REGULAR MEETING
DESTIN CITY COUNCIL
JULY 8, 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 Kevin Schmidt
Councilmember Torey Geile	Councilmember John Stephens
Councilmember Johnny King	Councilmember Jim Bagby
Councilmember Terésa Hebert	Councilmember Dewey Destin

Destin City Staff

City Manager Louis Zunguze	City Clerk Rey Bailey
IT Director Andy Peters	City Engineer Ryan Scott
Principal Planner Steve O'Connor	Senior Planner Daniel Butler
Code Compliance Director Troy Williams	Public Works Director Michael Burgess
Parks & Recreation Director Lisa Firth	Finance Director Krystal Strickland
Library Director Wen Livingston	Public Information Director Tamara Young
Projects/Grants/Contract Manager Jeffrey Cozadd	Permit and License Clerk Jennifer Hutson
City Attorney Kimberly Kopp	Planner Tina Deater

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

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

AGENDA APPROVAL

Added the appointment of council representative to the Regional Utility Authority (RUA) Board under Councilmember Stephen's name on the agenda.

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

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

   A. Proclamation - Parks and Recreation Month

Mayor Wagner read the Proclamation designating the month of July 2024 as *Parks and Recreation Month,* and then presented it to the Parks and Recreation Director and members of the Parks and Recreation Committee.

2. PUBLIC COMMENTS

Mr. Ken Wampler of 4320 Commons Drive West, raised concerns about the proposed public safety impact fee for condominiums and stressed that condominium owners already provide security, beach services, and other amenities on their properties. He questioned the need for the city to impose additional fees.

Mr. Lou Maldonado, 1040 Hwy 98 East, expressed concerns about additional taxes on vacation rentals. He highlighted the contributions of tourism to the local economy and argued that additional fees would unfairly burden condo owners and tourists.

Mr. Robert Merrill, 712 Harbor Lane, discussed issues at Joe's Bayou Boat Ramp, particularly the lack of organization and enforcement. He requested that the city provide better oversight, especially during busy periods, to prevent conflicts and ensure safety.

Ms. Brittney Zirkle and Mr. Sampson Thomas, owners of Thomas Island Ice Cream, raised concerns about harassment and threats from competitors. They stated they filed a restraining order against the owner of Rainbow Frost Ice Cream and described ongoing issues of safety and business interference.

Ms. Louisa Baldock, 3016 Scenic Hwy 98, echoed concerns about additional fees for short-term rentals. She pointed out that increasing costs, such as insurance and HOA fees are already straining condo owners.

Ms. Carrie Harbarger, owner of Rainbow Frost Ice Cream, provided a rebuttal to the previous comments about her business. She asserted that her company operates within the law and accused Thomas Island Ice Cream of violating city regulations.

Mr. Kyle Coleman, owner of Gulf Stream Ice Cream, proposed expanding the city's permit system for vendors, including those on the beach. He suggested that regulating permits could generate revenue for the city while ensuring better control of beach activities.

Ms. Becky Pritchard, 145 Timber Court, raised concerns about helicopter noise over residential areas. She called for the city to address the issue, noting that it has become increasingly disruptive.

Ms. Jan Lucas, 707 Main Street, echoed concern about helicopter noise. She described the constant disturbance as a significant quality-of-life issue for residents.

Mr. Ronnie May of Catch 22 Beach Service, 15000 Emerald Coast Parkway, spoke in support of regulating beach vendors and suggested reinstating permit for beach bonfires. He sressed the importance of regulation to maintain the quality of services on the beach.

3. CONSENT AGENDA

A. City of Destin and Liveoak Fiber, LLC Ground Lease
B. Easement Consents for Underground Equipment Locations - City-owned Property
C. Replacement of Corrugated Metal Pipe, Industrial Park Drive & Indian Bayou Drive, authorization to issue purchase orders.
D. Parks and Recreation Master Plan Consultant RFP Approval
E. Approval of minutes of May 13, 2024, City Council Budget Workshop
F. Approval of minutes of May 13, 2024, City Council Mobility Workshop

Consent Agenda item 3D was pulled for further discussion.

