

**REGULAR MEETING
DESTIN CITY COUNCIL
NOVEMBER 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 Jim Bagby

Councilmember Dewey Destin
Councilmember Kevin Schmidt

Destin City Staff

City Manager Lance Johnson
City Engineer Ryan Scott
Code Compliance Director Troy Williams
Grants/Projects Manager Jeffrey Cozadd
Parks/Rec Director Lisa Firth
City Attorney Kimberly Kopp

City Clerk Rey Bailey
Public Works Director Michael Burgess
IT Director Andy Peters
Building Official Noell Bell
Finance Director Krystal Strickland
Public Information Manager Tamara Young

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

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

AGENDA APPROVAL

The mayor requests agenda item 4C be elevated to 4A.

Motion by Councilmember Schmidt, seconded by Councilmember Bagby, to approve the agenda, as amended, passed 4-0 (Council members Schmidt, Bagby, Destin, and Geile voted "yes" Council members Hebert, King, and Sweetser were absent from the meeting).

- 1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / PUBLIC PRESENTATIONS / ANNOUNCEMENTS**
- 2. PUBLIC COMMENTS**
- 3. CONSENT AGENDA**
 - A. Main Street Betterment Alliance, Inc. 5k
 - B. Miscellaneous Asphalt Continuing Services, authorization for the City Manager to execute a 1-year extension

- C. Miscellaneous Concrete Continuing Services Contract, authorization for the City Manager to execute a 1-year extension
- D. Miscellaneous Road Striping Continuing Services Contract, authorization to renew for 1 year
- E. Disaster Recovery Services Contract (TFR, Inc.), authorization for the City Manager to execute a 1-year extension
- F. 2024 Ford F750 Urban Forestry Truck, authorization to purchase
- G. Disaster Recovery Services (Crowder-Gulf), authorization for the City Manager to execute an extension
- H. Capt. Royal Melvin Park Off-Season Restroom Hours.
- I. Approval of minutes of August 21, 2023, Regular City Council Meeting
- J. Minutes of Boards and Committees - Informational purposes only
- K. Operations Financial Report - Informational purposes only
- L. Capital Project Status - Informational purposes only

Councilmember Schmidt moved for approval of Consent Agenda items 3A through 3L, as printed above; seconded by Councilmember Bagby. Motion passed 4-0 (Council members Schmidt, Bagby, Destin, and Geile voted “yes” Council members Hebert, King, and Sweetser were absent from the meeting).

4. CITY MANAGER REPORTS

The first item discussed was agenda item 4C.

- A. Installation of No "U-Turn" signage on Airport Road, Council Authorization.

The city's Public Works Director, requests the council's consideration for a “No U-turn” signage to be installed at the following locations:

- Airport Road at Cedar Street, eastbound
- Airport Road at Airport Vet Clinic eastbound
- Airport Road at Kell-Aire Drive, eastbound
- Airport Road at Gulf Plaza (commercial development), northbound

He stated that the areas listed above are often too narrow to allow vehicles to make a U-Turn without running off the pavement and the grass. This use promotes the production of drop-offs that damage the city's irrigation system. It also increases hazard to U-turning vehicles as the shoulder elevation is decreased and tires drop into these holes. The city's Public Works/Public Safety Committee has reviewed the staff's suggestions and recommended to council that these additions be considered via a motion.

Motion by Councilmember Destin, seconded by Councilmember Bagby, to install “No U-Turn” signage at the following locations passed 4-0 (Council members Schmidt, Bagby, Destin, and Geile voted “yes” Council members Hebert, King, and Sweetser were absent from the meeting).

- **Airport Road at Cedar Street, eastbound**
- **Airport Road at Airport Vet Clinic eastbound**

- **Airport Road at Kell-Aire Drive, eastbound**
- **Airport Road at Gulf Plaza (commercial development), northbound**

B. Florida Power and Light (FPL) Undergrounding Overlay Maps

The City Manager noted this is a map that was created to show the schematic Florida Power and Light design for the electric undergrounding project from the Marler Bridge to Airport Road. It was requested by the council at the October 17, 2023 city council meeting.

