

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
FEBRUARY 6, 2023
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 Bobby Wagner
Councilmember Torey Geile
Councilmember Kevin Schmidt

Councilmember Jim Bagby
Councilmember Dewey Destin
Councilmember Johnny King

Destin City Staff

City Manager Lance Johnson
City Clerk Rey Bailey
Principal Planner Steve O'Connor
Human Resources Manager Jaime Dittmer
Engineering Assistant Joe Bodi
Finance Director Krystal Strickland
Code Compliance Deputy Director Danny Sullivan
Community Development Director Louis Zunguze
Land Use Attorney Kimberly Kopp

Deputy City Manager Webb Warren
Public Information Manager Tamara Young
Recreation Director Lisa Firth
City Engineer Ryan Scott
Accountant Elijah Burroughs
Senior Planner Daniel Butler
Public Works Director Michael Burgess
Grants/Project Manager Jeffrey Cozadd
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bobby Wagner called the meeting to order at 6:00 PM. Pastor Steve Farris of First Baptist Church of Destin gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Schmidt requests agenda item 6G (1) be moved to the next agenda.

Motion by Councilmember Destin, seconded by Councilmember Bagby, to approve the agenda, as amended, passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted "yes"; Council members Hebert and Sweetser were absent from the meeting).

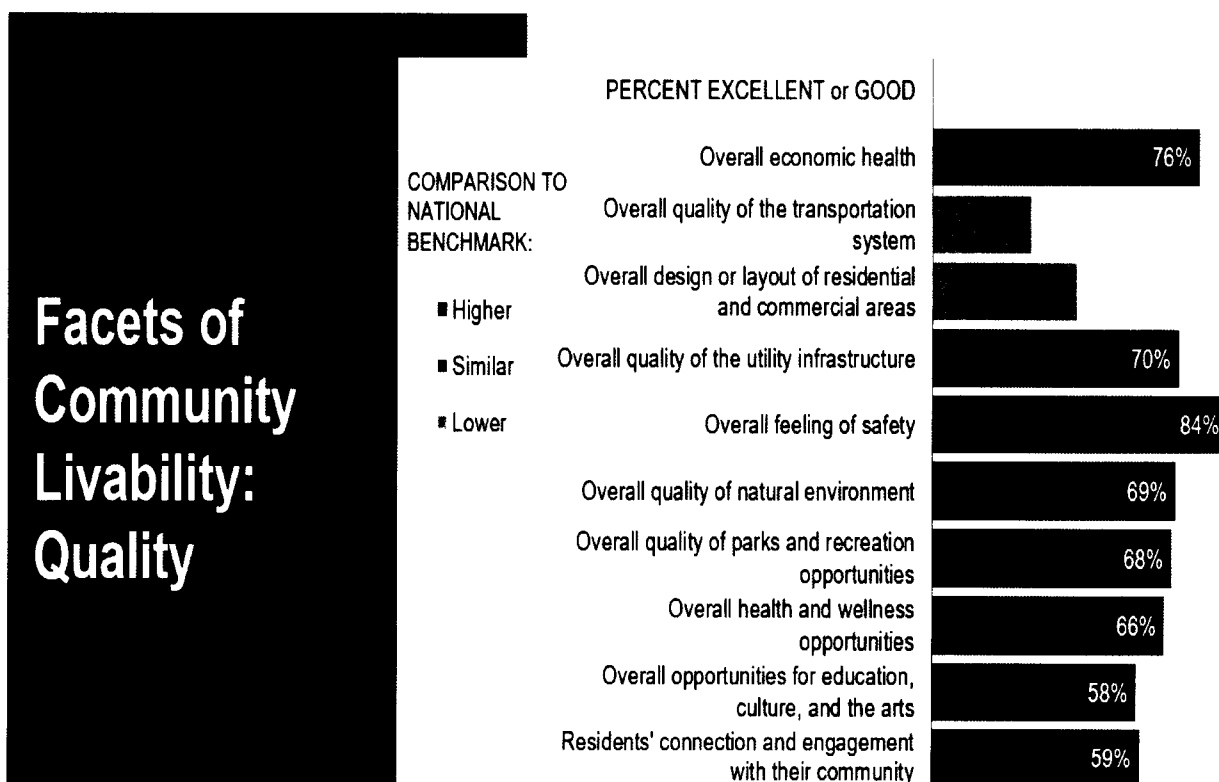
1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / PUBLIC PRESENTATIONS / ANNOUNCEMENTS

A. Presentation of the Results of the 2022 Citizen Survey – Jade Arocha, POLCO

Ms. Jade Arocha, Director of Survey and Research/POLCO National Research Center, presented the results of the 2022 City of Destin National Community Survey:

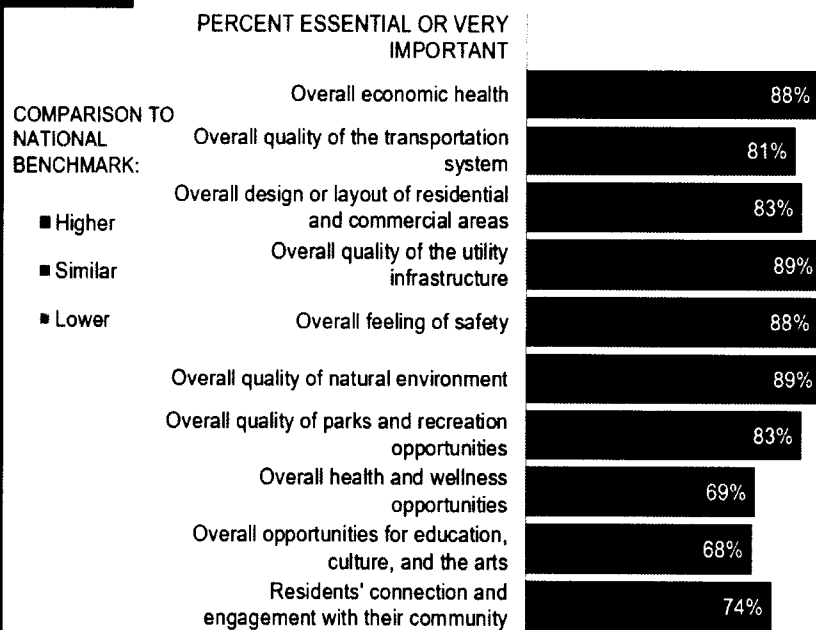
The National Community Survey in Destin

- Fourth time conducting the NCS (previous surveys in 2010 2012, and 2016)
- Survey conducted from September 6, 2022, to October 28, 2022
- “Hybrid” mailing approach employed
 - ❖ Probability-based sample of 2,800
 - ❖ 440 total responses received
 - ❖ 18% overall response rate
 - ❖ Non-probability, open-participating sample: 53 responses
- Results statistically weighted to reflect Destin overall
- 95% confidence interval with a +/- 5% margin of error



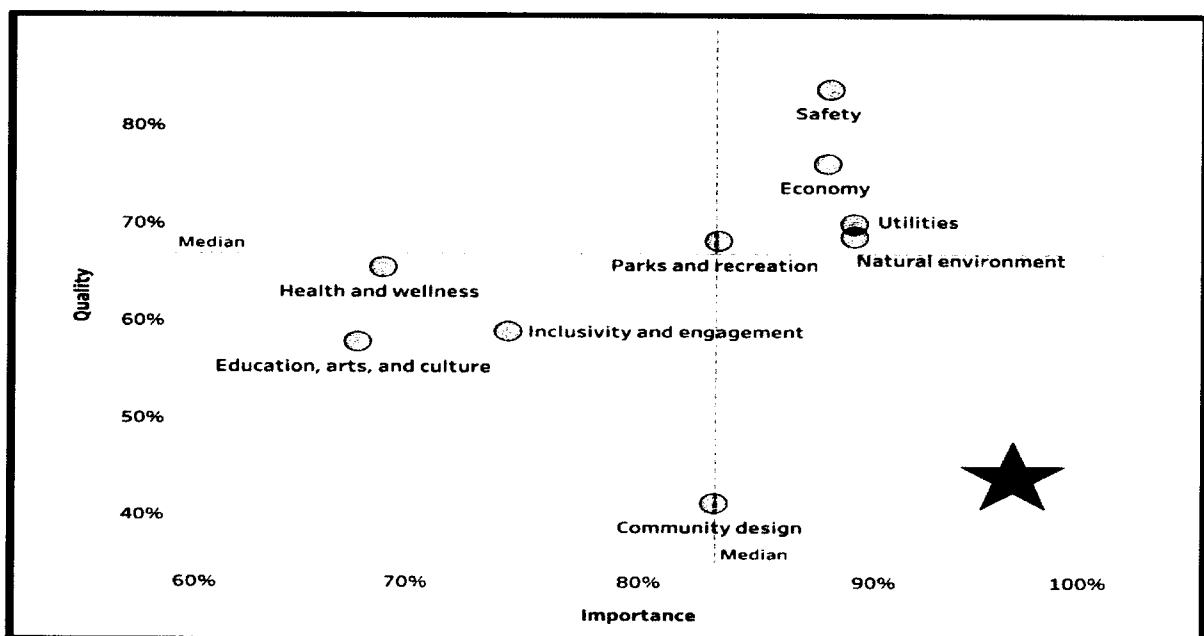
- In the survey, two questions were asked about the 10 f of community livability.
 - ❖ The first question above asks residents to rate the quality of each
 - ❖ The resulting comparison to the national benchmark shown in the shading on the chart

