

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
APRIL 3, 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 Terésa Hebert
Councilmember Kevin Schmidt

Councilmember Jim Bagby
Councilmember Dewey Destin
Councilmember Johnny King

Destin City Staff

City Manager Lance Johnson
City Clerk Rey Bailey
Finance Director Krystal Strickland
Building Official Noell Bell
Human Resources Director Jamie Dittmer
Deputy Public Works Director JT Hart
Land Use Attorney Kimberly Kopp

Deputy City Manager Webb Warren
Principal Planner Steve O'Connor
Public Information Manager Tamara Young
City Engineer Ryan Scott
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 p.m., which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Destin, seconded by Councilmember Hebert, to approve the agenda passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted "yes"; Councilmember Sweetser was absent from the meeting).

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

A. TDD Presentation - Jennifer Adams

Tourist Development Director Jennifer Adams provided an update on the current TDC initiatives, through their partnerships with the City of Destin.

- Third year doing the in-market campaign offering more opportunities for visitors through advertising campaigns in key markets.

- Last year's goal: increase visitor spending by 10%.
 - ❖ Increased spending by 32% in 2022.
 - ❖ Put incremental money back into local economy.

Popsicle Carts

3 Locations



- Will continue with providing free popsicles to the public in 2023.
- Will be working with two local vendors in 2023 to provide/distribute the popsicles on Okaloosa Island and Destin.

Surfboard Signs



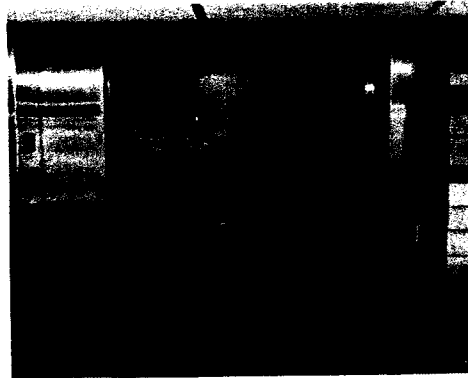
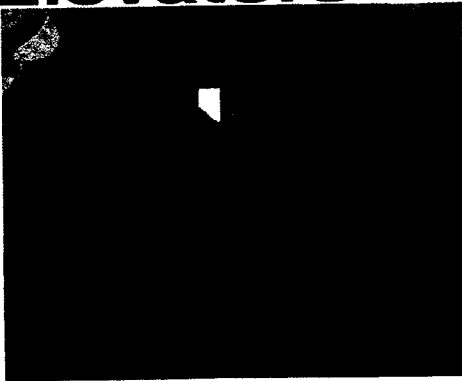
- Working with the City of Destin to find the right locations for surfboard signs that provide Little Adventures message and QR codes.
 - ❖ QR codes give information to parents on what they can do while they are here.

Red Flashlights



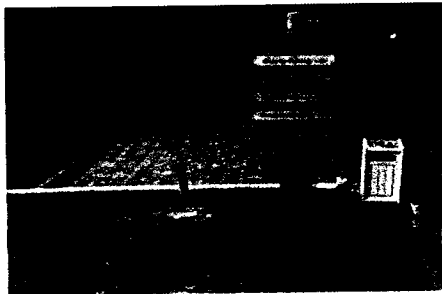
- Handing out red flashlights on the beach in honor of turtle season, and also for kids hunting in the summertime.
- Adventure message in the tag to learn more about coastal resources on the website.

Elevators



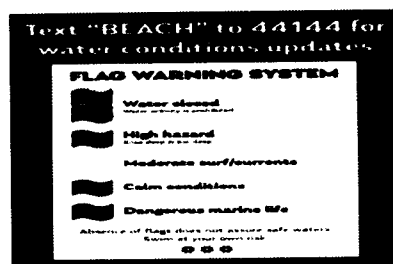
- QR codes on elevators that can be downloaded into the phones to gain more information about different activities.

Permanent Signage



- Signage to provide locations for different adventures

Beach Flags Text Program Expansion



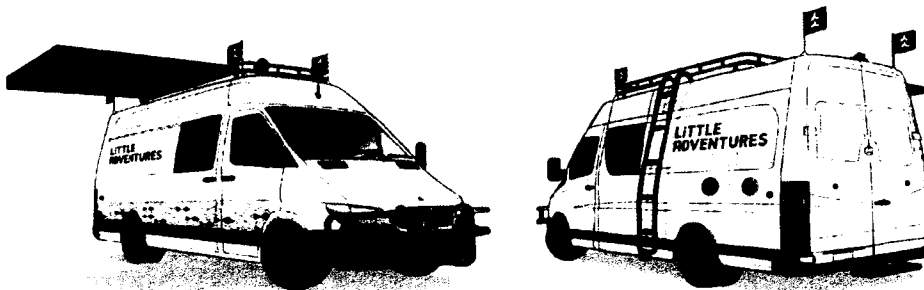
- Beach Flags Text Program implemented last year. Work with DFCD, Okaloosa County Emergency Operations, and the state park. Gather pertinent information and put out an alert each day on beach condition.

Outpost #1



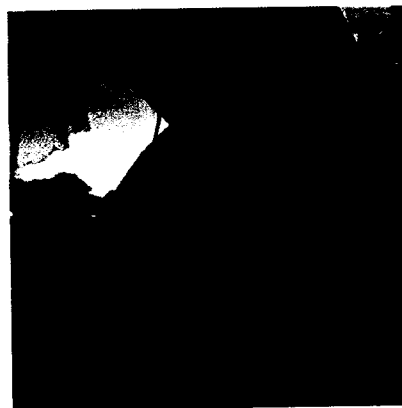
- Outpost #1 back at Crystal Shores. It is in its third year.
- The program gives free lessons to children who want to learn about the local culture.
- Employs local scouts, local experts. Conducted 150 classes last year. The goal this year is 500 classes beginning in May through end of summer.

Outpost #2



- Outpost #2 are roving vehicle that can go on the beach.

Mobile Units



- Mobile units that can go anywhere including the state park if allowed and do smaller "popups" from there.

- B. Destin Pickleball Courts - Kathi Hippi, Treasurer, Emerald Coast Fitness Foundation / Demetrius Fuller, Mattie Kelly Arts Foundation

Ms. Kathi Hippi, Treasurer of the Emerald Coast Fitness Foundation (ECFF), gave the following presentation:

Pickleball continues to grow into one of America's most popular sports:

- Professional Leagues and Teams (Tom Brady and LeBron James own pickleball teams)
- Numerous successful regional tournaments and fundraisers
- Extremely popular activity among active senior citizens, middle-aged and young people.
- Provides healthful, wholesome activity
- School P.E. programs are incorporating pickleball into their curriculum – Varsity sports can't be far behind
- Tracey Clinkscales, USA Pickleball Ambassador, made a very comprehensive presentation to the Council on May 16, 2022
- Communities all across the USA are building courts, repurposing tennis courts, and investing in pickleball court facilities

Current Court Availability

- Buck Destin Park
- Condos & Subdivisions
- Indoors at Destin Community Center
- Destin United Methodist Life Center
- Niceville Senior Center
- Ft. Walton Beach (Jet Dr., Mooney Rd., FWB Tennis Center, FWB Rec Ctr.)
- Beach Weekend private court (\$100/2 hrs)

Limitations of existing facilities

- Small number of courts
- Often restricted to residents, owners, pass-holders
- Driving to FWB is very unpopular
- Lack of available restroom facilities
- Heavy usage – lack of availability
- Lack of supervision, personnel to provide aid in emergency

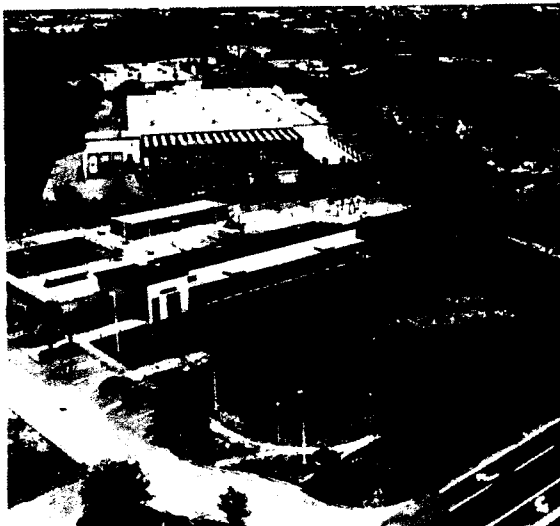
Destin City Council: Calls for Pickleball Courts

- Since at least September of 2018, and several times since then, the Destin City Council has been approached by individuals requesting that the city include pickleball courts in its recreational sports offering.