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

Councilmember Destin initiated a discussion on Consent Agenda item 3D concerning the potential overlap in work being conducted by consultants hired by the city. He expressed concern that the city might be paying two different consultants to conduct similar studies. He referenced discussions with consultants involved in the Town Center project, noting that the consultants had provided projections regarding future space requirements, including recreational needs. He questioned whether the city was about to issue another bid for work that might already be covered by the existing consultants.

The City Manager clarified that the two efforts in question were distinct. The first effort, being undertaken by the SRS Team, is focused on selecting a location for the new City Hall, with a long-term planning perspective. The second effort, related to the master plan, involves programming activities for Parks and Recreation, assessing population projections, and planning for the maintenance of those programs over time. The City Manager emphasized that these were separate elements, each with a unique focus.

Councilmember Destin suggested that the request for proposals should ensure that work already done by the existing consultants is not duplicated. He advocated for exploring the possibility of having the current consultants expand their scope to avoid redundancy and save costs.

The City Manager agreed to review the matter closely, ensuring that any similarities between the two projects are identified and that duplication is avoided.

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

4. CITY MANAGER REPORTS

A. Presentation- Mike Carraway from Acentria to present on benefits of moving to a partially self-funded plan for medical insurance.

Mr. Mike Carraway, the city's insurance consultant from Acentria, presented options for the city to explore partially self-funded insurance plans as a means to control rising healthcare costs. He explained the benefits of moving away from fully insured plans, including potential cost savings and greater transparency in managing healthcare expenses.

Council members discussed the importance of ensuring that any transition to a new plan is carefully managed to avoid financial risks.

Councilmember Schmidt moved to direct staff and Acentria to explore options for level-funded and partially self-funded insurance plans to mitigate rising insurance costs; seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

B. Short Term Rental - Condominium Discussion

The discussion centered on incorporating condominiums into the city's short-term rental (STR) program. The city Code Compliance director introduced the proposal, explaining that it aimed to create consistency in the STR program, which currently covers single and multi-family homes. The proposed fees for condominiums would be similar to those for other properties based on square footage, ranging from $500 to $700.

Several council members expressed concerns about fairness, emphasizing the need to equitably distribute the costs of city services impacted by STRs, such as law enforcement and infrastructure maintenance. Councilman Bagby suggested adding a new tier for smaller condos with a lower fee of $300. He highlighted that condos generally have less impact on the city's resources compared to larger homes.

Other council members agreed on the importance of fairness but differed on whether the fees should be tiered or standardized. Councilmember Schmidt and Councilmember Hebert emphasized the need to clearly earmark how the additional revenue would be spent, ensuring it addresses the specific challenges posed by tourism, such as road maintenance, lifeguards, and parks.

Councilman Stephens suggested a workshop to gather more input from stakeholders, but the consensus was to move forward without additional delays.

Councilmember Bagby moved to direct the City Manager to bring back a proposal including short- and long-term rental condominiums in the city's short and long-term rental program, with an additional tier for dwellings that are 1499 square feet and less; seconded by Councilmember Stephens. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

C. Renovations of Morgan Sports Center/ Dalton Threadgill Park/Community Center

The discussion revolves around budget allocations for improvements and renovations at Morgan Sports Center and Dalton Threadgill Park. The Parks & Recreation Director presents the need for replacing the playground at Morgan Sports Center, upgrading field lights to LED, and addressing maintenance issues at the Destin Community Center. The initial estimated cost for these projects was approximately $717,000, but there was a suggestion from Councilmember

Schmidt to scale back on the Community Center renovations to focus on essential repairs like fixing windows and addressing leaks. This would free up funds for other projects like installing a batting cage and sunshades at Morgan Sports Center.

Councilman Destin opposes deferring maintenance at the Community Center, citing years of neglect and the risk of further deterioration. He argues that even if a new plan for the Community Center emerges, it could be five years away, and delaying necessary repairs would be unwise. He would prefer to continue with the original renovation plan for the Community Center while also seeking ways to fund improvements at both Morgan Sports Center and Little League facilities.

Councilmember Destin moved to direct staff to proceed with the budget proposed and discussed during the May 13, 2024, Budget Workshop as follows:

- **$234,000 – Norriego Park – Southern Crossover**
- **$789,800 – Morgan Sports Center – Playground**
- **$1,323,000 – Morgan Sports Center – LED Field Lights (34 poles)**
- **$717,000 – Community Center – Replace windows and doors, frames, fix stucco, and reseal roof to address water leaks.**

Councilmember Hebert provided a second to the motion,

Councilman Schmidt proposes a substitute motion, suggesting the city proceed with a revised budget that includes $50,000 for renovations at Threadgill Park. However, his motion does not gain a second, so it fails. The discussion returns to Councilmember Destin's original motion.