Facets of Community Livability: Importance



- The second question asks about the same facets of livability but is centered on how important residents think it is for the community to focus on each facet in the coming two years
- They ask about both the quality and importance of each of these facets, and those answers were used to create the quality/importance matrix

Balancing Quality and Importance



- This chart is used to help determine which areas are of relatively higher importance and lower quality to residents. Those are located in the lower-right quadrant as pictured.

- This chart can be used to identify key findings and help a community determine which areas may need additional focus or resource allocation in the coming years.

Comparisons to National Benchmarks

- Of the 122 survey items for which residents provided evaluative ratings, 4 received ratings higher than the national benchmark, 80 received similar ratings, and 38 received lower ratings.
 - ❖ Ratings are considered similar if they are within 10 points of the national average, and higher or lower if they are more than 10 points different from the average

Comparisons to Peer Community Benchmarks

- Destin elected to compare their results to a custom subset of communities from within the national database (These communities have a population under 70,000, and are considered resort communities)
 - ❖ Of the 147 survey items for which residents provided evaluative ratings, 107 received similar ratings, and 39 received lower ratings

Comparisons from 2016 to 2023

- When compared to results from Destin's NCS results from 2016, in 2023, zero received ratings that were statistically significantly higher than the previous survey iteration, 41 received similar ratings, and 29 received lower ratings

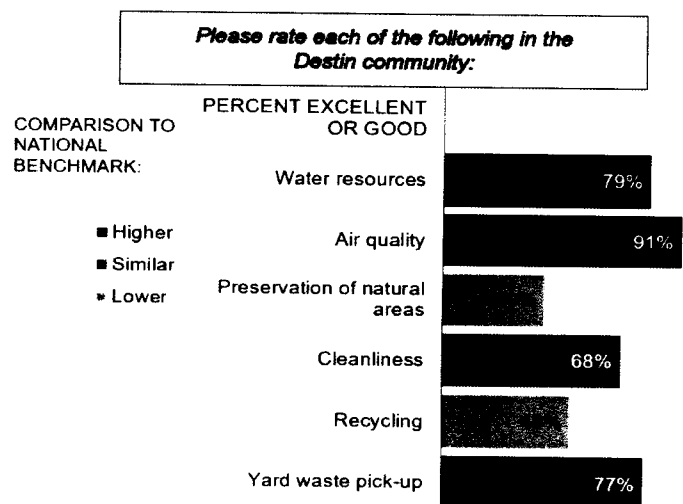
Overall Community Quality

- About 8 in 10 residents rated Destin as a place to live and the overall quality of life in the county as excellent or good
- Roughly 7 in 10 residents planned to remain in the city for the next 5 years
- All of these ratings were similar to the national benchmarks, and decreased slightly from the previous survey held in 2016

The Natural Environment in Destin



Overall quality of natural environment in Destin, 2022



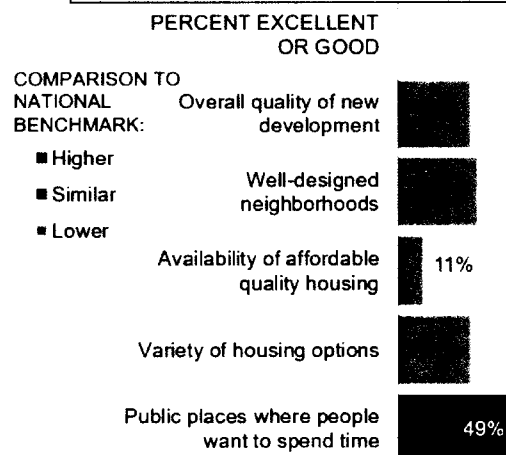
- Ratings for survey items related to the county's natural environment tended to be positive with 69% of residents giving excellent or good reviews to the overall quality of natural environment in Destin
- Residents also highly rated Destin's water resources 79% percent excellent or good) and air quality (91% excellent or good), both higher than the national benchmark
- City residents showed concern regarding other aspects of the natural environment, with 31% participants giving excellent or good ratings to Destin open space, 39% to the preservation of natural resources areas, and 49% to recycling; each of which were lower than the national averages
- The natural environment in Destin is of high importance to Destin residents, with nearly 9 in 10 participants rating the natural environment in the city as an essential or very important area of focus for the community in the next two years

Community Design in Destin

Overall quality of natural environment in Destin, 2022



Please rate each of the following in the Destin community:

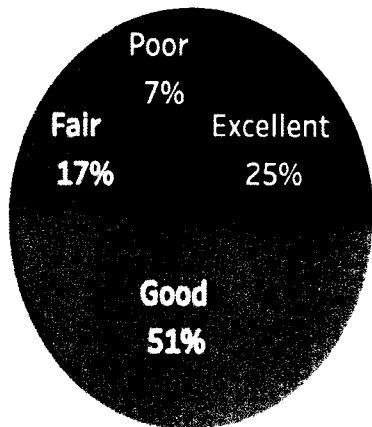


- Safety remains a top priority for residents, with most residents rating this facet as being of high importance (89% essential or very important) and high quality (67% excellent or good)
- Most respondents reported feeling safe in their neighborhoods during the day (91% very or somewhat safe), which was on par with both the previous survey results and comparison communities nationwide
- About 8 in 10 residents reported feeling safe in Destin's downtown/commercial area during the day, which was an eleven percent decline from 2018, though remained similar to the benchmark

- About 75% of residents felt safe from violent crime and 71% from property crime, both scoring on par with national benchmarks
- Two-thirds of residents felt safe from fire, flood, or other natural disasters, coming in lower than comparison communities

The Economy in Destin

Overall economic health of Destin, 2022



Please rate each of the following in the Destin community:

COMPARISON TO NATIONAL BENCHMARK:

- Higher
- Similar
- Lower

PERCENT EXCELLENT OR GOOD

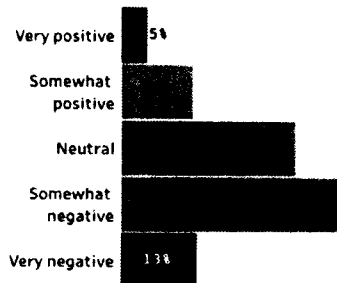


- Residents indicated that Destin's economy should continue to be a top priority, with nearly 9 in 10 rating it an essential or very important focus area for the next two years
- About half of respondents provided favorable reviews of the city's overall economic health, on par with the national average, though indicating this may be an area of possible focus
- When asked about the County as a place to work, 44% (excellent or good) responded with positive scores; this is lower than the national average and lower than the 2018 survey result

- However, about 6 in 10 survey respondents were pleased with the overall quality of business and service establishments and over 4 in 10 rated the vibrancy of downtown and the variety of business establishments positively, all similar to national benchmarks

The Economy in Destin

What impact, if any, do you think the economy will have on your family income in the next 6 months? Do you think the impact will be:

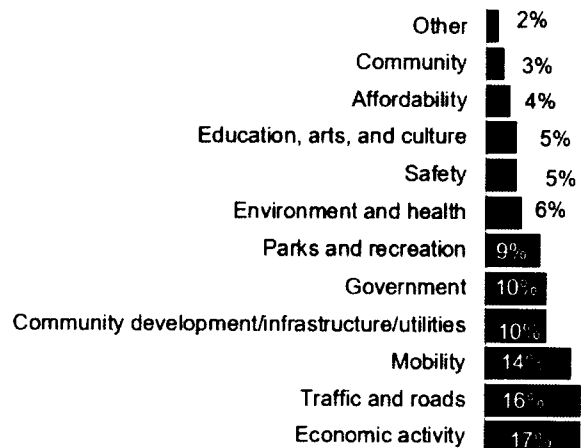


Nearly 9 in 10 residents

Rated Destin's overall economic health as a high or medium priority for the City in the next five years.

