

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
SEPTEMBER 19, 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 Jim Bagby
Councilmember Terésa Hebert
Councilmember Dewey Destin

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 Director Kimberly Corbin
Community Development Director Louis Zunguze
Grants/Project Manager Jeffrey Cozadd
Finance Director Krystal Strickland
Park Supervisor Bryan Kellar
Land Use Attorney Kimberly Kopp

Deputy City Manager Webb Warren
Public Information Manager Catherine Card
Public Works Director Michael Burgess
Parks/Recreation Director Lisa Firth
City Engineer Ryan Scott
City Planner Daniel Butler
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 PM. Rabbi Shaya Tenenboim of Chabad Emerald Coast gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Bagby, seconded by Councilmember Hebert, to move agenda items 5A and 5B, which are listed under the Public Hearing section of the agenda, above the Consent Agenda, passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

Motion by Councilmember Schmidt to move agenda item 6G(1) to follow items 5A and 5B was seconded by Councilmember King and passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

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

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

2. PUBLIC COMMENTS

Mayor Jarvis asked Mrs. Judy Schink to come forward and share her experience that led to the launching of the Aqua Alert Program.

Ms. Judy Schink, resident of Aurora, Minnesota, spoke of her husband, David Schink, who went missing in the Gulf of Mexico in February 2021. He was kayaking in waters near Norriego Point in Destin when he disappeared. After a three-day search by the US Coast Guard, Florida Fish and Wildlife Conservation Commission (FWCC), and the Sheriff's Department, Mr. Schink was never found. She stated that after grieving and mourning their loss, her family wanted to make sure it never happened to anyone else. They tried to figure ways to improve the situation and get more "eyes" on the water during this time of emergency. This was the first thought to develop the Aqua Alert Program. It is similar to Amber Alert except it would involve boaters volunteering to go out to the sites when the authorities deems that it is needed. This is an idea which has gain support from the U.S. Coast Guard, FWCC, the Sheriff's Department, and the Mayor of Destin.

Ms. Schink announced that the Aqua Alert Pilot Program is now in place as a result of a collaborative effort between the City of Destin, the Okaloosa County Sheriff's Office, and the Okaloosa County Board of County Commissioners. It has its own logo. The app will be introduced on Wednesday, September 21st, at 10:00 AM, at the Okaloosa Sheriff's Department building in Shalimar. They will demonstrate how it works and how to sign up. She urged everyone to show up and participate.

Ms. Sarah Stone, a resident of Grassy Cove and Destin High School Board member, asked the city council to allow conversion of a softball field at Morgan's Sports Center into a Destin High School baseball field. She noted that the council prioritized their key customer groups in their strategic plan as one – year-round residents, two – Destin-based businesses, and three – visitors. She also mentioned that according to the department summary in the 2022 Budget Report, the mission statement for the Morgan's Sports Center includes, "actively pursuing partnership with schools." She stated that the Destin High School belongs to the City of Destin, and that they are asking for a conversion of a softball field into a baseball field so that the student athletes who want to play baseball beyond middle school can go and play into their high school years at Morgan Sports Center. She further stated that Destin Elementary School is not handicapped accessible, it does not have convenient bathrooms, it does not have concessions, and no score boards. She urged the city council to approve the request.

Mr. Brian Patzig, a resident of Kelly Plantation Drive, informed the council he has actively participated as player and coach in athletic sports at Morgan Sports Center since its inception. For the past 20 years, he has witnessed a consistent decline in participation in city-run adult men or women softball league. Reasons may include lack of maintenance and upgrade of the fields like the surrounding cities have done to their parks. Lack of used may be due to weather, when most times field are not playable. It could also be the rising cost of using the Morgan Sports Center for athletics. For this reason, the softball field has been repurposed for other sports. He continued that artificial turf infields can be a solution, which many other

municipalities have considered. Repurposing the softball field for baseball use by the Destin High School will be minimal as turf field is modular. Also, the safety of the turf will help minimize injuries. The overarching goal of bringing more tournaments in this area to increase tourism can also be achieved. Fields in other cities around Destin – such as Pensacola, Panama City Beach, and Niceville are booked almost year-round for youth and adult tournaments. He urged the council to vote in favor of working with the Destin High School to bring as much quality usage to the Morgan Sports Center field as possible and restore a sense of pride in athletics in this great city.

