

Board of Aldermen Regular Meeting
Wednesday, July 3, 2024
MINUTES

The Town of North Topsail Beach Board of Aldermen held its regular meeting on July 3, 2024. A quorum of the board was present. Town Attorney Edes and Town Manager Derian were in attendance.

Board members present: Mayor Joann McDermon (telephonically), Mayor Pro Tem Mike Benson, Aldermen: Richard Grant, Tom Leonard, Connie Pletl and Laura Olszewski

Board members absent: None

CALL TO ORDER

Mayor Pro Tem Benson called the meeting to order at 11:00 am stating Mayor McDermon was participating in the meeting remotely. He asked for a motion to allow the remote participation of the mayor.

Alderman Grant asked for clarification on whether the vote allows the mayor to monitor the meeting or participate in the meeting.

Attorney Edes stated the mayor may do either depending on what the Board decides. The motion was to participate. The mayor may only vote in a tie.

Motion – Alderman Leonard motioned to allow the remote participation of the mayor in the meeting; seconded by Alderman Olszewski; unanimously approved.

Alderman Grant gave the invocation. Mayor Pro Tem Benson led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion – Alderman Olszewski motioned to approve the agenda as presented; seconded by Alderman Leonard; unanimously approved.

MANAGER’S REPORT – Manager Derian provided the following report to the Board.

Beach projects

- S.T. Wooten completed all the roadway repairs within the Phase 5 project area in the Ocean City neighborhood. All repairs have been completed in time for the Jazz Festival this coming weekend.

Sea Oats Cost Share project

- Updated figures from the final delivery date of June 7th indicate 28,600 sea oats were planted.

Vitex eradication

- We received notification from the North Carolina Department of Environmental Quality that we received grant funding in the amount of \$690,000. This is along with Surf City and Topsail Beach for the Topsail Island Vitex Eradication project. The grant is pending execution of a contract between the state and the municipalities. At the next meeting, there will be potentially a contract from the state to execute. Once the contracts are executed, we will work to issue the RFP for treatment and a Memorandum of Understanding or Agreement between the municipalities executing a contract with a successful vendor and then reach out to the property owners. Tasks have been divided between the Town Managers and she is currently working on the RFP for the project.

Requests for qualifications/Letters of Interest

- Requests for letters of interest and statements of qualification were issued in June for professional engineering and related services. Submittals are due no later than Monday, July 8th at 4 pm at Town Hall. The intent is to execute several contracts for professional services to include preliminary engineering studies and reports; grant writing to include applications and administration; design to include field survey plans; specifications and preparation; permitting with such agencies such as CAMA and DEQ; construction services including bidding, contract, administration and observation; asset and records management; environmental, engineering and land surveying; transportation; land development and planning; community planning; ordinance review and revision; water resources planning; ADA transitioning; and pavement condition surveys and parks planning.

Fire Station No. 2

- Work continues and finishes were selected so orders can be completed. Below slab electrical rough ins are in progress.

Hurricane Preparedness

- We hosted a hurricane community forum again this year. It was held at Town Hall on June 12th and was well attended. She presented along with representatives from the National Weather Service, the county, utility companies and staff were on hand to issue re-entry passes to make it more convenient for people not available during the day. If you missed it, it may be reviewed on our website. Staff met with on-call contractors for debris management in May and we executed and inter local agreement with the Onslow County School Board for creation of a temporary emergency operations center and reached out to various entities in Sneads Ferry for various back up locations as well. Staff did a walk through of the Folkstone Elementary School. It was relayed last week that we do not have power in the designated area and had been moved to the other side of the facility in a room where the public is. This is not a good long-term solution, but we do have this in play should we need it. We are working on several backup measures at this time. We have placed focus on various initiatives like the mobile command unit we have in place that can be activated when we need one. She approved moving forward with Starlink satellite internet as a solution for use at any potential Town emergency operation center or event that we have. This unit is built to be rapidly deployed whenever needed to provide both wired and wireless internet connectivity. This is another measure to ensure we can

continue business and communication timely and effectively. Last year we instituted a 4G and 5G cellular internet service device for backup. We recognize depending on how many people we have operating out of an emergency operation center; bandwidth could be a potential issue and limitation. The Starlink solution is another layer for backup. We will have it in place before peak season.

