MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
NOVEMBER 15, 2021
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council
Mayor Gary Jarvis
Councilmember Dewey Destin
Councilmember Terésa Hebert
Councilmember Johnny King
Councilmember Jim Bagby
Councilmember Rodney Braden
Councilmember Kevin Schmidt

Destin City Staff
City Manager Lance Johnson
City Clerk Rey Bailey
Public Info Manager Catherine Card
Grants/Project Manager Jeffrey Cozadd
IT Manager Matthew Pace
Community Dev. Director Louis Zunguze
Land Use Attorney Kim Kopp
Deputy City Manager Webb Warren
Finance Director Krystal Strickland
Building Official Noelle Bell
Senior Planner Daniel Butler
HR Manager Nichole DeVito
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 pm. Pastor Kevin Wendt, of Grace Lutheran Church in Destin, gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Schmidt requests placement of Section 6 - Consent Agenda following Section 3 – Public Comments.

Motion by Councilmember Schmidt, seconded by Councilmember King, to approve the agenda, as amended, passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Braden voted "yes").

1. APPROVAL OF MINUTES

A. Approval of minutes of October 4, 2021, Regular City Council Meeting

Councilmember Hebert moved for approval of minutes of October 4, 2021, Regular City Council Meeting; seconded by Councilmember King. Motion passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Braden voted "yes").

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Larry Ballard Retirement – Proclamation

The City Manager read the Proclamation honoring Mr. Larry Ballard upon his retirement after 34 years of service as Building Official for the City of Destin; and then presented the Proclamation and a gift from the city to Mr. Ballard.

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA

Ms. Keri Harbarger, a Destin resident, stated that she is speaking on behalf of hundreds of citizens in the community in expressing support of Councilmember Prebble Ramswell who is not present at tonight's meeting.

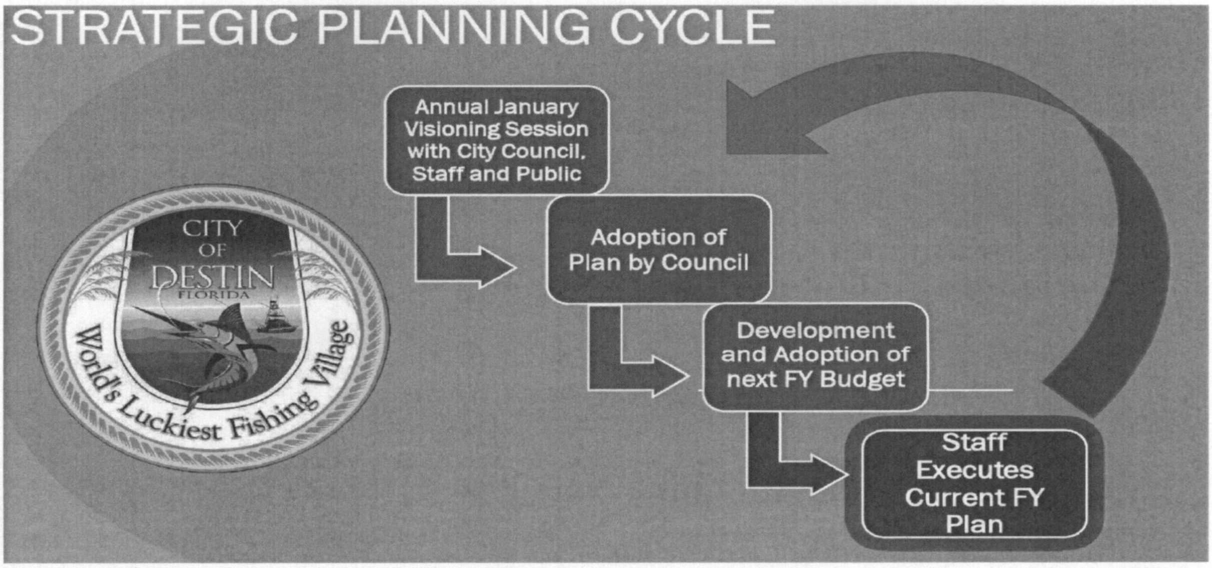
Mr. Cyron Marler, a Destin resident, questioned the purpose of the metal plates that were placed on Airport Road, and whether they are permanent or temporary.

