

**REGULAR MEETING
DESTIN CITY COUNCIL
APRIL 15, 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 Kevin Schmidt

Councilmember Terésa Hebert
Councilmember John Stephens
Councilmember Jim Bagby
Councilmember Dewey Destin

Destin City Staff

City Manager Louis Zunguze
IT Director Andy Peters
Code Compliance Director Troy Williams
Code Compliance Dep Director Brian Davis
Public Information Director Tamara Young
Projects/Grants/Contract Manager Jeffrey Cozadd

City Clerk Rey Bailey
City Engineer Ryan Scott
Public Works Director Michael Burgess
Parks & Recreation Director Lisa Firth
Finance Director Krystal Strickland
City Attorney Kimberly Kopp

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

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

AGENDA APPROVAL

Consent Agenda Items 3A and 3C were requested to be pulled for discussion.

A request was made to move Agenda Item 6I(1) – *City Manager Selection* to the top of the agenda following *PUBLIC COMMENTS* section.

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

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

Mr. Jason Belcher discussed upcoming events at the Destin History and Fishing Museum, including the 90th birthday celebration of the original post office and plans for the 100th anniversary of the Primrose. He expressed a need for grant writing assistance to preserve these local historical assets.

Mr. Chatham Morgan voiced his support for Mr. Louis Zunguze for the City Manager position, citing Mr. Zunguze's experience and commitment to the community.

Mr. Steve Napier updated the council on the flooding issue on his property, which had seen some resolution with city intervention but was still an ongoing concern.

Mr. Sid Potter raised ongoing concerns about flooding on Juanita Avenue, criticizing the engineering solutions and the city's response to the repeated flooding issues in his area.

Mrs. Sabina Zunguze and Ms. Elizabeth Jenkins introduced a new Community Farmer's Market in Destin and requested support for future expansion and visibility to ensure its success.

Mr. Don Dallas complimented city efforts on recent improvements but voiced concern about water drainage issues affecting his property, similar to other residents.

Next item discussed was agenda item 6I(1) – City Manager Selection.

3. CONSENT AGENDA

- A. City of Destin and Liveoak Fiber, LLC Ground Lease
- B. Resolution 24-06 - Renewal and Replacement
- C. Three Variable Messaging Boards/trailers, authorization to issue a Purchase Order
- D. Approval of March 4, 2024, Regular City Council Meeting
- E. Destin Youth Council - Membership Appointment

Consent Agenda items 3A and 3C were pulled for discussion.

Motion by Councilmember Schmidt, seconded by Councilmember Hebert, to approve Consent Agenda items 3B, 3D, and 3E passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

Consent Agenda Item 3A:

Councilmember Bagby moved for the approval of the city's contract with Live Oak Fiber, LLC with the following changes:

- **Include an escalation clause that allows for an increase of rental payment of 3 percent per year for a 10-year term. Rental payment to increase to \$32,500 when the contract comes up for renewal in 10 years.**
- **Lessee shall remove all of lessee's fixtures, improvements, equipment, and personal property situated on the leased premises and restore the leased premises to its original condition within 120 days of contract expiration or termination; otherwise, the city may perform the work necessary to return the leased premises to such condition and shall charge lessee the reasonable cost of performing such work.**

- **The exterior portion of the premises, to include fencing, shall be repainted within 30 to 60 days to remove any graffiti, or be brought back to standard to prevent it from becoming an eyesore.**

Councilmember Hebert provided a second to the motion, which passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted “yes”).

Consent Agenda Item 3C:

Motion by Councilmember Destin, seconded by Councilmember Schmidt, to table this item to the next council meeting to give the City Attorney time to review the city’s sign ordinance to make sure this variable messaging board/trailer system is not in violation of the ordinance passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted “yes”).

4. CITY MANAGER REPORTS

A. Dolphin Point – Public Parking Removal Request and Project Update

The Dolphin Point Homeowners Association (HOA) discussed safety concerns that their community experiences revolving around the 9 public parking spaces that are located at the end of Moreno Point Road within public right-of-way. To alleviate the safety concerns, the HOA proposes removing the 9 public parking spaces since they do not provide a community benefit as the nearest public infrastructure to these parking spaces is nearly 1.3 miles away. This would eliminate unnecessary city infrastructure and promote more secure development for Dolphin Point.

Councilmember Stephens moved for the City Manager to work with the applicant and staff to move forward to permit the project for the removal of the public parking spaces, and to include an agreement for installation and maintenance in perpetuity and bring it back for the council’s approval at the next meeting. Motion seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted “yes”).

B. Tyler Tech Audit Results and Replacement Options - Path forward

The city faces challenges in escaping a deep vendor lock situation with a vendor that has historically and continues to provide a software platform that does not meet the needs of the city. The IT Director provided a report that made the situation transparent to the city council and allowed for feedback before the next regular council meeting when staff will bring a detailed exit strategy and timeline for review, a User Testing Study intended to prevent a repeat of the situation, and a proposal for approval.

Councilmember Geile moved that staff conduct the User Acceptance Studies recommended and return with a proposal from a Community Development Software Platform that meets the needs and budget of the community and provide an implementation timeline for council review. Motion seconded by Councilmember Stephens and passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted “yes”).