Coastal Processes Specialist

- We executed an agreement with Coastal Processes Specialist with the North Carolina Sea Grant working to coordinate the Sentinel project which installs temporary weather monitoring stations if a major storm event takes landfall at a site. These are towers that are on the beach, not the landward side, that collects data about an oncoming storm. They are removed shortly after the storm passes. It is to help with communications to get timely information. They will be using the Jeffries beach access and they have filed for a CAMA permit.

NCDOT speed study

- We reached out to DOT to see if they were in the process of scheduling another speed study that was to take place around July 10th-11th timeframe. They plan to come back for the August Board meeting.

OPEN FORUM

- Charles Walker, 115 Sea Gull Lane, stated the dune behind the parking lot at the north end 4x4 entrance is being destroyed. People back pickups up to the dunes and walk right over them. Possibly snow fencing could be put up to slow it down. It needs to be looked at. The Police are writing tickets, but you cannot have a police officer there 24-7.
- Gray Chapman, 13 Osprey, said a group of residents of Roger's Bay, Cape Isle, Osprey and some at the very north end met this week to talk about the resistance to the speed reduction. The primary concern seemed to be the golf cart issue which are restricted by Town ordinance. They want answers to the following questions that she emailed to members of the Board:
 - Are there any other beach towns besides North Topsail with a 45-mph zone?
 - What caused the fatality on Island Drive within the 45-mph zone last year?
 - How many citations were issued for golf carts and low speed vehicles in the past year in the town?
 - How many golf cart/low speed vehicle accidents have occurred in the last year?
 - Has the Town contacted Topsail Beach to understand how they manage their golf cart/low speed vehicle issue and their 35 mph zones?
- Dave Dulcimer, 28 Osprey, addressed a public safety issue he has brought up many times in writing to the Town and the DOT for the stretch of land coming off Jeffries Beach. There is a tremendous amount of traffic coming and going trying to get on and off the parking area. It is around a bend and there is a passing lane that extends all the way to

playground. It is an unsafe area. It would be nice to have a crosswalk there with blinking lights.

- Shane Bartus, 13 Osprey, said he is waiting to hear from the Town Attorney on potential liability on not complying with the DOT recommended speed limit. He found some case law that he thinks applies. He wants the Board to consider expanding the Jeffries Beach access to add showers, flush toilets, food trucks, etc. to bring in additional revenue.

Attorney Edes stated by statute, his client is the elected body. It is not his practice to give legal advice to the public at large nor is that advisable. Mr. Bartus may forward any case law he referenced to the Board. The Board may then ask the attorney to confer about that in Closed Session if they would like.

Alderman Grant said we also do not want to violate attorney client privilege, and anything said in this room does that.

CONSENT AGENDA

Alderman Leonard requested removing the minutes from June 5, 2024, to be addressed separately.

Motion – Alderman Grant motioned to approve the consent agenda as amended with the removal of the minutes; seconded by Alderman Olszewski; unanimously approved.

Alderman Leonard explained his change to the minutes is at the top of page 5 pertaining to his question and comment to the NCDOT Representative at the start of the NRIR Speed Limit public hearing. He wants the change to reflect exactly what he said as follows:

Minutes: Alderman Leonard stated “the Town is two different worlds in winter and summer, and it is more realistic to do a study in the fall.”

Corrected Minutes: “Alderman Leonard stated "it would have been more realistic to do the study in the spring or fall, or even now, to get a better idea of what the speeds are.”

Motion – Alderman Grant motioned to amend the minutes as requested by Alderman Leonard; seconded by Alderman Olszewski; unanimously approved.

CONTINUING BUSINESS

1. BISAC Update

Chair Strother informed the Board that at the June meeting, the Beach, Inlet, Shoreline Advisory Committee heard a report from the Town Manager on the status of beach projects, reviewed the tour of the most recent beach nourishment in Topsail Beach and received an updated status on the 5/30-year plans from the Town’s engineer.

2. NCDOT crosswalks update

Public Works Superintendent Cablay reported that due to an unanticipated ‘change of process’ by NCDOT Traffic Staff, the enhanced lighted pedestrian crosswalk devices to be installed at Villa Capriani located at 790 New River Inlet Road will be delayed. As part of the process change, when DOT issues the required encroachment permit it will be for all existing pedestrian crosswalks approved by the Board to have lighted devices which are 4021 Island Drive (Rogers Bay beach access), and 272 New River Inlet Road (Jeffries beach access) and 790 New River Inlet Road (Villa Capriani).