Mr. Marler also noted that when he was still a member of the council, he brought up a safety issue regarding First Street and Benning Drive intersection. He stated that it is a dangerous intersection, and that proper realignment is necessary. He asked the council to revisit this matter.

4. CITY MANAGER REPORTS

A. Strategic Plan Update

The City Manager provided the following update of the City's Strategic Plan:



Prioritized Key Customer Groups

1. **Year – Round Residents**
2. **Destin – Based Businesses**
3. **Visitors**

STRATEGIC GOALS 2026

1. Financially sound city providing service excellence.
2. A green and sustainable environment.
3. Improve mobility and connectivity
4. Enhanced quality of life and safety for families.
5. Economic development and revitalization.
6. Effective, efficient, and aesthetically pleasing infrastructure.

PRIORITY LEVELS

<u>CRITICAL PRIORITY</u> – An objective that must be successfully accomplished within a specified amount of time. (no matter what).

<u>IMPORTANT PRIORITY</u> – A priority that can have a significant impact on performance. Resources are fixed and the variable is either time or the objective.

<u>DESIRABLE PRIORITY</u> – A priority where both resources and time are variables. The organization desires an outcome but cannot absolutely commit specific resources over any specifiable time period. *Resources are fixed for all critical and important priorities; therefore, it may become necessary to transfer resources from DESIRABLE priorities to CRITICAL priorities.

CRITICAL PRIORITIES

1.1 Offer livable wages & benefits to attract and maintain high caliber, qualified staff.

- New health insurance plan which provides increased benefits at more affordable rates is in effect for FY2022. This plan also included limited coverage for part-time workers.
- Council approved one-time longevity award for long-term employees has been distributed to staff.
- Sustainable wages-Staff has tied FY2022 and future proposed Cost of Living adjustments (COLA) to the federal Consumer Price Index (CPI) FY2022 COLA was approved for 5%. Merit up to 2%.

A compensation study is in progress to ensure our staff is adequately paid. Our consultants have interviewed staff and is compiling information for recommendations.

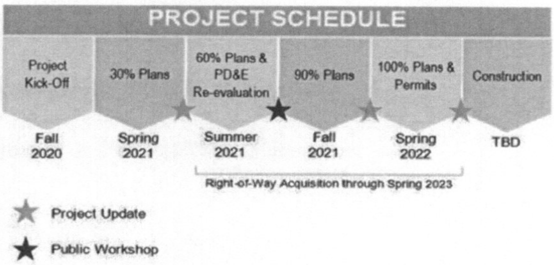
Planning Stage
In-Progress
Complete

IMPORTANT PRIORITIES

1.2 Complete two-lane Cross Town Connector

Planning Stage
In-Progress
Complete

*Since 2004, the city has worked on an alternative to highway 98 for citizens to access city amenities within Destin. Atkins North America has been re-engaged to update the project design and engineering to a two-lane section with multi-use trails. Revised design and engineering is anticipated to be completed in FY2024 afte acquisition of right-of-way. The Florida Department of Transportation (FDOT) has budgeted financial support for right-of-way purchases. The City anticipates support from Okaloosa County for construction.



IMPORTANT PRIORITIES

1.3 Public Beachfront Acquisition Initiative

Planning Stage
In-Progress
Complete

*Acquiring public beach is the Destin City Council's top priority in the City's 2020 Strategic Plan. The City of Destin has pledged $9,000,000 (voter approved 1/2 cent sales tax) and Okaloosa County $13,000,000 (funded by tourism bed tax) for potential beach acquisitions to expand beach access in Destin.

*Expansion and improvements at the City's Shore at Crystal Beach Park began in April 2020.

Park design is in progress. City is in active communication with 3rd Parcel owner, TDD and Okaloosa BOCC.

TPL working on other opportunities for purchase.

IMPORTANT PRIORITIES

Planning Stage
In-Progress
Complete

1.4 Underground Utilities

*The City is working with a consultant to determine full cost of undergrounding utilities to improve resiliency (reduce storm damage) and to beautify the city by removing overhead electric, telephone, and cable lines. Council has assigned 10% of the Okaloosa 1/2 penny local discretionary surtax towards this endeavor. Utility franchise fees and debt will round out the primary sources of long-term funding.

