

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
MAY 16, 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 Pro Tem Dewey Destin
Councilmember Jim Bagby
Councilmember Terésa Hebert
Councilmember Johnny King

Councilmember Bobby Wagner
Councilmember Rodney Braden
Councilmember Kevin Schmidt

Destin City Staff

City Manager Lance Johnson
City Clerk Rey Bailey
Code Compliance Deputy Director Danny Sullivan
Finance Director Krystal Strickland
Land Use Attorney Kim Kopp

Deputy City Manager Webb Warren
Public Info Mgr. Catherine Card
Parks/Recreation Director Lisa Firth
Grants/Project Manager Jeffrey Cozadd
City Attorney Associate Steve Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Dewey Destin called the meeting to order at 6:00 PM. He called for a moment of silence, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Wagner requested that agenda item 6B1 – *Pickleball Presentation* – be moved under the Presentation portion of the agenda.

Councilmember Braden asked that Consent Agenda items 3G and 3J be pulled for further discussion.

Motion by Councilmember Braden, seconded by Councilmember Wagner, 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. Proclamation - National Poppy Day

The Mayor Pro Tem read the proclamation designating May 27th as National Poppy Day in Destin, and then presented it to Mrs. Renee Wood, Director, American Legion Post 296.

B. Pickleball Presentation – Ms. Tracey Clinkscales, USA Pickleball Ambassador, Okaloosa County, Florida gave the following presentation:

What is Pickleball?



Pickleball is a fun, easy to learn, active paddle sport created for all ages, skill levels, and abilities. It combines elements of tennis, badminton, and ping-pong. It is played both indoors and outdoors on a badminton sized court with a slightly modified tennis net. Pickleball was developed as a recreational game in 1965 on Brainbridge Island near Seattle, Washington. Three dads – Joel Pritchard, Bill Bell, and Barney McCallum — whose kids were bored with their usual summertime activities — are credited for creating the game. Players use a hard plastic paddle and a plastic ball with holes (similar to a wiffle ball). The game can be played as singles or doubles.

Why Do We Want Dedicated Pickleball Courts?

- *Eliminate the conflicts by no longer having to share courts with tennis players
- *Net has different dimensions. The net has to be adjusted before and after play.
 - Tennis – 42" on end and 36" middle
 - Pickleball – 36" on end and 34" middle
- *Playing on a tennis court with a tennis net doesn't allow for special pickleball shots
- *Having organized play at set times and days (forming a league)
- *Players prefer to play on a dedicated court
- *Players will travel to courts that are dedicated for exclusive use for pickleball
- *Visitors will plan their vacations around the availability of Pickleball courts
- *Attract sponsors and players from all over for special events and tournaments which will increase the economic impact significantly
 - Camps
 - Training
 - Professional clinics taught by touring Professionals
- *We now have a credentialed USA Pickleball referee and can host sanctioned tournaments (the only one in our geographical area of Northwest Florida)

The Current Growth of Pickleball

Pickleball boasted 4.8 Million players last year; a participation growth of 39.3% since 2019 according to the Sports and Fitness Industry Association's 2022 Topline Participation Report. From 2019 – 2020 the biggest growth was from the 18-24 year old age group with 21%.

THE HIGHEST GROWTH OF ANY SPORT IN HISTORY

The International Federation of Pickleball (IFP), the world governing body of Pickleball is working with the International Olympic committee to establish Pickleball as an Olympic Sport.

Financially, Professional Pickleball has expanded across the country and is attracting big names. Milwaukee Bucks owners Mark Lasry and Gary Vaynerchuk have made investments in Major League Pickleball. The owner of the Carolina Hurricanes has purchased the Pro Pickleball Association and Pickleball Central.

"The pandemic was very good to Pickleball" said Mike Barnes (The owner of Selkirk – the largest manufacturer of Pickleball paddles and equipment). "The company has tripled in size since 2020. Across the industry entry-level paddles and nets were sold out and we've continued to see that growth continue since".

Many athletes and celebrities now play Pickleball to include –

Andrea Agassi

Michael Phelps

Larry David

Melinda Gates

Ellen DeGeneres

Jamie Foxx

Leonardo DiCaprio

The Williams sisters (Venus and Serena)

Have The Time Of Your Life!

What makes the *Minto US OPEN Pickleball Championships* unique?

Well, it's the largest pickleball tournament in the world! That's certainly part of it. And it's the biggest pickleball party in the world with 25,000 spectators!

That's most definitely part of it.

But it's more. The Open isn't just another pickleball event, it's a pickleball experience. The energy, the spirit of community, the pure joy and fun are unlike anything you'll find at an ordinary tournament. Ask anyone.

So make a memory. Join us in beautiful Naples, Florida in April, 2023 for the 7th Annual *Minto US OPEN Pickleball Championships*.