During the discussion, concerns are raised about the adequacy of the current community center and the potential for future expansion or relocation. Some council members express reservations about investing in the current facility without a clear long-term plan. There is also debate over whether to allocate funds to fix the Community Center roof, with some members wanting more clarity on the cost and scope of the necessary repairs.

The Parks & Recreation Director clarifies that many of the items in the 2024 budget are underfunded, and additional funds would be required to complete the necessary improvements. The council ultimately decides to revisit the budget allocations in a future meeting, with a clearer understanding of the remaining funds and priorities.

The original motion passed 6-1 (Council members King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes"; Councilmember Schmidt voted "no").

Councilmember Bagby asked staff to bring back a report at the next council meeting as to their plan to spend the remaining $200,000 currently budgeted in 2024 for the Morgan Sports Center, Dalton Threadgill Park, and Community Center renovation.

D. Annexation Policy Update

The discussion revolves around the city's annexation policy. The principal planner presented a formal annexation policy to the City Council. The policy aims to incorporate areas currently outside city limits into the city's jurisdiction. The areas under consideration include enclaves between Common Drive and Triumph, residential areas like Kelly Plantation, and commercial zones along Highway 98 and Emerald Bay.

The followings aspects of annexation were emphasized during council discussion.

- Benefits of Annexation:
  - Elimination of enclaves.
  - Expansion of the city's tax base.
  - Greater control over development in unincorporated areas.
  - An increase in the voter base.
  - Residents might face minimal increases in taxes, but also benefit from reduced fees for services like Parks and Recreation.
  - The potential for increased state funding due to a larger population

- Costs and Requirements:
  - Feasibility studies, meets and bounds surveys, and costs associated with educational efforts for referendums.
  - Public maintenance costs for roads in newly annexed areas.
- Annexation Methods:
  - Voluntary Annexation: Initiated by property owners or communities requesting to be annexed. This method is less costly to the city as costs are borne by the applicants.
  - Involuntary Annexation: Initiated by the city, requiring referendums and significant upfront costs, including feasibility studies and public education campaigns.

Some council members supported moving forward with annexation, emphasizing the long-term benefits for the city.

Councilmember Schmidt moved to pursue involuntary annexation focusing on specific areas, with the goal of holding a referendum in the next election; seconded by Councilmember King.

There were concerns about the timing, particularly the feasibility of completing the necessary studies, allowing for more time to conduct surveys to gather community input, and developing a stronger plan before the next election. A suggestion was made to delay the annexation process to allow for better planning and community outreach.

Councilmember Destin offered a substitute motion to go forward with the annexation efforts, covering all proposed areas, on the next election cycle (<u>November 2026</u>) allowing more time to review the costs to the city, to conduct surveys, gather community input, and develop a comprehensive community engagement and planning. Councilmember Bagby provided a second to the motion, which passed 6-1 (Council members Schmidt, King, Hebert, Bagby, Destin, and Stephens voted "yes"; Councilmember Geile voted "no").

E. 2024 Debt Issuance Update

The Finance Director provided an update on the next steps and timeline for the city's debt issuance.

The city needs to raise funds to reimburse $9 million for the purchase of One Harbor Boulevard and cover a $10 million contract for undergrounding.

At a previous meeting on June 30, the council requested that interest be solicited from local banks and that a request for qualifications (RFQ) be made from underwriters. The Finance Director presented a revised timeline for these tasks:

- By July 22: The request for qualifications (RFQ) and letters of interest (RLI) from banks will be ready for review.
- August 7: The RFQ and RLI will be released to banks and underwriters.
- September 4: The bid opening will occur.
- September 5: A bid committee will review the bids.
- September 16: The results will be presented to the council.

At the September 16 meeting, the council will need to decide whether to pursue a bank loan or a public issuance of bonds. If the bank loan route is chosen, the funds could be secured by early to mid-October. If the public issuance route is selected, it would take approximately three months to finalize, with a likely closing in November or December.