Franchise agreement was finalized November 1, 2021

IMPORTANT PRIORITIES

Planning Stage
In-Progress
Complete

1.5 Zerbe Street/Calhoun Avenue Phase II – Design Pedestrian Pathway Under Marler Bridge

*The area of Calhoun Avenue from Clement Taylor Park to US 98 is identified in the Pathways Master Plan.

Phase I of the project was completed during FY21.

Phase II of the project incorporates designing and constructing a walkway under Marler Bridge to the Harbor Boardwalk.

Funding and sources will be reviewed again when engineering design is completed.

DESIRABLE PRIORITIES

1.6 Research Viability of Multi-use Convention/Sports/Community Center

*Perform Phase I Feasibility Study to determine available options in the future as funding allows.

*$75K Budgeted FY22.

DESIRABLE PRIORITIES

1.9 City Marina

*Perform Phase I Feasibility Study to determine available options in the future as funding allows.

*$75k Budgeted FY22.

DESIRABLE PRIORITIES

Planning Stage
In-Progress
Complete

1.10 Improve Parking, Explore, Options (i.e. Garage, Surface, etc.)

*Parking improvements can be funded from the parking fund. Future years will include repaving, restriping, and potentially other projects to improve public parking throughout the city.

*Improvements to the Zerbe-Sibert parking lots are scheduled for FY2022

DESIRABLE PRIORITIES

Planning Stage
In-Progress
Complete

1.11 Beach Re-nourishment, Planning and Scheduling

*Beaches are monitored by the TDC.

*Beach Renourishment Funding – TDC current reserve balance is $15 million.

* TDC and BOCC are monitoring beaches and is in regular communication with city administration.

MANAGEMENT OBJECTIVES FY 21/22

CRITICAL PRIORITIES

IMPORTANT PRIORITIES

DESIRABLE PRIORITES

CRITICAL PRIORITIES

2.1 Balance Resources (Staffing, Time & Money) with Mandatory & Non-Mandatory Functions/Project/Tasks.

2.2 Funding Sources for Beach Acquisitions.

2.3 Funding Sources for Undergrounding Utilities.

Planning Stage
In-Progress
Complete

IMPORTANT PRIORITIES

2.4 Develop and Implement Processes for Consistent and Streamlined Application of Codes and Procedures; Streamline Livery Vessel Regulation & Permitting; Streamlined, Prompt Consistent Building Permitting.

2.5 Improve Communication with Council/Public/Staff.

2.6 Continuous Improvement of Contract Management Process.

2.7 Key Functions/Services: Continuous Improvement of Effectiveness and Efficiency.

Planning Stage
In-Progress
Complete

DESIRABLE PRIORITIES

2.8 Establish Park Foundation to Assist with Acquisitions, Renovations, and Maintenance.

Planning Stage
In-Progress
Complete

MANAGEMENT IN PROGRESS FY 21-25

CRITICAL PRIORITIES

IMPORTANT PRIORITIES

DESIRABLE PRIORITES

CRITICAL PRIORITIES

3.1 Memorialize Institutional Knowledge – Compass System and Scorecard.

3.2 Plan for Renewal and Replacement of City Facilities and Infrastructure – City has budgeted $75k for infrastructure and facilities asset study. Budgeted $2.5 Million for FY2022.

3.3 Monitor Restore Act Grants –Royal Melvin grant on-going. Clement Taylor grant to begin in FY22.

Planning Stage
In-Progress
Complete

IMPORTANT PRIORITIES

3.4 Implement Enhanced Signage Control.

3.5 Develop/Implement Wayfinding Program: Improvement of the City's Gateways; Move "Welcome to Destin Sign" to East Side of Bridge – In progress.

3.6 Update Golf Cart/Low Speed (LSV) Rules – Lowering speed limit signs to 30 mph.

3.7 Implement a Roadway Striping Program – Began in 2021. Beach Drive and Main Street striping jobs, 41,704 feet of stripe have been put down in FY 21, covering 10,321 feet of roadway.

