

**REGULAR MEETING
DESTIN CITY COUNCIL
FEBRUARY 5, 2024
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 Johnny King
Councilmember John Stephens

Councilmember Kevin Schmidt
Councilmember Dewey Destin
Councilmember Jim Bagby

Destin City Staff

Interim City Manager Louis Zunguze
City Engineer Ryan Scott
Public Information Director Tamara Young
Grants/Projects Manager Jeffrey Cozadd
City Attorney Kimberly Kopp

City Clerk Rey Bailey
Public Works Director Michael Burgess
IT Director Andy Peters
Building Official Noell Bell

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bobby Wagner called the meeting to order at 6:00 PM. Pastor David J. Butler of Faith Assembly Christian Church gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

INAUGURATION OF INTERIM CITY COUNCIL MEMBER JOHN STEPHENS III

The City Clerk administered the Oath of Office to Interim City Councilmember John Stephens III.

AGENDA APPROVAL

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

- 1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / PUBLIC PRESENTATIONS / ANNOUNCEMENTS**
- 2. PUBLIC COMMENTS**

Mr. Greg Fisher, a Destin resident and business owner, recognized Councilmember. John Stephens's appointment to the Destin City Council and expressed his gratitude for the role Councilmember Stephens played in helping him start a very successful business in Destin.

Mr. Ted Love, a Destin resident, questioned the necessity of placing four-way stop signs at the intersection of Kelly Street and Spring Lake Road, stating that they are nothing more than an absolute nuisance. He continued that if the reason for placing the signs is the safety of the children, they are serving no real purpose as hardly any child crosses that intersection even on a busy day. He urged the council to remove the additional stop signs to keep the traffic flowing smoothly.

Ms. Sandy Trammell, a Destin resident and Parks and Recreation Committee Chair, expressed her gratitude to Mayor Wagner for issuing a proclamation to Daughters of the American Revolution for their 10th anniversary celebration event in Destin. She also noted that the Parks and Recreation Committee voted to recommend approval of the plans for pickleball courts that are before the council tonight.

Ms. Trammell also stated that the proposed site for the pickleball courts is a perfect governmental center; and so speaking as a citizen of Destin, and if the city is unable to obtain portions of the Publix Shopping Center building for a possible city center location, she recommends looking at the sand dune Center adjacent to the children's park at the Morgan Sports Center and building the pickleball courts in that area since they also need bathrooms at the children's park. They could also consider moving the children's park to a pavilion located at the end of the park that is hardly used to make room for additional pickleball courts. They could then convert the current city hall into a community center.

3. CONSENT AGENDA

- A. Destin Little League, Inc. Opening Day Parade Request for use of city right-of-way
- B. Requisition Approval - Microsoft Government Licensing Renewal
- C. Approval of minutes of December 11, 2023, Regular City Council Meeting

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

4. CITY MANAGER REPORTS

- A. Undergrounding - Light pole selection

Grants/Program Manager Jeff Cozadd reported that new street lighting will be required for the Utility Undergrounding Phase 1 area. The current streetlights can only be fed through an aerial feed and cannot be converted to be fed underground. This conversion requires the poles to be replaced to accommodate the new feed. He then presented the following two options for light poles.

Option 1 – a grey-colored concrete pole with a mounted black mast. FPL would charge approximately \$4,700 a month for these poles and lighting fixtures. FDOT will provide the city credit of approximately \$3,450 per month (paid out annually) for this section of Hwy 98 lighting. This would result in a net expense of \$1,250 a month.

Option 2 – a black concrete pole with a black top-mounted black mast. It comes with a charge from FPL of \$6,000 per month. The FDOT credit would remain the same at \$3,450 per month. The net expense for Option 2 would be \$2,550 per month.

According to Public Works Director Michael Burgess, FPL will also require that the city pay the Net Book Value of the existing lighting after the removal of the 111 existing overhead roadway lighting fixtures along Hwy 98. That amount is estimated to be approximately \$60,000 at the projected time of removal.