F. Linear Trail 60% Plans Update

The City Engineer provided the following updates to the Linear Trail project.

- Linear Trail project is currently at the 60% design stage. Earlier, the council had seen and approved the 30% design, and feedback was incorporated.
- Staff and DAG Architects were planning to have all the easements in hand that are necessary with the 60% plans. They have not achieved that goal, but they are actively working behind the scenes to secure them.
- The necessary surveys for these properties are now completed and will be sent to the property owners. The letters and documents will be mailed out shortly, giving the owners three weeks to sign and notarize the documents.
- The mayor and staff have been engaging with property owners and received positive feedback, with no expected issues in acquiring the easements.
- The Parks and Recreation recommended removing palm trees from the catalog and focusing on replacing trees that will be removed due to the project. These replacement trees will be planted in other areas around the city. A detailed plan for

this will be provided when the design reaches the 90% stage, including cost estimates and suggested planting locations.

Motion by Councilmember Bagby, seconded by Councilmember Hebert, to approve the 60% construction documents with the revisions requested from the Parks & Recreation Committee (along with the additional revisions) and to have the plans move forward to 90% constructions documents passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

G. Destin Library- Employee Parking Improvements

The City Engineer noted that as part of the FY 2024 adopted budget, the library has earmarked library impact fees for the following three projects:

- Add space and lighting for staff parking lot
- Architectural Services for Library Interior Redesign
- ADA Front Door Modification

Library staff have determined there is a need to reconfigure, expand, and upgrade the employee parking lot. Currently, the existing employee parking lot does not provide sufficient parking to accommodate library staff when they have the maximum shift working. Also, at night, the employee parking area is dark, posing potential safety concerns, and this project is proposed to install/replace the parking lot light poles within the improved parking lot.

Motion by Councilmember Stephens, seconded by Councilmember Hebert, to approve the construction plans as presented and to direct the City Manager to work with staff to begin procurement of construction services (potentially work authorizations to existing continuing services contractors) passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

H. TDC Monthly Report - Informational Only

I. Draft Minutes of Standing Boards & Committee Meetings - Informational Only

J. Announcements

- The city received a notice from Mr. Pearce Barrett from the Department of Environmental Protection regarding Norriego Point. They have awarded the construction contract to RJ Gorman Marine Construction out of Panama City.
- Destin Harbor came in second for the "Best Harbor" in the nation following a very intense competition.
- The City of Destin's 40th birthday bash will take place the evening of Saturday, August 10th. Invitation is open to everybody. They will gather at Harborwalk Village. There will be live entertainment and various activities for everyone to enjoy.

- The city has been notified by Florida Recreation Development Assistance Program that they received a $50,000 grant toward their pickleball project.

5. PUBLIC HEARINGS

A. 135 Benning Drive Conditional Use - Tim Nobles is requesting approval of a Conditional Use, LU-001409-2024. This request is seeking approval of Conditional Use for a personal services medical spa with a full-time doctor on staff offering services such as massage therapy, light therapy, and esthetician services.

The City Attorney presented the item. She asked for the agenda report and all its exhibits be entered into the record as the City's Composite Exhibit A. Items were so entered.

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

Motion by Councilmember Bagby, seconded by Councilmember Hebert, to approve Conditional Use LU-001409-2024, subject to approval of the Development Order Minor Deviation and the project receiving all applicable city and state permits passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

B. Innerlight Engineering Corporation, on behalf of Johnny Boswell, is Requesting approval of a Conditional Use application ((LU-001154-2023), a Major Development Order application, and a Major Subdivision application. This project includes the construction of a 54-unit, long-term multifamily Attached townhome development and the associate site infrastructure. The Subject project is generally located within the 100 blocks of Sibert and Calhoun Avenue, totaling approximately 5.2 acres.

The City Attorney presented the item. She asked for the agenda report and all its exhibits be entered into the record as the City's Composite Exhibit A. With no objections from the counsel representing the applicants, the items were so entered.

The City Clerk sworn in the following individuals for testimonies:

Principal Planner Steve O'Connor
Senior Planner Daniel Butler
Attorney Stephen Tatum

The applicant, represented by Stephen Tatum of Matthews and Matthews, sought approval for a conditional use, major development order, and major subdivision application for a 54-unit long-term multifamily townhome development. The proposed project spans 5.2 acres located within the 100 blocks of Cyber and Calhoun Avenue.