You haven't really experienced pickleball until you've been to *The Open*.

East Naples Community Park

3500 Thomasson Dr.

Naples, Florida



2022 USA Pickleball Facts and Highlights

- *9,524 known locations to play – 38,140 known courts (66 new places added every month)*
- *53,110 members (an increase of 43.5% since 2021)*
- *2,025 USA Pickleball Ambassadors*
- *153 Sanctioned tournaments (first ever indoor Championship in Hoover AL)*
- *Awarded 87 Community grants and 24 High School Grants*
- *21 new referees (198 certified and 489 level 1 and 2) 1 referee in our area, 1 in training*
- *Our region of South Atlantic has the most players*

1,087,000

Councilmember Schmidt inquired as to the minimum required number of pickleball courts to be able to entice big competitors to come to Destin and run a successful pickleball tournament.

According to Ms. Clinkscales, there is no established minimum requirement for a number of pickleball courts to be able to host a tournament; adding they do not have much at this time and would appreciate anything the city is willing to provide.

Councilmember Hebert noted that the city has taken the initiative to find proper locations for more pickleball courts in Destin.

Councilmember Destin requests staff provides a preliminary report to council on the progress of their initiative at the next meeting.

2. PUBLIC COMMENTS

Ms. Cary Harbarger, a Destin resident, announced the recent passing of Ms. Jane Moore, a former City of Destin employee. She also noted that a parcel of land located at the foot of the Marler Bridge has recently become available. She urged the council to *entertain the possibility* of obtaining that land as it is a great opportunity to own a piece of the harbor.

3. CONSENT AGENDA

- A. Single-Family Residential Marine Construction Proposed at 339 Calhoun Avenue (Parcel ID 00-2S-22-0630-0000-17A0)
- B. Single-Family Residential Marine Construction Proposed at 4153 Belcourt Dr (Parcel ID 00-2S-22-4600-0000-0080)

- C. Single-Family Residential Marine Construction Proposed at 516 Osceola Drive (Parcel ID 00-2S-24-2186-000F-0540)
- D. Single-Family Residential Marine Construction Proposed at 529 Norriego Road (Parcel ID 00-2S-24-2186-000F-0030)
- E. Single-Family Residential Marine Construction Proposed at 621 Calhoun Ave (PARCEL ID: 00-2S-22-0630-0000-20A2)
- F. Single-Family Residential Marine Construction Proposed at 441 Calhoun Avenue (PARCEL ID: 00-2S-22-0310-000D-0890)
- G. Ninety percent (90%) Plans for Gulf Shore Drive Extension at Norriego Point Park
- H. Code Compliance Monthly Activity Report
- I. Request for use of ROW for Boathouse Oyster Bar 5k Run
- J. Operations Financial Report
- K. Capital Project Status
- L. Approval of minutes of May 2, 2022 Regular City Council Meeting
- M. Draft Minutes of Board and Committees
- N. Monthly Committee Absentee Report - April 2022

Motion by Councilmember Hebert, seconded by Councilmember Wagner, to approve Consent Agenda items 3A thru 3N, with the exception of items 3G and 3J, passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

There were some discussions relative to Consent Agenda item 3G – *Ninety percent (90%) Plans for Gulf Shore Drive Extension at Norriego Point Park*. Councilmember Braden asked how they could keep the people from the marina from filling up those parking spaces.

According to the Land Use Attorney, staff has come up with several ideas. One was to establish a no overnight parking regulation. She stated that condominium owners are city residents and therefore authorized to use the park; however, establishing a no overnight parking rule will discourage people from parking there for long period of time. They could also put up some towing signs at council's discretion. Nevertheless the parking lot cannot be used at all until the condominium facility received a certificate of occupancy.

Councilmember Braden moved for approval of Consent Agenda item 3G – 90% Plans for Gulf Shore Drive extension at Norriego Point, seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

With regards to Consent Agenda item 3J. *Operations Financial Report*, Councilmember Braden inquired as to the significance of item 122-4 – *Charges for service of \$418,500*, which is located under Section 122 – *Parking Fund*.

Finance Director Krystal Strickland explained these are the estimated amount of parking fees that they collect from all of the paid parking locations throughout the city for the next fiscal year.

Councilmember Braden moved for approval of Consent Agenda item 3J – Operations Financial Report, seconded by Councilmember Hebert. Motion passed 7-0

(Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

4. CITY MANAGER REPORTS

A. Council Meeting Schedule for July, November and December of 2022

The Deputy City Manager explained staff’s recommended changes to the regular city council meeting schedule for the remainder of the year.