Councilmember Bagby asked whether the city leases the poles or the light fixtures.

Mr. Burgess stated that the city does not own the poles, except maybe those on Commons Drive which the city maintains.

Councilmember Bagby recommends going back to FPL and finding out if they replaced all the poles. He would like to know exactly what the city is leasing and the life expectancy; adding that they need to be able to show exactly what the city is paying for that would amount to \$60,000.

Councilmember Schmidt moved to select the option showing a black concrete pole with black top-mounted mast, and to have staff inform FPL of the selection, passed 6-0 (Council members Schmidt, King, Bagby, Destin, Geile, and Stephens voted “yes”; Councilmember Hebert was absent from the meeting).

Councilmember Schmidt recommends researching the option for the city putting in the poles as opposed to leasing them.

According to Councilmember Bagby, the cost and the downside of the city having the responsibility of putting in the poles are possibly greater than they wish to undertake. He added that their liability when the windstorm comes would possibly be greater than they could imagine as FDOT would most likely not reimburse the city for their poles.

B. Clement Taylor Park Renovation RFP 24-02-REC

Mr. Cozadd explained that the city previously executed the sub-award agreement from the county pursuant to the council’s direction. Once the city receives the fully executed agreement from the county, the next step in the process will be to begin the procurement of a contractor. The staff has prepared the Request for Proposal (RFP) that will outline the procurement process. Staff would like the council to review and approve the RFP so that it can be submitted to the county once the city receives the fully executed agreement. He added that prior to advertising for the RFP, the county and US Treasury must review and approve it.

Motion by Councilmember Bagby, seconded by Councilmember King, to forward RFP 24-02-REC to the county for review and approval passed 6-0 (Council members Schmidt, King, Bagby, Destin, Geile, and Stephens voted “yes”; Councilmember Hebert was absent from the meeting).

C. Pickleball Courts – 30% Schematic Design (August 21, 2023, Council accepted Jenkins proposal to design and permit the pickleball complex)

The City Engineer came before the council seeking approval to move to 60% of the design phase for courts. He reported that upon further review of the Florida Building Code, at least one unisex bathroom is required as part of the project; and that with the added cost of the bathrooms, there are not enough funds remaining in the budget to build the four courts as previously planned. He then presented the following 3 options:

1. \$349,531 – One set of bathrooms and two courts (one covered).
2. \$613,663 – One set of bathrooms and four courts (four covered).
3. \$433,663 – One set of bathrooms and four courts (one covered).

Councilmember Bagby expressed his opposition to further delaying construction of the courts. He recommended a fourth option, which is to build 4 courts, all uncovered, and one set of bathrooms.

Councilmember Bagby moved to direct the City Manager to work with staff and Jenkins Engineering to move forward to 60% plans with Option 4, which is 4 courts, none covered, with one set of bathrooms; and for staff to bring back at least two recommendations for the sources of funding for the additional \$25,160 the city will still need to build the courts from the current year's budget. Councilmember Schmidt provided a second to the motion, which passed 6-0 (Council members Schmidt, King, Bagby, Destin, Geile, and Stephens voted "yes").

D. Announcements:

1. The mayor initiated a proclamation for the National Society of the Daughters of the American Revolution in honor of the West Florida Chapters 10th Anniversary Luncheon and extended that proclamation to them this past weekend.
2. Gator Boring is expected to begin work on the Four-Pronged Lake starting February 6th with the installation of the piping, which is expected to take 2 days.
3. The city's Code Compliance Department will be hosting a beach vendor meeting on Monday, February 12th, at 1:00 PM.
4. The city's Annual Spring Craft Show will be held at the Destin Community Center on February 16th, from 10 AM to 4 PM, and on February 17th, from 9 AM to 3 PM.
5. City facilities will be closed on Monday, February 19th, for President's Day Holiday. The next city council meeting is on Tuesday, February 20th. It will be preceded by the Mayor's State of the City Address which begins at 5:30 PM.
6. At the last council meeting, Mayor Wagner proclaimed the month of February as Congenital Heart Defects Awareness Month. As a show of support, the city agreed to collect aluminum pop tabs through February 29th for the Ronald McDonald House charities. They are being collected at City Hall, City Hall Annex, Destin Community Center, and Public Works facility.
7. The City of Destin's 40th Birthday Celebration is on March 1st. The Destin Fishing Museum will be hosting the Destin Hall of Fame Induction Ceremony. The city's finest fishing captains, past and present, will be celebrated in this inaugural event which will be held at the Destin Community Center beginning at 10 AM.
8. The city is moving to the latest version of the Open Meeting Voting System in the Council Chambers. The new system is cloud-based. Council members will vote from a computer or tablet as opposed to the old-fashioned gadget. The city's IT Director Andy