3.8 Provide Training to Board and Committee Members.

3.9 Improve Sidewalks (wider, more walkable) – Completing ADA pedestrian evaluation and plan study and Community Development staff is working on a mobility study.

3.10 Monitor Beach Cleaning with Okaloosa County – In progress.

3.11 Redevelopment (citywide).

Planning Stage
In-Progress
Complete

DESIRABLE PRIORITIES

4.15 Design and Construct Gulf Power Easement Trail/Linear Park – $1.3 Million budgeted in FY23-25 for engineering, design and phase 1 construction.

4.16 Design and Construct Pickleball Courts – FY22 $400k is budgeted. Discussions are underway with Okaloosa County for additional land.

Planning Stage
In-Progress
Complete

Other completed FY20 Objectives

Short-term rental compliance with regulations.

Recruit Project and Grants Manager.

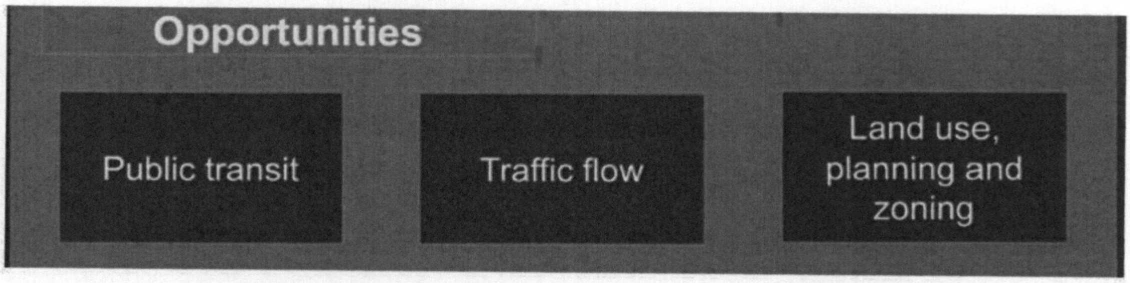
Request TDC funds for additional OCSO services.

Enforce residential boat and RV parking regulations.

Regulate building height limits to five stories (referendum).

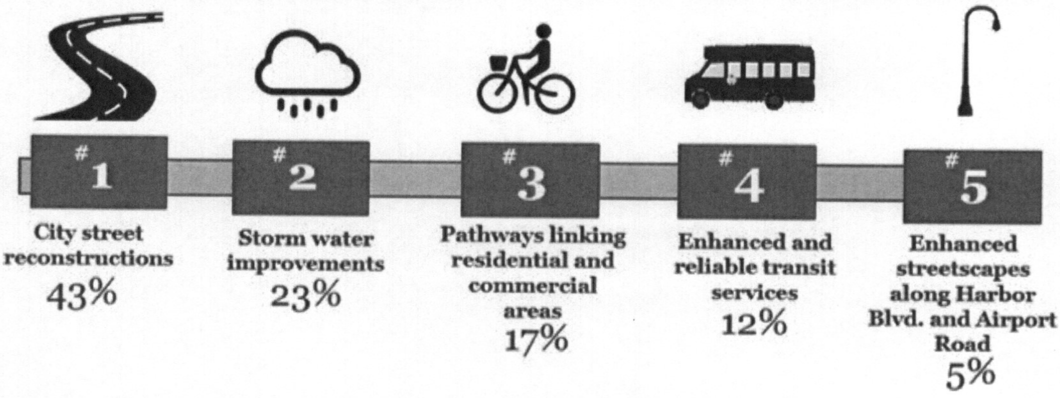
2013 Citizen Survey Results

Top Opportunities for Improvement in 2013 Citizen Survey



2017 Citizen Survey Results

Top Opportunities for Improvement in 2017 Citizen Survey



B. City Manager Evaluation Process - Resolution 21-16

The City Attorney noted that at the last meeting they discussed changes that needed to be made to the resolution relating to the City Manager evaluation process. Those changes have been incorporated into the resolution, most importantly, in the flowchart that describes the timing of certain actions and how certain actions need to take place.

Councilmember Hebert moved for approval of Resolution 21-16; seconded by Councilmember King.