Open Response: If a topic is not listed in the question above that you feel should be a priority for the Destin City Council, please identify that priority below.

PERCENT OF RESPONDENTS

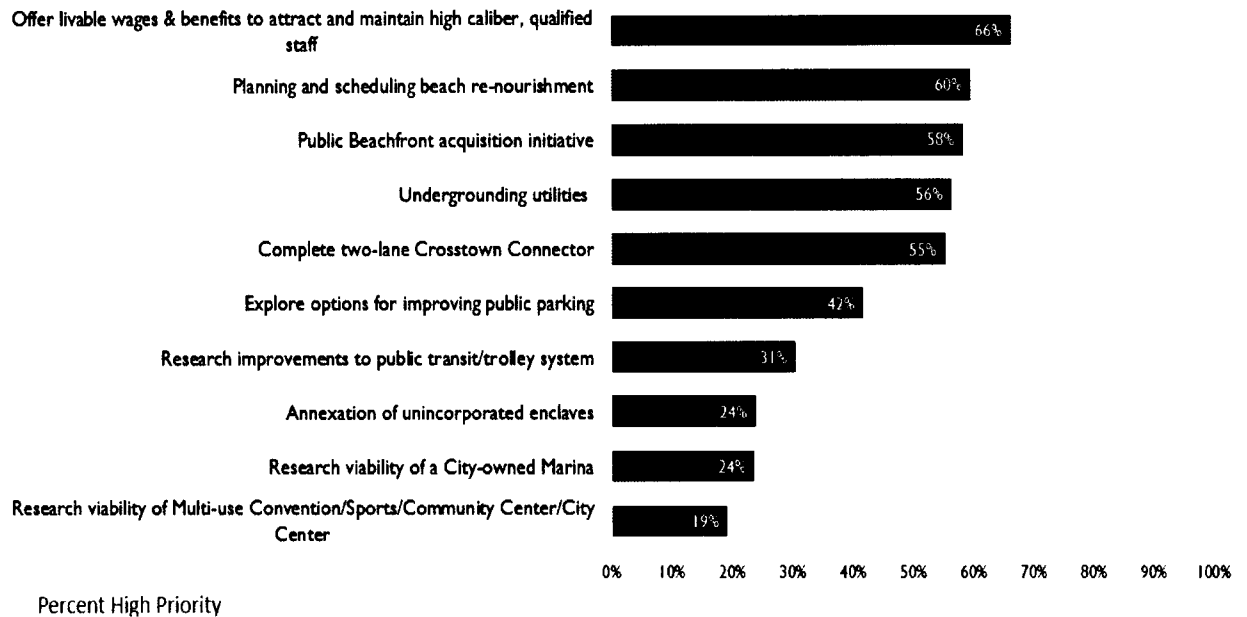


- Residents were less optimistic about their economic outlook: when asked what impact, if any the economy would likely have on their family income in the next six months, 16% (very or somewhat positive) of the respondents responded favorably
- Similarly, when asked to rate the cost of living in the County, 32% (excellent or good) responded positively. Although both scores were similar to those seen in other communities across the nation, when compared to 2019 survey results, they are lower by 30 and 18 percentage points respectively
- In a question unique to Destin, residents were also asked to identify the single most important issue currently facing the County. Of the options provided, residents most commonly chose housing affordability/cost of living as the highest priority facing Destin, with 99% rating it as a high or medium priority
- Similarly, an additional question asked residents to evaluate the priority level of specific items to focus on in the next five years. Of these, 39% of the respondents also identified housing affordability and cost of living as the most important priority

Priorities in Destin



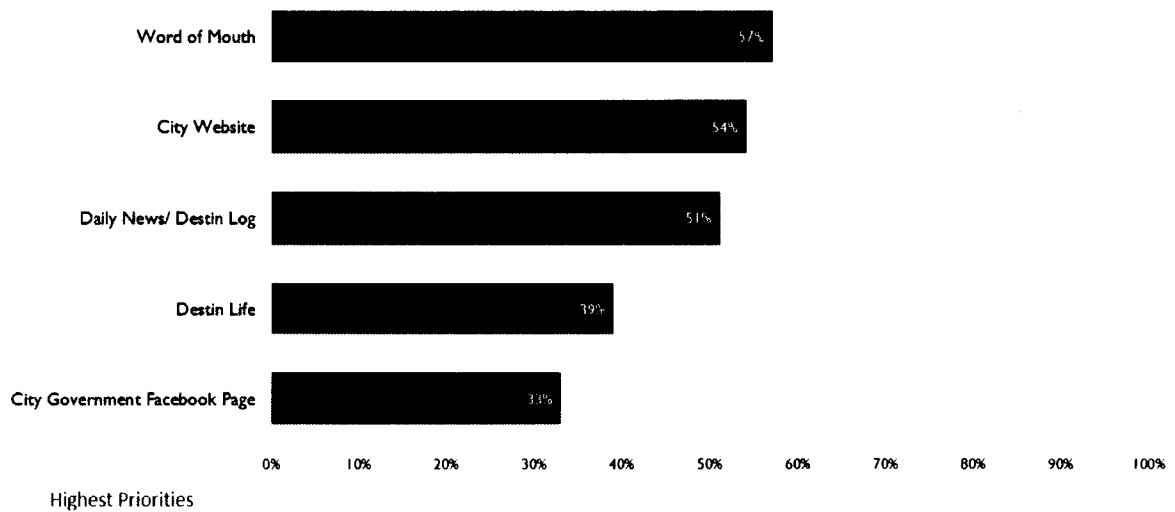
Please indicate how much of a priority, if at all, it is for the City of Destin to accomplish each of the following objectives?



Top Sources of Information about Destin



Please indicate how much of a priority, if at all, it is for the City of Destin to accomplish each of the following objectives?



Summary of Conclusions

- The natural environment in Destin is of high importance to the city's residents
- Destin's economy is both a strength and a challenge
- Residents rated Destin's overall economic health as a high or medium priority for the city in the next 5 years
- Community design and housing availability may be an area of opportunity for the city

2. PUBLIC COMMENTS

Mr. Jason Belcher, a Destin resident and Chairman of the Destin Chamber, discussed several initiatives the Chamber plans to accomplish this year – Chamber mentorship program, continuing with the Destin Forward program, greater involvement/participation of Chamber membership in city government, Chamber participation in the development of comprehensive economic development plan for the city, and development of Trustee Advisory Committee for the chamber committees to have better engagement with the city. Mr. Belcher also discussed the excellent relationship the Chamber has with the City of Destin and its leaders.

Ms. Terese Oliver, an Okaloosa County resident, discussed the tour helicopters flying around US Hwy 98. She noted that there are several helicopters that fly above US Hwy 98 and the surrounding residential areas from 3 to 10 PM daily especially during the height of the season. The sound the helicopters make is absolutely deafening negatively impacting the quality of life of people that live in the community. She continued that the FAA is doing absolutely nothing about it and does not intend to take any action to change the flight patterns of these helicopters. She urged the city council to take immediate action, such as finding a place on the beach for these helicopters to fly over away from residential areas before accidents happen and the city opening itself up to a tremendous amount of liability.

