

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
JANUARY 3, 2022
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 Bobby Wagner
Councilmember Johnny King

Councilmember Terésa Hebert
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
Building Official Noelle Bell
Human Resources Manager Nichole DeVito
Senior Planner Daniel Butler
Code Compliance Deputy Director Kris Mercurio
Land Use Attorney Kim Kopp

Deputy City Manager Webb Warren
Finance Director Krystal Strickland
Code Compliance Manager Joey Forgione
Public Works Director Michael Burgess
Library Director Wen Livingston
Parks & Recreation Director Lisa Firth
Principal Planner Steve O'Connor
IT Director Matthew Pace
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 pm; followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

The mayor announced that item 5B under PUBLIC HEARING has been pulled from the agenda per request by the applicant.

Motion by Councilmember Hebert, seconded by Councilmember King, to approve the agenda, as amended, passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / PUBLIC PRESENTATIONS / ANNOUNCEMENTS

A. Employee of the Year 2021, City of Destin

The mayor presented an award certificate and plaque to IT Director Matthew Pace, the 2021 City of Destin Employee of the Year.

B. 2021 Destin Christmas Parade Winners

The mayor recognized and presented a plaque to the 2021 Destin Christmas Parade winners.

AWARD CATEGORY	AWARD WINNER
Noel Award/Band Award	McGuire's Irish Pub Pipe Band
Elf Award/Children Service	Destin Middle School Cheerleaders
Santa's Helper Award/Children Commercial	RISE Dance Team
Civic Club/Civic Award	Krewe of Bowlegs
Chamber Award/Commercial	Destin Water Users
Angel Award/Religious Award	Shoreline Church
Crowd Pleaser	Legendary Marina & Yacht Club

C. Recognition of 2021 Holiday Decorating Contest Winners

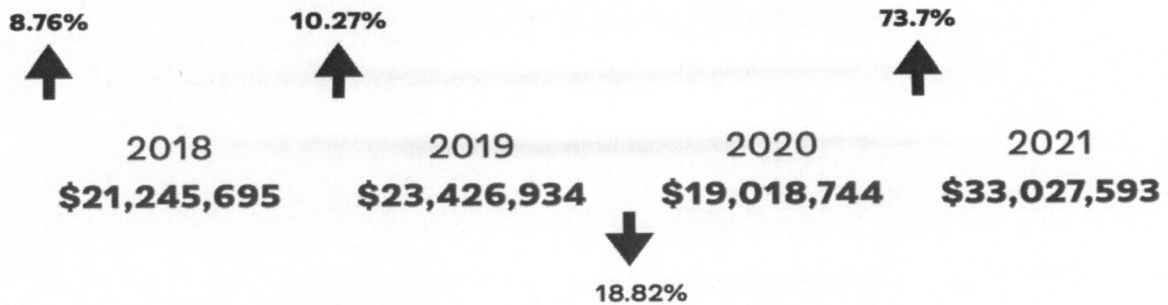
The mayor recognized and presented a plaque to the 2021 Holiday Decorating Contest winners.

AWARD CATEGORY	AWARD WINNER
Best Home	Chatham Morgan 802 Dawn Lane
Best Organization	The Palms of Destin 4201 Indian Bayou Trail
Best Business	King's Furniture & Mattress Co., Inc. 737 Harbor Blvd
Best of Holiday	David Stowe 4117 Burning Tree Drive

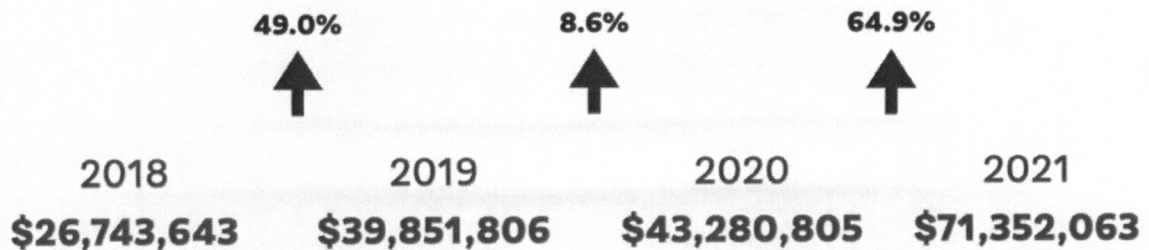
D. Okaloosa Tourism Development Department (TDD) Update - TDD Director Jennifer Adams

Tourist Development Department Director Jennifer Adams gave the following presentation:

Tourist Development Tax Growth



Local Sales & Gas Tax



Spend Growth - \$736 million

- Objective – 10% increase
- Goal: \$552 million
- 30% over goal
- \$184 million more into restaurants, charter captains, paddle board rentals, mom and pops, in the community

Our Families

KIDS AGE 3-10

"MILLENNIAL" PARENTS

NEW EXPERIENCES SLOW TIME
DOWN

ADVENTURES ARE A CHALLENGE

SELF CONFIDENCE IS PRICELESS



- Speaking to millennial parents with children ages 3 to 10 years old
- They may perceive adventures with their kids to be a challenge, but they want to instill strength and self-confidence in their children
- Created more opportunities for adventure to help these parents give their children their childhood back

**over 50% of children
spend less time outdoors
than prison inmates**

- 49% of parents cannot figure out how to play with their kids
- There are things children can learn outdoors that they cannot learn anywhere else.
 - This is true of both local kids and visiting kids
- Headline ad in 2020: "Enroll your kids in disorganized sports"
- Headline ad in 2021: "Because childhood isn't cancelled"
 - Told parents not to cave into allowing society to cancel their children's childhood
 - Not settle into being a statistic...both them and their children