Councilmember Bagby announced that a proposed change to the City Manager evaluation timelines is currently being finalized. This will align the HR evaluation process with the strategic planning process and the budgeting process. Staff will bring back the proposal at the first meeting in December, at which time he will offer a motion to incorporate the proposed change into the resolution.

Motion passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Braden voted "yes").

C. Rules of Procedures for City Council Meeting - Resolution 21-17

The City Manager stated that at the November 1, 2021 meeting, the City Council directed staff to draft an amendment to Resolution 13-15, *Rules of Procedures for City Council Meeting,* incorporating the following changes:

- Move Proclamations / Recognition / Special Presentation / Announcements following Agenda Approval
- Move Consent Agenda up following the 1st Public Comments section
- Move Approval of Minutes under Consent Agenda
- Eliminate requirements for yellow card/blue card
- Bring back a resolution combining all previous amendments to Resolution 13-15

Following a brief discussion, council directed staff to make further amendments to the new resolution as follows:

- Change new Section 1 on the agenda template on page 5 of the resolution to read, *"Proclamations / Recognitions / Special / Public Presentations*

- Add the following language on page 10, paragraph 6.3 – Presentation by Member of Council - of the resolution: "*If such a vote passes, then that measure would be open for public comments."*

Motion by Councilmember Hebert, seconded by Councilmember King, to approve Resolution 21-17, as amended, passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Braden voted "yes").

D. Temporary Vacation of Council Seat

The City Attorney stated that due to a temporary vacancy in office, the council will need to appoint a replacement council member using any process of their choice.

Councilmember Schmidt moved to appoint Mr. Bobby Wagner to fill the vacant council position, seconded by Councilmember King.

According to Councilmember Hebert, council has typically allowed a period for applications to be filled and then selected an appointee from those applicants, such as the case recently when they appointed Mr. Chatham Morgan to temporary fill a vacant position.

The mayor stated that in the interest of transparency and fairness, they should advertise and give everyone the opportunity to apply.

Councilmember Destin noted that Mr. Wagner ran for council seat at the last special election and came very close to winning; and though he understands the logic behind the mayor's statement, he feels Mr. Wagner is an ideal choice to fill the vacant position.

Councilmember Bagby stated that he does not have a problem appointing Mr. Wagner to fill the vacant position as he ran a good campaign and received a lot of votes at the last special election. However, he supports opening the process to give other people a chance to apply if they so desire. He also believes the interim member they appoint will have a significant advantage if they decide to run for council at the next November election.

The City Attorney inform the council that the city charter only requires the majority of the remaining member of the council, or 4 "yes" votes to appoint an interim member; and that the mayor cannot act as a tie breaker in this situation.

The mayor called for a vote on the motion, which passes 4-2 (Council members Schmidt, King, Destin, and Braden voted "yes"; Council members Hebert and Bagby voted "no").

E. FDEM State-Funded Grant Agreement - Flood Management Project

The City Manager announced that the city's grants and programs manager worked with State Representative Patt Maney and State Senator George Gainer to have nearly $100,000 appropriated to the city to purchase two pumps to be used in an emergency flooding situation. He asked council to authorize the mayor to sign the grant agreement and accept the state funding.

Councilmember Schmidt moved to authorize the mayor to sign the FDEM State-Funded Grant Agreement and have staff return the signed agreement to FDEM; seconded by Councilmember Hebert. Motion passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Braden voted "yes").

F. Announcements

1. City facilities will be closed November 25th &26th in observance of Thanksgiving.
2. I will be out of the office the week of November 22nd, Deputy City Manager

Warren will be in charge during my absence.

3. The Destin Tree-Lighting ceremony will be held on Thursday December 2nd, 6:00pm, at the Destin Community Center.
4. Volunteers for Advisory Committees and Board.

Councilmember Schmidt stated that he would like to know whether his appointees to these committees and boards are attending their scheduled meetings on a regular basis sooner rather than later. Information provided by the City Clerk revealed an awful lot of meetings are being cancelled for lack of quorum.

The City Clerk will provide a monthly committee attendance report to the Council.

Next, the mayor requests he be appointed by the council as their primary representative to One Okaloosa EDC.