Ms. Karen Lugo, a short-term rental owner, stated that she has been working closely with a lot of other short-term rental owners and resort managers in Destin over the past several years. She stated that it was only a few years ago when the City of Destin commissioned a Short-Term Rental Task Force, which resulted in the creation of several regulations, to include reduction in occupancy and parking limitations for short-term rental properties. She also stated that as a result of the 5-year grandfathering provisions, about 80 percent of the short-term rental owners still have their previous occupancy limits enforced and will not be affected by those regulations until the year 2024. Ms. Lugo continued that there have been a lot of unlawful advertising going on, such as advertising having more occupants than are required and advertising events that are not allowed. Many of the owners are working with the city and are constantly providing the information including the addresses of these bad actors but to the Code Compliance Department but to no avail as no enforcement actions are being taken against them. Ms. Lugo urged the council to consider cracking down on condominiums if they plan to commission another committee. There are as many condominiums as there are short-term rental homes. They contribute to the same kind of issues and have the same compatibility challenges. She also expressed objections to having Ms. Pati Brown chair the committee as previously suggested by a council member; adding that Ms. Brown is an activist and is very much against short-term rentals. If the mission of this committee is to conduct a study with an objective fact-finding it is very important to have objective members who are working for a fair assessment.

Ms. Sandy Trammell, a Destin resident, pointed out that an item on the agenda, Captain Royal Melvin Heritage Park Mural, the motion was to authorize the City Manager to work in partnership with the Destin High School to provide interpretive artwork. She recommends bringing this item before the Parks and Recreation Committee for their review and recommendation.

Mr. Ken Wampler, a Destin resident, suggests having representatives from the Short-Term Rental Industry participating in the Short-Term Rental Impact Committee that can speak on the positive economic impact of vacation rentals in the City of Destin. He stated he was a former member of the Short-Term Rental Task Force. They had a good mixture of residents and industry members and came up with some very good recommendations.

Mr. Claude Perry, a Destin resident and businessman, stated that the Harbor Capacity Study, with the main purpose of studying the vessel traffic in the harbor, was implemented in November 2021 and is currently ongoing. He asked if the Harbor Capacity Study includes study of vehicular traffic and parking in the harbor.

Community Development Director Louis Zunguze noted that the study will include recommendations for parking.

Ms. Marcie Bell, a Destin resident, noted that she attended every Short-Term Rental Task Force meeting. She stated that all members of the task force, both residents and industry members, got along very well.

Mr. Guy Tadlock, a Destin resident, stated that he recently attended a workshop on the Harbor Capacity Study. When he asked a question as to the number of boat slips currently in the Destin Harbor, he was surprised to learn it was not part of the study. He stated that the harbor is a very fragile body of water. It is fairly small, long, narrow, and shallow. Almost totally dependent upon the flushing pump the city has had a hard time maintaining over the past 30 years. The study is more driven by the traffic in and out of the harbor more so than the basic things that affect the health of the harbor. He urged the council to look into it and possibly include the boat slips in the study. The last thing the city wants to see is for the harbor to be declared an exceptional water in Florida and have very significant restrictions placed on it.

Mr. Justin Johnson, owner of Timberview Helicopter, noted that in June 2021, Okaloosa County sent a similar resolution to the FAA as the city has on tonight's agenda. The FAA responded to the county stating that Timberview Helicopters were operating at 100 percent within the bounds of the law and with a safety record that was flawless. He stated that they are valued in the community. They had almost 50,000 satisfied customers last year alone. The helicopters are not just used for tourism. They also have contracts with the National Weather Service. They provide the information the public gets on hurricanes and tropical storms. They have done a lot of work for the US Coast Guard. They fly search and rescue missions to find bodies in the water and have conducted hurricane relief work. They are providing hundred of jobs in the community. They are operated by staff consisting mostly of prior military personnel, using this job as a steppingstone for a higher paying job. They have one of the best training programs for their pilots. They have flown over 22,000 flight hours without a single incident or injury. They have been operating in this area for over 10 years. They have a flight plan approved by the FAA. He added that he would appreciate a phone call and is open to a back-and-forth communication regarding their operations

rather than the city sending something to the FAA complaining about them or having to come to one these meetings to defend themselves after seeing themselves on the agenda.

3. CONSENT AGENDA

- A. Declaration of City Vehicles, Equipment, and other items as Surplus
- B. Destin Little League Parade Request for use of ROW
- C. Summarized Organizational Accomplishments for 2022
- D. TRIP Funding Agreement Extension - G1U39 Amendment 1
- E. Approval of minutes of January 17, 2023 Regular City Council Meeting

Motion by Councilmember Bagby, seconded by Councilmember Schmidt, to approve Consent Agenda items 3A thru 3E, as printed above, passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

4. CITY MANAGER REPORTS

- A. Code Compliance Director Confirmation- Mr. Troy Williams

Motion by Councilmember Bagby, seconded by Councilmember King, to confirm the City Manager’s recommendation to hire Mr. Troy Williams as Destin’s Code Compliance Director passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

- B. Resolution 23-02 – Tour Helicopters

The City Manager noted that the city council directed staff to prepare a resolution for city council consideration setting forth the city council’s position on helicopter air tours within the city. The resolution does not attempt any further regulation of air tours within the city. Rather, it seeks and support changes from the Federal Aviation Administration directing helicopter flight paths away from residential areas and congested beaches within the City of Destin.

Councilmember Schmidt moved to adopt Resolution 23-02 and direct the City Clerk to forward the resolution according to its terms; seconded by Councilmember King. Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

- C. Resolution 23-03 - Implementing a proactive code enforcement policy.

According to the City Manager, the city council previously directed staff and legal counsel to prepare a code compliance policy that included proactive measures for achieving compliance. Proposed Resolution 23-03 sets forth this proposed policy and is before the city council for consideration.

Councilmember Schmidt moved to approve Resolution 23-03 and adopt the policy set forth therein; seconded by Councilmember King.

Councilmember Bagby stated that although he supports proactive enforcement, he was under the notion that this item will be part of the upcoming visioning session when they will discuss and set their priorities consisting of 2 or 3 items for which they could be proactive. He added that having 7 or 8 priorities listed is similar to not having any priorities at all and sending staff up for failure. Code officers could spend an entire shift just writing parking tickets on Misty Way or other parts of the city.

Councilmember Bagby offered a substitute motion to place this item on the City Council Strategic Visioning Session for discussion; seconded by Councilmember King.

Councilmember Geile stated that he believes their code compliance officers are already being extremely proactive. They have also been receiving a tremendous number of calls. He stated that if a child has to step out on a busy street because the sidewalk is blocked, that puts the child's life in danger and that is the type of scenario they need to avoid at all costs. He agrees that this issue ought to be discussed at the visioning session and so they could set their priorities; but the health, safety, and welfare of the community needs to be their number one priority.

According to Councilmember Destin, they need to review the parking ordinance to make sure it says what they want it to say; otherwise, they will only be setting their code officers up to fail. He also supports discussing this issue at the visioning session and coming up with their top priorities.

Councilmember Schmidt explained that this resolution was not meant to replace the visioning session discussion regarding this issue. It was meant for the council to give the City Manager and staff further direction to be a bit more proactive in enforcing the code. With regards to temporarily parking in the rights-of-way as they have previously discussed, section 15.05-53 of the code states that, "*no person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers.*" He continued that this section explains the exact meaning of temporary parking. He added that parking in a right-of-way for several hours clearly violates this provision, which is why they need to have a proactive enforcement.

Motion passed 4-1 (Council members King, Bagby, Destin, and Geile voted "yes"; Councilmember Schmidt voted "no"; Council members Hebert and Sweetser were absent from the meeting).

D. Resolution 23-04 - Formation of Short-Term Rental Impact Committee

Councilmember King moved to approve Resolution 23-04; seconded by Councilmember Geile.

Councilmember Geile explained that the intent of this resolution establishing a short-term rental impact committee is not to provide for additional regulations of short-term rentals at this time. Its sole purpose is fact-finding. Specifically, the committee will gather facts relating to the impacts of existing short-term rentals in residential areas within the City of Destin and provide a report setting forth such facts and findings to the city council.

According to Councilmember Bagby, they might be better served scheduling a workshop on short-term rentals and inviting the community and receiving input from different groups representing both sides of the issue; as well as receiving feedback as to the effect of the short-term rental regulations they passed a few years ago, both positive and negative. He also stated that whether or not this committee will provide any recommendations to the city council, any group that will be presenting factual information to the city council ought to fall under the Sunshine Law.

