

**REGULAR MEETING
DESTIN CITY COUNCIL
OCTOBER 21, 2024
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM**

The Destin City Council met in regular session with the following members and staff present:

Destin City Council

Mayor Pro Tem Dewey Destin
Councilmember Johnny King
Councilmember Torey Geile

Councilmember Jim Bagby
Councilmember Terésa Hebert

Destin City Staff

Interim City Manager Larry Jones
Projects/Grants/Contract Manager Jeffrey Cozadd
Principal Planner Steve O'Connor
Parks & Recreation Director Lisa Firth
Deputy Public Works Director Joe Bodi
Community Development Director Tina Deater

City Clerk Rey Bailey
IT Director Andy Peters
Finance Director Krystal Strickland
Public Works Director Michael Burgess
Code Compliance Manager Troy Williams
City Attorney Kimberly Kopp

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Dewey Destin 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.

AGENDA APPROVAL

Motion by Councilmember Bagby, seconded by Councilmember Destin, to approve the agenda passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted “yes”; Council members Schmidt and Stephens were absent from the meeting).

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

2. PUBLIC COMMENTS

Ms. Carrie Harbarger, a resident of Mountain Drive, shared her perspective on the impact of livery vessels in the community. She recalled events from approximately 11 years ago when the city was emerging from an economic downturn and worked with the Tourist Development

Council (TDC) to attract visitors with higher spending capacities. She emphasized the importance of diversifying the economic contributions to the harbor community. She highlighted that visitors brought in by livery vessels contribute significantly to local businesses, including her own, and noted that catering exclusively to one sector, such as the fishing community, limits broader economic benefits. Ms. Harbarger questioned why discussions about livery vessels persist if operators meet requirements like parking and licensing. She urged the council to recognize the value these vessels bring by attracting high-profile clientele, such as NFL players, who support the local economy. She encouraged council members to consider these points carefully in future deliberations.

Mr. Max Fogerty of Driftwood Lane described his efforts to becoming a business owner. He stated that he began his efforts to establish a business in 2020 but encountered confusion and challenges with regulatory processes for livery and bareboat permits. He struggled to navigate unclear rules, including overlapping moratoriums and the requirement for a Business Tax Receipt (BTR) before applying for a livery permit. He expressed respect for the fishing industry and its importance to the town's identity and economy and aims to contribute positively to the community while respecting established businesses. He asked for leniency or inclusion in potential grandfathering provisions, emphasizing a willingness to comply with rules and regulations moving forward.

Mr. Ryan Holloway highlighted the significant spending by affluent clients on yacht charters, suggesting this clientele contributes substantially to local businesses and real estate. He advocated for expanding business opportunities, arguing that the city should embrace growth to attract high-value tourists rather than restricting yacht operations. He criticized existing regulations as overly restrictive and biased, stating that policies were originally intended for pontoon boats and are being unfairly applied to yachts. He emphasized the need for policies that enhance Destin's reputation and economic vitality by catering to affluent visitors.

Mr. Matthew Davis represented the fishing community as a fourth-generation Destin resident, emphasizing his family's deep ties to the industry. He clarified that his charter business does not engage in fishing, instead focusing on eco-tourism and wildlife observation, which does not compete with traditional fishing charters. He shared examples of high-profile clients who bring significant revenue to the area and often patronize fishing charters after his tours, boosting the local economy. He suggested that medallion requirements should include limits on issuance to ensure fair regulation across all charter operations. He highlighted the unchecked growth of new fishing charter boats as a potential issue.

Ms. Patti Brown, co-owner of the yacht *Misbehaving*, spoke on behalf of herself and her husband, Gary Troop, about their yacht charter business. She emphasized their commitment to compliance with city regulations, contributing to the local economy, and providing a luxury experience for tourists. She described their business model as distinct from fishing or pontoon operations, highlighting significant investments in commercial dock space, insurance, and licensing.