Mr. Jim Wood, a Destin resident and Chairman of the city's Public Works and Safety Committee, expressed his support of several items that are on tonight's agenda – the purchase of pedestrian crossing warning systems with lights, the re-striping of Main Street (north of Kelly St) and Indian Trail, and the use of Morgan Sports Center parking lot for the Destin Seafood Festival. He also announced he is a member of the American Legion in Destin, and they have a program called "Wreaths Across America" where they place wreaths on their local cemeteries. They have funded over 190 of the 260 wreaths, and they welcome those who are interested in sponsoring some of the others.

Mr. Jason Belcher, a Destin resident, stated that there have been a lot of residential development on Sibert Avenue, and that placement of speed tables at crosswalks at the library and Zerbe Street would help improve the traffic flow and control the speed in that area.

Mr. Belcher also warned against opening up historically residential areas to short-term rental leasing. He stated that they already have income producing properties within the city limits. If they continue to add short term rentals, they will dilute an already very good product, and attract lesser clientele which would do very little for this community. They could turn this town into nothing but a large tourist area and suffer the degradation of this community.

Mr. Jason Alley who resides at Sailmaker Lane and who currently serves as the President of Destin Little League spoke next. He stated that Morgan's Sports Complex would be of great benefit to Destin Little League including the ability to expand the League offerings beyond the current age limitations by offering a Juniors and Seniors program, which alone should be reason enough to support the matter at hand. He stated that he would like to address a bigger issue which is the coordination and cooperation between the City of Destin and its citizens to provide for and support the children and youth of this community in every way possible as they are the future of this community. He pointed out that the demographics of Destin are changing, and they have more children in their population than ever before. The data shows they have a growing community of children and that they also have the ability to provide these children with a greater chance of success by affording them additional opportunities to participate in extra-curricular activities, starting with making the necessary improvements to Morgan Sports Complex. He also proposes consideration of forming another committee that is specifically dedicated to youth activities and involves all of those that operate their local programs: such as the little league, tackle football, flag football, soccer, and basketball. He added that all citizens of the Destin area are important, and all should be properly served by its government.

Palmer Robbins, a freshman at Destin High School, expressed the need for a larger baseball field, stating that one of the ways of achieving this is for the community to work together and modify a softball field at the Morgan Sports Complex into a high school regulation

baseball field; and with the city helping to maintain that field. The team could also assign a certain group to be responsible for cleaning and raking the field after each practice or each game. This would teach them pride and hard work. He added that this is a small price to pay for the use of the field that is very close to the high school.

Mr. Justin Robbins, who resides at Stonebridge Road, expressed his full support for the City of Destin and Destin High School working together for the youth in the community. He stated that this community effort is for the kids and the kids only. The partnership has to continue to grow and to be successful. He stated that he is looking forward for the city council to allow conversion of the field at Morgan Sports Center to a high school regulation baseball field.

Mr. Torey Geile, a Destin resident, noted that the city is in a little bit of a crises at this time. There are businesses in Destin that will be shutting down, some due to staffing. They do not have affordable housing. The city is a bit understaffed, and unable to fill two key positions. If they annex the Destin High School into the city, they could utilize their expansion revenue in offering a bit more income and making it a little more enticing to fill those key positions. They could dedicate certain groups and committees in helping to determine or find solutions to their affordable housing issues. This would then become a mutual beneficial relationship from which they could all prosper.