C. Cross Town Connector – Project Update

The city's Projects/Grants/Contract Manager reported that the last segment of the city's cross-town connector is in the final steps of design and permitting. The remaining permits and zoning activities are as follows:

- Subdivision
- Major Development Order
- FLUM
- Rezone
- Northwest Florida Water Management District – Environmental Resource Permit

For the cross-town connector to be eligible for state and/or federal grants for construction, different levels of a Project Development and Environmental (PD&E) study reevaluation will need to be completed. After staff and Atkins met with the FDOT, two different proposals were provided:

- The Destin Cross Town Connector (DCTC) Reeval Scope for potential state grants – This proposal will allow Atkins to perform an Environmental Impact Report reevaluation that will unlock the ability to apply for state grants.
- The Destin Cross Town Connector (DCTC) PD&E Scope for potential federal grants – This proposal will allow Atkins to perform a PD&E reevaluation that will unlock the ability to apply for state and federal grants.

Staff are looking for direction from the city council on which direction should be taken with respect to PD&E reevaluation. The three options are as follows:

Option A – Take no action. The project would not be eligible for any state or federal grant opportunities and would be a locally funded project.

Option B – Approve DCTC Reeval Scope for potential state grants. This allows for the project to be eligible for state grant opportunities.

Option C – Approve DCTC PD&E Scope for potential federal grants. This allows for the project to be eligible for state and federal grant opportunities.

Councilmember Bagby moved to direct the City Manager to have staff move forward with PD&E reevaluation Option B, and for the city's Finance Director to bring back proposed funding sources for the \$110,000 change order with Atkins Engineering. Motion seconded by Councilmember Stephens and passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

D. Public Parking Support for 40th Birthday Celebration on Saturday, August 10

To honor 40 years of the City of Destin being incorporated, several celebrations are taking place this year. One of the largest will include live music, drone show, and family activities for the community taking place along the harbor boardwalk area. The city's Public Information Office is requesting that the city waives the parking fees at the Marler Street parking

lot on Harbor Blvd, the Destin Community Center parking lot, and the Zerbe Street parking lot on Saturday, August 10, 2024, beginning at 2 p.m. in support of this important local celebration.

Motion by Councilmember Schmidt, seconded by Councilmember Hebert, to waive the parking fees at the Marler Street, the Community Center, and Zerbe Street parking lots for the city's 40th Birthday Celebration, effective at 2 PM on August 10, 2024, passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

- E. Operations Financial Report - Informational Only
- F. Capital Project Status - Informational Only
- G. TDC Monthly Report - Informational Only

Councilmember Bagby asked staff to confirm with the TDC whether the report of collections of the Tourist Development Tax they provided is actually for April and not for February.

- H. Standing Committee/Board Quarterly Attendance Report - Informational Only

I. Announcements

1. On Saturday, April 20th, from 8 – 10 AM, the City of Destin will join other organizations in hosting a beach cleanup event in honor of Earth Day. Earth Day is Monday, April 22nd. Cleanup efforts will focus on Norriego Point.
2. On Friday, April 26th there will be tree planting for Arbor Day at Kell-Aire South. An Oak Tree will be planted at 10 AM.
3. The Destin Library will close on Friday, April 26th for the Annual Okaloosa County Public Library Cooperative staff training day.
4. Founder's Day will be held at the Destin Community Center on Saturday, May 4th, at 11 AM. The 90th birthday of the Destin Post Office will also be on that day.

5. PUBLIC HEARINGS

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

- A. Councilmember Stephens
- B. Councilmember Geile
 - 1) Projects Status/Updates
- C. Councilmember Destin
- D. Councilmember Bagby
- E. Councilmember Hebert
- F. Councilmember King
- G. Councilmember Schmidt
 - 1) Council healthcare/compensation

Councilmember Schmidt moved to direct the City Attorney to investigate and provide a legal opinion on whether the city can offer any type of reimbursement or stipend to elected officials who chose not to participate in the city's healthcare program. Motion failed 3-4 (Council members Schmidt, King, and Geile voted "yes"; Council members Hebert, Bagby, Destin, and Stephens voted "no").

Councilmember Schmidt asked the City Manager to bring back some information to council regarding the new mobile phone app that the City of Fort Walton Beach residents can use to report non-emergency issues and concerns around their city – i.e, potholes, vandalism, flooding, trash pickups, etc. – to determine whether it is something that can be utilized within the City of Destin.

H. Mayor Wagner

I. City Attorney

1) City Manager Selection

Discussion centered on the selection of a new City Manager. Three finalists were presented and recommended by the city's City Manager Selection Committee.

Councilmember Bagby moved to direct the Human Resources Director and City Attorney to negotiate a contract with Mr. Louis Zunguze and bring the contract back to the city council for consideration at the May 6th city council meeting. Councilmember Hebert provided a second to the motion.

Council members expressed their support and confidence in Mr. Zunguze's experience and his ability to perform as City Manager.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

Next item discuss was Agenda Item 3 – Consent Agenda.

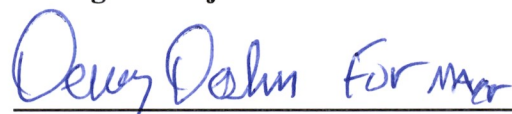
7. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 8:17 PM.

ATTEST:

Rey Bailey, City Clerk


Bobby Wagner, Mayor