- Council members have made positive comments and expressed interest in providing courts for residents.
- The FY 2021 budget included \$30,000 for pickleball courts, which, as was discussed in council minutes, is not enough money to construct more than one court.
- The FY 2022 budget included \$400,000 for pickleball courts, as set aside by the council, but with no clear plans for where, when, or how to build courts. Finding available land has been the largest challenge.
- The Taj Renee Community Aquatic Center (TRCAC) is the former Destin Family YMCA, which sits on a sizeable parcel of land on Commons Drive. It is managed and operated by the Emerald Coast Fitness Foundation, Inc., a local non-profit charity.
- The ECFF leases the TRCAC property from the Mattie Kelly Arts Foundation and operates the facility for the benefit of the public, serving locals and visitors, seniors and school children and providing safe guarded pools and swim training and instruction. The lease started in 2017 for 10 years with a 10-year extension option.
- The usage of the land is governed by the Mattie Kelly Testamentary Trust, which requires that the facilities thereon be used for “providing aquatic programs, and recreational activities for children under the age of 21, the elderly over the age of 55, and the public in general.”

Concept Drawings

The space available on the property can accommodate up to 10 pickleball courts.



ECFF Proposal

- There is space on the property to construct as many as 10 pickleball courts. Engineering evaluation has determined that existing parking spaces for the Aquatic Center are adequate for development of pickleball courts.
- These courts would be adjacent to existing ample bathroom/locker room facilities with ADA facilities.
- Courts would be constructed in a fence-in area immediately south of the current locker room building. Single entry point at the Aquatic Center entrance will provide control and security.
- Usage of the courts would be managed by the ECFF, which will also provide supervision, lighting, maintenance, and security.
- City of Destin provides the \$400,000 it currently has budgeted for pickleball courts, and ECFF will construct as many courts as possible for that amount.
- City of Destin commits to annual support stipend to ECFF: 50% of which will go into a reserve fund for court repairs, maintenance, upgrades, expansion, etc. Other 50% will go to ECFF genal fund for operations of the TRCAC
- Pickleball participation fees will be very reasonable, in order to encourage as much participation as possible.
- Guests and Snowbirds will be welcomed.
 - ❖ Opportunities for engagement with visitors at events, locations, etc., to give out coupons or passes.
 - ❖ Partnerships with hotels/condos to offer pickleball playing opportunities to guests.
 - ❖ Pickleball lessons – group and private
- Teams and Leagues
 - ❖ Local groups
 - ❖ Business sponsors
 - ❖ Community Activity – teams and leagues
 - ❖ Inclusiveness
 - ❖ School, P.E. Programs, Clubs, and Teams
- Hosting Tournaments
 - ❖ Attract participants from throughout the region.
 - ❖ Support tourism
 - ❖ Fundraisers for ECFF and other charities
- Year-round usage is possible. Outdoor courts in the area are busy year-round.
- ECFF will assume costs related to operation of the courts.
 - ❖ Subscription to online scheduling application.
 - ❖ Hire additional staff to provide service to pickleball patrons.
 - ❖ Provide electricity for lighting.
 - ❖ Maintain the courts.
 - ❖ Absorb additional expenses related to restroom/locker room usage.
 - ❖ Provide first-aid and emergency response by qualified individuals.

Beneficiaries

- ECFF: Proceeds from all fees/rentals paid for participation would go to ECFF. Also, expanded exposure and member opportunities for the Aquatic center.
- City of Destin: Credit for providing pickleball courts for residents and guests. Provide a venue for community league sports.
- Destin Residents: Discounts or free participation for open pay.
- Local Businesses: Opportunities for local businesses to sponsor and advertise on fence screens and signs around the court area. Another opportunity to host guest in hotels and restaurants.
- Pickleball Community: An accessible, reliable facility for people to learn, practice, play, compete and grow the sport.

Construction Costs

- Destin Parks & Rec staff obtained an all-inclusive cost estimate on a prepared site of \$75,000 per court. \$400,000 would build 4-5 courts at that price depending upon engineering and site work costs.
- ECFF is working to obtain pricing estimates from local suppliers, which we feel will allow us to construct more than 5 courts for the \$400,000.
- The ECFF cannot provide any of its funding for this construction project and will not enter into any sort of debt arrangement.
- Additional donations from other organizations and citizens to enhance or expand the project would be accepted.
- ECFF will not conduct any fundraising activities to raise additional capital to construct courts.

Summary

- Pickleball Courts at the Taj Renee Community Aquatic Center would be a “Win-Win” for the City of Destin and the ECFF
- ECFF can provide land, locker rooms, operational support, and safety staff, which are not collectively available anywhere else.
- City of Destin can apply dedicated funds to a project that has been discussed for years and obtain a far superior result than could be obtained for that amount of funding in any other location.
- Our community will benefit from this facility across age, gender, racial, socioeconomic, and residency categories. That benefit will include healthy, wholesome, fun activity for families and individuals of all ages.
- This facility will improve the attractiveness of Destin as a vacation, sports tourism, and residential destination.
- The ECFF will benefit from increased revenue and facility exposure to the community, while sustaining and even elevating Mattie Kelly’s intended usage of the property for community recreation and fitness opportunities

Councilmember Destin moved to direct the City Manager to enter into negotiations with the Emerald Coast Fitness Foundation and the Mattie Kelly Arts Foundation and bring back for council's approval by the first meeting in May a proposed interlocal agreement to go forward with this project; seconded by Councilmember Hebert.

Councilmember Schmidt asked about some of the estimates the city has received lately for the construction of pickle board courts.

According to Ms. Pam Brasseth, ECFF Secretary, they have received various estimates ranging from \$62,500 to \$80,000 for each court. She stated that a company in Milton provided an estimate of \$330,000 for 10 courts, which is their goal for the initial phase of this project. However, the plans show the fences are not high enough and there is no lighting. It is estimated it would cost approximately \$137,000 to light up the 10 courts. They plan to go back to this company and request a bid that would include lighting and a 6-foot fence all the way around the 10 courts. They expect that bid to be between \$400,000 to \$500,000.

Councilmember Schmidt questioned the proposed annual support stipend to ECFF, stating he would be cautious setting aside that money in the general fund on an annual basis.

Ms. Hippi explained that they will incur an increased cost of electricity, maintenance, supplies, and possibly for additional staffing needs, and that the \$400,000 they will receive from the city will not cover all these costs.

Councilmember Schmidt reasoned that it is part of ECFF's responsibility to budget appropriately and have the finances to support the daily functions of the organization.

Councilmember Bagby stated that this matter should have been brought before the Parks and Recreation Committee so they could have given their recommendations to the city council. He asked that they obtain the committee's input on this proposal. He also stated that the \$400,000 which is to be used to fund this project belongs to the citizens of Destin and they should be provided at least a citizen's discount for using the facility. He also added that ECFF should charge more, if necessary, to cover the increased costs they will incur for building the pickleball courts.

Councilmember Bagby noted there is currently enough parking for the normal use of the pool. He wants to make sure there is a plan to add more parking to accommodate the pickleball court users.

Councilmember Destin stated that he expects the interlocal agreement to address all the questions and comments from the council members.

Motion passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted "yes"; Councilmember Sweetser was absent from the meeting).

2. PUBLIC COMMENTS

Capt. Gary Jarvis, a Destin resident, expressed his support for approving the purchase of two properties for the crosstown connector, which is an item listed on tonight's agenda. He also stated that he is a strong proponent of the Destin City Center and very interested in learning whether the new owners of the property where the new Publix Shopping Center will be built are interested in selling part of that property to the City of Destin to be used as a future site for the city center.

According to the City Manager, the city's Community Development Director has reached out to the Publix representatives about potentially selling the city parts of the property. They have indicated that they are not interested in doing so at this time. They are currently pursuing their own ideas for that site.

Mr. Ron Sandstead, a Destin resident and business owner, urges the council to preserve Destin's natural beauty. He stated that beach access is fast becoming a thing of the past, available only to the privileged few. He stated that he likes the idea of purchasing properties for beach access and urges the council to continue doing so. He also noted that Linear Park has always been intended to be a park; however, the current plan shows it basically being a roadway with medians and crosswalks. There will be no such things as bike or jogging trail, available parking for park goers, picnic areas, arts, and ability for people to relax and enjoy nature. He further stated that the roadway is connected to US Hwy 98 in two places which would guarantee a lot of traffic for what is supposed to be a park. He urged the council to stop the construction of the roadway and give the residents a real linear park.

Mr. Jim Wood, a Destin resident and Chairman of the Public Works and Safety Committee, addressed an item under Consent Agenda tonight which is a request to purchase 6 flashing pedestrian crossings for \$60,000. He reported that the city recently installed 4 pedestrian crossing systems – 3 at mid-block crossings on Airport Road and one at a mid-block crossing on Legion Drive. He continued that if these fixtures are authorized for purchase, they can be placed at Beach Access crossings in the Crystal Beach area, or at alternate locations to include Beach Drive at Spring Lake Drive by the Destin Elementary School and Benning Drive at Azalea. He recommends approval of the request.

Councilmember Hebert asked the committee to consider placing a flashing pedestrian crossing in front of Main Street Park. She stated there is a lot of vehicular traffic in that area and pedestrians going into and leaving the park are constantly crossing the street with their dog.