Key Markets

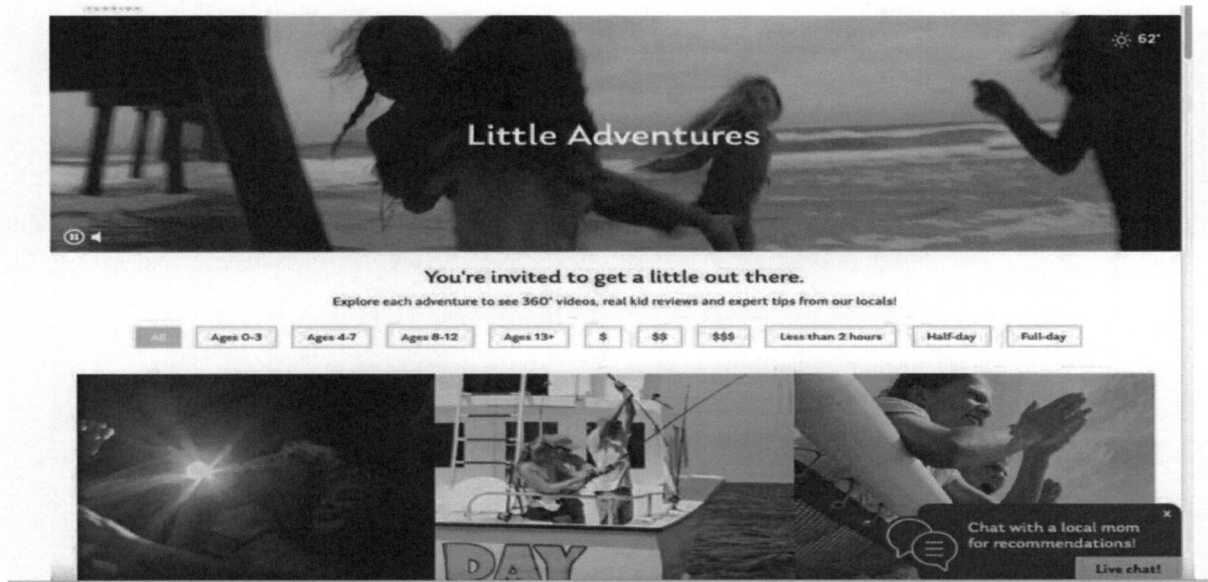
Atlanta
Dallas
Cincinnati
Indianapolis
Washington D.C.
Nashville
Chicago
St. Louis
Detroit
Minneapolis

TOP 10

Market YOY Change Peak 2019 VS Peak 2021

GOAL = \$245 Average Spend in Top 10 Markets

Markets	Apr - Sep 19	Apr - Sep 21	% Change
Atlanta	\$165.47	\$190.76	↑ 15.3%
Dallas / Ft Worth	\$222.04	\$229.20	↑ 3.2%
Nashville	\$207.22	\$231.00	↑ 11.5%
St. Louis	\$234.37	\$248.33	↑ 6.0%
Cincinnati	\$229.17	\$241.04	↑ 5.2%
Chicago	\$227.81	\$250.18	↑ 9.8%
Indianapolis	\$229.41	\$242.51	↑ 5.7%
DC / NoVa	\$253.21	\$269.21	↑ 6.3%
Detroit	\$218.65	\$228.47	↑ 4.5%
Minneapolis	\$208.25	\$238.66	↑ 14.6%
Average	\$202.92	\$222.30	↑ 9.6%



- Offers suggestions and ideas for various age ranges
- Digital media initiatives send users directly to the site
- Page views to all Little Adventures pages are up 424%
- Little Adventures landing page engagements are up 62%
 - The most engaged users on the site were females aged 25-44...the moms
 - Want moms to engage and plan their trip before they arrive here
 - Have some kid reviews to show other kids how fun and great their Little Adventure was

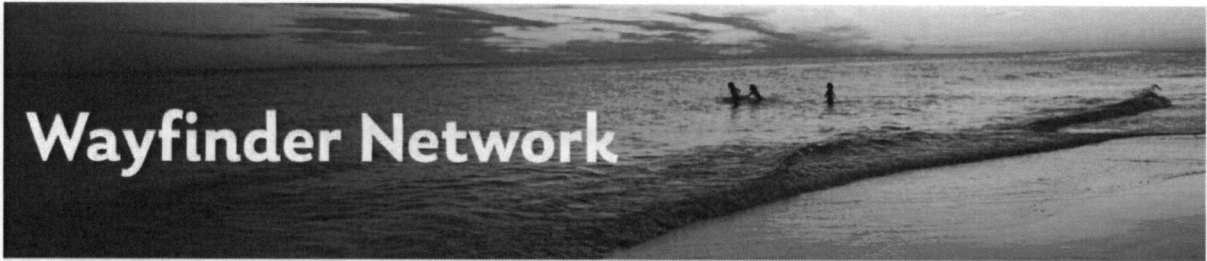


Mobility
Accessibility
Friendliness Gap

- Destination Next study conducted 3 years ago
 - Top 3 challenges were mobility, accessibility to the water and lack of southern hospitality
 - There are several projects on the CIP to address mobility and accessibility. This summer was time to address the friendliness gap...just by being nice
 - Partnered with a local golf cart company and hired team members to drive around Crystal Beach and offer free rides to and from the beach. No fees
 - Gave away free popsicles to families because it's hot
 - Conducted benchmark study (October) in the top 10 markets both before and after this initiative. Strong results...
 - Atlanta benchmark survey finds 82% heard of Little Adventures vs. 60% from June benchmark
 - 91% experienced something new
 - 83% had an improved opinion of our destination
 - About 50% of sample who came saw the golf carts
 - 95% were curious about what was going on
 - 87% went to website
 - 82% said they took a little adventure

Destination Stewardship. What is stewardship?

