



TOWN COUNCIL MINUTES

PUBLIC HEARING MINUTES

TUESDAY, NOVEMBER 15, 2011

INSTALLATION OF SIDEWALK ON NORTH SIDE OF K AVENUE

The Kure Beach Town Council held a public hearing on Tuesday, November 15, 2011, at 5:30 pm to receive public comments on the proposed installation of a sidewalk on the north side of K Avenue from Third Avenue to Settlers Lane. Attorney Canoutas was in attendance and there was a quorum of Council present.

COUNCIL MEMBERS PRESENT:

Mayor Dean Lambeth
Mayor Pro Tem Chuck Keener
Commissioner Jim Dugan

COUNCIL MEMBERS ABSENT

Commissioner Emilie Swearingen
Commissioner vacancy

STAFF PRESENT

Building Inspector -John Batson
Finance Officer – Arlen Copenhagen
Town Clerk – Nancy Avery

Chad Kimes, Katie Hite and Jessie Booker from the DOT were in attendance.

I. CALL TO ORDER

Mayor Dean Lambeth called the public hearing to order at 5:35 pm stating the purpose of this public hearing is to receive public comments on the proposed 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.

Council held a public hearing on October 18, 2011.

Notice of the public hearing was posted at Town Hall on October 26, 2011 and advertised in the Island Gazette on November 9, 2011. Written notice of the hearing was mailed to all property owners on K Avenue on October 26, 2011.

The sidewalk will begin ten (10) feet from the street and will be five (5) feet in width. There will be no curbing.



TOWN COUNCIL MINUTES

PUBLIC HEARING MINUTES

TUESDAY, NOVEMBER 15, 2011

INSTALLATION OF SIDEWALK ON NORTH SIDE OF K AVENUE

II. PUBLIC COMMENTS

Mayor Lambeth opened the hearing to public comments.

1. Larry Fowler, 406 K Avenue, stated:

- He has owned his house for 27 years.
- He was thankful to the Mayor and Council for the opportunity to express his opinion about what is going on.
- A sidewalk is great, but his problem is with the way the Town is trying to install the sidewalk: with no curb and gutter, a 10 foot strip between the white line of the street with grass on it and 5 feet of sidewalk.
- He can't imagine him living there and trying to get across a 10 foot strip of grass and 5 feet of sidewalk to get to a place to park his car.
- On busy days, when people are looking for a parking place, they can pull into that 10 foot grassy strip and block him in.
- In the beginning, when K Avenue was first widened, it was done in a way that was political, and it was done during Governor Jim Hunt's tenure. He told the engineer the way it was to be done would put his house in a gully. The engineer said he knew the situation but was doing what the Town told him to do.
- The Councilman over that project at that time made a comment that K Avenue was going to be widened and come right up to his door step.
- There is a problem with storm drainage now in his front yard. It looks like a lake. He said he doesn't know what the problem is but he thinks it is because of the drainage on K Avenue. The water flows off K Avenue into his yard. The water off the street carries germs and so forth.
- He believes the Town doesn't care about him. It seems like they want to do him damage and not help him.
- The SLAP committee once had a proposal where they wanted to block his property with parking, not realizing he has rights. They seem to want to get their way, but it doesn't matter to them about the people that live here.
- He doesn't want to see his property downgraded by something that the Town wants for their gain.
- The Town needs to do something about the storm water problem. He has been talking to his lawyer. The Town does only what it wants. He wants to see progress and a curb and gutter to get the storm water out of his yard. You don't run storm water on somebody else.
- If you are going to put in a sidewalk, do it right and put in a curb and gutter.
- He is standing up for what he thinks is right. Some people don't listen until you almost have to threaten them before they will listen.
- We do need some more parking, but we cannot put parking places for all the people that visit Kure Beach. That is impossible. If you visit Myrtle Beach,



TOWN COUNCIL MINUTES

PUBLIC HEARING MINUTES

TUESDAY, NOVEMBER 15, 2011

INSTALLATION OF SIDEWALK ON NORTH SIDE OF K AVENUE

you have to ride from an hour to an hour and a half to find a place to park. Myrtle Beach can't do it and neither can Kure Beach.

- You can't tax the people of Kure Beach to provide parking for visitors.
- He is asking Council and the State to get some action on this storm water run off.
- It makes him feel good for the State to send someone down here to listen to his problems and not just what the Town wants.