Mr. Daniel Frankfurt, who resides at Kelly Plantation Drive, expressed his support of converting the softball field at Morgan's Sports Complex into a regulation high school baseball field to be utilized by the Destin High School baseball team. He stated that he has three children: A 5th and 7th grader at Destin Middle School, and a 9th grader at Destin High School. All three of his children have been active with the City of Destin youth sports programs; and all have been active parts of Destin Little League. He stated that the Destin Elementary baseball field is not a viable option for a variety of reasons. It is not handicap accessible, there are no adequate bathrooms, no concession stands, and no adequate parking and lighting.

Ms. Heidi LoCicero, who resides at Mattie's Way and a Destin High School Board member, stated that although some of the students and parents live outside the city limits of Destin, they all consider themselves part of Destin. They love this community and want to support the city. The majority of their high school baseball team members are official City of Destin residents. She asks not only for the city's support of the high school baseball program but all of Destin High School activities. Destin High School is one of the greatest things that happened to this city. Its students depend on the city's support.

Next to speak was Ms. Dana Chandler, a resident at Coleman Point and a local restaurant owner. She stated that she has been a part of this community for quite a long time. She has seen the growth of Destin. The city has been criticized for a lot of things, including not having the proper infrastructure, for roads, and for not having its own high school. She continued that former council member Charles Morgan started the "Rally for Recreation" which was supported by a large number of residents in the community. Morgan Sports Complex was supposed to service all the children in Destin, which is not currently the case. She urges council to provide a facility for the high school team to play baseball. It will not cost the city much since the school plans to pay for everything.

Ms. Jena Bauman, a Destin resident, stated that she does not agree with converting the softball field into a baseball field for the high school. She and her husband both coach soccer. They do not have enough fields to accommodate the fall and spring soccer and flag football for the kids. She too wants to support the Destin High School, but she would not want the support of the high school to take away from the growth of local sports for the young children of this community.

Ms. Christine Cruickshank, the Destin High School Principal, stated that this year has been absolutely amazing in terms of what has been happening with the school, student, and the entire community. The entire community has been out supporting student activities. She noted that the high school baseball team has spent long hours travelling on the road to play baseball since they do not have a facility to play their home games. They lost over 25 hours of class time travelling to every game. They need a good safe complex where this community can come and support them. She urged the council to approve a motion to convert the baseball field at Morgan Sports Complex into a high school regulation baseball field.

Ms. Sandy Trammell, a Destin resident and Chair of the Parks and Recreation Committee, noted that Ms. Cruickshank and Coach Philip K. Dorn of the Destin High School presented their case to the committee. The committee had a lot of their questions answered and received a lot of information to provide to this council. She continued that the committee voted in favor of creating an interlocal agreement between the school and the city for the conversion and upgrading of the softball field. She feels it is her duty as a citizen of this community, and the committee's responsibility to help the Destin High School baseball team find a permanent spot for which to play.

Following public comments, next items discussed were agenda items 5A and 5B, under the Public Hearing section of the agenda.

3. CONSENT AGENDA

- A. TDD Interlocal Agreement for Waterfront Access Maintenance and Capital Improvements
- B. Authorization to purchase Pedestrian Crossing warning systems with lights
- C. Re-Striping of Main Street (north of Kelly) and Indian Trail
- D. 38th Annual Christmas Parade
- E. Operations Financial Report
- F. Capital Project Status
- G. Animal Control Services Contracts FY2023
- H. 2022 Destin Seafood Festival Shuttle Stop Request
- I. Destin High School 5k fundraiser/request for use of city right-of-way
- J. Destin Youth Council Membership Appointment
- K. Approval of minutes of August 15, 2022 Regular City Council Meeting
- L. Okaloosa County Sheriff Office Service Agreement FY2023

Councilmember Schmidt requests Consent Agenda item 3G be pulled for further discussion.