C. Proposal for Destin-Fort Walton Beach Ferry System

Mayor Wagner, the city council's representative to the Okaloosa County Public Transit Cooperative Board, presented the proposal for Destin-Fort Walton Beach ferry system study. He explained that Emerald Coast Rider (EC Rider) is the public transportation agency that serves Okaloosa County. EC Rider has requested a Comprehensive Operative Analysis for its transit network, which is currently being undertaken by HDR. HDR has provided preliminary findings to EC Rider. The proposed study is a thorough review of the system to determine whether the system has the resources it needs to meet the community it serves. The goal is to provide more of a commercial transit option to alleviate traffic congestion on US Hwy 98. It could also help demonstrate higher ridership numbers to the state to get more funding for improving the overall public transportation in the area. The Okaloosa County Transportation Advisory Board has granted its approval for the examination of a proposed ferry system linking Destin and Fort Walton Beach. In order to demonstrate a collaborative partnership among the three organizations, a comprehensive cost breakdown has been proposed as follows:

Cost Share

Destin – 25% = \$12,786

FWB -- 25% = \$12,786

Okaloosa County – 50% = \$25,572

Councilmember Bagby inquired as to the proposed source of funding for Destin share of the cost for the study.

The city's Finance Director proposed the city's cost share be taken from the city's Marina Contingency Study Fund and delaying the feasibility study for the marina.

Councilmember Bagby moved for the City of Destin to spend \$12,786 to conduct the study on the feasibility and viability of the proposed Destin-Fort Walton Beach Ferry System, contingent on the Fort Walton Beach City Council approving the city's cost share of \$12, 786, and the Okaloosa County Board of Commissioners approving the county's cost share of \$25,572; and for the City of Destin cost share to be taken from the Marina Contingency Study Fund. Councilmember Schmidt seconded the motion.

Some members of the council stated they would support conducting the study but also expressed uncertainty about the ferry system's long-term viability, noting some of the problems experienced in the City of Pensacola.

Motion passes 4-0 (Council members Schmidt, Bagby, Destin, and Geile voted “yes” Council members Hebert, King, and Sweetser were absent from the meeting).

Following completion of this item, the council moved on to agenda item 4A.

D. Destin Youth Council - Membership Appointments

Councilmember Bagby moved for approval of the following actions:

➤ **Appointment of the following students to the Destin Youth Council:**

- 1. Briar Ramswell**
- 2. Caroline Pitchlynn**
- 3. Caylen Curle**
- 4. Jared Cutts**
- 5. Sophie Corey**
- 6. Charlie Frankfurt**
- 7. Palmer Lindsley**
- 8. Gabriella Castaneda**
- 9. Palmer Robbins**
- 10. Stella Scoma**

➤ **Bring back the Destin Youth Council Bylaws with the following amendments:**

- 1. Increase appointments of non-resident student members to five.**
- 2. Add the following provision: *“Any member of the Destin Youth Council who missed two consecutive meetings shall be reported to the Destin City Council.”***

Councilmember Schmidt provided a second to the motion, which passes 4-0 (Council members Schmidt, Bagby, Destin, and Geile voted “yes” Council members Hebert, King, and Sweetser were absent from the meeting).

E. Announcements:

1. The Code Compliance Department hosted a community workshop on October 23rd. The workshop was well attended, and the public was very engaged. Public officials who attended the workshop were very pleased with the result.
2. Linear Park Community Workshop is scheduled for November 9th, beginning at 5:30 PM, in the Annex Council Chambers
3. City facilities will be closed on Friday, November 10th in observance of the Veteran’s Day Holiday.
4. A Holiday Craft Show will take place at the Destin Community Center on Friday, November 17th from 10 AM to 4 PM, and on Saturday, November 18th from 9 AM to 3 PM.
5. A special City Council meeting scheduled for Monday, November 27th, starting at 6:00 PM.
6. Destin Christmas Tree Lighting is on Thursday, November 30th, at 6 PM in the Destin Community Center.

7. The City of Destin Christmas Parade will take place on Saturday, December 9th, at 10 AM.
8. The last regular city council meeting this year is December 11th.

5. PUBLIC HEARINGS

A. Second reading of Ordinance 23-15-CC - Requiring undergrounding of utilities; changing the name of Chapter 18 of the Code of Ordinances from "Streets and Public Places" to "Utilities, Streets, and Public Places"; amending Chapter 18 of the Code of Ordinances to establish a new Article V "Undergrounding of Utility Facilities" and making other amendments to Chapter 18 for consistency with Article V.

