sidewalk Project/ Landscaping' be moved to an action item on the agenda.

Discussion on Raymond Brown Zoning Map Amendment request: Andrew Mathys expressed concerns regarding race car noise and how it might affect nearby residents. Town Administrator Byron Ellis stated there must be a 50' buffer where an M-1 parcel adjoins a residential district. If a fence is used, it shall be at least 8' high and if hedges or plantings are used, they shall be 6' high when planted and must reach 8' within two years.

Mr. Brown is requesting M-1 (Light Manufacturing District) zoning to be consistent with zoning of current business. Town Attorney Mike Bruce suggested M-1 zoning to stay with current operation zoning.

Discussion on Internet gaming as a permitted use: Wendi Uselton does not feel that this is the type of commerce that residents desire. Mike Barsness asked: Can the town prohibit this type of business? Mr. Barsness stated that he was having a hard time moving forward with this item. Andrew Mathys states that there will be both negative and positive comments/feelings on any item being considered. Olivia Shelton stated that the town would need law enforcement if internet gaming is permitted.

Mike Barsness suggested that the Town Administrator should give a brief introduction to each item on the agenda as they are brought before the council.

Olivia Shelton introduced Ken Carrick to the Council. Mr. Carrick recently submitted an application to serve on the Danbury Planning and Zoning Board.

Town Attorney Mike Bruce discussed a proposal to amend the zoning ordinance to increase criminal fines relating to zoning ordinance violation.

On motion of Olivia Shelton, seconded by Mike Barsness, it was unanimously

Minutes

April 28, 2010

Page 3

RESOLVED that a short introduction be given on each item to be covered on the agenda.

Andrew Mathys made a motion to have the Art Market Building appraised by a commercial appraiser and placed on the market for sale. The motion failed for lack of a second.

Jane Priddy Charleville stated that the Art Market Building is being considered as a location for a Stokes County Visitor's Center. The County is trying to secure funding and Ms. Charleville will try to have a proposal for the Council within four weeks.

Andrew Mathys again made a motion to place the Art Market Building on the open market for sale.

The motion failed for lack of a second.

On motion of Wendi Uselton, seconded by Andrew Mathys, it was

Resolved that the resolutions on the signature document from NewBridge Bank are correct and a copy of the resolutions shall be attached to the minutes of this meeting. The original will be returned to NewBridge Bank.

On motion of Mike Barsness, seconded by Wendi Uselton, it was unanimously

RESOLVED that a public hearing be set for May 19, 2010, 7:00 p.m. at the Danbury Public Library regarding Rebecca Sullivan's zoning map amendment request, the proposed amendment to the Campground Section of the zoning ordinance, and the proposal to amend the zoning ordinance to increase criminal fines.

On motion of Andrew Mathys seconded by Mike Barsness, it was unanimously

RESOLVED that Raymond Brown's request for zoning map amendment, on 1.07 acres, Tax Map 694717, Block 1, Parcel 9482, Tax Identification Number 156023963, located at 1105 North Main Street, Danbury, NC 27016, be changed from zoning classification R-2 (Residential District) to M-1 (Light Manufacturing District).

On motion of Wendi Uselton, seconded by Olivia Shelton, it was unanimously

RESOLVED that the proposal to add internet gaming/sweepstakes to the table of permitted uses in the zoning ordinance be denied.

Minutes

April 28, 2010

Page 4

On motion of Olivia Shelton, seconded by Andrew Mathys, it was

RESOLVED that Ken Carrick be appointed to serve on the Danbury Planning and Zoning Board. Olivia Shelton, Wendi Uselton and Andrew Mathys voted yes. Mike Barsness voted no.

On motion of Andrew Mathys, seconded by Wendi Uselton, it was unanimously

RESOLVED to move forward with the landscaping portion of the sidewalk project.

On motion of Andrew Mathys, seconded by Wendi Uselton, it was unanimously

RESOLVED that the Council go into closed session to discuss a legal matter with the town attorney.

On motion of Andrew Mathys, seconded by Olivia Shelton, it was unanimously

RESOLVED that the Council go out of closed session at 8:45 p.m. No action was taken.

The meeting was adjourned at 8:45 p.m.

---

Janet S. Whitt

Mayor

Attest:

---

Dianne B. Starnes