Ms. Jan Rapper, a Destin resident, stated that the placement of the flashing stop signs on Kelly and Main following an accident that killed a young child has worked for a while to slow down traffic. However, the speeding and passing of other vehicles are out of control once motorists pass the Main Street Park. There are a lot of pedestrians and people riding their bicycles in that area. She stated that placing two speed humps just north of Main Street Park will help slow traffic down and ensure the safety of pedestrians.

3. CONSENT AGENDA

- A. Budget transfer of \$50,000 from the fund balance to the council contingency
- B. Miscellaneous Concrete Services Contract, unit price schedule adjustment
- C. Floodplain Management Program, 2022-2023 Annual Progress Update, informational item
- D. Lighted Pedestrian Crossing Fixtures, authorization to purchase
- E. TDC FY24 Expenditure Plans for the promotion of tourism
- F. Approval of minutes of March 20, 2023, Regular City Council Meeting
- G. Approval of minutes of March 20, 2023, City Council Executive Session
- H. Approval of minutes of February 23, 2023, City Council Workshop
- I. Minutes of Board & Committees

Motion by Councilmember Hebert, seconded by Councilmember King, to approve Consent Agenda items 3A thru 3I, as printed above, passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted “yes”; Councilmember Sweetser was absent from the meeting).

4. CITY MANAGER REPORTS

- A. Acquisition of Property for the Crosstown Connector

The City Manager noted that the staff is seeking approval for the purchase of 602 and 604 Sandalwood Drive. If approved, it will leave just one more piece of property to acquire.

Councilmember Destin noted that it is stated in the agenda report that they are building the crosstown connector to relieve traffic congestion on U.S. Highway 98. He asked whether that would be a stipulation for the city to qualify for the FDOT TRIP funding.

Staff will review the FDOT TRIP funding agreement and provide a response.

Councilmember Hebert moved to approve the purchase of 602 Sandalwood Drive and authorize the City Manager to execute the purchase agreement and proceed with closing: seconded by Councilmember King. Motion passed 6-0. (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted “yes”; Councilmember Sweetser was absent from the meeting).

Councilmember Hebert moved to approve the purchase of 604 Sandalwood Drive and authorize the City Manager to execute the purchase agreement and proceed with closing: seconded by Councilmember King. Motion passed 6-0. (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted “yes”; Councilmember Sweetser was absent from the meeting).

Councilmember Schmidt asked staff to provide its plan to obtain the last piece of property necessary to move forward with the project by the next council meeting.

B. Announcements

1. The Harbor Capacity Study Steering Committee will meet on Monday, April 10th, 5:30 p.m, in the Annex Council Chamber. Army Corp of Engineers will be in attendance to present the draft Harbor Carrying Capacity Study Report. In preparation for the report, vessel traffic patterns were assessed at the Destin Harbor entrance over the 2022 summer season as well as observations of usage at several key harbor facilities.
2. Easter Egg Hunt at the Destin Library on Wednesday, April 5th, 10:00 a.m., for toddlers and preschoolers .
3. Annual City of Destin Easter Egg Hunt on Saturday, April 8th, at Morgan's Sports Center, beginning at 9:00 a.m., for youths ages 12 and under.
4. Twenty-eight Parks and Recreation employees received training and obtained their CPR certification last week. Twenty-eight out of 32 departmental employees are now CPR-certified.
5. Seven articles were written and submitted to local and regional magazines. The city had a 100-pickup rate.
6. A video created by the city featuring Henderson Beach State Park is now being used by the Florida State Park system as part of their state-wide promotions.
7. Sick leave usage by city staff this quarter was down 10% from the first quarter.
8. There were 5 training sessions on health, wellness, and policy education for staff.
9. Performance evaluations showed 18% were "meeting expectations"; 36% were "exceeding expectations"; and 45% were "clearly outstanding."
10. Nine full-time and 3 part-time employees were hired last quarter, and the city had 6% organizational growth from the first quarter.
11. The Public Works Director and the city's Emergency Management Director is currently attending the National Hurricane Conference.
12. There will be a community yard sale on Saturday, April 15th, from 8:00 a.m. to noon at Buck Destin Park. Those who wish to be a vendor can reserve a spot by calling the Destin Community Center.

5. PUBLIC HEARINGS

A. Jake Hebert of Custom Tower LLC, on behalf of Destin Water Users, Inc. and Okaloosa County, is requesting approval of a Minor Development Order. The project scope consists of the construction of a new 911/P25 communication tower and the associated site infrastructure. The project is proposed at 218T Main Street (Parcel ID: 00-2S-22-0000-0058-0110)

The City Attorney asked whether there have been any ex-parte communications that have taken place pertaining to this project.

Each mayor and council member expressed that they could render an unbiased decision on this matter tonight regardless of any discussion they might have had regarding it.

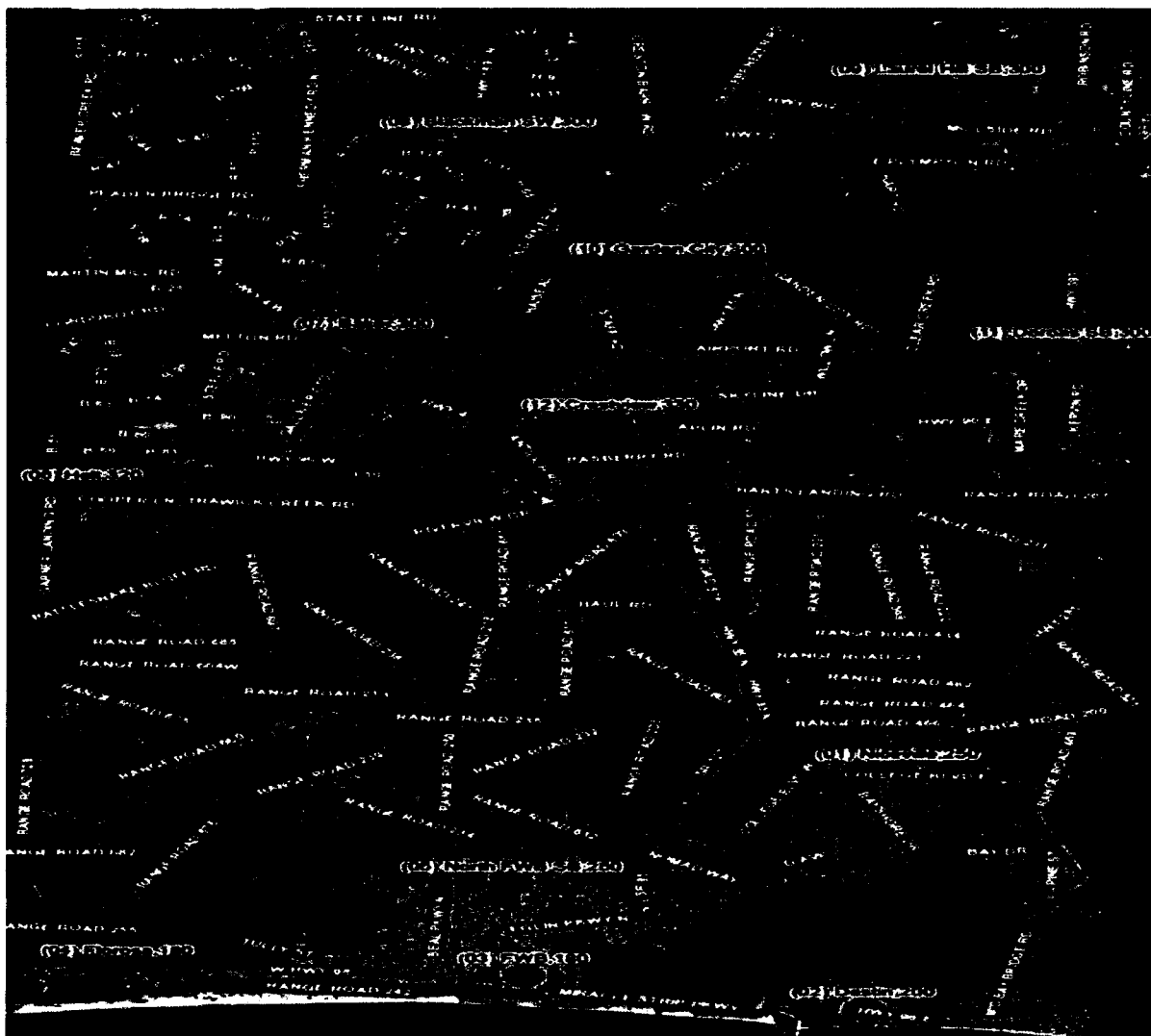
The City Attorney sworn in the following individuals for testimony:

