

**PUBLIC HEARING INSTALLATION OF SIDEWALK  
ON NORTH SIDE OF K AVENUE**

**PUBLIC HEARING MINUTES**

**OCTOBER 18, 2011**

The Kure Beach Town Council held a public hearing on Tuesday, October 18, 2011 at 5:30 pm for the purpose of receiving public comments regarding installation of a sidewalk on the north side of K Avenue from Third Avenue to Settlers Lane. On September 20, 2011, Council adopted Resolution R11-17 authorizing \$15,000 from the Powell Bill Funds as matching funds for the Department of Transportation to install the sidewalk.

Notice of the public hearing was posted at Town Hall on September 28, 2011 and published in the Island Gazette newspaper on October 5<sup>th</sup> and 12<sup>th</sup>, 2011.

**COUNCIL MEMBERS PRESENT:**

Mayor Pro Tem      Chuck Keener  
Commissioner      Emilie Swearingen  
Commissioner      Jim Dugan

**COUNCIL MEMBERS ABSENT**

Mayor                      Dean Lambeth  
Commissioner vacancy

**STAFF PRESENT**

Building Inspector John Batson                      Finance Officer Arlen Copenhaver  
Public Works Director Sonny Beeker                      Town Clerk Nancy Avery

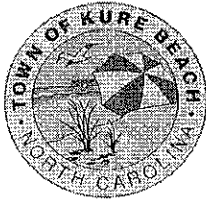
Attorney Canoutas was in attendance and a quorum of the Council was present.

**CALL TO ORDER**

Mayor Pro Tem Keener called the public hearing to order at 5:30 pm and read a letter from Mayor Lambeth stating he would be late due to attending a meeting in Raleigh. He stated that the Shoreline Access and Parking (SLAP) committee was adding parking to the corral and Joe Eakes Park and recommended adding a sidewalk on the north side of Avenue from Third Avenue to Settlers Lane. He also read from the Town's Land Use Plan about sidewalks on K Avenue to connect with the business district.

**PUBLIC COMMENTS**

1. Larry Fowler, 406 K Avenue, stated:
  - He had owned property in Kure Beach for 28 years and thanked Council for the opportunity to speak at the hearing.
  - He also thanked Mayor Lambeth for making it possible to express concerns on Saturdays stating it is great for the residents to sit back, relax and speak their minds knowing their concerns are being heard.
  - He was disappointed to hear that property owners on K Avenue were not notified. He spoke with his neighbor Marvin Rouse who said that he had received a letter from the Department of Transportation (DOT) that all property owners would be notified.



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- He has not seen proper protocol or an engineer drawing with the state stamp about the location of the sidewalk and he made a motion to cancel the meeting.

There being no further comments from the audience, Mayor Pro Tem Keener closed the public comment section.

### DISCUSSION AND CONSIDERATION

Mayor Pro Tem Keener asked what is the policy for notifying individuals. Do we normally send letters? DOT recommended we have a public hearing.

Attorney Canoutas said he didn't know about DOT, but as far as State Statute, once the Town puts it in the paper, then all are notified legally.

Commissioner Dugan stated that in the past, when there have been projects, we have tried to notify adjacent property owners as much as possible.

Mayor Pro Tem Keener asked Mr. Fowler how many people he thought weren't notified that should have been.

Mr. Fowler replied that a lot of these people don't live here permanently. Two people he spoke with live out of town and said they weren't notified and couldn't get to the meeting. A lot of people outside of town don't get the Island Gazette or email. At the last meeting, we all were notified by mail.

Commissioner Dugan said he didn't recall directing the clerk to notify anyone.

Mayor Pro Tem Keener suggested putting this on the next town agenda and set another public hearing and notify everyone in writing.

Commissioner Swearingen stated the drawings and information say the sidewalk will be 15 feet off the street. What is our easement? She said she would like to know where this will end up. It looks awfully close.

Mayor Pro Tem Keener said the sidewalk is 10 feet off the street and is a 5 foot sidewalk.

Public Works Director Beeker said the easement is 90 feet.

Attorney Canoutas and Building Inspector Batson both stated it won't be on any property owner's property.

## Nancy Avery

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**From:** Nancy Avery  
**Sent:** Wednesday, November 02, 2011 6:03 PM  
**To:** Dean Lambeth; Chuck Keener; Emilie Swearingen; Jim Dugan  
**Cc:** 'Nancy Hewitt'  
**Subject:** FW: sidewalks

Forwarding email below from resident about sidewalk on K.