Ms. Brown recounted past collaborative efforts with the city, such as working with committees to resolve issues at the Destin Airport. She expressed concern over potential restrictions on bareboat charters, noting that they are essential for maintaining the viability of their business. She also criticized the concept of medallions, likening them to extortion and suggesting they should not retain value once operations cease.

Ms. Brown read a statement from Gary Troop, reiterating their compliance with regulations and the significant costs associated with operating a yacht charter, including \$2,000 monthly for commercial dock space and \$13,000 annually for insurance. Mr. Troop argued that their business fills a niche market and does not compete directly with fishing or pontoon rentals. He opposed medallion requirements, citing the risk of market manipulation and negative economic consequences. He urged the council to support small businesses like theirs by finding a fair solution.

Ms. Brown also read a statement from Matt Condon, owner of United Yachts. Mr. Condon expressed concerns over the proposed livery ban, which would impact his management of four yachts. He predicted the ordinance would force his business to close or relocate. Mr. Condon requested that existing yacht operators be allowed to file for livery registration, following the precedent set for other businesses during the original ordinance implementation.

3. CONSENT AGENDA

- A. Grant Agreement DEP L0029 - Destin Harbor Dredge Project
- B. RFB 24-13-PW Old Pass Lagoon Navigational Channel Dredging Project
- C. Grant Agreement DEP P5100 - Pickleball Project
- D. Professional Planning and Grant Consulting Services RFQ 24-12-CD
- E. Okaloosa County Sheriff's Service Agreement FY2025
- F. Approval of DEX Lease Agreement
- G. RFB 24-08-REC Independence Day Fireworks
- H. Destin Main Street Betterment Alliance - Veteran's Day 5k
- I. McGuire's Irish Pub Halloween Run 5/10k
- J. Approval of minutes of August 19, 2024, Regular City Council Meeting
- K. Approval of minutes of August 5, 2024, Regular City Council Meeting

Councilmember Hebert moved for approval of Consent Agenda items 3A through 3K; seconded by Councilmember Bagby. Motion passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted "yes"; Council members Schmidt and Stephens were absent from the meeting).

4. CITY MANAGER REPORTS

- A. RFB 24-14-REC Morgan Sports Center Field and Parking Lot Lights

The Interim City Manager discussed this item which concerned a staff recommendation regarding field lighting for the Morgan Sports Park, including the field and parking area. A prior meeting had reviewed a proposal using a Sourcewell bid, but the council directed staff to prepare a Request for Proposals (RFP) for further consideration. Staff recommends that the council approve the RFP to initiate the bid process. He also noted that if the earlier proposal proves more favorable upon review, the council retains the option to revisit it. The RFP approval would enable the project to move forward efficiently, with a commitment to return the results to the council as quickly as possible.

Motion by Councilmember Hebert, seconded by Councilmember Bagby, to approve RFB 24-14-REC – Destin Morgan Sports Center Lighting and authorize the City Manager to advertise the RFB passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted “yes”; Council members Schmidt and Stephens were absent from the meeting).

B. Boardwalk Under the Bridge/PD&E/Stahlman Intersection – Update

Mr. Jason Frick, an engineer from Baskerville-Donovan, provided an update on two major city infrastructure projects:

1. Boardwalk Under the Bridge Project: A design-focused project to enhance pedestrian connectivity.
2. PD&E (Project Development and Environment) Study: A congestion management analysis along US 98, including the Stallman intersection.

Mr. Frick emphasized the project's scope, current progress, and next steps, supported by a PowerPoint presentation. He clarified the two main divisions:

- Division 1: Design of the boardwalk under the bridge.
- Division 2: PD&E study from Stahlman Avenue to Airport Road.