Peters is requesting the council's feedback as to what they feel is the most useful setup for council meetings.

9. Tyler Technologies will meet with staff to discuss EnerGov Wednesday through Friday (February 7-9) this week.

5. PUBLIC HEARINGS

A. THIS ITEM HAS BEEN CONTINUED TO FEBRUARY 20, 2024, REGULAR CITY COUNCIL MEETING TO BE HELD AT 6 PM, AT THE REQUEST OF THE APPLICANT. IT WILL NOT BE CONSIDERED ON FEBRUARY 5TH. THIS NOTE IS INCLUDED IN THE AGENDA FOR THE BENEFIT OF THE PUBLIC AFTER ADVERTISING.

Panhandle Engineering, Inc., on behalf of Ramanada LLC, is requesting approval for a Major Development Order, which includes the construction of a 64-unit boutique hotel, along with the associated site infrastructure, as well as a separate overflow parking lot for the SunDestin condominiums. The subject project is located at 1035 Highway 98 East (Parcel ID: 00-2S-22-0000-0024-001C), totaling approximately 9.18 acres.

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

A. Councilmember Stephens

B. Councilmember Geile

1. Projects Status/Updates

Harbor Dredging Update – The city received 3 rough estimates: the lowest at \$500,000 and the highest at \$1.3 million. Staff to discuss financing with the council and come back with recommendations.

Councilmember Geile moved to direct staff to bring back general information on the following two options on March 4th: A possible POA, which is something voluntary among harbor property owners, or a city-imposed assessment; looking at it for a possible emergency dredging, but also at ongoing maintenance thereafter. Motion was seconded by Councilmember King.

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

C. Councilmember Destin

1. Third Parcel at Crystal Beach

Councilmember Destin requested an update on the third parcel that they are trying to obtain at Crystal Beach.

According to the City Attorney, the city received a letter of intent from the property owner. The seller is proposing a purchase price of \$6.79 million on the property with a 150 day or less closing date. The seller has offered to put up a \$100,000 security deposit as a show of good faith, which will not be refundable to him if he reneges. He has also done away with his

prior request for a 1033 exchange due to prior tax complications. She asks for the council's direction whether to proceed with this negotiation with the property owner.

Councilmember Destin stated this will be contingent upon the county's participation in this matter financially.

Councilmember Bagby stated that he is still interested in the proposed property exchange that would consist of the city acquiring 2940 Scenic Hwy 98 and a cash offer from the property owner in exchange for the city-owned 2970 Scenic Hwy 98. He recommends reengaging the property owner to see if he would be willing to increase his cash offer to more than \$75,000.

Councilmember Bagby moved to authorize the City Attorney to engage in a conversation with the owner of the third parcel at Crystal Beach, as well as the potential land swap agreement being proposed by a property owner – Mr. Knowles – at the Shore at Crystal Beach, to discuss their current position with respect to the prices of their parcel. In addition, direct staff to contact the county and discuss their intent with regard to their participation in this matter. Motion was seconded by Councilmember Destin and passed 6-0 (Council members Schmidt, King, Bagby, Destin, Geile, and Stephens voted "yes"; Councilmember Hebert was absent from the meeting).