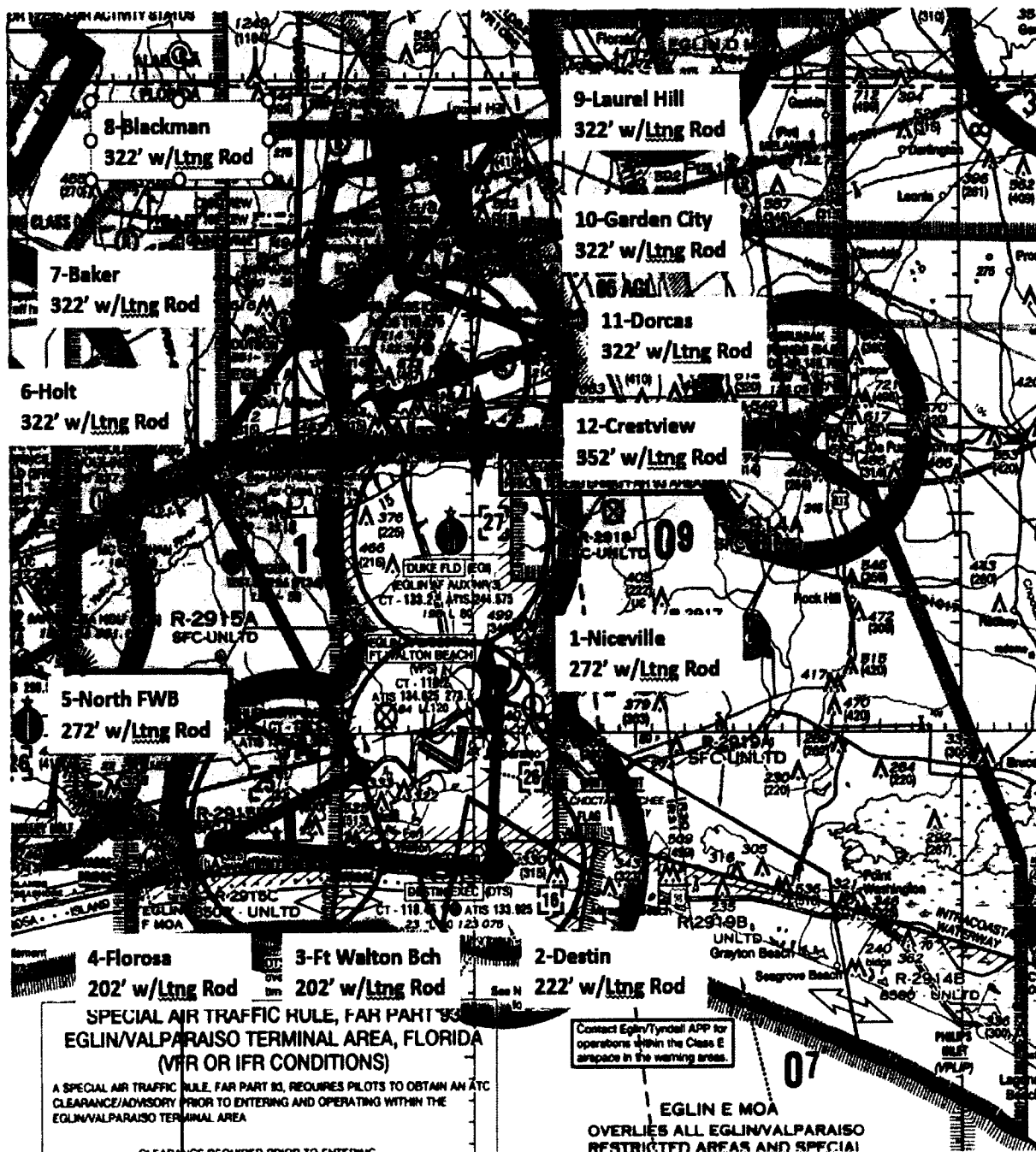
- Principal Planner Steve O'Connor
- Craig Coffey, Deputy Okaloosa County Administrator
- Mike Buckingham
- Patrick Maddox, Okaloosa County Emergency Management Director
- Major David Allen, Administration Bureau of Okaloosa County Sheriff's Office
- Cristina Girardi, Williams Communications, Inc.

Deputy Okaloosa County Administrator Craig Coffey presented the project:

Okaloosa P25 Public Safety Radio Communications System **Destin Tower**

12 Tower Countywide System





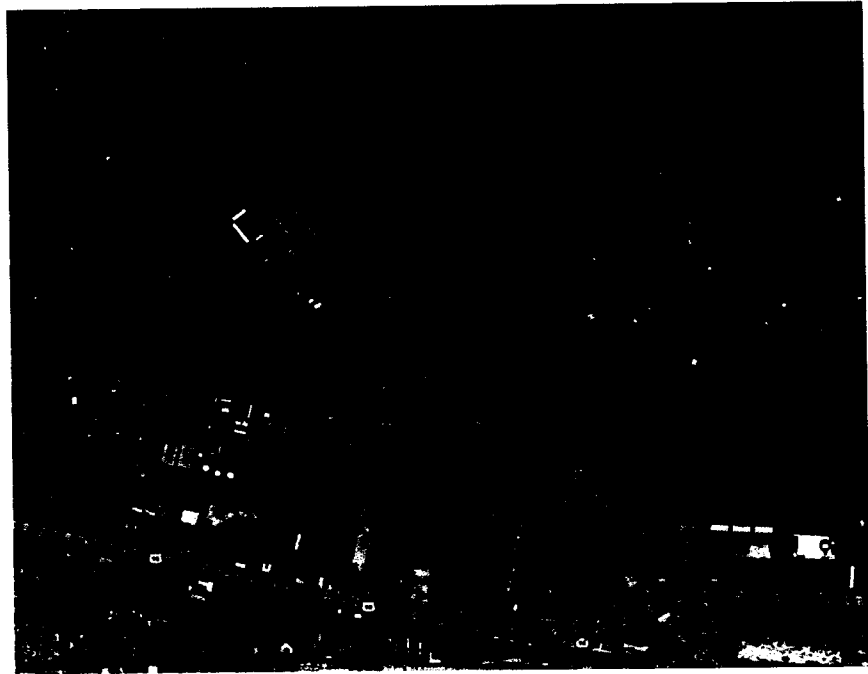
Tower Location Search Area

Green Circle – 150ft tower
Search Area

Red Circle – 200ft tower
Search Area

Note:

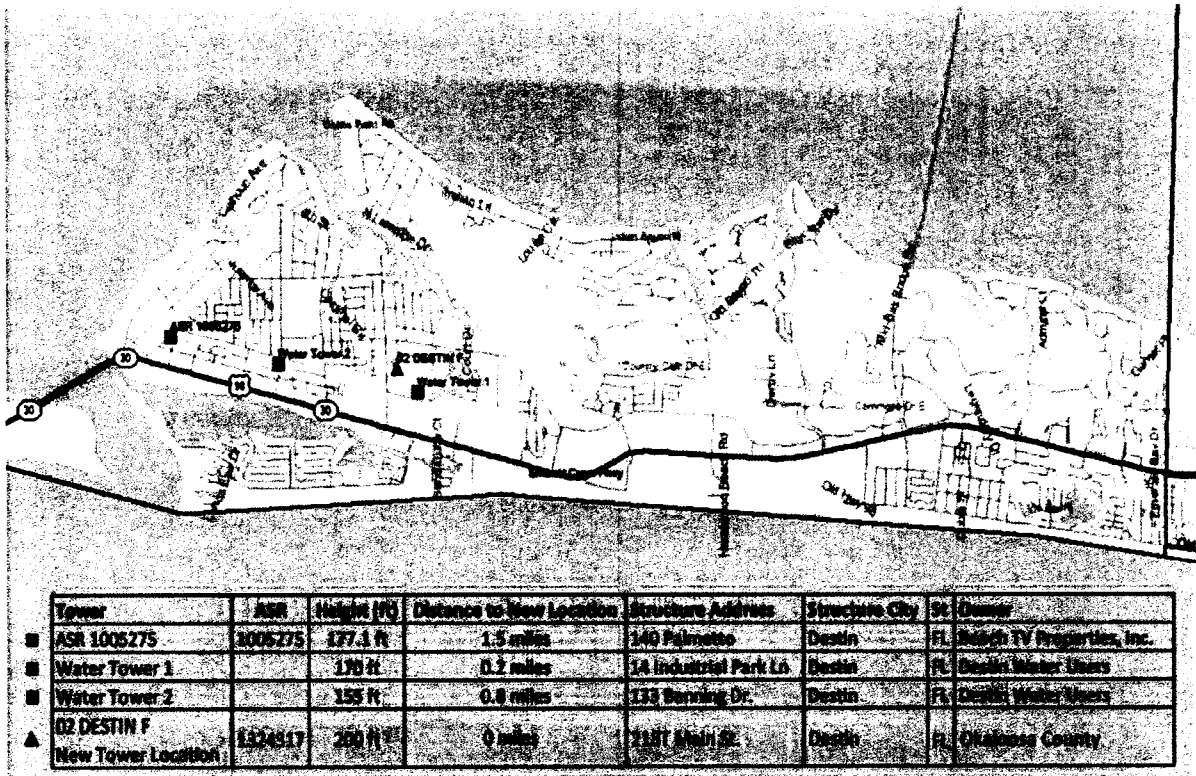
Any location outside
the red circle would
require 2 separate
towers in Destin