- It is about what we do that proves what we say is true, for the visitor and the local.
 - For visitors: We give parents an actionable step they can take that allows them to make all the beautiful moments they see in our marketing possible for their own children while they're here
 - For locals: It's the innovation pipeline that allows us to talk to our community and stakeholders to say how can we make the destination better; how do we solve challenges here – friendliness, mobility, crowds; how are we stimulating our local small businesses



Wayfinder Network

Introduce families to Little Adventures as a way to get them to explore beyond the typical and connect with local experts.

➤ It took an amazing amount of work and dedication on the part of a lot of people to not only get this built and open in 2.5 months, but then to put 350 kids through the program.

- Scouts
- Experts + organizations
- Jason Autry
- City of Destin
- Councilmember Hebert
- Jackie Blue and the Island
- Shane Moody
- Designers, truck drivers, production assistants, etc.

➤ Outpost opened July 26 with a team of 3 scouts that were all Marine biology students from the local area; eventually grew to a team of 7

- Taught safety and marine life to be on the lookout for in our waters
- Talk to parents about other – less intense – places to paddle board in the destination (bay, seashore).
- Taught 3 classes a week and 2 on weekends.
- Lesson talks through how the moon, planets and stars were how mariners navigated
- How our skies affect everything from tides to turtles
- Teach how to spot constellations, important stars and planets using their hands

- Teach kids how to shore fish, fishing safety, bait, catching bait and conservation
- More than 120 families booked Adventure Packs and experienced something new
- Over 350 kids participated in a Little Adventures pop-up in just 3 months
- Between Facebook and online chat, talked to more than 3,000 visitors about Little Adventures
- More than 60 partners participated
- 11 packs and 1 outpost made a lot of magic possible
- No other destination is doing what we are doing. We have begun the evolution of being a discount beach destination to a place where families can thrive.

E. Presentation by Leland Vanderpool, Destin Garden Club, Installation of Blue Star By-way Marker on Library Grounds

Mr. Leland Vanderpool of the Destin Garden Club requests permission to use a 12' x 16' area of the presently grassed property at the Destin Library to install a Blue Star By-way Marker, along with its associated landscaping. This will provide the community with a visible reminder of the sacrifices made by men and women in uniform. The Blue Star Program honors all men and women who serve or have served in the United States Armed Services. The Garden Club will maintain the area along with the other gardens in their care on the library property.

Councilmember Hebert moved to approve the placement of a Blue Star Marker on the Destin Library property by the Destin Garden Club; seconded by Councilmember Bagby. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

2. PUBLIC COMMENTS

Mr. Parker Destin, City of Destin resident and former council member, informed the council he has intended to provide some comments relating to a request for conditional use approval for a 66-unit townhome complex located along 98 Palms Boulevard before that item was subsequently pulled from tonight's meeting agenda. He stated that the Town Center Mixed Used (TCMU) district was created over 20 years ago as a medium high-density district that was going to facilitate a lot of long-term workforce housing, and that it was predicated on the notion they will have road connectivity. It was based on the idea they will cross the Gulf Power easement and connects some of the roads like Palm Street into Mattie Kelly or Twin Lakes providing connectivity up to Airport Road going east and west. However, even with this connectivity the road infrastructure will not be able to support 1000 more units and 2000 more cars. He urged the council to start discussing reprioritizing the TCMU district especially during its upcoming visioning session. They need to consider its densities and prepare for some sort of medium to high density growth that is going to occur in some of the vacant parcels. He continued that the council will be facing a big challenge when some large development projects, similar to the Old Time Pottery, come before them requesting hundreds more units resulting in hundreds more cars on the roads. He urged the council to instruct the mayor to reach out to the owners of

the Old Time Pottery, determine the purchase price for the property, and start a conversation on how they could obtain that property and possibly utilize it as a community center or sports complex that will serve the citizens, especially the youths, in the community.

3. CONSENT AGENDA

- A. Office Productivity Suite and Email System (Microsoft Office 365)
- B. Opioid Settlement Agreement
- C. Resolution 22-02, Adoption of 2021 Okaloosa County Local Mitigation Strategy
- D. Financial System (MUNIS) Continuing Services/Licensing and Support Renewal for 2022
- E. Backup Server Hardware and License
- F. Disaster Recovery Services (Crowder-Gulf), authorization to renew contract
- G. Disaster Recovery Services (TFR, Inc), authorization to renew contract
- H. Destin Fishing Fleet vs. City of Destin - Bert Harris Case
- I. Approval of minutes of December 6, 2021 Regular City Council Meeting
- J. Approval of minutes of November 1, 2021 Regular City Council Meeting
- K. Draft minutes of meetings of the city's boards and committees

Motion by Councilmember Braden, seconded by Councilmember Hebert, to approve Consent Agenda items 3A thru 3K, as printed above, passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

4. CITY MANAGER REPORTS

- A. Recommendation for the Installation of a Three-Way Stop on Dolphin Street at John Avenue

Mr. Jim Wood, Chairman of the Public Works/Public Safety Committee, presented the committee's recommendation to install a three-way stop condition at the intersection of Dolphin Street and John Avenue. He stated that taking a proactive approach will help solve a lot of the safety issues and avoid future accidents along that intersection.