Initially presented to the city in February 2020 as a 37-lot single-family subdivision designed for short-term rentals, the project faced rejection in September 2022 by the Local Planning Agency (LPA), which opposed short-term rentals in that area. Subsequently, the applicant revised the project, increasing density to accommodate 54 townhomes.

The new design includes individually platted townhome lots, intended for sale rather than rental. The project area is within the Calhoun Mixed Use Village (CMV) zoning district, an area primarily residential. The proposed townhomes aim to complement the existing residential character, offering a lower density than permitted by the zoning district (10.4 dwelling units per acre compared to the allowed 12). The project includes 36% open space and 219 parking spaces, exceeding the minimum requirements.

The applicant emphasized that the development would not significantly impact traffic, generating only 30 trips during peak hours, fewer than the originally proposed single-family homes.

Attorney Tatum cited the city's comprehensive plan, which encourages medium to high-density residential developments in the CMV district, as well as policies promoting housing affordability and accessibility for city workers.

Several council members expressed concerns about the density of the project and its impact on the neighborhood. Councilmember Schmidt questioned the adequacy of parking, particularly guest parking, and suggested removing some townhome units to add more parking spaces. Attorney Tatum responded that the current design already includes 84 extra parking spaces beyond what is required by code.

Councilmember Destin raised concerns about the project's density and its compatibility with the surrounding residential area. He argued that the project was more aligned with high-density development rather than the medium density envisioned for the area.

Councilmember Geile questioned the affordability of the proposed townhomes, noting that they might not qualify as workforce housing given the high property values in Destin. Attorney Tatum clarified that the townhomes were intended to be more affordable than single-family homes but acknowledged that market conditions would ultimately dictate pricing.

Councilmember Bagby supported the project, emphasizing that it represented the type of redevelopment the city had envisioned. He highlighted that the applicant had followed the city's rules, including providing more parking than required.

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

Ms. Sandy Tramell, a Destin resident, raised concerns about the lack of guest parking, fearing that visitors would have to use nearby parks for parking, exacerbating existing problems.

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

Upon request by the council, the city's Senior Planner Daniel Butler reviewed the six criteria for conditional use approval, stating that the project met all criteria except for the one concerning over-proliferation of multifamily uses, which was left to the council's discretion. Currently, 44% of the parcels in the CMV zoning district contain multifamily uses.

After extensive discussion, there was a consensus to modify the recommended motion to require the addition of six to ten more parking spaces, particularly in the northeast quadrant of the development. The applicant agreed to this modification, subject to staff approval.

Councilmember Bagby moved to approve Calhoun Harbor, a Conditional Use, Major Development Order, and Major Subdivision, with a condition that 6-10 additional parking spaces will be provided, seconded by Councilmember Hebert. Motion passed 4-3 (Council members Schmidt, King, Hebert, and Bagby voted "yes"; Council members Destin, Geile, and Stephens voted "no").

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

A. Councilmember Stephens

1) Walton / Okaloosa / Santa Rosa Regional Utility Authority (RUA)

Motion by Councilmember Hebert, seconded by Councilmember Geile, to appoint Councilmember Stephens as primary council representative to the Walton / Okaloosa / Santa Rosa Regional Utility Authority (RUA) Board passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

B. Councilmember Geile

1) Projects status/updates

Councilmember Geile congratulated the Destin Little League for winning the state championship and advancing to the Southeast Conference Final. He specifically praised Tony Bailey, the team manager, for his significant contribution too the team's success.

C. Councilmember Destin

D. Councilmember Bagby

1) Snippets of the May 20 City Council meeting on video

Councilmember Bagby briefly discussed the need for balance among the fishing fleet, luxury yacht fleet, and pontoon boat fleet, emphasizing the importance of managing all sectors.

Councilmember Bagby thanked Commissioner Ketchel and Mr. Dale Marks, Executive Director of the 96th Test Wing, Air Force Materiel Command, at Eglin AFB, for resolving issues related to a bioluminescent multi-purpose path on Okaloosa Island, connecting Fort Walton Beach and Destin and expressed excitement about the groundbreaking event.