Motion by Councilmember Hebert, seconded by Councilmember King, to appoint Mayor Jarvis as Council's primary representative to One Okaloosa EDC passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Braden voted "yes").

5. PUBLIC HEARINGS

A. Second reading of Ordinance 21-23-CN - Providing for a six-month extension of Ordinance 20-33-CN (Temporary Moratorium on Livery Vessel Permits); Directing staff to develop recommendations for regulation of livery vessels.

The City Attorney read Ordinance 21-23-CN by title, and then presented it to the council on second reading:

> AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO LIVERY VESSELS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR A SIX-MONTH EXTENSION OF ORDINANCE 20-33-CN (TEMPORARY MORATORIUM ON LIVERY VESSEL PERMITS); DIRECTING STAFF TO DEVELOP RECOMMENDATIONS FOR REGULATION OF LIVERY VESSELS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXPIRATION OF MORATORIUM; AND PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened a public hearing to receive comments for or against the proposed ordinance.

Mr. Greg Fisher, a Destin resident and livery operator, noted that the taxpayers in Destin spent a lot of money to conduct the Harbor Capacity Study and yet this council approved a 53-slip marina. He continued that they should have waited until after the completion of the study, which is only about 6 months away, before approving the project.

Having no further comments from the public, the mayor closed the public hearing and turned the matter over to the city council for their discussion and consideration.

Councilmember Hebert moved to approve Ordinance 21-23-CN on second reading; seconded by Councilmember King. Motion passed 5-1 (Council members Schmidt, King, Hebert, Bagby, and Destin voted "yes; Councilmember Braden voted "no").

B. Bowman Consulting, on behalf of J P D Investments, Inc., is requesting approval for a Major Development Order. The project is located at 1021 Highway 98 East (Parcel ID: 00-2S-22-0000-0013-0040). The property is approximately 1.38 acres and is Currently the location of the vacant Gulfview Plaza. The applicant is proposing a new, ±4,777 SF single-story restaurant with a drive-thru, along with the associated infrastructure.

The City Attorney sworn in the following individuals for testimony:

Daniel Butler, Senior Planner
Louis Zunguze, Community Development Director
Jenny Baez, Branch Manager, Bowman Consulting

At this time, the City Attorney inquired whether there have been any ex-parté communications that have taken place involving members of the city council relating to this project.

Each member present responded that no ex-parté communications have taken place.

Mr. Daniel Butler introduced the project as a single-story restaurant located at 1021 Highway 98 East. The zoning designation and Future Land Use Map designation for this parcel is Town Center Mixed Use. Staff feels this is the proper Future Land Use designation. It is a permitted use within the zoning district. The project, as designed, meets or exceed the minimum Land Development Code requirements and comprehensive policies. There is ample stacking spaces for this proposed location. Staff recommends approval of the project.

The mayor opened a public hearing to receive comments for or against the proposed project. Having none, the mayor closed the public hearing and turned the matter over to the city council for their discussion and consideration.

Councilmember Bagby moved for approval of Chick-Fil-A, a Major Development Order; seconded by Councilmember King. Motion passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Braden voted "yes").

6. CONSENT AGENDA

A. Authorization to Purchase an International HV607 18-yd Dump Truck
B. CivicRec - Parks and Recreation Management Software
C. 781 Bayou Drive Single-Family Residential Marine Construction Proposed
D. NuShore Permit Modification - Request from Okaloosa County
E. Capital Project Status
F. Operations Financial Report
G. Paid Parking Sales Tax

Motion by Councilmember Hebert, seconded by Councilmember King, to approve Consent Agenda items 6A thru 6G, as printed above, passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Braden voted "yes").

7. COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY

A. Councilmember Braden
B. Councilmember Destin

Councilmember Destin requests the following item be added to the next council meeting agenda: *"Increase parking at Norriego Point Park."*

C. Councilmember Bagby
D. Councilmember Hebert
E. Councilmember King
F. Councilmember Schmidt
G. Mayor Gary Jarvis
H. Land Use Attorney
I. City Attorney

8. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 7:35 PM.

Gary Jarvis, Mayor

ATTEST:

CITY OF DESTIN SEAL FLORIDA

Rey Bailey, City Clerk