Councilmember Bagby moved to instruct the City Manager to install a three-way stop condition at the intersection of Dolphin Street and John Avenue; seconded by Councilmember Hebert.

Councilmember Destin inquired as to the status of the council's previous direction to the City Manager to place a slightly raised, Crystal Beach-style pedestrian walkway, on the corner of Zerbe Street to Calhoun Avenue, and for the speed bumps to be reinstalled on Beach Drive after the street resurfacing.

Staff will provide the time frame for completion of these projects as soon as it is received from their continuing services contractor.

Councilmember Destin also requested an update on the status of the Request for Qualifications (RFQ) for Capital Project Management Services.

Grants/Project Manager Jeff Cozadd noted that key personnel are currently reviewing the RFQ, and that they expect it to be published by the end of the month.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

B. Announcements:

- 1) Flood Ordinance Council Workshop tentatively scheduled for Thursday, January 20, 2022
- 2) Council Visioning Session tentatively scheduled for Thursday, January 27, 2022
- 3) New Henderson Beach passes and resident parking passes at the Joe’s Bayou Boat Launch are now available at City Hall
- 4) Adopt-A-Street cleanup scheduled for Saturday. Volunteers to meet at City Hall at 8:00 AM for an initial safety briefing and distribution of cleanup Supplies
- 5) Harbor Pump is back in operation and has been running daily and smoothly during the past two weeks.

5. PUBLIC HEARINGS

- A. Curtis Gwin of Indian Bayou West, LLC, on behalf of Indian Bayou Properties, is requesting approval for a Major Deviation to a Major Development Order. The project is located at 1 Country Club Dr. E. (Parcel ID: 00-2S-22-0000-0046-0000), with the property totaling approximately 69.16 acres. The applicant is proposing an addition of 11 lots to the previously approved 86 single-family, long-term residential lots (approved under DO 21-12), for a total of 97 lots, utilizing the same project area.

The City Attorney sworn in the following individuals for testimony:

Daniel Butler, Senior Planner, City of Destin
Steve O’Connor, Principal Planner, City of Destin
Curtis Gwin, Indian Bayou West, LLC

The City Attorney asked the mayor and members of the council to disclose any ex-parte communications that may have occurred with regards to the proposed project.

The mayor and each member of the council replied “none.”

The Land Use Attorney asked that the staff report and all its attachments be admitted into the record as the city’s Composite Exhibit A.

The applicant expressed no objections to the staff report and attachments being admitted into the record.

The staff reports and attachments have been entered into the record as the city's Composite Exhibit A.

The city's Senior Planner Danie Butler presented the proposed project to the city council. He stated that the applicant is proposing an addition of 11 lots to the previously approved 86 single-family, long-term residential lots, for a total of 97 lots, utilizing the same project area. The property has a Future Land Use Map designation of Low Density Residential (LDR) and a zoning designation of Low Density Residential – Village (LDR-V). Long-term single-family residential is a permitted use in both the LDR future land use designation and LDR-V zoning districts. The density provided by the project is 1.44 dwelling units per acre and the maximum allowed is 5.81 dwelling unit per acre. The required two parking spaces per dwelling unit has been provided by the development. The proposed project is consistent with the Comprehensive Plan and Land Development Code, and that staff recommends city council approval of Indian Bayou West 1st Amendment, a Mayor Deviation to a Mayor Development Order.

Mr. Curtis Gwin, Indian Bayou West, LLC, representing the applicant, spoke of the proposed project. He stated that they have had so much interest in the lots that they are closed to running out of available lots. They came up with a way to produce more lots without changing the development area. They have received all the required permits and could start development of the previously approved 86 single-family lots as soon as possible. In order to produce more lots utilizing the same project area, they have divided some of the 100-foot-wide lots into 70-foot-wide lots adding 11 more lots, which meets all the code requirements and add to the revenue base for the city.

Councilmember Destin asked how many lots were sub-divided to create 11 additional 70-foot-wide lots.

Mr. Gwin replied they have sub-divided 26 lots.

Councilmember Schmidt expressed that his main concerns over this project when it was first brought before the council was water runoff. Adding more structures on the properties could result in more drainage issues. He stated that his other concern involves traffic safety since they are potentially adding over 20 more vehicles on the road.

Councilmember Braden opined this is more about making more money than creating more affordable lots for the people; adding they have not even begun breaking grounds on this project, and they are already requesting an amendment to the development order. He continued if this application is approved, he expects the applicant to come back more times in the future for further amendments to the development order. He also stated they have always talked about improving quality of life for residents but packing more lots in one area does not improve the quality of life. He also stated that his biggest concern are the lots located next to the airport property. People who live there are the ones complaining about the airport noise. It has previously been recommended not to build homes there due to decibel level.

Councilmember King stated that people will always complain about airport noise regardless of what happens. He pointed out that the proposed project is well below the density level.

Councilmember Wagner inquired as to the owner of both sides of Old Creek Trail and the future plans for that property. He asked if there was any way to beautify streetscape in that area.

Mr. Gwin noted that property currently belongs to Indian Bayou Properties. It is zoned a commercial property. They have agreed to put in 10-foot-wide sidewalk. They have plans to spend money for landscaping and dedicating that street back to the city.

Councilmember Bagby asked what is being done to alert people that these properties are located next to the airport and what it means to live next to the airport.

Mr. Gwin noted that the city requires for each individual that purchases a lot located within the noise zone to sign a document called "Destin-Fort Walton Beach Airport Noise Zone Disclosure Statement" and record it with their lot to acknowledge the fact they are building next to the airport. He also stated there is a caveat on the document that no revision to this declaration can be made without prior approval from Okaloosa County. He added they plan to make everybody aware of this declaration before they sign a contract.