Councilmember Hebert moved for approval of Consent Agenda items 3A thru 3F, and items 3H thru 3L; seconded by Councilmember Wagner. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

Councilmember Schmidt addressed Consent Agenda item 3G – Animal Control Services Contracts for 2023. He stated that the PAWS contract included a 30 percent increase from the previous year, which equates to a \$24,000 increase for services, with the type of services not fully explained in the contract. They received a lot of documentation just prior to the start of tonight’s meeting. He has a lot of question and need more time to study the contract to understand its value.

Motion by Councilmember Schmidt, seconded by Councilmember Bagby, to table the PAWS contract to the next meeting and for staff to provide a report, passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

Councilmember Schmidt moved to approve the Emerald Coast Wildlife Refuge (ECWR) contract; 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. Human Resources/Risk Manager Confirmation

Motion by Councilmember Hebert to confirm Ms. Jamie Dittmer as the Human Resources/Risk Manager was seconded by Councilmember Destin and passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

B. Destin Multi-Use Trail at Linear Park Funding Agreement

Councilmember Destin moved to approve Resolution 22-14 and authorize the mayor to execute the FDOT Funding Agreement for the Destin Multi-Use Trail at Linear Park passed. Councilmember Hebert provided a second to the motion.

Councilmember Destin noted there is a very quick turnaround time for the appropriations. He asked what staff has done so far.

According to the City Manager, staff has already started work on the bid documents. The Grants/Project Manager has started assembling the committee and they expect to hold a stakeholder meeting within the next 10 days.

Councilmember Destin wants to make sure a Gulf Power representative is invited to the meeting since the right-of-way belongs to Gulf Power.

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

C. Harbor CRA and Town Center CRA Master Plans Update

The Community Development Director Louis Zunguze informed the council that the city is seeking to update the two Community Redevelopment Areas (CRA) master plan. The Harbor CRA and Town Center CRA master plans were last updated in 2003 and 2014, respectively. The update will include the collection and analysis of current conditions within the CRA boundaries, review of existing state and local regulations, public engagement, and development of key projects within the CRA, consistent with the required criteria outlined in Florida Statutes.

Councilmember Braden moved to direct the City Manager to undertake the preparation of the Town Center and Harbor CRA Master Plan Updates pursuant to the Scopes of Work; seconded by Councilmember Wagner. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

D. Announcements

1. Government Week/City of Destin Open House is scheduled for October 20th, from 11:30 AM to 1:00 PM, at the Destin Community Center.
2. The City of Destin welcomes the members of the Destin Forward Class who are in attendance at tonight’s meeting.

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 22-13-CN - Adopting the Fiscal Year 2023 Millage Rate.

The City Attorney read Ordinance 22-13-CN by title, and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN OF OKALOOSA COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF DESTIN FOR FISCAL YEAR 2023; 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 hearing portion of this item and turned the matter over to the city council for their discussion and consideration.

Councilmember Bagby moved to adopt Ordinance 22-13-CN on second reading, adopting the proposed FY 2023 millage rate of 1.6150 mills which is more than the rollback rate of 1.4391 by 12.22%. Councilmember Destin provided a second to the motion, which passes 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

- B. Second reading of Ordinance 22-14-CN - Adopting the Fiscal Year 2023 Budget

The City Attorney read Ordinance 22-14-CN by title, and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN MAKING APPROPRIATIONS FOR CERTAIN EXPENDITURES, EXPENSES, CAPITAL IMPROVEMENTS AND CERTAIN INDEBTEDNESS OF THE CITY OF DESTIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; 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 hearing portion of this item and turned the matter over to the city council for their discussion and consideration.

Councilmember Wagner moved to adopt Ordinance 22-14-CN on second reading to provide for a balanced budget for FY 2023; seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”).

Following item 5B, next item discussed was agenda item 6G(1).