Councilmember Bagby offered a substitute motion to amend proposed Resolution 23-04 indicating that this committee will fall under the Florida Sunshine Law, that each council member will appoint one member to the committee, and that the committee will appoint the committee chair. Councilmember King provided a second to the motion, which passes 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

E. Update on use of Morgan Sports Center Barracuda Field by Destin High School

According to the City Manager, Destin High School requested the use of Barracuda Field at Morgan Sports Center and entered into an interlocal agreement with the city for use of the field for games and practices during their baseball season. They were to produce signed sealed engineered drawings for modifications necessary to accommodate high school baseball requirements, as well as safety netting for the first baseline and outfield facing the east parking lot. The school has requested to temporarily hold off on the modifications to Barracuda Field until they are finalized by their contractor. It was proposed by the school to shift the focus to the baseball field at Destin Sports Complex (Elementary School) and make repairs necessary to accommodate games at that location. The city agreed to help make that work.

F. RFQ for City Center Conceptual Design- update

The City Manager noted that staff is finalizing a draft Request for Qualifications (RFQ) which will be reviewed, per city protocol, by the city’s Bid Committee this week. The RFQ will then be released for bid immediately thereafter.

Councilmember Destin stated that he does not feel comfortable spending money creating a conceptual design for a city center on a property they do not already own. He also stated that they need to include this item on the agenda for the visioning session so they can discuss it and come up with a more definitive ideas on what they want this city center to look like. He also requested that an item be placed under his name on the next agenda directing staff to obtain a written document from the owner of the future Publix Shopping Center site in Destin indicating that they are interested in working with the city or selling a portion of the property to the city.

Councilmember Bagby stated that they need to have a vision for a town center before that start putting out and RFQ for someone to design a town center. Either having a public-private partnership or owning the land would be ideal. He continued that it is critical on that RFQ to require an entity that has already done redevelopment of a town center.

G. Utility boxes paint project - providing locations and costs – update.

Community Development Director Louis Zunguze provided the following update:

- At the January 17, 2023 City Council meeting, Council directed Staff to do the following:
 - ❖ Meet with the family representatives of Kohltan to discuss a custom memorial on the utility box located at Main Street and Kelly Avenue
 - ❖ Investigate three additional different locations throughout the City to wrap utility boxes as a pilot program.

To address Council's direction, Staff has chosen the four locations to potentially wrap utility boxes. Three of the locations are Century Link/Lumen boxes and one location is a Florida Power and Light (FPL) box. The location are as follows:

- Main Street and Kelly Street- Memorial Wrap for Kohltan (Century Link/Lumen)

CenturyLink/Lumen has stated that they will work with the City on the memorial wrap for Kohltan to be located at Main Street and Kelly Street. Staff has met with family representatives for Kohltan and discussed the custom memorial wrap. They are currently working on a custom design for the utility box located at Main Street and Kelly Street.

Staff has reached out to two local wrap companies and have heard back from one of them. They provided Staff with two different quotes for the memorial wrap.

1. Utility Box Custom Wrap Cast Vinyl – Installed - \$1,121.20. This wrap has a 7–10-year life span.
2. Utility Box Custom Wrap Calendared Vinyl – Installed - \$879.10. This wrap has a 6 month-1 year life span.

Although the company that provided the above quote does not meet the minimum certifications to be an installer for FPL equipment, they may be able to install the memorial wrap.

- Utility Box Wrapping Pilot Program
 - ❖ Calhoun Avenue and Kelly Street (**Century Link/Lumen**)
 - ❖ Beach Drive and Kelly Street (**Century Link/Lumen**)
 - ❖ Durango Road and Gulf Shore Drive (**FPL**)

Currently, FPL is the only company with a set process and standards. Staff will start the application process with FPL to wrap their box at the Durango Road and Gulf Shore Drive location. Staff will need to find an installer that meets the minimum certifications required by FPL.

Century Link/Lumen has stated that they will work with the City on the Kohltan memorial wrap but are still discussing if they will allow further wraps on their equipment.

Cox Communications is still determining if they will allow this on their equipment, but they do not have equipment that will be affected by this initial wrap phase. With that said, Cox Communications has reached back out to the City and asked the following two questions:

- What would the process be if our equipment overheats and needs to be replaced?
- What happens if while working the wrap/paint is damaged are we going to be held responsible to repair the boxes covering?

H. Traffic Study - Legion Drive (Beach to Main) – Update

Public Works Director Michael Burgess noted that the council has directed that a traffic analysis be performed on Legion Drive from Beach Drive to Main Street at its meeting on January 17th; and that the study be completed within 4 months. Staff has consulted with both Okaloosa County's Engineer and Traffic Engineer concerning the issues with Legion Drive – speeding, congestion, signal timing - and the possibility of converting the right-turn only lane heading eastbound into a right-thru lane. County staff recommended that the city enlist the help of a traffic engineering firm to perform a “Safety Study” for both Legion Drive and its intersection with Main Street. Staff has made initial contact with two engineering firms to develop a scope of work, get cost estimates for the work, and identify deliverables.

Councilmember Bagby moved to take this item before the Public Works/Safety Committee for their review and recommendation; seconded by Councilmember Destin.

Councilmember Schmidt pointed out that staff is only developing a scope of work and not bringing back the actual study. He recommends staff bringing back the scope of work for council review and then staff taking the results back to the Public Works and Safety Committee so as not to slow things down.

Councilmember Bagby stated that there are smart members of that committee and that they could make the study better. It would be best to get their input with regards to the elements of that study. He continued that the main purpose of the committee is to obtain the citizens' input on how this town is ran and help build a consensus.

Councilmember Geile stated that the system could slow things down, but it is important that they do not bypass the committees and to consider their recommendations.

Motion passed 4-1 (Council members King, Bagby, Destin, and Geile voted “yes”; Councilmember Schmidt voted “no”; Council members Hebert and Sweetser were absent from the meeting).

I. Linear Park and 98 Palms Extension Conceptual Design

City Engineer Ryan Scott gave the following presentation:

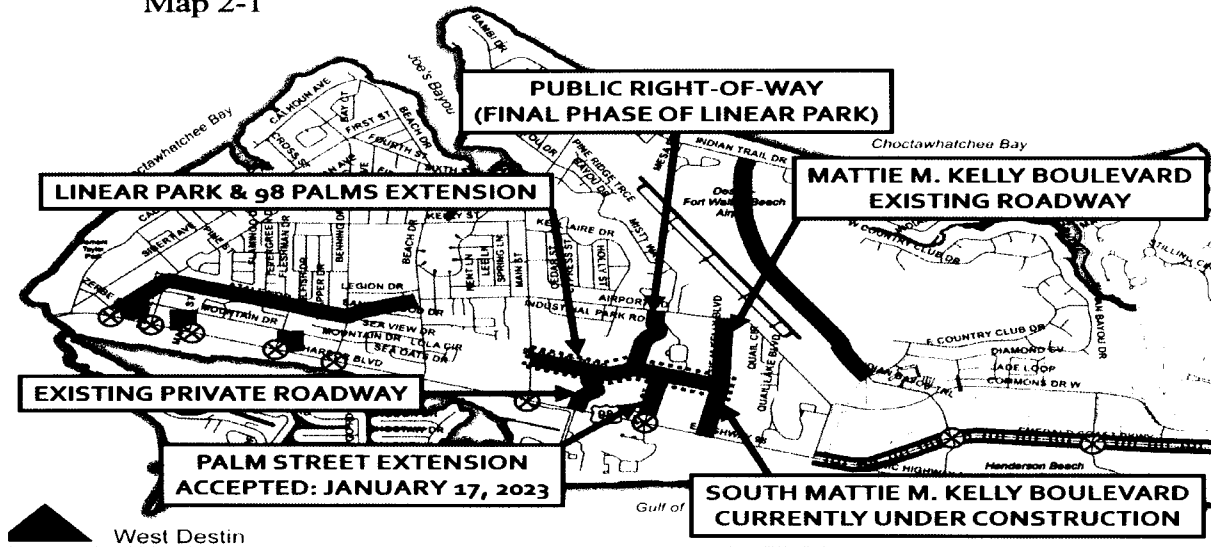
Linear Park and 98 Palms Extension Conceptual Plan

Comprehensive Plan

- Chapter 2: Transportation Element
 - ❖ Policy 2-1.1.1: Pursue Additional Road Corridor Improvements
 - ❖ Policy 2-1.1.2: Relieve Congestion
 - ❖ Policy 2-1.1.3: Maintain New Road Corridor Alignments