Councilmember Bagby asked what they plan to do with the lake located between the second and third fairways on the Old Creek course.

Mr. Gwin stated they plan to fill in that lake and all the lakes on the Old Creek course.

Councilmember Bagby asked where they plan to pump the water from all the lakes.

According to Mr. Gwin, they plan on pumping the water through the trees, and that a lot of it will be filtered through the existing lakes before it gets into the bay.

Councilmember Bagby noted that the more than 400 lots that already existed, more so than the 11 additional lots, are creating the traffic issue. He continued that the applicant may very well come back in the future to request further amendments to the development order, but they could only act on the application that is before them tonight.

Councilmember Braden ask whether the people who purchase these lots will have the ability to file a lawsuit against the city or county after signing the declaration.

According to the City Attorney, it is doubtful the city or county faces any exposure for any sort of noise complaints. It is merely a method the county has devised to put people on notice they are building next to the airport for the airport's security and safety. It helps protect the airport because the document is recorded along with the deed.

The mayor asked the Land Use Attorney to provide the criteria the council should consider in making their decision with regards to the development.

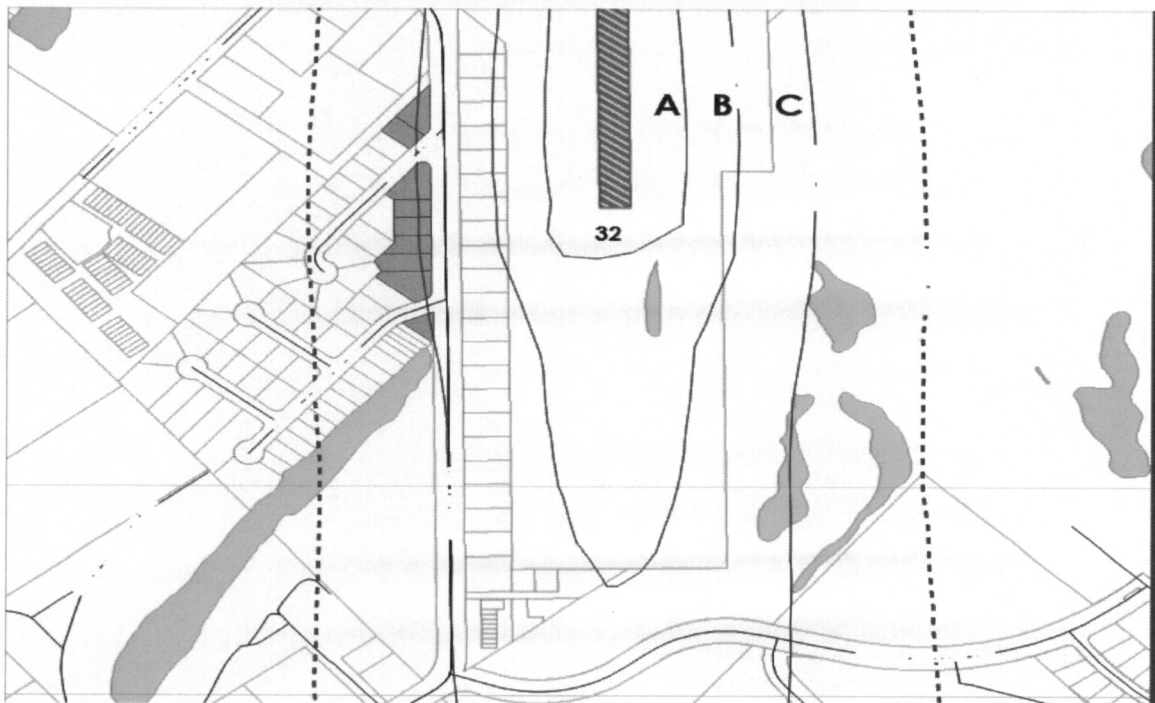
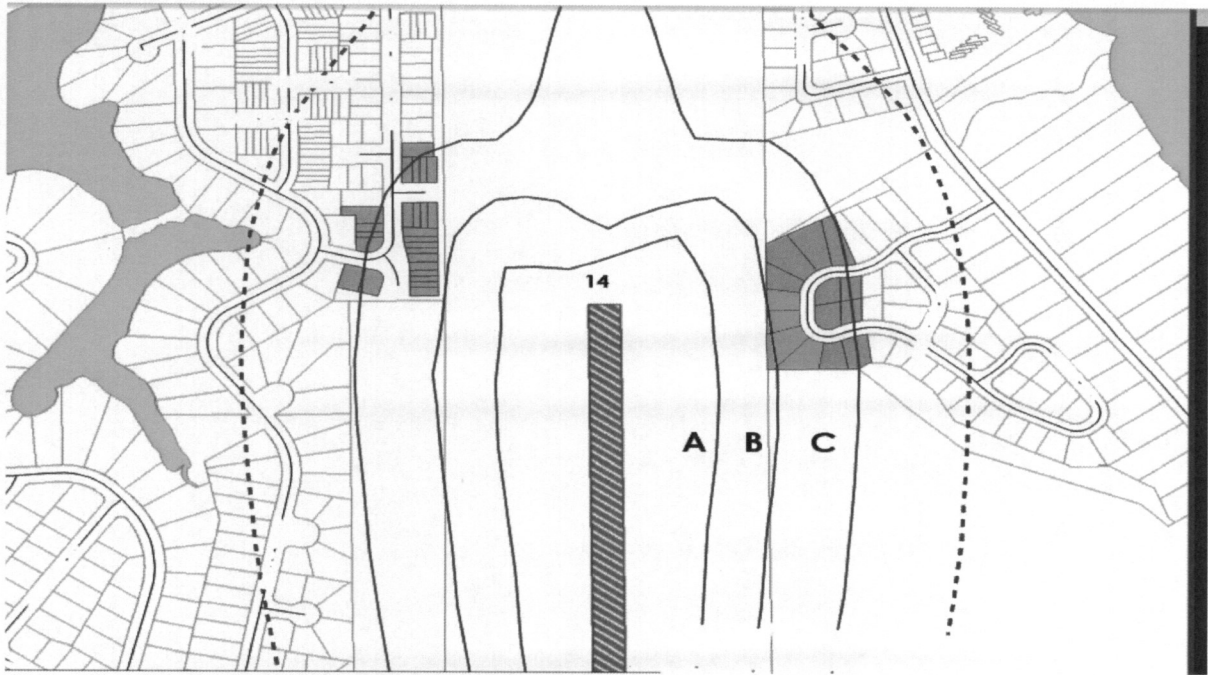
The Land Use Attorney read the following criteria as listed in the staff report:

1. Determine conformity of the proposed development with the Comprehensive Plan, this Code, other applicable requirements, and the items enumerated above.
2. Hear and address concerns and desires of surrounding landowners and other affected persons.
3. Consider any rule, objective or policy of the Comprehensive Plan or any other criterion applicable to the particular development proposals in formulating its recommendation to either approve or deny the development proposal.
4. If the proposal is approved or approved with conditions, the City Council shall instruct the City Manager, or designee, to authorize the issuance of a development order that complies with **Section 2.08.00**.
5. If the proposal is approved with modifications, a development order may be authorized by the City Manager or his designee once the required modifications have been completed and approved by the appropriate Technical Review Committee (TRC) members.
6. If the proposal is denied based upon the applicant's failure to meet the requirements of this Code in the proposed development plan(s), the application will become null and void, and the applicant will lose in-line priority consideration for concurrency. The applicant will have to submit a new application and start the review process over in order to secure consideration for approval of the proposal.

Mr. Gwin maintained that this proposal has nothing to do with making more money. They have a list of individuals who have expressed interest in purchasing a property and building a home. They have determined they did not have enough lots to accommodate all the interested parties, and they came up with this proposal to create additional lots.

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

Mr. Ray Mansfield, a Fort Walton Beach resident and local flight instructor/corporate pilot, came up to the podium to address the issue. He stated he is speaking on behalf of Mr. Troop, a Destin resident who is out of the country and could not be here tonight; and that he is also representing many local pilots and aircraft owners. Mr. Mansfield stated that they are not against the entire development, but only the residential homes in Noise Zone C and additional homes requested to be added. He then provided the following presentation:



Above diagrams show runway 14 and Noise Zones A, B and C, and residential homes in Noise Zone C. It has been recommended to the county to purchase the first 4 homes in the Zone C area to allow residents to move out of that area.

Results of Building Homes Too Close to an Airport

- Homeowners complain to politicians (already happening)
- Modifications to the airport costing local taxpayers large sums of money (already happened at Destin Airport ...\$200K sound wall)
- Strict noise abatement procedures are instituted at the airport to please constituents:
 - Third-time offending pilots are banned, fined and lose hangar lease (Torrance, CA)
 - Procedure is dangerous to pilots and their passengers (Torrance, CA)
 - No weekend/holiday training (Torrance, CA)
 - No Touch & Go's
 - No Stop and Go's
 - Mandatory engine shutdown after each landing
- Sale of jet fuel is banned to eliminate larger noisier aircraft (Torrance, CA)
- Types of aircraft are banned (Torrance, CA)
- Limited departure and arrival times (Torrance CA, Naples FL, Santa Monica CA, Palomar CA, etc.)
- Shortening of runway to prohibit jet and larger aircraft (Santa Monica, CA)
- Closure of the airport (Santa Monica, CA)

Items to consider regarding the Destin Airport

- Busy airport that is embedded in a populated area
- Military aircrafts frequent the field
- FBO owners have invested heavily in the business
- Aircraft owners have made significant capital investments in airport hangars
- Used by seasonal owners with some pretty large jets
- Very busy during holidays and high season
- Use to support tourist adventures
- Some homes already in noise zones
- Noise and pollution complaints are on-going

What we request

- The city council visits the airport and stand 300 feet (or whatever distance developer indicates closest lot will be) and let pilots demonstrate different aircraft types departing and landing on runway 32
- No additional residential buildings or lots approved for this development
- Seriously consider rezoning the property in Noise Zone C to something more appropriate to reduce tension and future complaints
 - Offices
 - Wholesale
 - Retail
 - Manufacturing
- If Noise Zone C is not rezoned:
 - Ensure development order calls out the provisions/requirements in "Okaloosa County Airport Response to Indian Bayou Rezoning Application"

- Ensure potential home buyers understand upfront the cost to build a home to the sound requirements outlined in “Okaloosa County Airport Response to Indian Bayou Rezoning Application”

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

There was a question from the council as to whether there are properties in Noise Zone C in the existing plan.

Mr. Gwin stated there are properties in Noise Zone C in the existing plan; however, Okaloosa County Airport Authority does not oppose this development. They have met all FAA requirements as well as all the rules and regulations to be able to build next to the airport. The Airports Master Plan as well as many airport documents indicate that it is fine to build residential homes in Noise Zone C, and that it is the responsibility of the builder and property owner to soundproof their property to a certain decibel level.