NEW BUSINESS

1. Consideration of approval of Request for Proposal (RFP) for legal services

Motion – Alderman Olszewski motioned to authorize the Town Manager to advertise a request for legal services for the Town’s various legal services via the public solicitation process; seconded by Alderman Pletl.

Mayor Pro Tem Benson expressed concern about rushing into a request. He thought they would give more time before they did this. It might be in the best interest to wait another month.

Mayor Pro Tem Benson called for a roll call vote:

Alderman Grant	aye
Alderman Olszewski	aye
Alderman Leonard	aye
Alderman Pletl	aye
Mayor Pro Tem Benson	nay

The motion passed by a 4 to 1 vote with Mayor Pro Tem Benson against.

2. Proclamation 75th Anniversary of the Ocean City Community

Manager Derian read the proclamation stating it would be presented at the Jazz Festival this Saturday.

Motion – Alderman Leonard motioned to adopt the Proclamation 75th Anniversary of the Ocean City Community as presented, seconded by Alderman Olszewski; unanimously approved.

OPEN FORUM

- Don Ward, 1715 Utopia Street, told the Board he thinks it would be common sense to have a crosswalk at every CAMA entrance to the beach.
- Mr. O’Donnel said he wants the speed limit in town reduced to 40 mph. It would be safer than 45 mph.
- Mr. Walker asked where the report on beach nourishment is available.

Mayor Pro Tem Benson said the report is in today's packet which is on the Town's website under 'meetings'. Alderman Grant said you can access the BISAC link on the website and watch the meeting. Alderman Olszewski said the February 7, 2024, meeting gives a full report.

- Fred Fontana, 1866 New River Inlet Road, commended the Fire Department for the quick response at the riptide incident at Topsail Dunes last week.
- Tyler Punk, 1523 New River Inlet Road, requested consideration of changing a recent driveway access request by Mr. Howington (1517 New River Inlet) to the other side of the bridge not his side due to concerns about traffic.

ATTORNEY REPORT

None

MAYOR'S REPORT

None

ALDERMEN REPORTS

Aldermen Pletl thanked everyone for coming out and watching the meeting at home. We have been working hard for the Town. We hear your and your opinions are taken into account. Have a safe 4th of July, our busiest week on the island. We are excited about the Jazz Festival and support it. Please keep ocean front lights off for the turtles. Turtle talks resume Tuesday at 9 am. There are 64 nests on the island with 4 in Topsail Beach, 21 in Surf City and 39 in North Topsail Beach.

Alderman Leonard wished everyone a happy and safe holiday. He reminded everyone to attend the Jazz Festival which is an awesome event. Kudos to Fire and EMS on the shark bite incident that happened earlier this season. They went a long way in helping to save someone's leg. Two citizens today have brought up cars speeding on Island Drive. Maybe we need to look harder at enforcement of the speed limit.

Alderman Olszewski said she hopes everyone has a happy 4th of July. She will attend the July 4th celebration at Camp Lejuene tomorrow and the Jazz Festival on Friday. She said she thinks we are all looking forward to what DOT has for us in August. She hears that some citizens think there is resistance on the Board about the speed limit, but she is waiting for the factual study from DOT. She encouraged everyone to use the nonemergency number for the police which is on the website. She lives in Bermuda Landing and there are alligators in the marsh area, so please be cautious. She agreed that Island Drive could use some speed enforcement. Revenue from the tickets goes to the state, not the Town.

Alderman Grant thanked everyone for coming. He encouraged everyone to attend the Jazz Festival and said the ceremony on the 5th is the celebration of the 75th anniversary of Ocean City.

He attended the Ocean City HOA meeting. The County helped with money to fix the Ocean City beach access and supported the Jazz Festival. He will attend the July 4th event at Camp Lejeune.

Mayor Pro Tem Benson said please support the Ocean City Jazz Festival. Have a safe, enjoyable 4th of July holiday.

ADJOURNMENT

Motion – Alderman Leonard motioned to adjourn 12:06 pm; seconded by Alderman Pletl; unanimously approved.

Joann McDermon, Mayor