Nancy Avery  
Town Clerk/Office Manager  
Town of Kure Beach  
117 Settlers Lane  
Kure Beach, NC 28449  
910-458-8216 phone  
910-458-7421 fax  
[townclerk@townofkurebeach.org](mailto:townclerk@townofkurebeach.org)  
[www.townofkurebeach.org](http://www.townofkurebeach.org)

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**From:** 4bjdl@charter.net [mailto:4bjdl@charter.net]  
**Sent:** Wednesday, November 02, 2011 5:17 PM  
**To:** Nancy Avery  
**Subject:** sidewalks

I am in favor of north side of K sidewalks. Thank you, Julie Farriss- Beachwalk resident.

**Nancy Avery**

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**From:** cdrummond [cdrummond@bellsouth.net]

**Sent:** Thursday, November 03, 2011 3:58 PM

**To:** Nancy Avery

**Subject:** comments on proposed sidewalk

Thank you for considering these comments on the proposed sidewalk along K avenue from 4th to 5th Ave. I think that any pedestrian improvements that can be made to our town are beneficial. I support the idea of this sidewalk extension, and believe that it would be even more valuable if it extended all the way to 7th ave, with a crosswalk over to Joe Eakes Park. In addition, I would ask that consideration be made for adding crosswalks across Fort Fisher Ave at L Avenue and M Avenue. Traffic in these area does not seem to slow for people trying to cross the street to and from the beach which compromises pedestrian safety. Painting some lines for a crosswalk with a "yield to pedestrians" sign at these 2 intersections would be a minor cost to significantly improve the safety of our town.

Thank you for your consideration.

Sincerely,  
Carla Drummond  
137 N. 4th Ave  
Kure Beach, NC

11/3/2011

## Nancy Avery

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**From:** Nancy Hewitt [frontdesk@townofkurebeach.org]  
**Sent:** Wednesday, November 02, 2011 9:46 AM  
**To:** Nancy Avery  
**Subject:** FW: KURE BEACH TOWN NEWS 10/27/11  
Input from resident, below.

Nancy Hewitt  
CSR & Marketing Coordinator  
Town of Kure Beach  
117 Settlers Lane  
Kure Beach, NC 28449  
910.458.8216/Fax 910.458.7421

E-mail correspondence to and from this address are subject to the North Carolina Public Records Law and may be disclosed to third parties.

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**From:** CARMELA CARRANO [mailto:ccarrano@bellsouth.net]  
**Sent:** Saturday, October 29, 2011 1:33 PM  
**To:** Nancy Hewitt  
**Subject:** Re: KURE BEACH TOWN NEWS 10/27/11

why is it nessary to send money on something that is not going to benefit the masses but the few. its time to spend our monies wisely.

the carrano famiy  
401 settlers lane  
kure beach,nc

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**From:** Nancy Hewitt <frontdesk@townofkurebeach.org>  
**To:** ccarrano@bellsouth.net  
**Sent:** Thu, October 27, 2011 12:55:14 PM  
**Subject:** KURE BEACH TOWN NEWS 10/27/11

### **KURE BEACH TOWN NEWS – OCTOBER 27, 2011**

- Go to the Town's website [www.townofkurebeach.org](http://www.townofkurebeach.org) for meetings, info & news
- Also, don't forget to join us on Facebook:  
<http://www.facebook.com/kurebeachnc>
- Visit our Business Corner at the bottom of this email for great deals from KB businesses
- For more events: Pleasure Island Chamber of Commerce  
<http://www.pleasureislandnc.org/calendar.asp>

**INSTALLATION OF SIDEWALK ON NORTH SIDE OF K AVENUE – PUBLIC HEARING NOVEMBER 15**

11/3/2011

To see all the details that are visible on the screen, use the "Print" link next to the map.



To see all the details that are visible on the screen, use the "Print" link next to the map.



**Dean Lambeth**  
*Mayor*  
**Jim Dugan**  
*Commissioner*  
**Emilie Swearingen**  
*Commissioner*



**Chuck Keener**  
*Mayor Pro Tem*  
**Vacant**  
*Commissioner*  
**Nancy Avery**  
*Town Clerk*

## *Town of Kure Beach*

117 Settlers Lane • Kure Beach, NC 28449  
(910) 458-8216 • (910) 458-7421 Fax  
[www.townofkurebeach.org](http://www.townofkurebeach.org)

A joint work session of the Planning and Zoning Commission and the Town Council will be held on Tuesday, November 1, 2011 at 6 pm, or soon thereafter, at Town Hall in the Council Room. This is a preliminary meeting and is open to the public. This is the first of many meetings that will be held before any rezoning takes place.

You are encouraged to attend the meetings and voice your opinion. If you are not able to attend, you may send any comments for Town Council to my attention at 117 Settlers Lane, Kure Beach, NC 28449, email comments to me at [townclerk@townofkurebeach.org](mailto:townclerk@townofkurebeach.org); or fax to 910-458-7421.