- C. Proposed Major Development - Jamie Eubanks of Jenkins Engineering, Inc., on behalf of JPD Investments, Inc., is requesting approval for a Major Development Order. The project is located at 500 Industrial Park Road (Parcel IDs: 00-2S-22-0000-0051-0000 & 00-2S-22-0000-0001-0020), with the properties totaling approximately 3.98 acres; however, site construction will only encompass approximately 2.45 acres. The scope of the project is to redevelop the previously constructed parcel to include 32,400 square foot warehouse space within five building footprints, along with the associated site infrastructure.

The City Attorney sworn in the following individuals for testimony:

Senior Planner Daniel Butler
Jamie Eubanks of Jenkins Engineering, Inc.

The City Attorney asked whether any member of the city council had been involved in any ex-parte communication regarding the proposed project.

The mayor and each member of the city council announced they have not been involved in any ex-parte communication regarding the proposed project.

The Land Use Attorney requested that the staff report and all its exhibits be admitted into the record as the **City’s Composite Exhibit A**.

Having no objection from the applicant, the mayor admitted the staff report and its exhibits into the record as the **City’s Composite Exhibit A**.

Senior Planner Daniel Butler stated that the project is located at 500 Industrial Park Road. The scope of the project is to redevelop the previously constructed parcel to include about 32,400 square feet of warehouse space within five building footprints, along with the associated site

infrastructure. The property has a Future Land Use Map designation of Industrial and a zoning designation of Industrial. The proposed use is consistent with the land use regulations. The project, as required by the city's Comprehensive Plan and the Land Development Code, has undergone a compatibility review and meets the minimum requirements. City 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 comments portion of this item and turned the matter over to the city council for their discussion and consideration.

Councilmember Braden inquired as to the amount of impact fees imposed for this project.

Mr. Butler replied that the estimated impact fees that will be assessed for this project at the issuance of the building permit is \$10,686.20.

Councilmember Hebert moved for approval of Destin Industrial Park, a Major Development Order, as presented. Councilmember Wagner provided a second to the motion, which passes 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

Councilmember Braden requests the topic, "Waiver of all fees accrued by DHS to date" be placed on the next meeting agenda for discussion.

B. Councilmember Wagner

Councilmember Wagner requests the topic, "Low speed vehicle safety program" be placed on the next meeting agenda for discussion; noting that the Public Work/Safety Committee passed a motion to recommend to the city council to begin a public education program on Low-Speed Vehicle laws. The council can discuss and possibly provide some directions on how to move forward with instituting such a program.

Next, Councilmember Wagner moved to direct the City Manager and City Attorney to continue negotiating with the land representative for the acquisition of the land for potential site for pickle ball courts; seconded by Councilmember Hebert. Motion passed 6-1 (Council members Schmidt, King, Hebert, Bagby, Destin, and Wagner, voted "yes"; Councilmember Braden voted "no").

C. Councilmember Destin

Councilmember Destin noted that since they have money in their budget dedicated to annexation, based on testimonies given tonight, this may be a good time to try to incorporate Kelly Plantation into the city. He recommends that the City Manager or appropriate members of staff contact Kelly Plantation to see if they are amenable to the idea.

The Land Use Attorney noted that she is putting together the statutory policy involved in this process, per prior direction from the council, and that it will be presented to the council in February 2023.

D. Councilmember Bagby

Councilmember Bagby congratulated Councilmember Wagner for completion of the Institute for Elected Municipal Officials (IEMO) II.

E. Councilmember Hebert

1. Motion to consider rescission of the following motion: Direct city staff to Work with Destin High School on acquiring a more permanent place for the baseball field and sports facility for the high school. Also, to direct city staff to determine the exact cost to renovate the baseball field at the Destin

Elementary School to serve as a temporary solution and address the present need of the high school, and act as a bridge to a more permanent solution for the high school.

Councilmember Hebert requests this item be pulled from the agenda given that the issue has been discussed fully, and that it has been superseded by a motion the council adopted earlier tonight.