E. Councilmember Hebert

Councilmember Hebert commended the Parks and Recreation Department for a successful Fourth of July weekend, highlighting their handling of challenges at Joe's Bayou and the impressive fireworks display.

F. Councilmember King

G. Councilmember Schmidt

1) Location of transient slips in Destin

Councilmember Schmidt requests staff provide a list and locations of transient slips on the harbor within the next 3 weeks.

2) Code Compliance citizen cases update

Councilmember Schmidt received an update from staff about an upcoming code compliance presentation that would address concerns about proactive enforcement in different areas of the city.

3) Discussion on operating a business out of / from a home in Destin

Councilmember Schmidt sought and received clarification from the City Attorney on home-based businesses in Destin, particularly regarding individuals working from home and compliance with state laws.

4) Food Truck/Sign Ordinance update

Councilmember Schmidt asked for an update on the food truck and sign ordinances, which will be addressed in the workshop on July 29th.

Councilmember Schmidt also addressed concerns from citizens about the staffing schedule at Joe's Bayou and asked staff to bring back a staffing schedule during the second half of the day within the next two council meetings. Additionally, he inquired about the status of the splash pad at Leonard Destin Park and received update. regarding delays due to specific equipment issues.

Councilmember Schmidt also addressed the ongoing communication challenges between the city and the Destin High School concerning the use of the Morgan Sports Complex sports fields. He expressed a desire to improve cooperation and communication moving forward.

Councilmember Schmidt proposed a public workshop to discuss tour helicopter operations in Destin, though it was noted that the county's ongoing litigation with helicopter companies might limit participation. It was the consensus of the council to allow Councilmember Schmidt to act as the council liaison to reach out and have a discussion with the owner of Timberview Helicopters and to bring back potential ideas on how they could work together.

H. Mayor Wagner

1) FY 2023 Edward Byrne Grant Funding 51% Letters of Support

Motion by Councilmember Bagby, seconded by Councilmember Hebert, to approve the FY 2023 Edward Byrne Grant Funding 51% Letter of Support passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Stephens voted "yes").

I. City Attorney

The City Attorney advised the council not to discuss active code compliance cases in council meetings, reminding them to follow the proper judicial process through the special magistrate.

7. PUBLIC COMMENTS

Ms. Sandy Trammell, a Destin resident and current volunteer committee member, spoke about Diane Kelly, the new Destin High School principal, and expressed willingness to work with her on issues related to the school. She conveyed optimism that Ms. Kelly would address concerns once the issues were explained to her.

Ms. Carrie Harbarger, a Destin resident and business owner, expressed her frustration that after waiting five hours in the meeting expecting a resolution to the issue of pulling carts on the beach, this issue is still unresolved. She highlighted the confusion and frustration over the lack of clear regulations and enforcement and sought a clear answer from the council regarding whether it is legal to pull carts and sell products on the beach.

The City Attorney clarified that business operations without a Business Tax Receipt (BTR) are illegal, and that business operations on the dry sand on the beach are prohibited. She emphasized that any illegal business activities on areas within their jurisdiction would be handled by code enforcement.

Ms. Brittney Zirkle and Mr. Sampson Thomas, owners of Thomas Island Ice Cream, defended their operations, stating that they had adhered to all legal requirements, including insurance, licensing, and staying within permitted areas on the beach. They expressed frustration with the personal conflicts and ongoing disputes and harassment from a competing business despite adhering to regulations.

Ms. Becky Pritchard raised concerns about increased helicopter activity in the area, which she claimed was disruptive to the community. She pointed out that the number of helicopters had increased significantly leading to constant noise. She urged the council to conduct a noise study and enforce stricter regulations on helicopter operations.

Mr. Ken Wampler, a Destin resident, provided insights into the BTR system, explaining its history and the need for potential adjustments. He emphasized that while impact fees are paid by new developments, hotel, and motels, these are not ongoing payments. He suggested reviewing the BTR system to ensure fairness and sustainability.

Mr. Kyle Coleman suggested that implementing a permit system for beach vendors and bonfires could generate additional revenue for the city. He referenced a similar system in a neighboring county that brought in substantial funds and recommended the city consider a similar approach to support code enforcement and other needs.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 11:01 PM.

Bobby Wagner, Mayor

CITY OF DESTIN SEAL FLORIDA

ATTEST:

Rey Bailey, City Clerk