Sincerely,

Nancy Avery,  
Town Clerk

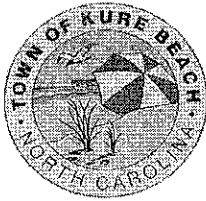


<b>Larry Fowler</b> 10001 Verda's Path, Charlotte, NC 28227	406 K Avenue
<b>Tommy Long</b> 134 Old Mill Rd., Unit B, High Point, NC 27265	407 K Avenue
<b>Billy W. Ezzell</b> 133 Middle Oaks Drive, Wilmington, NC 28409	409 K Avenue
<b>Chris Poulos</b> 303 Rainer Drive, Fayetteville, NC 28314	501 K Avenue
<b>Larry Aultman</b> 505 K Avenue, Kure Beach, NC 28449	505 K Avenue
<b>John Jay</b> 1300 Flying Hawk Road, Apex, NC 27523	506 K Avenue
<b>Stephen H. Gowan, Jr.</b> 4609 Belvoir Court, Charlotte, NC 28270	510-A K Avenue
<b>Charles Gibbons</b> 24571 Los Serranos Dr., Laguna Niguel, CA 92677	510-B K Avenue
<b>Stowe Family Trust c/o Walter Stowe</b> 9011 Sedgley Drive, Wilmington, NC 28412	513 K Avenue
<b>Matthew Washlick</b> 1403 Johnny's Way, West Chester, PA 19382	514-A K Avenue
<b>Jerome Chadwick</b> 100 Fearington Drive, Kernersville, NC 27284	514-B K Avenue
<b>Bellsouth Communications</b> PO Box 182333, Columbus, OH 43218	602 K Avenue
<b>Glenn Waters</b> 65 Azalea Drive, Whiteville, NC 28472	605 K Avenue
<b>Friedrich Escobar ETAL</b> 2810 Dogwood Road, Durham, NC 27705	609 K Avenue
<b>BBSG Properties</b> 133 Middle Oaks Drive, Wilmington, NC 28409	613 K Avenue

10/18/14

TOWN COUNCIL PUBLIC HEARING ON SIDEWALK INSTALLATION  
SIGN IN SHEET

NAME	ADDRESS
DARYL FOWLER	406 K. AVE
<del>CHRISTOPHER RICHARDS</del>	P.F.D.G.E. wanted to address Council 2007
	Spent a PH using 10/18/14



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ON NORTH SIDE OF K AVENUE

Commissioner Dugan said a certain amount of that property there that is out of our control because it is the DOT's. When we spoke with them, they brought back different plans to the SLAP committee.

Mr. Fowler said that people are concerned about why you are wanting to go back off the right of way so far. The ideal situation would be to put curb and gutter down at the sidewalk . That's my theory, it would line up with what is on the other side of the road.

Commissioner Dugan said that would spruce everything up. We need to keep in the back of our minds that DOT has been talking about widening Dow Road. This is something the mayor has wanted and worked for. If DOT adds another lane down K Avenue, whatever is on the street will have to be torn up.

Commissioner Swearingen stated the plans are not to widen Dow Road into 4 lanes, but to have turns in Carolina Beach and bike lanes on each side of the road.

Commissioner Dugan said the sidewalk location came from DOT. Based on your conversations with friends and neighbors, are the majority against the sidewalk?

Mr. Fowler replied no, he is not against the sidewalk, but he wants to see an engineer drawing.

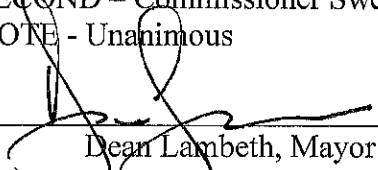
Public Works Director Beeker said they won't do an engineering drawing until they are further along in the process. You have a plot plan in front of you.

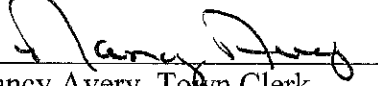
ADJOURNMENT

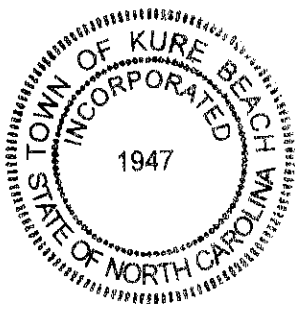
MOTION – Commissioner Dugan made the motion to adjourn at 5: 55 pm

SECOND – Commissioner Swearingen

VOTE - Unanimous

  
\_\_\_\_\_  
Dean Lambeth, Mayor

ATTEST:   
\_\_\_\_\_  
Nancy Avery, Town Clerk



NOTE: These are action minutes reflecting items considered and actions taken by Council and P&Z. These minutes are not a transcript of the meeting. Persons wishing to hear the recording of this meeting may request to do so by contacting the Town Clerk