The City Attorney read Ordinance 23-15-CC by title, and then presented it to the city council at second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, REQUIRING UNDERGROUNDING OF UTILITIES; CHANGING THE NAME OF CHAPTER 18 OF THE CODE OF ORDINANCES FROM "STREETS AND PUBLIC PLACES" TO "UTILITIES, STREETS AND PUBLIC PLACES"; AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES TO ESTABLISH A NEW ARTICLE V "UNDERGROUNDING OF UTILITY FACILITIES" AND MAKING OTHER AMENDMENTS TO CHAPTER 18 FOR CONSISTENCY WITH ARTICLE V; ESTABLISHING PROVISIONS REQUIRING THE UNDERGROUNDING OF UTILITIES; PROVIDING FOR PRIVATE PROPERTY OWNER RESPONSIBILITIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR PHASED CONVERSION OF EXISTING OVERHEAD UTILITY FACILITIES; PROVIDING FOR CERTAIN PERMITTING REQUIREMENTS; PROHIBITING PERMITS FOR NEW OVERHEAD UTILITY FACILITIES; PROVIDING FOR EXCEPTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Bagby moved to approve Ordinance 23-15-CC on second reading, seconded by Councilmember Destin. Motion passed 4-0 (Council members Schmidt, Bagby, Destin, and Geile voted "yes" Council members Hebert, King, and Sweetser were absent from the meeting).

B. Second reading of Ordinance 23-18-CN - Relating to a Natural Gas Utility Franchise of the Okaloosa Gas District; extending Ordinance 13-02-CN for an additional ten years pursuant to the same terms and conditions set forth in Ordinance 13-02-CN.

The City Attorney read Ordinance 23-18-CN by title, and then presented it to the city council at second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO A NATURAL GAS UTILITY FRANCHISE OF THE OKALOOSA GAS DISTRICT; EXTENDING ORDINANCE 13-02-CN FOR AN ADDITIONAL TEN YEARS PURSUANT TO THE SAME TERMS AND

CONDITIONS SET FORTH IN ORDINANCE 13-02-CN; PROVIDING FOR REPEALING; SEVERABILITY; AND PROVIDING FOR 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 and turned the matter over to the city council for their discussion and consideration.

According to the City Attorney, she posed a question from the council to the attorney for the Natural Gas Utility if they would consider having a council member as a board member. The attorney stated they are considering it for 2024, and so that conversation will continue in the upcoming months.

Councilmember Destin moved to extend the Natural Gas Utility Franchise agreement for an additional 5 years; seconded by Councilmember Geile.

The City Attorney noted that if this motion passes, they will need to readvertise the ordinance and will have at least another reading of the ordinance.

Motion passed 4-0 (Council members Schmidt, Bagby, Destin, and Geile voted “yes” Council members Hebert, King, and Sweetser were absent from the meeting).

C. First reading of Ordinance 23-16-CN - Amending appropriations for certain expenditures, expenses, capital improvements, and certain indebtedness for the City of Destin for the fiscal year beginning October 1, 2022, and ending September 30, 2023.

The City Attorney read Ordinance 23-16-CN by title, and then presented it to the city council at second reading.

AN ORDINANCE OF THE CITY OF DESTIN AMENDING APPROPRIATIONS FOR CERTAIN EXPENDITURES, EXPENSES, CAPITAL IMPROVEMENTS AND CERTAIN INDEBTEDNESS FOR THE CITY OF DESTIN, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Motion by Councilmember Schmidt to approve Ordinance 23-16-CN on first reading, seconded by Councilmember Geile, passed 4-0 (Council members Schmidt, Bagby, Destin, and Geile voted “yes” Council members Hebert, King, and Sweetser were absent from the meeting).

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

A. Councilmember Sweetser

B. Councilmember Geile

Councilmember Geile noted that he has been hearing complaints about people weaving in and out of traffic. He also believes that the left lane is used only to pass another vehicle.

Capt. Fulghum of the Sheriff's Department explained that by statute, when a vehicle is on the left-hand lane on a multi-lane roadway and they know, or reasonably should know, that someone is trying to pass them, they have to move over unless they are also trying to pass another vehicle or are preparing to make a left turn. Otherwise, they could be the ones breaking the law.

Councilmember Geile suggests that law enforcement take the necessary action moving forward to get slow moving vehicles off the left lane to allow traffic to flow more freely before the next tourists season.

1. Project Status Update

City staff provided a status update on the following projects:

- Cross-Town Connector – Staff will bring some options to the council at the December 11th meeting and discuss what measures to take moving forward.
- Linear Trail – DAG Architect will be conducting a public workshop on November 8th to obtain feedback from the citizens.
- Tarpon Beach Park – The City Engineer is waiting on the county to provide the city a set of plans so they can start the permitting process.
- Harbor Dredging – The engineers started conducting the survey work in October this year. The weather dictates how much work they have been able to get done so far.
- Pickleball Courts – They expect the revised plan to be ready around the Thanksgiving Holiday, which will then be taken to the appropriate committees.