Considered Tower Locations

	Address	Property Type	Assessment Results
1	Indian Trail	Vacant/County	Did not clear airport flight path
2	1001 Airport Rd	Airport	Airport did not approve tower in their parcel
3	100 Indian Bayou Trail	Country Club	Did not clear airport flight path
4	1 Country Club Dr E	Country Club	Did not clear airport flight path
5	14 Industrial Park Ln	170ft Water Tank	Height did not meet system coverage Requirements / Would Need Second tower in East Destin
6	3950 Commons Dr	Recreational Park	City of Destin did not approve tower in this location
7	218 Main St	DWU	Cleared Airport, Eglin, FAA, FCC, Environmental and Historical; (1) 200ft tower needed with top mounted antennas
8	133 Benning Dr.	155ft Water Tank	Height did not meet system coverage Requirements / Would Need Second tower in East Destin (Outside search area)
9	140 Palmetto	177ft Tower	Height did not meet system coverage Requirements / Would Need Second tower in East Destin (Outside search area)
10	Mid-Bay Bridge Rd	Elementary School	Would Need Second tower in West Destin to meet coverage requirement (Outside search area)

Existing Towers in Destin



Existing Tower Collocation Considerations

- Existing Tower Not Designed as Category III Exposure
 - May not be able to survive hurricane speed winds
- Depend on space available on the tower to place equipment
- Cost to reinforce the tower to support new equipment
- Depend on space available on the ground to add Shelter/Generator and LP tank
- Ongoing lease expense
- Lack of control over lease increase
- Lack of control on who access the site and climb the tower
- Need to upgrade site grounding if it does not meet manufacturer requirement
- Lack of ability to expand

Water Tower Collocation Considerations

- All concerns related to a regular tower collocation in last slide still apply, in addition:
- Need engineered antenna structure on the top of the tank that will survive hurricane wind speeds
- Reinforcement of a Water Tower may not be possible or financially feasible to survive hurricane wind speeds
- Water tank steel interferes and reduces antenna signal
- Underground pipelines can be in the way of grounding and electrical system
- Forced Public Safety Radio System **down time** during water tank maintenance
- Re-occurring cost to remove and reinstall equipment every time tower is repainted

Minimum Regulatory and Permit Process Timeline for any new Site 1 Year

- Secure Site Location by County – 2 to 3 months
- Federal, State and Local Regulatory and Permitting Timeline after Site is Secured – 8 to 9 months
 - Gather information for NEPA/SHPO/FAA/FCC Applications – 1.5 months
 - Survey, Archeological soil borings and analysis, Environmental Assessment
 - NEPA NEPA/SHPO/FAA/FCC Processes – 4 to 5 months
 - After FAA Determination and NEPA complete, FCC issues Antenna Structure Registration (ASR)
 - Destin Variance Process – 1 month
 - Destin Development Order Process – 1 month
 - Destin Building Permit process – 3 weeks

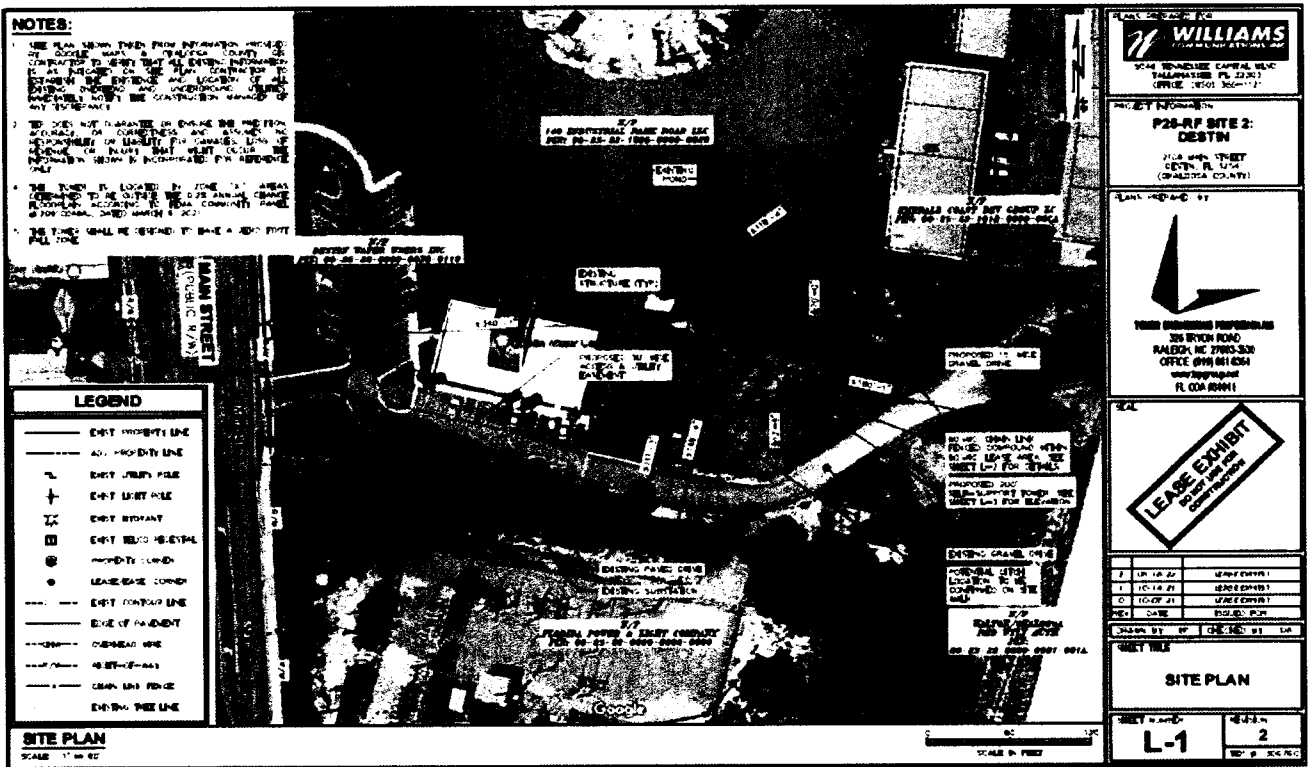
Pinned Location



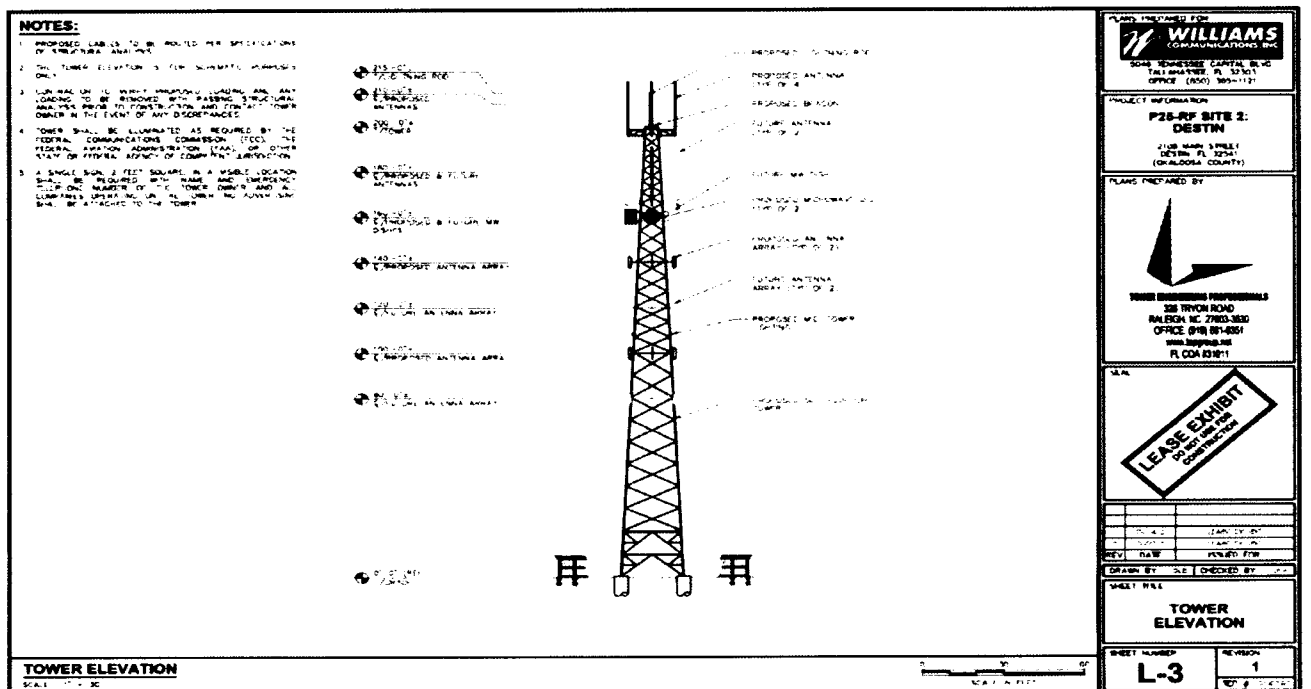
PORTABLE RADIO IN-BUILDING COVERAGE
DWU SITE - 200FT TOWER COVERAGE [REDACTED]
(95% IS MINIMUM RFP REQUIREMENT)



Destin Tower Site Layout



Initial Destin Tower Apparatus



FAA Clearance - Feb 16, 2023



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASO-39598-OE

Issued Date: 02/16/2023

Zan Fedorak
Okaloosa County
1759 S Ferdon Blvd
Crestview, FL 32536

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Destin
Location:	Destin, FL
Latitude:	30-23-40.20N NAD 83
Longitude:	86-28-56.10W

Eglin Clearance Partial email

- Here is the email from Eglin confirming clearance for our of our 12 towers. As you know, we did intensive tower location research before meeting with Eglin in May 2021 and provided all the information they requested.
- The attachment shows the Eglin analysis of the tower locations in relation to their flight paths and communications signals impact. Eglin modified an internal procedure in order to allow Niceville tower to be at 272' overall height in support to the proposed public safety radio system.
- Richard Morgan approves or rejects an FAA Hazard Request on behalf of Eglin after reviewing all documents submitted by the FAA. For Destin he approved the FAA request as "No Hazard".