The City Attorney noted that Councilmember Bagby expressed concern about obligating future council members to future meetings since there will be an election in November 2022. He recommends amending the current council resolution regarding council meeting schedules and build in some sort of provision that at a specific timeframe in each calendar, city staff will bring an item to the council reflecting that the council will adopt a regular council meeting schedule tailored to the budget season and the holiday season each year.

Councilmember Hebert moved to direct the City Manager and City Attorney to bring back an amended resolution at the next council meeting, reflecting that the council will adopt a regular council meeting schedule tailored to the budget season and the holiday season each year; seconded by Councilmember King. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

B. Subaward Agreement Extension - Restore Act/Captain Royal Melvin

The City Manager noted that the end date of the agreement was May 31, 2021. Amendment one to the original subaward agreement was executed on October 5, 2021 and extended to May 31, 2022. This amendment extends the ending date to June 30, 2022. The county is also requesting an extension from the U.S. Treasury beyond their grant ending date of June 30, 2022. Once the county extension is granted by the U.S. Treasury, the county can offer the city another extension if necessary.

Councilmember Hebert moved to authorize the mayor to execute Amendment Two to the Subaward Agreement No. 2020-R14; seconded by Councilmember Wagner. Motion passed 6-1 (Council members Schmidt, King, Hebert, Bagby, Destin, and Wagner voted “yes”; Councilmember Braden voted “no”).

C. Announcements

- Peace Officers Memorial Week celebration is from May 15 – May 21. Encourage everyone to show their appreciation to the Sheriff’s Department and all local law enforcement officers.
- Week of Blessings from May 22nd to May 27th. Staff will send schedule to council and post the schedule on the city’s website.
- Budget Workshop on Tuesday, May 17th, at 5:30 PM
- Budget Workshop on Thursday, June 23rd, at 5:30 PM
- City Council Workshop – LDC Chapters 1 and 2 amendments – on Tuesday, June 28th, at 5:30 PM

- City facilities will be closed on Monday, May 30th, in observance of Memorial Day Holiday
- Memorial Day Ceremony is on Monday, May 30th, beginning at 11:00 AM at the Destin Memorial Ceremony
- Public Works Administrative Division has moved over to the Public Works Building. Code Compliance Department is scheduled to move from the Annex to City Hall building
- Mr. Danny Sullivan has been named the Deputy Code Compliance Director
- The most up-to-date beach conditions for Destin and Fort Walton Beach are being sent by text. Anyone interested in the daily updates on beach conditions and severe weather can text BEACH to 44144.

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 22-06-LC, which changes the list of permitted uses in the Industrial zoning district to allow for one custodian or nightwatchman dwelling per industrial site and establishes maximum square footage for the dwelling unit.

The City Attorney read proposed Ordinance 22-06-LC by title, and then presented the ordinance to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA CHANGING THE LIST OF PERMITTED USES IN THE INDUSTRIAL ZONING DISTRICT TO ALLOW ONE CUSTODIAN OR NIGHT WATCHMAN DWELLING PER INDUSTRIAL SITE; AMENDING TABLE 7-2 "TABLE OF ALLOWABLE USES"; ESTABLISHING A MAXIMUM SQUARE FOOTAGE FOR CUSTODIAN OR NIGHT WATCHMAN DWELLING IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor Pro Tem opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor Pro Tem closed the public hearing portion of this item and turned the matter over to the city council for discussion and consideration.

Councilmember Hebert moved to adopt Ordinance 22-06-LC on second reading; seconded by Councilmember King. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

- B. Second reading of Ordinance 22-08-CN, which provides for extension of Ordinance 21-23-CN (Temporary Moratorium on Livery Vessel Permits), extending the temporary moratorium until December 31, 2022, and directing staff to develop recommendations for regulation of livery vessels

The City Attorney read proposed Ordinance 22-08-CN by title, and then presented the ordinance to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO LIVERY VESSELS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR EXTENSION OF ORDINANCE

21-23-CN (TEMPORARY MORATORIUM ON LIVERY VESSEL PERMITS); EXTENDING THE TEMPORARY MORATORIUM UNTIL DECEMBER 31, 2022; 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 Pro Tem opened a public hearing to receive comments for or against the proposed ordinance.

Mr. Mike Abadie, a Destin resident and livery operator, noted that this moratorium affects the legal livery operators but not the illegal operators. There are still over 2 dozen illegal advertisement on the internet and illegal activities going on in the city's waterways. He also stated that livery operators have recently met with the mayor and City Manager and discussed this issue as well as offered their recommendations.

The City Manager noted they have increased Code Compliance officers' presence at Joe's Bayou and at the harbor over the past two weekends. Multiple verbal warnings were given out to the illegal operators to educate them on the rules. Several cancelled their rental commitments once they were approached by the officers. The Sheriff's Department has also increased their patrol of those areas. He opined that the mere presence of Code Compliance officers and law enforcement officers seemed to dramatically decrease illegal activities in those areas. He added that the Land Use Attorney is currently writing some code amendments that would assist in their code enforcement capability.