The mayor requests that the Parks and Recreation Committee schedules a meeting in the November/December time frame to review the following designs once they become available even though they have previously agreed not to meet again until January.

- Tarpon Beach Park Design
- Linear Park Design
- Pickleball Courts Design.

- Four-Pronged Lake – Staff has to obtain plans from Gator Boring to run through the city's permitting process.
- Crystal Beach Park – Staff has received the appraisal. The City Attorney has spoken with the property owner who is very willing to sell the property to the city. He has indicated he might sell the property to the city for less than the appraised value.
- 1 Harbor Blvd – The property closed on October 17th.

C. Councilmember Destin

Councilmember Destin requests a cost estimate for placing a 4-way stop sign at the intersection of Spring Lake and Kelly Streets, as well as on the Fleshman Drive intersection.

According to Public Works Director Michael Burgess, each intersection will cost between \$1,000 to \$1100 to convert into an all-way stop. This is for a traditional retro-reflective stop sign. He does not currently have the figures available for lighted stop signs.

Councilmember Destin requests the following topic be placed under his name on the next council meeting agenda: "Decision on the 4-way stop signs at the intersection of Spring Lake and Kelly Streets and on the Fleshman Drive intersection."

D. Councilmember Bagby

1. Appointment of Mr. Guy Tadlock to the Harbor CRA Advisory Committee

Motion by Councilmember Bagby, seconded by Councilmember Destin, to appoint Mr. Guy Tadlock to the Harbor CRA Advisory Committee passed 4-0 (Council members Schmidt, Bagby, Destin, and Geile voted "yes" Council members Hebert, King, and Sweetser were absent from the meeting).

2. ECL Update

Councilmember Bagby expressed his gratitude to city staff and the Sheriff's Department for surveying more than 3 points by Joe's Crab Trap, 2 or 3 points by the Barracuda, and then around 5 points by the city-owned property down on the Shores at Crystal Beach. He stated that the average distance to the wet sand at Joe's Crab Trap was 30 feet, the average distance at Barracuda was 50 feet, and that the average distance to the wet sand at the Shores at Crystal Beach was 35 feet.

Councilmember Bagby asked staff to present the renewal and replacement spreadsheet at the November 27th city council meeting.

E. Councilmember Hebert

F. Councilmember King

G. Councilmember Schmidt

Councilmember Schmidt requests a Proclamation be prepared for the November 27th meeting recognizing an individual who donated one of her kidneys to her father.

Next, Councilmember Schmidt noted they have continued to have issues involving COMPASS and EnerGov. He asked whether staff have a plan of action that could help navigate these situations with the software company.

According to IT Director Andy Peters, staff have been working with Tyler Technologies, the parent company for this software. They will send a representative to meet with the city's

department heads on November 15th. The firm is also scheduled to meet with the council in December depending on the result of their meeting with staff.

Councilmember Schmidt inquired as to the status of the Parks and Recreation fee schedule as well as the Dalton Threadgill and Morgan Sports Center redesign plans.

Parks and Recreation Director Lisa Firth noted that the fee schedule and the redesign plans for the Dalton Thrwill be presented to the council at their December 11th meeting.

H. Mayor Wagner

I. City Attorney

7. PUBLIC COMMENTS

Mr. Gary Troup, a Destin resident and beachfront property owner, expressed his disagreement with Councilmember Bagby's erosion control line measurement analysis. He stated that measurement is critical on the beach. They cannot go down to the beach one day and be able to spot the erosion control line. It goes in and out depending on the weather and the time of the year. It involves establishing markers at fixed locations perpendicular to the shoreline, and routinely measuring the distance from the fixed markers to the point of erosion to establish a record of changes. By taking consistent measurements, they can understand trends such as increased erosion at a certain time of year as well as impacts of specific events such as storms.

Ms. Patti Brown, a Destin resident and beachfront property owner noted that the beach renourishment that occurred back in 2008 was forced upon the beachfront owners. They did not want it and actively fought it. They even offered to pay for their share of the beach, but the city turned them down. She stated that Mr. Bagby's research with regards to the erosion control line is flawed and that he was not providing 100% supportive facts, it is very frustrating and unfair to beachfront property owners. They provided a copy of their survey to the city at their requests but never received a response from the city.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 7:28 PM.

ATTEST


Rey Bailey, City Clerk


Bobby Wagner, Mayor