F. Councilmember King

G. Councilmember Schmidt

1. Morgan Sports Center Barracuda Field changes

Councilmember Schmidt noted that at the June 20, 2022 council meeting, the council was presented with the idea of converting one of four softball fields at Morgan Sports Complex, which is barely used, into a high school regulation baseball field. Since that time and based on the motion that was made that night, there have been numerous meetings, emails and phone conversation between city staff and high school staff. There have also been two Parks and Recreation Committee meetings when this item was discussed. The committee approved a motion to move forward with the plan to update the field. Also, at the last meeting, staff provided a thorough briefing packet which was not made part of tonight's meeting packet. He received numerous phone calls and emails regarding this issue which is a sign this issue is very important to this community. He continued that their number one priority is their citizens, ahead of their local businesses and visitors. They heard from a lot of different people tonight regarding the usage of the field. They now have the opportunity to demonstrate their support for the high school without even having to bear the cost of the renovation.

Councilmember Schmidt moved to direct the City Manager to convert the Barracuda Field at the Morgan Sports Complex into a high school regulation baseball field, to be completed by January 20, 2023, based upon all permitting and approval requirements. This includes expanding the infield further adding grass infield for 90-foot

base paths. And to not put additional fencing or netting up at this time. Motion was seconded by Councilmember Hebert.

Councilmember Hebert noted that she has also heard from different family members throughout the week about this issue. She is so proud that Destin has a high school. The least they could do is continue to support them.

Councilmember Bagby stated that the goal is to obtain a unanimous vote from the council on this issue. He stated that he also has had conversations with many people in the community, and that this town is divided on this issue at this time. Only about 35 percent of them is in favor of converting the field. About 50 percent of the people who spoke in favor of it, including all the emails they received and those who have spoken tonight resides outside the city limits. He stated that he would like to present the following facts. They cannot annex the high school into the city until they are finished building their school facility. There is a healthy revenue stream for the high school. The school currently gets their pro rata share of the 3.695 mills that the school district raises for education for each student. They also get their pro rata share of the half-cent sales tax that was passed for the school. When the school receives its accreditation or 3 years after the school receives its accreditation from state, it becomes eligible for revenue from the state requirements for educational facilities. The school can also apply for federal and state grants. He added that they represent the citizens/residents of the City of Destin. He is willing to support the request to use the facility at the Morgan Sports Complex as long as it is paid for.

Councilmember Bagby offered a substitute motion to direct the City Manager to work with the Destin High School and Destin Water Users in crafting an interlocal agreement for the usage of the Morgan Sports Center Barracuda Field and bringing it back by the second meeting in October with the following stipulations:

- **The length of the agreement will not exceed 5 years**
- **The rate of usage is not more than the non-profit rate**
- **Destin High School will pay for the conversion of the field**
- **Destin High School will pay for the monthly, annually, or frequency of the usage as agreed upon by the group**
- **Destin High School will pay for reversion of the field after 5 years, or if they no longer need to use it and the council converts it back to a softball field.**

Councilmember Destin provided a second to the motion.

Councilmember Destin stated they need to come up with a conclusion to this issue that is beneficial to both the school and the city. And that the conversion of the field would not cause hard to the people who are utilizing it already. The field is not being use the beginning of the year, but it is being used later in the year. And that they have already taken some money from the participants who will be using the field. The conversion of the field with clay on some parts and grass on other parts could make it unusable for some of the other users such as the youth league, lacrosse, and soccer players. They would need to find a way to accommodate the needs of the high school without taking it away from the needs of the other users.

Councilmember King stated that he cannot support the substitute motion on the floor. He feels allowing the high school the use of the field is key to the success of the high school baseball team. He stated it does not make sense to continue to pursue the option to try to convert the Destin Elementary School field as it lacks proper accommodations such as bathrooms and concession stands. He supports converting the field at Morgan Sports Center into a high school regulation baseball field.