According to the Land Use Attorney, they are in the process of obtaining new signage. They have changed and improved the signage to specify that it is not only a prohibition on commercial activity at Joe's Bayou and similar areas of the city but also specifically referencing that rental pontoon cannot come and go from those locations. As far as enforcement and training of city staff, they are scheduling some training this week with the new Code Compliance Deputy Director and new staff on this subject.

Having no further comments from the public, the Mayor Pro Tem closed the public hearing portion of this item and turned the matter over to the city council for discussion and consideration.

Councilmember King moved to adopt Ordinance 22-08-CN on second reading; seconded by Councilmember Wagner. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted "yes").

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

A. Councilmember Braden

- 1. Nomination for appointment to the Town Center CRA Advisory Committee - Dorothy Robinson**

Councilmember Braden moved to appoint Dorothy Robinson to the Town Center CRA Advisory Committee; seconded by Councilmember Wagner. Motion passed 7-0

(Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

Councilmember Braden asked if staff is keeping records of rogue operators who received verbal warning from the city.

The City Manager stated this is one of the things they are in the process of improving. Code Officers have been advised to record all citations and any type of contact with rogue operators to make sure they are trackable, and which are to be included in their report to council.

According to Deputy Code Compliance Director Danny Sullivan, they are investigating all the complaints relative to commercial activities with the rogue vessels that they have been receiving. They are also logging the vessel numbers in COMPASS, the city’s new online system, for tracking purposes. He has also been speaking with a lot of livery operators and providing them a copy of his business card and encouraging them to take pictures of any rogue vessels they see and provide those to the city to help the city take the appropriate actions.

Councilmember Braden inquired as to the status of the property at Crystal Beach which they are looking to condemn.

The City Attorney reported that everything is moving forward. The eminent domain complaint has been drafted and circulated with staff. They have received the title work for the property, and that they are finalizing their contract with the property appraiser. There are other legal documents, such summons, that area being drafted.

Councilmember Braden request the topic – *Signage from Airport Road to the Marler Bridge* – be placed under his name on the next council meeting agenda for discussion.

- B. Councilmember Wagner
- C. Councilmember Destin

Councilmember Destin moved to direct the City Manager and City Attorney to approach the owner of the parcels located on the north side of the Marler Bridge that have recently become available to find out if they would entertain an offer from the city. 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. Councilmember Bagby

Councilmember Bagby congratulated Mr. John Stephens on his appointment by Governor DeSantis to the State Boating Advisory Committee.

Councilmember Bagby stated that he plans to bring back an updated procurement policy and an issue related to the Friends of the Library at the next council meeting.

- E. Councilmember Hebert
- F. Councilmember King

G. Councilmember Schmidt

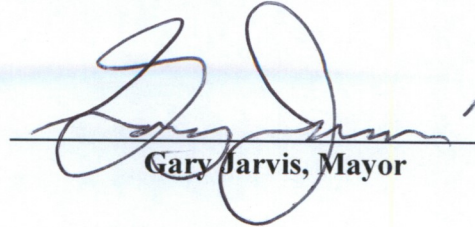
Councilmember Schmidt recommends that once locations of the city's transient slips are collected, to conduct a brief survey of those locations to see whether they need to crack down on individuals that are not following the city as well as the state's transient slip requirements.

Councilmember Schmidt also recommends publishing a list of the city's transient boat slip's locations on the city's website.

- H. Mayor Gary Jarvis
- I. Land Use Attorney
- J. City Attorney

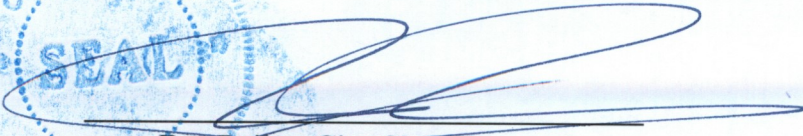
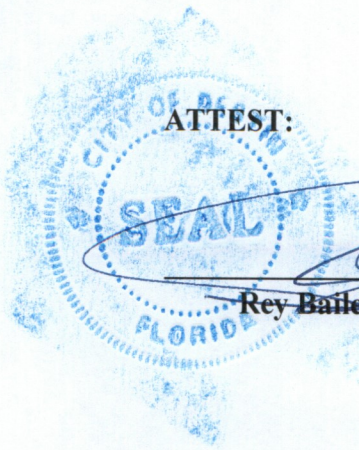
7. PUBLIC COMMENTS

Having no further business at this time, the meeting was adjourned at 7:12 PM.



Gary Jarvis, Mayor

ATTEST:



Rey Bailey, City Clerk