*From: MORGAN, RICHARD A GS-12 USAF AFMC 96
OSS/OSAR <richard.morgan.2@us.af.mil>
Sent: Wednesday, June 1, 2022 7:54 AM*

To: Cristina Girardi <cgirardi@wmscom.com>

*Subject: FW: Follow up::RE: Okaloosa P25: Tower and
Antenna Height Air force Clearance Request*

Cristina,

*I don't see any issues with these towers, except the one in
Niceville, but I can mitigate that one. Here is also a document
Hastings put together, looks fine.*

FCC Tower Registration



**UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
ANTENNA STRUCTURE REGISTRATION**



OWNER: Okaloosa County

FCC Registration Number (FRN): 0024540205

ATTN: Mr. Dan Sambenedetto Okaloosa County 1250 Eglin Pkwy N Suite 303 Shalimar, FL 32579	Antenna Structure Registration Number 1324317
	Issue Date 03/28/2023
Location of Antenna Structure Off Industrial Park Road Destin, FL 32541 County: OKALOOSA	Ground Elevation (AMSL) 4.9 meters
	Overall Height Above Ground (AGL) 68.0 meters
Latitude 30- 23- 40.2 N	Longitude 086- 28- 56.1 W
NAD83	
Overall Height Above Mean Sea Level (AMSL) 72.9 meters	

Center of Array Coordinates

Top of Structure

Following the presentation, the mayor opened a public hearing to receive comments for or against the proposed project.

Major David Allen, Administration Bureau at Okaloosa County Sheriff's Office, noted that during Parkland and Uvalde school shooting situations, the communities knew there was a problem with their radio system. After these tragedies happened was when things started moving forward with this project. A similar tragedy could come into this community, and although they have contingencies and plans to be able to deal with this type of situation and still will be able to provide that service; however, having this system in place will result in improved efficiency. He urged the council not to delay approval of this project.

Mike Buckingham, a Destin resident, and a Destin Fire Control District (DFCD) Board Commissioner stated that this proposed tower is badly needed in this community. The radio frequency will be much stronger with the new system. He stated that DFCD fully supports this structure.

Mr. Patrick Maddox, Okaloosa County Public Safety Director, stated that a radio system such as this with a great capability that it has moving into the future is badly needed in this community and will definitely enhance their disaster preparedness.

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 explained that the main issue at Eglin AFB is the Gulf Coast Test and Training Range, more so than the air operations, which is why he reached out to the Eglin Test Wing. There have been concerns in the past about some tall structures the city approved that would inhibit their capabilities. And though he is a big proponent of public safety, he cannot support this project until he hears back from Ms. Sally Curran, lead civilian, or General Geraghty, Commander, 96th Test Wing at Eglin, stating they have no issues with this particular tower.

Councilmember Bagby moved to continue this item to the next city council meeting, seconded by Councilmember Schmidt.

Councilmember Destin wants to know how a two-week delay could affect the project.

Mr. Coffey requests approval of the project tonight, stating it was publicly advertised almost 6 months ago. He stated they are building 11 towers, and that AT&T and Verizon are building towers all over the county. The county has followed all the rules, especially the City of Destin's and the FAA's. He continued that this tower will not affect Eglin's mission. They have met with Eglin representatives and discussed this matter several times. He added that every delay adds months to this process and that they cannot afford to wait.

Councilmember Schmidt asked whether Destin Airport is a better location for the tower.

Cristina Girardi, Williams Communications, Inc., stated that Airports Director Tracy Stage had some concerns and expressed his reservations about placing this tower anywhere near the airport control tower.

According to Mr. Coffey, they have looked at certain airport locations for this tower. With the height they needed they would have had to place the tower near the residential areas which they had chosen not to do.

Councilmember Schmidt asked whether 908 Airport Road, which is the City of Destin property, was considered for the tower location.

Mr. Coffey noted that various locations were discussed during initial meetings with staff several months ago, and that he was not sure whether it involved this particular property.

Councilmember Destin offered a substitute motion to approve this project contingent upon not receiving adverse comments about it from Eglin AFB prior to the next council meeting; seconded by Councilmember Hebert.

Councilmember Bagby stated that he would have considered this motion had it not been for the fact that the county considered placing the tower at the airport but that the airport's director had some reservations about it.

Councilmember Destin stated that potentially looking for another site for this tower would delay the project for a lot more than two weeks.

Councilmember Geile recommends going forward with this project for the welfare and safety of the citizens and to assist the first responders who risk their lives for the public daily.

The mayor called for a vote on the substitute motion, which passes 5-1 (Council members Schmidt, King, Hebert, Destin, and Geile voted "yes"; Councilmember Bagby voted "no"; Councilmember Sweetser was absent from the meeting).

B. Ed Stanford of CORE Engineering & Consulting, Inc., on behalf of Heron's Nest LLC, is requesting approval of a Minor Deviation to a Minor Development Order. The project scope includes the construction of a new commercial dock that houses twenty-five (25) slips plus one (1) transient slip, for a total of 26 slips total. The project is proposed at 105 & 109 Calhoun Avenue (Parcel IDs: 00-2S-22-0630-0000-1211 & 00-2S-22-0630-0000-1210).

The City Attorney asked if there have been any ex-parte communications that have taken place pertaining to this project.

Each mayor and council member stated they have not been involved in any ex-parte communications regarding this project.

The City Attorney sworn in the following individuals for testimony:

- Principal Planner Steve O'Connor
- Ed Stanford, Core Engineering & Consulting, Inc.
- Mike Buckingham, applicant

The Land Use Attorney requests staff enter the staff report into the record as Staff's Exhibit A.

With no objections from the applicant, the mayor entered the staff report into the record as Staff's Exhibit A.

Mr. Mike Buckingham noted that this project as outlined in the staff report was approved by the Harbor and Waterways Board, and that he is available to answer any questions from the council.

Councilmember Geile asked whether the applicant has any objections to adding a stipulation in the development order that there would only be one vessel per slip.

Mr. Buckingham stated he has no objections.

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

Capt. Gary Jarvis, a Destin resident, stated that the added stipulation that there would only be one vessel per slip would alleviate some of the people's concerns.

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

Councilmember Geile moved to approve the development order for the dock with a written stipulation that there would only be one vessel per slip; seconded by Councilmember Hebert. Motion passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted "yes"; Councilmember Sweetser was absent from the meeting).

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

A. Councilmember Sweetser

B. Councilmember Geile

1. Staff pay and personnel positions

Councilmember Geile requests the following information be presented to council for their consideration at the next budget workshop:

- Written justification to hire a lobbyist.
- Written justification for an assistant to the Public Information Manager
- Clear cut plan to fill the positions in Public Works that have been vacant for a long period of time
- Clear cut plan to fill the vacant IT Director position
- Written justification for an engineering tech position at the CD Department

2. Unlicensed Contracting

Councilmember Geile gave the following presentation:

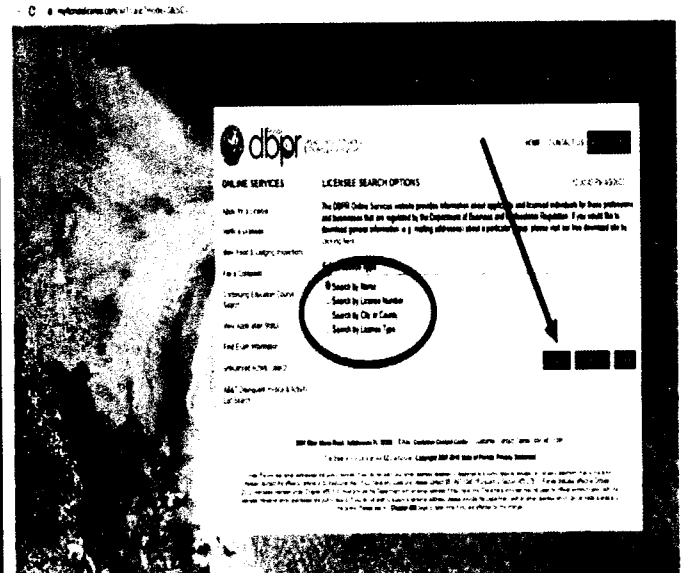
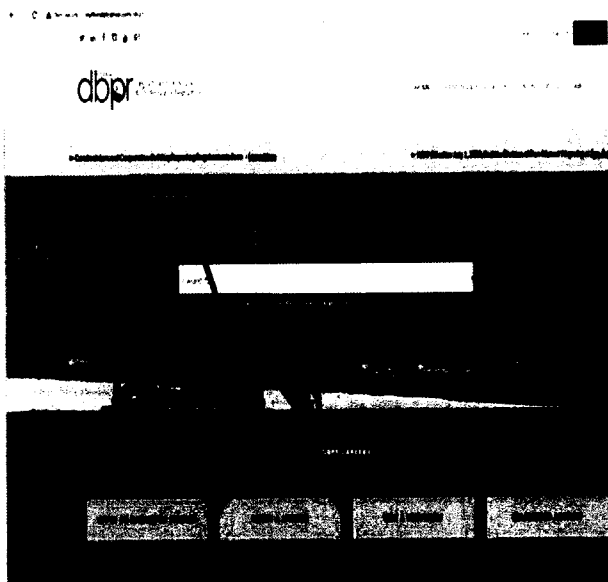
Licensed Contractor