Councilmember Schmidt stated that he cannot support the substitute motion as he does not feel an interlocal agreement is necessary in this case.

Councilmember Destin stated they are working to make this happen, but they need an interlocal agreement to work out the details. It is necessary to get a unanimous vote from the council, or at least a super-majority vote to allow it.

The City Attorney opined this is a situation that would merit a contract or an interlocal agreement among the Destin High School, the City of Destin, and the Destin Water Users. If they move forward with the first motion, a lot of questions would arise as they go through the process. It is best to memorialize all the details and bring it to council for approval.

Councilmember Bagby stated they cannot skip this process as they will not be able to start the renovation of the field until they have an executed interlocal agreement. They need to memorialize all the details. He wants to allow the high school the use of the field, but they need to abide by their attorney's advice.

Motion passed 4-3 (Council members Bagby, Destin, Wagner, and Braden voted "yes"; Council members Schmidt, King, and Hebert voted "no").

Discussion of Section 3 – Consent Agenda follows item 6G(1).

Councilmember Schmidt requested an update to his previous recommendation regarding boardwalk planks replacement on beach accesses that will provide safety messages and general knowledge of the beaches to the public.

City staff will provide an update at the next council meeting.

Councilmember Schmidt inquired about the Harbor Capacity Study update scheduled in October, whether a partial or full result of the study will be presented to the council.

The Land Use Attorney noted that the item has been added to the October 3, 2022 council meeting agenda. The city council will receive the preliminary results of the study. The proposed livery vessel moratorium extension will come back at the second meeting in October as the current moratorium is due to expire in November.

Next, Councilmember Schmidt stated they have been getting conflicting information from the county and the city about Clement Taylor Park. They seem to be waiting for the completion of the Capt. Royal Melvin Park to get the funding for the design and construction of Clement Taylor Park.

According to the City Manager, the county is still working with the Treasury Department to move the park forward. The city is waiting for permission from the county since the county is the primary recipient of the funds.

Councilmember Schmidt would like to receive a definitive statement from the county in that regard at the next meeting.

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

7. PUBLIC COMMENTS

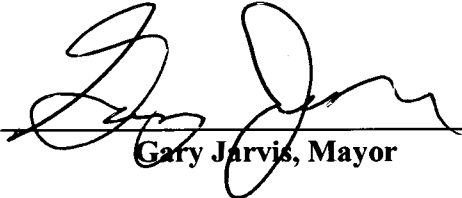
Mr. Philip Dorn, a Destin resident and Athletic Director of the Destin High School, noted that they previously presented their proposal for field conversion to the city council back on June 20th, and that for 90 days they have met with the Parks and Recreation Committee, the City Manager, and other city staff members. They have brought specific information before the city council including the plans and estimated cost for the renovation of the softball field at Morgan Sports Center. The council's decision is being delayed once again. The field has to be ready by January 23rd if they will be allowed to use it. At this time, they are not even sure if they will have home games next season. He urged the council to expedite the process; adding that this is ultimately about doing something for the kids in the community.

Ms. Denise Fountain, Destin High School Governing Board President, thanked the council for the vote tonight. She stated that they have had so many meetings with city staff and collected so much information already. The interlocal agreement was not previously brought up or they would have been happy to create one much earlier. She added that they have to move quickly. Time is of the essence as the baseball season is about to start.

8. ADJOURN

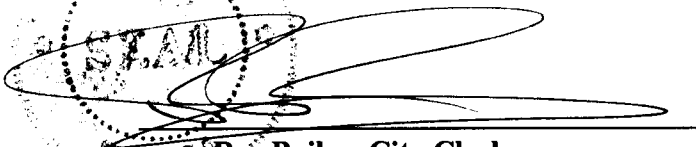
ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 8:45 PM.



Gary Jarvis, Mayor

ATTEST:



Rey Bailey, City Clerk