Councilmember King moved to approve Indian Bayou West 1st Amendment, a Major Deviation to a Major Development Order; seconded by Councilmember Schmidt. Motion failed 3-4 (Council members King, Schmidt, and Bagby voted “yes”; Council members Hebert, Destin, Wagner, and Braden voted “no”).

- B. The applicant is requesting consideration of Conditional Use 21-33-CU, for a Major Development Order and a Major Subdivision (City of Destin project number 21-25-SP and 21-26-MS). This project includes the subdivision and the construction of a ±66-unit townhome complex, along with the required site infrastructure to be located at Parcel ID(s) 00-2S-22-0098-0000-001A, 00-2S-22-6401-0000-0040, and 00-2S-22-0000-0013-0000.

Item was pulled from the agenda.

- C. The applicant is requesting consideration of Conditional Use 21-35-CU for a Conditional Use approval. This project includes the location of a Pet Grooming business to be located at 981 Airport Road (Parcel ID: 00-2S-22-1021-0000-0010).

The City Attorney sworn in the following individuals for testimony:

Daniel Butler, Senior Planner, City of Destin
 Steve O'Connor, Principal Planner, City of Destin
 Rachel Hodges, Applicant
 Thomas Hodges, Applicant

The City Attorney asked the mayor and members of the council to disclose any ex-parte communications that may have occurred with regards to the proposed project.

The mayor and each member of the council replied “none.”

The Land Use Attorney asked that the staff report and all its attachments be admitted into the record as the city's Composite Exhibit A.

The applicants expressed no objections to the staff report and attachments being admitted into the record.

The staff reports and attachments have been entered into the record as the city's Composite Exhibit A.

The city's senior planner Daniel Butler stated that Barks and Bubbles, LLC is requesting a Conditional Use approval for a pet grooming and pet daycare business to be located at 981 Airport Road. The proposed site is in the Residential, Office, Institutional – Village Residential (ROI-VR) Zoning District. The proposed use of pet car (except veterinary) services is a conditional use in ROI-VR Zoning District and would qualify as a professional office, and therefore is in line with the intent of the ROI district. As proposed, the project meets the land development standards and regulations outlined in the Comprehensive Plan and Land Development Code, and that staff recommends city council approval as presented.

Mr. Thomas Hodges, applicant, briefly discussed the nature of the pet grooming and pet daycare business.

Councilmember Hebert inquired as to the applicants' qualifications for running a pet grooming and pet daycare business.

Mr. Hodges noted that his wife, the co-applicant, has had 20 years business experience.

Councilmember Schmidt asked whether there will be other tenants in the proposed facility.

Mr. Hodges noted they will occupy the entire facility.

Councilmember Wagner inquired as to the hours of operations for the business.

According to Mr. Hodges, they plan to operate from 8:00 AM to 5:30 PM six days a week.

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

Councilmember Wagner moved to approve Conditional Use 21-35-CU – Barks & Bubbles Pet Grooming, subject to the applicant meeting all applicable federal, state and city requirements. Councilmember Hebert provided a second to the motion, which passes 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

D. First reading of Ordinance 21-21-CC - Providing for amendments to the Code of Ordinances to require post-occupancy inspections for threshold buildings

The City Attorney read proposed Ordinance 21-21-CC by title, and then presented it to the city council for first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES TO REQUIRE POST-OCCUPANCY INSPECTIONS FOR THRESHOLD BUILDINGS; DEFINING "THRESHOLD BUILDINGS"; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Hebert moved for approval of proposed Ordinance 21-21-CC – *Required Inspection after certificate of occupancy*, seconded by Councilmember Destin.

Councilmember Bagby noted that this proposed regulation covers every structure within the city that is over 50 feet tall, including a lot of condominiums in the Destin Harbor, Holiday Isle, and Crystal Beach, totaling approximately 80 structures. He stated that he cannot support this ordinance at this time as he does not believe the city should get involved in the business of conducting this type of inspections. He also noted that the recommendation from the Local Planning Agency (LPA) was to bring this proposed ordinance back to the LPA for further discussion after the closure of the upcoming legislative session. If the State Legislature passed any law affecting this ordinance, the LPA will make the appropriate recommendation to the city council.

Councilmember Bagby offered a substitute motion to direct staff to draft a resolution for the mayor's signature addressed to the State Legislature, specifically State Representatives Maney, Senator Gainer, and Governor DeSantis, requesting they strengthen the state's oversight of condominium maintenance by raising the threshold for owners to waive raising the necessary money to protect their investment. Councilmember Braden provided a second to the substitute motion.

Councilmember Bagby stated that they cannot run this program effectively. It entails the city creating a Request for Qualification (RFQ) to obtain qualified inspectors to conduct inspections and hiring qualified staff to review inspection reports. In addition, the city has no recourse in place at this time in the event they receive a report of property owners not conducting the required maintenance for structural safety.

Councilmember Destin noted this is only the first reading of this ordinance. There is plenty of time to address issues brought about by Councilmember Bagby between first and second reading. He stated that the safety and welfare of citizens are of the utmost importance. He continued that the condominium structure that collapsed at Surfside, Florida occurred mainly due to the failure of responsible parties to take any actions. He added they need to have something on the book that can have avoid a repeat of that incident in this city.

The mayor commented that the biggest challenge the city faces is having the resources and wherewithal to take the necessary action especially without the state-mandating standards. The city's Building Department staff follows state standards for building codes.