- State Certified – Meets the State of Florida's Requirements to Perform Contracting Associated with Licensure.
 - Can work anywhere in the state of Florida
- Registered – Meets County's requirements to Perform Contracting Associated with Licensure.
 - Can only work in the county issuing the license or counties accepting reciprocity.

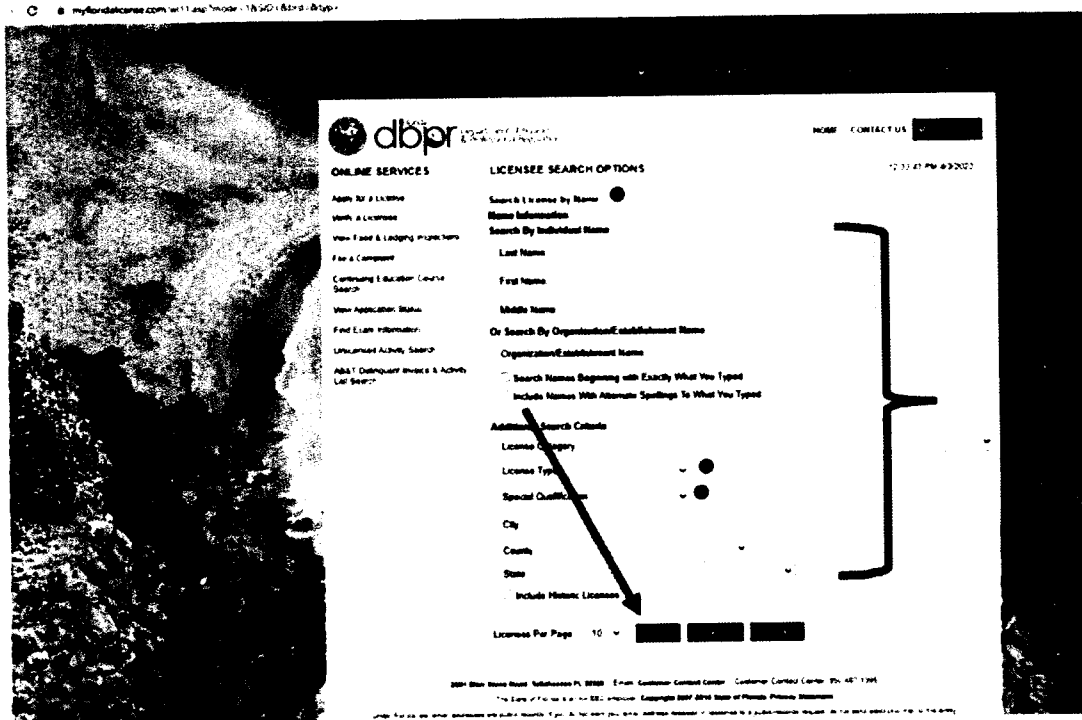
How to Verify A Contractor is Licensed

www.myfloridalicense.com

Begin the Search



Enter Information on the Contractor



Penalties for Unlicensed Contracting

- **ACCORDING TO FLORIDA STATUTE 489.127**

- 1st Offense is a 3rd degree Misdemeanor under section 775.082
- Multiple Offenses are a 1st degree Misdemeanor under 775.083
- During State of Emergency 3rd degree Felony under section 775.083

Problems With Unlicensed Contracting

- Unlicensed Contractors can not apply for a permit.
 - Insurance Companies will not accept unlicensed/unpermitted work.

Insurance Will Require Remediation

- Homeowner contracts an Unlicensed contractor to perform work.
- Homeowner sells the home after the work is performed.
- Buyer has no knowledge the work was unlicensed and not permitted.
- BUYER IS RESPONSIBLE TO RECTIFY THE DISCREPANCY OR INSURANCE COMPANY CAN REFUSE COVERAGE!!!

Problems With Unlicensed Contracting

- Unlicensed Contractors can not apply for a permit.
 - Insurance Companies will not accept unlicensed/unpermitted work
- Unlicensed Contractors are not properly insured.
 - Makes the homeowner potentially liable for injuries or damages.
- No Repercussions for Poor Ethics/Workmanship.
 - **FLORIDA UNIFORM FEDERAL LIEN REGISTRATION ACT**

FLORIDA UNIFORM FEDERAL LIEN REGISTRATION ACT

• ACCORDING TO FLORIDA'S CONSTRUCTION LIEN LAW (SECTIONS 713.001-713.37, FLORIDA STATUTES), THOSE WHO WORK ON YOUR PROPERTY OR PROVIDE MATERIALS AND SERVICES AND ARE NOT PAID IN FULL HAVE A RIGHT TO ENFORCE THEIR CLAIM FOR PAYMENT AGAINST YOUR PROPERTY. THIS CLAIM IS KNOWN AS A CONSTRUCTION LIEN. IF YOUR CONTRACTOR OR A SUBCONTRACTOR FAILS TO PAY SUBCONTRACTORS, SUB-SUBCONTRACTORS, OR MATERIAL SUPPLIERS, THOSE PEOPLE WHO ARE OWED MONEY MAY LOOK TO YOUR PROPERTY FOR PAYMENT, EVEN IF YOU HAVE ALREADY PAID YOUR CONTRACTOR IN FULL. IF YOU FAIL TO PAY YOUR CONTRACTOR, YOUR CONTRACTOR MAY ALSO HAVE A LIEN ON YOUR PROPERTY. THIS MEANS IF A LIEN IS FILED YOUR PROPERTY COULD BE SOLD AGAINST YOUR WILL TO PAY FOR LABOR, MATERIALS, OR OTHER SERVICES THAT YOUR CONTRACTOR OR A SUBCONTRACTOR MAY HAVE FAILED TO PAY. TO PROTECT YOURSELF, YOU SHOULD STIPULATE IN THIS CONTRACT THAT BEFORE ANY PAYMENT IS MADE, YOUR CONTRACTOR IS REQUIRED TO PROVIDE YOU WITH A WRITTEN RELEASE OF LIEN FROM ANY PERSON OR COMPANY THAT HAS PROVIDED TO YOU A "NOTICE TO OWNER." FLORIDA'S CONSTRUCTION LIEN LAW IS COMPLEX, AND IT IS RECOMMENDED THAT YOU CONSULT AN ATTORNEY.

Problems With Unlicensed Contracting

- Unlicensed Contractors can not apply for a permit.
 - Insurance Companies will not accept unlicensed/unpermitted work
- Unlicensed Contractors are not properly insured
 - Makes the homeowner potentially liable for injuries or damages.
- No Repercussions for Poor Ethics or Workmanship.
 - **FLORIDA UNIFORM FEDERAL LIEN REGISTRATION ACT**
 - **FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND**

FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND

• YOU HAVE CERTAIN RIGHTS UNDER FLORIDA LAW IF YOU HAVE SUFFERED DAMAGES CAUSED BY THE FINANCIAL MISMANAGEMENT OF A **LICENSED CONTRACTOR OR CONSTRUCTION COMPANY** WITH WHOM YOU HAVE SIGNED A CONSTRUCTION CONTRACT.

• YOU MAY BE ELIGIBLE IF YOU SUFFERED MONETARY LOSS DUE TO CERTAIN ACTS BY THE CONTRACTOR, FINANCIALLY RESPONSIBLE OFFICER, OR BUSINESS ORGANIZATION LICENSED UNDER CHAPTER 489, PART I, s. 489.105(3) FLORIDA STATUTES. SEE INTERNET WEBSITE: <http://www.leg.state.fl.us>.

• YOU ARE NOT COVERED BY THIS FUND IF YOU UTILIZE A "HANDYMAN" OR A CONTRACTOR THAT IS PERFORMING A FUNCTION IN WHICH THEY ARE NOT LICENSED. KNOWINGLY UTILIZING UNLICENSED CONTRACTORS TO PERFORM A SCOPE OF WORK REQUIRING A LICENSED CONTRACTOR CAN RESULT IN A \$10,000 FINE TO THE OWNER OR OWNERS' REPRESENTATIVE.