❖ Map 2-1: Needed Motor Vehicle Transportation Improvements

Map 2-1

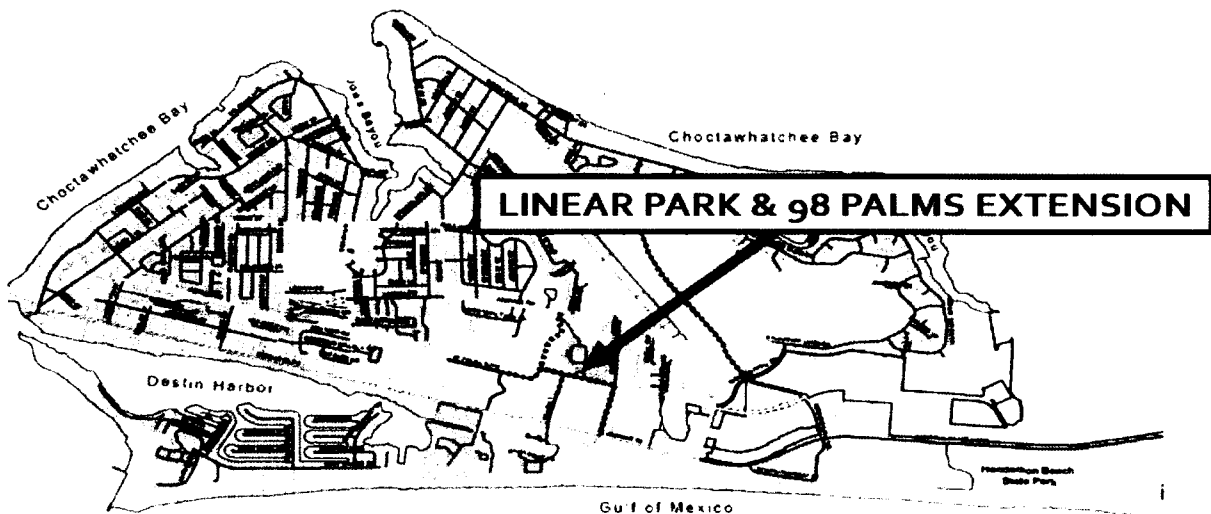


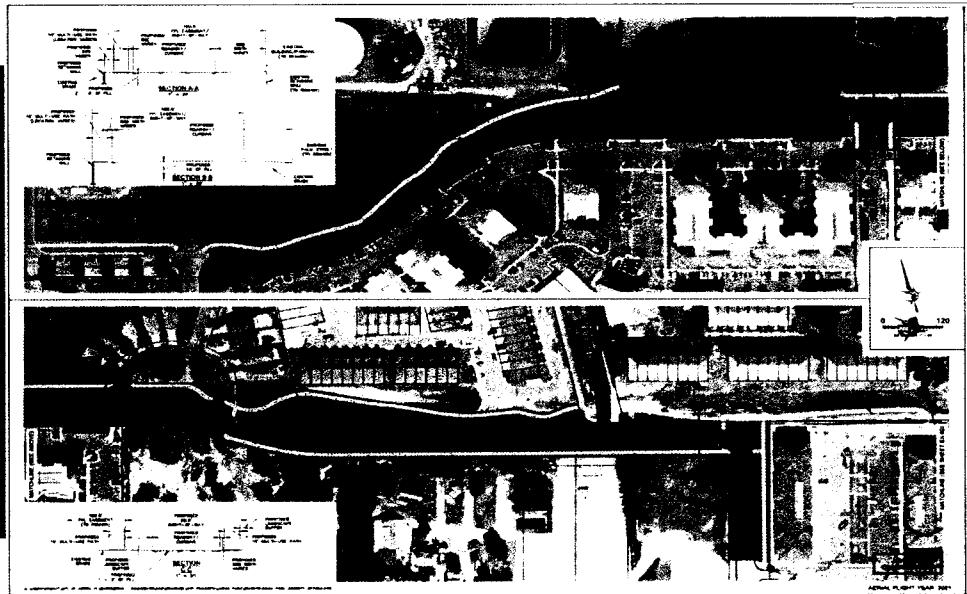
Land Development Code – Project Requirements

- Article 8 – Transportation
 - ❖ 8.07.02: Pathways Master Plan
 - ❖ Table 8-7B: Level Two Priority Planned Improvements
 - ❖ 8.01.00 (E) (3)(d)(i)(b): Transportation Corridor Management Plan
 - ❖ 8.07.02: Pathways Master Plan
 - ❖ Table 8-7B: Level To Priority Planned Improvements
 - ❖ Map 8-1: Street Map Classification

Article 8 – Transportation

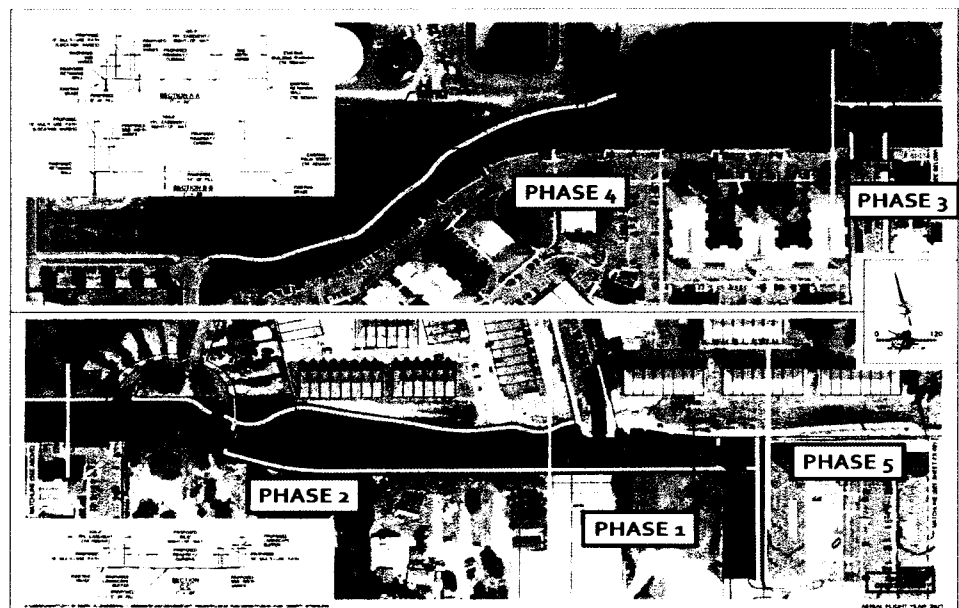
• Map 8-1: Street Map Classification





Project Issues of Note

- Wetland Impacts
- Roadway Easement from DWU required
- Relocation of DWU infrastructure
- Drastic elevation changes (ADA compliant)
- Retaining walls will be required
- Fill, Fill, Fill
- Easements from private residents
- Impacts to FPL infrastructure
- Stormwater – Storm Tech type system used at CTC
- Variances will be required



Project Funding

- Current grant for the design of a Linear Trail only
 - ❖ Set to expire in October 2023
- Request an extension once a designer is selected and a timetable is provided
- The road and trail should be designed together
 - ❖ This will eliminate any future compatibility issues
 - ❖ Will provide a longer-term benefit to the community

Project Next Steps

- Release the RFP for a complete road and trail design
- While the RFP is out, staff will present to:
 - ❖ Town Center CRA Advisory Committee
 - ❖ Public Works/Safety Committee
 - ❖ Parks and Recreation Committee
 - ❖ Local Planning Agency
- Incorporate feedback and recommendations into the overall design
- Request variance through the Board of Adjustment once all are identified
- Present to all above-mentioned committees for final approval
- Receive final approval from City Council

Council Action:

- Approve the release of an RFP for the design of the Linear Park and 98 Palms Extension
 - NOTE: Once an engineering firm is selected with pricing for design, staff will come back to city council to discuss additional funding options for the project (if needed)

Councilmember Destin noted that the grant they have for the Linear Park was from the Legislature, and with a lot of conditions. He is not sure if they are allowed to comingle the Linear Park design with another design, or if they can even get an extension without a Legislative action. He asked if this plan has been coordinated through Representative Maney's office to make sure they are allowed to do what is being proposed.

Grants/Project Manager Jeff Cozadd stated that he has coordinated this matter through FDOT, the entity that is overseeing this grant, and they said they could do the designs simultaneously using the same engineer, with the expenses to be kept separately. The grant would only pay for the Linear Park design.