Councilmember Destin noted that the same argument could be made about conducting inspections at all, about having police and fire protections that could be very expensive, but it is the core of their responsibility. He also believes they could arrive at some way to contract this service, and to have the ability to put the property owner and the public on notice in the event they discover that something is wrong with any of the facilities. He added that doing nothing at this time is not an option.

Councilmember Braden stated that he is all about protecting the public; however, they cannot really get a true sense of a building structure unless they use digital X-ray to image the interior of a concrete to identify and locate rebar, conduits, and other embedded objects. They would not want to give the public a false sense of security by pronouncing that a certain facility is safe.

Councilmember Schmidt stated they cannot allow the cost factors to influence their decisions. They are responsible for the safety of the citizens and that he believes staff is fully capable of determining the necessary courses of action.

Councilmember Bagby maintains this is not about cost or safety, but it is about the city's qualification to conduct this type of inspections. He stated that the city or county should not get involved in the business of regulating condominiums. Condominium safety inspections are conducted in accordance with state requirements. He recommends tabling this issue until after State Legislature meets and adjourns.

The mayor called for a vote on the motion, which passes 5-2 (Council members King, Hebert, Wagner, Bagby, and Braden voted "yes"; Council members Schmidt and Destin voted "no").

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

- A. Councilmember Braden
- B. Councilmember Wagner
 - 1) Park Hours

Councilmember Wagner directs the City Manager to work with the Parks and Recreation Committee in determining the hours of operations for city parks, specifically the twilight and sunset timing, and bring back their recommendation for council consideration.

- C. Councilmember Destin

Councilmember Destin moved to direct the Mayor and City Attorney to seek the owner of the Old Time Pottery and determine the purchase price for the property; seconded by Councilmember Bagby. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

- D. Councilmember Bagby
- E. Councilmember Hebert
 - 1) Beach Safety

Councilmember Hebert moved to direct the City Manager to bring back the city's beach ordinance for the double red flags in February with the goal of aligning the city's and county's beach safety regulations for consistent messaging and enforcement.; seconded by Councilmember Destin. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

Councilmember Hebert moved to direct staff to work with the Destin Fire District and the TDC to improve communication of the current beach conditions and flag status with the increased tourism season to expand the time frame of when beach flags are being displayed; seconded by Councilmember Destin. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

- F. Councilmember King
- G. Councilmember Schmidt

Councilmember Schmidt staff brings back at the next council meeting, or during the individual sessions with the council members, a proposed agenda for the next visioning session.

- H. Mayor Gary Jarvis
 - 1) Follow Up to City Manager Evaluation Process

The mayor noted they have had ample discussions regarding the City Manager Evaluation process at previous meetings, and that staff has provided them documentation on wage comparisons among City Managers in other communities. He asked for a motion from the council that will address the City Manager's compensation.

Councilmember Bagby moved to increase the City Manager's base salary by 5 percent, and the City Manager's monthly vehicle allowance by \$100 (from \$400 to \$500), effective January 1, 2022. Councilmember Hebert provided a second to the motion.

Councilmember Bagby explained that all of the city staff are eligible for up to 2 percent increase each year based on their annual performance evaluation. The City Manager is 3 years behind in his evaluation process and has not received a raise in 3 years. He also stated that the City Manager has an approved monthly vehicle allowance of \$400. He continued that 2 percent raise each year compounded over 3 years equates to 6 percent the City Manager could have received. He is only recommending a 5 percent, but they could increase it to 6 percent if everyone is agreeable to it.

Councilmember Schmidt stated that he was not anticipating a motion that specifically addresses a salary increase tonight, and that he is not prepared to vote on this motion. He recommends placing this item on the next meeting agenda.

Councilmember Destin stated that the wording of the agenda item does not specifically address the salary raise.

Councilmember Bagby stated that they have been discussing this issue for the past 3 months, and that the documentation on salary comparisons for City Managers provided by staff was a clear indication of the type of action that is expected for this agenda item.

Councilmember Schmidt stated that he is not against the proposed salary increase; he just needs more time to prepare.

Councilmember Bagby moved to direct staff to place under his name on the next council meeting agenda a motion to increase the City Manager's base salary by 5% and the City Manager's monthly vehicle allowance by \$100 (from \$400 to \$500), effective January 1, 2022; seconded by Councilmember Hebert. Motion passed 7-0. (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

2) Aqua Alert Pilot Program

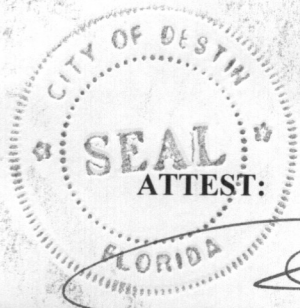
According to the mayor, a Minnesota family is turning personal tragedy into a cause for positive change. David and Judy Schink were vacationing in Destin. David, an experienced kayaker, was lost while kayaking. The United States Coast Guard conducted a two-day search for him before calling it off due to rough conditions. The family is now raising money for a number of water safety initiative, including beachfront surveillance cameras and better signage. They would also like to create an AMBER Alert-like system specifically for water emergencies, called Aqua Alert. They are working with the Coast Guard on it. According to the Coast Guard, better coordination between agencies, and the public, would help in their searches for missing boaters. Judy Schink has also been communicating with Everbridge the organization in the State of Florida that conducts the Silver and

- I. Land Use Attorney
- J. City Attorney

7. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 9:20 PM.



Rey Bailey, City Clerk

A handwritten signature in dark ink, appearing to read 'Gary Jarvis', is written over a horizontal line. Below the signature, the name 'Gary Jarvis, Mayor' is printed in a bold, sans-serif font.

Gary Jarvis, Mayor