Poor Workmanship

- Homeowner paid an Unlicensed Contractor (UL) fix a leak
- ULC covered up existing damage
- Area began to leak again
- Licensed contractor found the issue was exacerbated by poor workmanship
- \$4,000 simple repair became \$55,000 avoidable nightmare

Work that can be performed without a license

Handyman scope of work or work not requiring a licensed contractor according to the City of Destin.

HANDYMAN SCOPE OF WORK

Handyman (General Maintenance) can be issued as an occupational license and/or a specialty contractor registration to perform non regulated work as defined in FS 489.

NOTE: All work which falls under "Not Allowed" is required to obtain a permit from the City of Destin.

1) Building

Allowed: Pressure washing, caulking, painting, changing locks, carpentry work such as trim, interior door replacement and fences. **(fence requires permitting)**

Not Allowed: Any type of structural work on any building, to include sheetrock replacement, exterior window or door replacement.

2) Plumbing

Allowed: Replace faucet washers, water heater elements, clean sewer lines, replace and repair sink traps.

Not Allowed: Installation or moving of water or drain/sewer lines; installation or replace water heaters or plumbing fixtures (water closets, sinks, etc.)

3) Mechanical

Allowed: Replace window A/C units, A/C filters or cleaning air conditioning lines and replacement of thermostats.

Not Allowed: Replace or repair Central A/C, installation of duct work and recharging refrigerant.

4) Electrical

Allowed: Replace existing switches and receptacles. Replace fuses/breakers of the same size and type in a disconnect only.

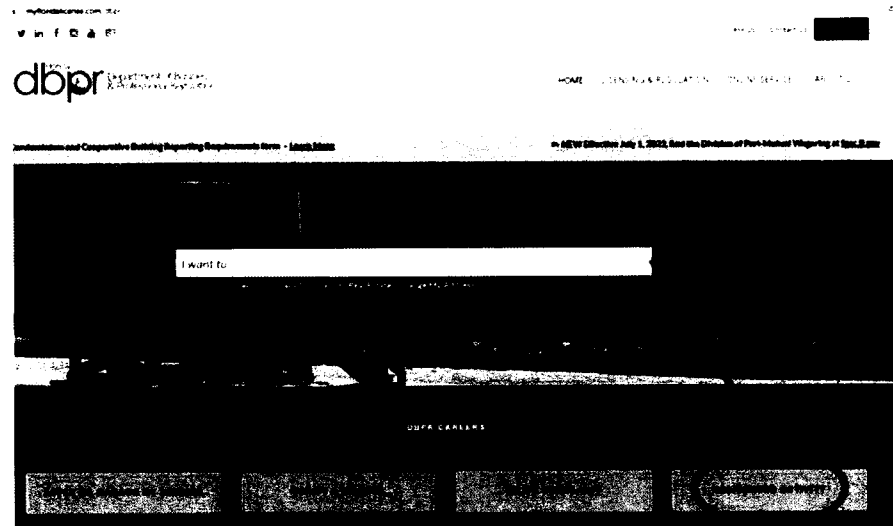
Not Allowed: Adding wiring, switches, receptacles or adding ceiling fans, lighting and subpanels.

Be a Good Neighbor

- We have an obligation as a good neighbor to protect our community
- Destin is already expensive without unlicensed predators
- Need to report unlicensed contracting !

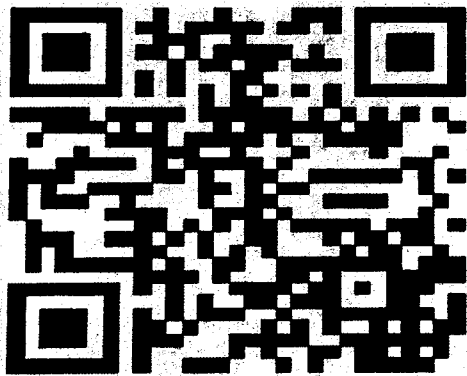
REPORT UNLICENSED CONTRACTING

www.myfloridalicense.com

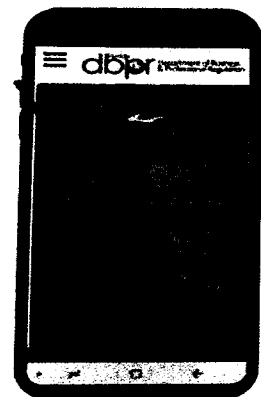


REPORT UNLICENSED CONTRACTING

MOBILE APP



Click Report



Report Unlicensed Contracting

- Call DBPR at 1-866-532-1440
- Email DBPR at ULA@myfloridalicense.com
- TGeile@CityofDestin.com
 - Email a copy of the contract and your contact information
 - Will get the information and file the complaint for you.

C. Councilmember Destin

Councilmember Destin requested an update on the Linear Park project.

The City Manager noted that a bid opening was conducted on Thursday, March 30th. The city receives one submission from DAG Architects. The city staff is currently reviewing the bid submission and will soon ask the council's approval to move forward with the design work.

D. Councilmember Bagby

E. Councilmember Hebert

1. Placement of speed humps on Main Street north of Main Street Park

Councilmember Hebert moved to direct staff to place speed humps on Main Street north of Main Street Park; seconded by Councilmember Geile.

There were some discussions relative to the process involved in requesting the placement of speed humps.

Councilmember Destin pointed out that the city council always has the right to place a speed hump on roadways if they feel one is necessary for safety. The process which involves a petition is for organized neighborhood. He added that speeding on Main Street is out of control, and it is a good place to put a speed hump.

Motion passed 5-1 (Council members Schmidt, Hebert, Bagby, Destin, and Geile voted "yes"; Councilmember King voted "no"; Councilmember Sweetser was absent from the meeting).

F. Councilmember King

G. Councilmember Schmidt

Councilmember Schmidt requested an update on the RFQ for the Town Center Conceptual Site Master Planning.

The City Clerk reported that the city conducted a bid opening on Thursday, March 30th, and received 11 submissions.

Councilmember Schmidt requests a staff update on the following directions previously given by the council at the next council meeting:

- Forming an advisory committee within the city consisting of city staff members, a member of the Destin City Council, a representative from Gulf Power, Destin Water Users, and Parks and Recreation Committee for the development design of the linear park project.
- Staff to bring back some ideas and information on what other municipalities in Florida are doing to regulate electric bicycles, and work with the Public Works/Safety Committee on possibly creating a similar ordinance in the City of Destin.
- The Recreation Department to bring back ideas for adjusting the recreational program which the City of Destin provides, as well as pursuing options for outside organizations to assist and provide.

1. Wind signs/banners in the Harbor District

Councilmember Schmidt stated there has been a lot of discussion about wind signs, flags, and banners, and they were also discussed during a previous meeting, which he missed. There are businesses in the Destin area that use these items but are not cited probably because it is not a priority. He stated that it may be beneficial to hold a workshop focusing on this and some of the other items he previously brought up.

Councilmember Schmidt moved to direct the City Manager and staff to schedule a public workshop within the next 60 days focusing on the following topics:

- **Wind signs/banners in the Harbor District**
- **Food truck rewrite**
- **Electric bicycles on sidewalks**

Motion was seconded by Councilmember Geile and passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted “yes”; Councilmember Sweetser was absent from the meeting).

H. Mayor Wagner

Mayor Wagner stated that he would like to push for the city’s annexation policy to be presented and voted on at the next council meeting.

Principal Planner pointed out there is an annexation procedure that has been included in the draft Article 2 of the Land Development Code. It is not necessary a policy that sets the process involve in annexation and properties that will be targeted; but how they are going to annex when annexations happen.

Next, Mayor Wagner reported having several people that reached out to him regarding the 4-prong lake and the flooding and stormwater issues they are experiencing. He hopes they could potentially provide them with some assistance using some of the city’s grant money.

Mayor Wagner also recommends possibly hiring a very qualified IT Director to work remotely since they are having such a hard time hiring one full time.

Councilmember Destin stated he would rather have an IT Director that can work and interact with other members of staff on a daily basis.

Councilmember Bagby stated that he would prefer contracting the position rather than having an IT Director that works remotely. It has worked very well with a lot of other successful businesses.

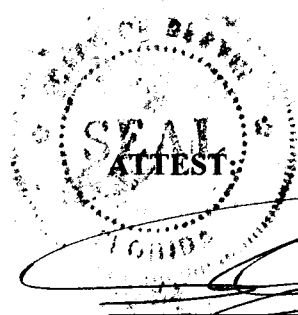
I. Land Use Attorney

J. City Attorney

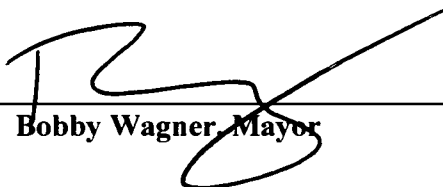
7. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 9:25 PM.



Rey Bailey, City Clerk



Bobby Wagner, Mayor