- D. Councilmember Bagby
- E. Councilmember Hebert
- F. Councilmember King
- G. Councilmember Schmidt

Motion by Councilmember Schmidt, seconded by Councilmember King, to direct the City Manager and City Attorney to have staff review a past council workshop and bring back summary and suggestions for updating a food truck map within the next 3 to 4 months passed 6-0 (Council members Schmidt, King, Bagby, Destin, Geile, and Stephens voted "yes"; Councilmember Hebert was absent from the meeting).

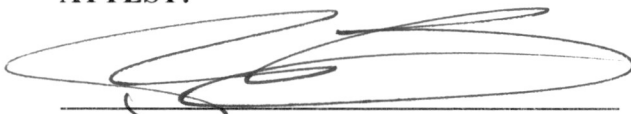
- H. Mayor Wagner
- I. City Attorney

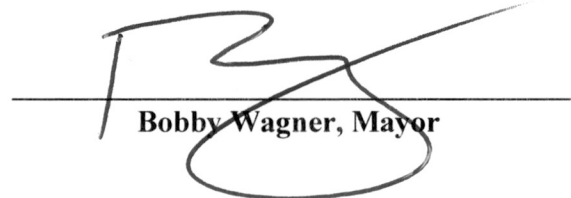
7. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 7:37 PM.

ATTEST:



Rey Bailey, City Clerk

Bobby Wagner, Mayor

RESOLUTION 24-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, RENEWING THE INDEPENDENCE DAY FIREWORKS CONTRACT FOR JULY 4TH, 2024 BETWEEN THE CITY OF DESTIN AND PYRO SHOWS, INC.; PROVIDING FOR AN EFFECTIVE DATE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT EXTENSION FOR AND ON BEHALF OF THE CITY OF DESTIN.

WHEREAS, Pyro Shows, Inc., has adequately provided Destin's Independence Day Fireworks show for the past 19 years; and

WHEREAS, the City desires to continue to secure pyrotechnic services with Pyro Shows, Inc. as detailed in the original contract; and

WHEREAS, the original contract provides for up to five one year contract extensions when mutually agreed upon by both parties; and

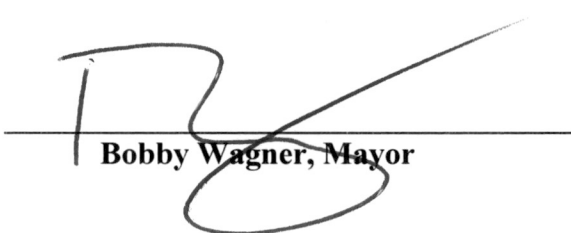
WHEREAS, this constitutes the third such extension as provided for in the original contract with an amendment change; and

WHEREAS, Pyro Shows, Inc., Inc. has agreed to render the City of Destin pyrotechnic services for which the City desires to contract.

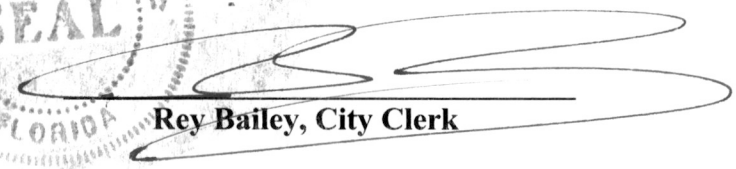
NOW, THEREFORE, BE IT RESOLVED that the City of Destin, by and through its Council, formally accepts and adopts the fifth of five Annual Contact Extensions, attached hereto as Exhibit "A" between the City of Destin and Pyro Shows, Inc., for the provision of Destin's annual Independence Day Fireworks display to be held on July 4th, 2024.

BE IT FURTHER RESOLVED that the City Manager of the City of Destin is formally authorized to execute the fourth contract extension for and on behalf of the City of Destin, which Agreement is attached hereto as Exhibit "A" and made a part hereof.

**ADOPTED THIS 4TH DAY OF MARCH 2024
BY:**


Bobby Wagner, Mayor

ATTEST:


Rey Bailey, City Clerk