Councilmember Destin expressed concern that comingling the designs will cause a problem, and that the Linear Park design will not get done in time prior to the October 2023 deadline and they would end up losing the grant money. He asked that the City Manager or Land Use Attorney to contact Representative Maney's office and inform them of this concept.

Councilmember Destin moved to conduct this project in phases, making the design for the Linear Park as phase 1, seconded by Councilmember Bagby.

Councilmember Bagby recommends further fast-tracking this project by conducting a multi-committee workshop while the RFP is out and presenting this concept to them and obtaining their feedback at the same time.

Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

J. CRMHP Mural

According to the City Manager, one of the Florida Land Trust's grant requirements is that they include interpretive signage at Captain Royal Melvin Heritage Park. Interpretive signage simply provides park visitors with information related to the area they are visiting. Several areas in the new park lend themselves to creating this type of artwork, including the rampway wall. Back in November, he was also contacted by Jan Denial Alberto who is part of the DHS Leadership Class. She was looking for locations where her Leadership class could complete a mural in Destin with the goals of making Destin livelier and inspire all of the people that would see the artwork. He agreed to meet with the Leadership Class and been working on a partnership with Mrs. Kelly Tucker, DHS Business & Leadership instructor and Ms. Alexandra Sharp, DHS Fine Art & Design instructor. This group has accepted the challenge of painting the different types of sea life one can find off the shores of Destin on the walls at Captain Royal Melvin Heritage Park which will help educate park visitors on the diverse amount of sea life Destin is in close proximity to. The Leadership students have provided samples of their work for council's review.

Councilmember Schmidt moved to authorize the City Manager to work in partnership with the Destin High School to provide interpretive artwork in the City of Destin, and to bring this item before the Parks and Recreation Committee for their review and recommendation. Councilmember Bagby provided a second to the motion, which passes 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

K. Announcements:

1. Official inquiry with Okaloosa County regarding allowable usage on Commons Drive property that operates a tour helicopter business

The Deputy City Manager reported that the county has reaffirmed that they issued a permit for the helipad on Commons Drive. The FAA has exclusive jurisdiction over airspace and aeronautical operations.

2. Annual Boating Safety Workshop scheduled for Wednesday, February 8th, 1:00 PM, at the Okaloosa Convention Center.
3. The City will be hosting the Destin Forward Class on Thursday, February 9th, in the Annex Council Chambers.
4. A combined Harbor CRA and Town Center CRA workshop is scheduled for Wednesday, February 15th, at 5:30 PM to discuss the master plan for both CRAs.
5. City Council Strategic Visioning Session scheduled for Thursday, February 16th, beginning at 8:30 AM.

6. City facilities will be closed on Monday, February 20th, in observance of President's Day Holiday.
7. The Mayor's State of the City Address scheduled for Thursday, February 23rd, At 5:30 PM.
8. COMPASS and MUNIS Systems will be brought down on Thursday, February 9th, for system-wide upgrade. It is anticipated that the systems will be back online on Tuesday, February 14.
9. Welcome the new City of Destin Public Information Manager Doctor Tamara Young.

Councilmember Schmidt noted that in reference to item K1 above relating to tour helicopters, he is in no way trying to shut down the tourist helicopter business. He was merely conveying the safety concerns his constituents have brought before him with regards to the operations of these helicopters. He stated that the county has represented back in August last year that the site was approved for the operation of one helipad; and that the area to the east of the helipad is annotated for future use as a hanger on the development order, but no construction of the actual hanger is included as part of the development order. A second helipad was not present, however, there was a small area with pavers that might have been a helicopter parking area. There were also items from the US Dept of Transportation in the FAA that was provided to the city that says the takeoff and landing areas were appropriately marked; and so, the county knew there was a second helicopter on the brick paver pad that has no marking on it. He added that the county has not appropriately answered all the questions posed by the city. He recommends following up with the county until they are able to provide satisfactory responses to all of their questions.

5. PUBLIC HEARINGS

- A. First reading of Ordinance 23-02-CC - Amending Chapter 15 - Parks and Recreation, Section 15-38 of the Code of Ordinances, prohibiting smoking in city-owned public parks and city-owned public beaches.

The City Attorney read proposed Ordinance 23-02-CC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES TO PROHIBIT SMOKING IN CITY-OWNED PUBLIC PARKS AND CITY-OWNED PUBLIC BEACHES; AMENDING CHAPTER 15 "PARKS AND RECREATION", SECTION 15-38, "BEHAVIOR", OF THE CODE OF ORDINANCES; 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.

Several members of the Students Working Against Tobacco (SWAT) spoke in favor of the adoption of the proposed ordinance.

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

Councilmember Bagby moved for approval of Ordinance 23-02-CC on first reading, removing the section that states, "*The City Manager or City Manager's designee may permit smoking and vaping within a designated area of City-owned public parks, such as within a parking lot, provided any such designated smoking area is located within a reasonable distance of children's playgrounds, ball fields, and other recreational areas*" and direct the City Clerk to advertise for second reading. Councilmember King provided a second to the motion, which passes 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted "yes"; Council members Hebert and Sweetser were absent from the meeting).

- B. First reading of Ordinance 23-03-CC - Amending Section 7-28 - Tombstone, Monument, and Markers - of the ordinance of the City of Destin regulating city cemeteries allowing upright monuments on burial plots throughout the Destin Memorial Cemetery Phase II.

The City Attorney read proposed Ordinance 23-03-CC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, REGULATING CITY CEMETERIES; PROVIDING FOR AUTHORITY; PROVIDING FOR MODIFYING CITY CODE SECTION 7-23 – BURIAL PLOTS AND MAUSOLEUM NICHES; SECTION 7-28 – TOMBSTONES, MONUMENTS AND MARKERS; 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 hearing portion and turned the matter over to the city council for their discussion and consideration.

Councilmember Bagby moved to bring proposed Ordinance 23-03-CC back to include Option 4 – *Restricting Sales to only Residents and Immediate Family* – as currently defined in the code; seconded by Councilmember Destin. Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted "yes"; Council members Hebert and Sweetser were absent from the meeting).

- C. Second reading of Ordinance 22-18-PC - Amending Comprehensive Plan: 2020, providing for the adoption of a small-scale amendment to the comprehensive plan future land use map to include a change in the Future Land Use designation of a parcel of land located east of the Destin Airport, from Low-Density Residential (LDR) to Institutional (IN)

The City Attorney read proposed Ordinance 22-18-PC by title, and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING COMPREHENSIVE PLAN: 2020; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR THE ADOPTION OF A SMALL SCALE AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP TO INCLUDE A CHANGE IN FUTURE LAND USE DESIGNATION OF A PARCEL OF LAND LOCATED EAST OF THE DESTIN AIRPORT, AS DEPICTED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 24.98 ACRES, FROM LOW DENSITY RESIDENTIAL (LDR) TO INSTITUTIONAL (IN); PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (PARCEL ID NO.00-2S-22-0000-0046-0030)

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

Motion by Councilmember Destin, seconded by Councilmember Bagby, to approve Ordinance 22-18-PC on second reading was seconded by Councilmember Bagby, and passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted "yes"; Council members Hebert and Sweetser were absent from the meeting).

- D. Second reading of Ordinance 22-19-LC - Amending the official Zoning Map as referenced in the Land Development Code, Section 7.12.01(A)2, Zoning Maps, to include a change in the zoning designation of real property located east of the Destin Airport, from Low Density Residential-Village (LDR-V) to Institutional (INST)

The City Attorney read proposed Ordinance 22-19-LC by title, and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2, ZONING MAPS, TO INCLUDE A CHANGE IN THE ZONING DESIGNATION OF REAL PROPERTY LOCATED EAST OF THE DESTIN AIRPORT, AS DEPICTED IN EXHIBIT "A", CONSISTING OF APPROXIMATELY 24.98 ACRES, FROM LOW DENSITY RESIDENTIAL-VILLAGE (LDR-V) TO INSTITUTIONAL (INST); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
(PARCEL ID NO.00-2S-22-0000-0046-0030)

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

Councilmember Destin moved for approval of Ordinance 22-19-CC on second reading; seconded by Councilmember Bagby. Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted "yes"; Council members Hebert and Sweetser were absent from the meeting).