2. Marvin Rouse, 403 K Avenue, stated:

- He came to Kure Beach during World War II.
- There was a two-lane road with no parking on either side of the road that came into Kure Beach.
- The sidewalk on his side of the street was laid in 1990.
- DOT told the Town that, if they didn't lower the road, it would put his property and other properties in a hole.
- DOT said they were going to widen the road and put in parking. They said that is what the Town wanted them to do.
- There is no curb or gutter on our side of the street. He went to Raleigh about taking the curb and gutter out.
- DOT dropped back 18 inches from the property line and put in an open throat drain.
- For a few years it rained a lot and there was deep water in his backyard. The water was up to the porch on the house behind him.
- Mayor Pro Tem Keener said 'that little old house' the other day, referring to his house. That house was bought in 1947 and his wife and he have owned it since 1967.
- There were more businesses down here then than there are now, and parking wasn't a problem. There was a fish market, barber shop, real estate place and a restaurant. Old Pier House was on the pier then. There was a post office and a grocery store. There was a trinket place, a tackle shop and another restaurant. That was 64 years ago. Most of you aren't even 64 years old.
- All progress comes from change, but not all change is progress.
- About the water situation, he wouldn't cause more problems.

3. Fred Kanos, 402 K Avenue, stated:

- He owns two lots next to Mr. Fowler and he has had them for six years.
- He is okay with the sidewalk, but he does have a problem with the storm water runoff.
- He is not up to speed about the DOT's future plans for K Avenue.



TOWN COUNCIL MINUTES

PUBLIC HEARING MINUTES

TUESDAY, NOVEMBER 15, 2011

INSTALLATION OF SIDEWALK ON NORTH SIDE OF K AVENUE

- If you do this without curb and gutter, water is running off over there, and we are going to leave a 10 foot grassy strip. What is the reasoning for that? Is that DOT's requirement?
 - We have a bad runoff of water across the street. He had to put in a gutter there; a catch basin to catch the water. They put drainage in between the houses. It wasn't done correctly and we still get some wash out back there.
 - He plans on building a house on one of his lots. He doesn't want that grassy strip in the front. He would love to see curb and gutter like the rest of the way.
 - As a property owner, he has three quarters of a million dollars invested in those lots that he's taking a beating on.
 - There is a water issue over there. He thinks curb and gutter would fix the problems.
 - He doesn't know if this sidewalk is a prelude to what you are planning to do there later on.
 - When you wanted to put in parallel parking, nobody considered his lots. He was told by the Building Inspector Batson that it wasn't determined the way the lots faced. He had to hire Dan Bell (attorney) to determine it, and both lots face K Avenue. Driveways would go there.
 - Why are we taking a short cut now? If you are going to do it, do it right.
4. Rosanne Balzereit, 514A K Avenue, stated:
- My son, Mathew Washlick, owns 514 A Avenue and he asked me to speak on his behalf.
 - He doesn't think he will be upset with the sidewalk.
 - How will foliage in front of his house be addressed? Will the Town take care of it or will it be my son's problem?
 - There will be a curb that comes around Settlers Lane. My son doesn't own that curb. That is the Town's problem.
 - If you divert the water coming off of Settlers Lane, water will come on his property.
5. Nancy Rouse, 403 K Avenue, stated:
- She knows we are reminiscing. She first came to this beach in 1938.
 - She loves this place.
 - We have been through widening the road. The workers came and were ready to start work and didn't let us know.
 - We are in a hole. The people next door paved their driveway and water runs off it and runs down the side of my house. She isn't sure what's under there, but we are infested with ants.
 - She has seen the water around the house. It has been as high as the wheels of a trash can.



TOWN COUNCIL MINUTES

PUBLIC HEARING MINUTES

TUESDAY, NOVEMBER 15, 2011

INSTALLATION OF SIDEWALK ON NORTH SIDE OF K AVENUE

- Her backyard has flooded. There are two drains in the yard.
- She doesn't understand why people that are the head of these committees don't look and spend time on what they are doing.
- She doesn't want parking in the middle of the road. She has seen too many people almost killed in the middle of the road.
- It bothers her tremendously to see lifeguards flying up and down the road like they have wings. That is not a good situation. They don't know what 45 miles per hour means.
- Traffic is terrible up and down this road. People are so anxious to get down here, they will run over you.
- Do your homework before bringing these things up.

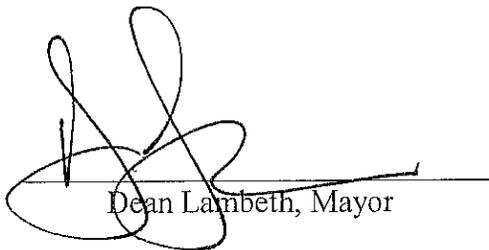
Chad Kimes, DOT, stated the 10 foot clearing is a requirement. If a car travels off the road, it gives them 10 feet to get back on the road. This is required if there is no curb or gutter.

III. CLOSING OF THE PUBLIC HEARING AND ADJOURNMENT

MOTION – Commissioner Dugan made the motion to adjourn the public hearing at 6:15 pm.

SECOND – Mayor Pro Tem Keener

VOTE - Unanimous


Dean Lambeth, Mayor


ATTEST: Nancy Avery, Town Clerk

NOTE: These are action minutes reflecting items considered and actions taken by Council. 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.