- E. Proposed Commercial Marine construction project at 119 Calhoun Avenue (Parcel ID: 00-2S-22-0630-0000-1310). The project proposes the removal of the existing dock and construction of a 144' x 6' access pier and a 50' x 6' terminal platform, comprising approximately 1,134 square feet.

The City Attorney inquired whether there have been any ex-parte communications that have occurred with regards to the proposed project.

Mayor Wagner, Council members Schmidt, King, and Geile announced they have not been involved in any ex-parte communications with regards to the proposed project.

Councilmember Destin stated that he has received very limited comments from people from West Destin, but nothing that will affect his judgement on the proposed project.

Councilmember Bagby announced he has had brief communications with a couple of individuals regarding this project, but this will not affect his ability to provide impartial judgement on this project.

The City Attorney sworn in the following individuals for testimony:

- Senior Planner Daniel Butler
- City Engineer Ryan Scott
- Travis Glaze, applicant

The Land Use Attorney requests the agenda item and all the attachments be entered into the record as City's Composite Exhibit A.

With no objections from the applicant's legal counsel, the documents were so entered into the record as City's Composite Exhibit A.

Attorney Stephen Tatum, representing the applicant, stated that this is a culmination of 4 years of hard work, and the very last item that they need in order for the project to be compliant with the city's codes. He stated that the development order has already been approved. They need to have this dock approved as part of the livery vessel process before the upcoming season. The dock is 144 feet long and 6 feet wide, containing a total of 12 slips. He noted that the original submittal included more slips as they were not aware that they cannot have more slips until they got to the Harbor and Waterways Board. It was pointed out that the density that is allowed is based on the frontage. They had to go back and change their plan in order to meet the density allowed for both slips. They have their submerged land lease already in place. They already have an FDEP permit for this dock at that time. The FDEP permitted site plan does not match up with the final plan that was submitted to the city. The FDEP had no concerns in that regard because there were no changes in the footprint of the dock itself. They are asking for the city's approval for less slips than what was being approved by FDEP. They will still be required to meet the city's marina siting permitting guidelines.

Councilmember Bagby inquired as to the fueling plan for the pontoon boats and Jet Skis.

Mr. Glaze noted it will be the same fueling plan that they have submitted with their livery license application. Some of the boats will be fueled at the marina and the other boats and Jet Skis will be fueled on the beach area on this parcel. He added he is only permitted for 10 pontoon boats and 15 Jet Skis.

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

Councilmember Schmidt moved to approve a commercial watersport docking facility at 119 Calhoun Avenue, which consists of a 144-ft by 6-ft access pier and a 50-ft by 6-ft terminal platform, containing a total of 12 slips and comprising approximately 1,134 square feet, subject to the applicant meeting all applicable city, state, and federal permitting requirements, with conditions 1 and 2, as recommended by staff; and with an added caveat in the approval process that the applicant will be allowed to have 10 pontoon boats and 15 Jet Skis. Councilmember King provided a second to the motion.

Council members Destin and Bagby noted that there is a condition #3 that was not part of the motion. This condition states that, *“The applicant provides the city with approval from FDEP and USACE, regarding the revised set of plans at the time of building permit application. The revised plans that are to be sent to FDEP and USACE are not to exceed 12 slips, the maximum slip density allowed per LDC 11.05.01.N and shall be consistent with what is being reviewed by the City of Destin.”*

Councilmember Schmidt explained that according to the Land Use Attorney, since the city is doing less than what FDEP has approved, the city will still be able to enforce its own permit. Staff will not be consistent with what they have done in the past, but at least they will not be putting extra burden on this applicant.

Councilmember Bagby expressed that they have enforced consistency of the design against previous applicants, and so they want to avoid having any of these previous applicants coming back and claiming selective enforcement of the code if they make an exception with this applicant in this case.

According to the Land Use Attorney, there had been a recent change in state law whereby they cannot hold up the application based on state permitting, which is a distinguishing factor that could lead to this change. The city is enforcing its own permit by which the applicant will need to abide. The FDEP will handle enforcement issues with their own documents. However, this is in the discretion of this council and staff will abide by its decision.

Councilmember Schmidt further stated that if they force this condition to the applicant, they would need to go back to the starting point with a new submittal to FDEP even though they have the exact footprint for the dock that was approved but with less slips. The FDEP would then have to change the plan to match the city’s plan. He wants to avoid putting this extra burden on this applicant just to be consistent.

Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

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

A. Councilmember Sweetser

B. Councilmember Geile

Councilmember Geile moved to appoint Ms. Patti Brown to the Short-Term Rental Impact Committee; seconded by Councilmember King. Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

C. Councilmember Destin

Councilmember Destin requests that an item be placed under his name on the next agenda directing the City Manager to come up with criteria to simplify and make the permitting process much quicker.

Councilmember Destin moved to direct the City Manager to contact the company that provided the COMPASS system to the city and request for continuing support to the staff; seconded by Councilmember Bagby. Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

D. Councilmember Bagby

1. Code Compliance

Councilmember Bagby moved to appoint Todd Buhr to the Short-Term Rental Impact Committee; seconded by Councilmember Destin. Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

E. Councilmember Hebert

F. Councilmember King

G. Councilmember Schmidt

1. Positions of City Manager and Deputy City Manager

Councilmember Schmidt requests this item be moved to the next city council meeting.

2. Update to qualifications for Resolution CRA 17-01

Councilmember Schmidt stated that his goal is to allow a non-resident property owner in the Town Center CRA district to become member of the Town Center CRA Advisory Committee.

Councilmember Schmidt moved to direct staff to bring back an amendment to the CRA resolution that would allow a non-resident property owner in the Town Center CRA to become a member of the Town Center CRA Advisory Committee; seconded by Councilmember King.

Councilmember Destin stated that state statutes direct the makeup of the CRA Advisory Board. They need to know if they even have the option of appointing non-resident individuals to the advisory board and then discuss whether they feel it is proper to do so.

Councilmember Destin offered a substitute motion to direct the City Attorney to investigate whether there are any legal issues involved in allowing non-resident member to the CRA advisory committees and bring the information back to council; seconded by Councilmember Bagby. Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

3. Picnicking/Splashpad at Leonard Destin Park

Councilmember Schmidt stated there are several picnic tables near the splashpad at Leonard Destin Park but people are prohibited from eating at those tables. He would like to know the reasons why that rule was established and what they could do to allow it.

The City Manager will investigate whether the rule can be changed to allow picnicking at Leonard Destin Park and provide that information to the council.

Councilmember Schmidt requests this item be placed back on the next meeting agenda.

H. Mayor Wagner

1. Joe's Bayou Workshop

Mayor Wagner announced that the 30% design for the Joe's Bayou Improvements Plan and Mattie Kelly Nature Walk was presented by FDEP to the Parks and Recreation Committee. He recommends scheduling a workshop following the State of the City Address on Thursday, February 23rd to discuss this matter.

Councilmember Destin moved to schedule that workshop on February 23rd, at 6:00 PM; seconded by Councilmember Bagby. Motion passed 5-0 (Council members Schmidt, King, Bagby, Destin, and Geile voted “yes”; Council members Hebert and Sweetser were absent from the meeting).

I. Land Use Attorney

1. Destin Fishing Fleet v. City of Destin- City prevails; City entitled to attorneys' fees and costs from DFF

The Land Use Attorney noted that the Destin Fishing Fleet filed a lawsuit against the City of Destin for the 2018 Comprehensive Plan amendments. The City of Destin litigation team has done a good job defending those amendments and prevailed on all counts. The city will not be entitled to attorneys' fees as declared by the judge. The city's fees are currently at approximately \$354,000 and are still being calculated.

2. Request from Council Member to Discuss (at March Meeting) an amendment to LDC Related to Length of Docks

The Land Use Attorney stated that Councilmember Hebert who is absent from tonight's meeting had requested that this item be placed under her name on the next council meeting agenda. Councilmember Hebert wants to talk about limiting the length of docks to less than what the code currently allows.

J. City Attorney

1. Resolution 23-05 - Adopting fees for the purchase of burial plots

The City Attorney stated that this resolution will be brought back at a later date since the amendment to the cemetery ordinance is going back to first reading.

7. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 10:30 PM.



Bobby Wagner, Mayor

ATTEST:



Rey Bailey, City Clerk