Boardwalk Under the Bridge:

- Project Scope: Connecting the Zerby Street parking lot to the boardwalk under the Marler Bridge with a safe, ADA-compliant pedestrian walkway.
- Design Details:
 - 12-foot-wide pedestrian path starting at Zerby Street parking lot.
 - Improved crosswalks and green space for pedestrian safety.
 - Integration of a drainage swale to address stormwater issues.
 - Concrete and asphalt pathways transitioning into an elevated section for flexibility in bridge maintenance.
- Status: Plans are at 30% completion. Approval is sought to proceed with permitting and detailed design phases.
- Next Steps:
 - Secure state and Department of Environmental Protection (DEP) permits.
 - Finalize the design, including lighting, security, and drainage.

PD&E Study (Division 2):

- Scope of Work: Develop traffic congestion solutions from Stahlman Avenue to Airport Road, with a focus on the Stahlman intersection and implications of the Cross-Town Connector project.
- Proposed Concepts:

- Adding a second left-turn lane at Stahlman for increased vehicle stacking.
- Closing the median near Maguire's and implementing pedestrian barriers to prevent unsafe crossings.
- Proposing a one-way northbound flow on Stahlman, with a roundabout at the Stahlman, Melvin, and Palmetto intersection for safer traffic flow.
- Suggested future improvements based on FDOT feasibility studies, such as median closures and additional signals.

Council Discussion:

- Boardwalk Under the Bridge:
 - Council expressed unanimous support for moving forward with the boardwalk design and permitting.
- PD&E Study Scope Clarification:
 - Several council members recalled the original intent was to focus on the Stahlman intersection rather than the entire stretch from Marler Bridge to Airport Road.
 - Concerns were raised about the broader scope including median closures, traffic signals, and controversial design changes outside the Stahlman focus area.
- Cost Implications:
 - Questions arose regarding whether the broader scope influenced the project cost. Baskerville-Donovan offered to review and adjust their pricing if the council wished to narrow the study's focus to Stahlman.
- Roundabout Design Concerns:
 - Council members highlighted potential traffic and safety issues with the proposed roundabout design at Stahlman and Palmetto. It was suggested that Baskerville-Donovan study examples from other cities with successful roundabouts.

Councilmember Bagby moved to direct staff to move forward with the Boardwalk Under the Bridge concept as presented and to have staff work with the city's consultant towards the 30% plans passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted "yes"; Council members Schmidt and Stephens were absent from the meeting).

The council deferred approval of the PD&E study for broader traffic management. The council directed Baskerville-Donovan to narrow the study to the Stahlman intersection and reassess the associated costs.

Baskerville-Donovan to revise and submit a new cost estimate reflecting the narrowed PD&E scope.

C. TDC Monthly Report - Informational Only

Councilmember Bagby provided the following analysis of the tax revenues and trends within the current taxing district. He referenced data comparing Fiscal Year (FY) 2023 and FY 2024 to highlight key points about tax collection and revenue generated by rental units.

- In FY 2024, the Tourist Development District (TDD) collected \$40,553,076, compared to \$40,580,053 in FY 2023. Despite the tax rate remaining unchanged, overall collections slightly declined.
- The number of units in the taxing district increased from 13,284 in FY 2023 to 13,632 in FY 2024. Despite this growth, the average tax revenue per unit decreased, indicating a downward trend in economic yield per rental unit.
- In FY 2023, the average tax paid per unit was \$2,781, which dropped to \$2,626 in FY 2024. Councilmember Bagby noted that this downward trend suggests that individual property owners are earning less revenue.
- The gross earnings of rental property owners in FY 2023 amounted to approximately \$43,964,471. Preliminary data for FY 2024 showed a decrease in earnings. Councilmember Bagby acknowledged the need to recheck the exact numbers.
- Councilmember Bagby warned that a continued decline in revenue could hinder property owners' ability to maintain their rental units or attract renters, which could exacerbate tax revenue losses over time.
- Councilmember Bagby expressed concern that the current trend might not be a one-year anomaly but part of a larger economic shift. He emphasized the importance of addressing issues affecting both high-end luxury operations and smaller, local businesses such as fishing fleets, to ensure fairness and sustainability in the tourism sector. He cautioned that if the declining trend persists, it could lead to significant economic challenges for the city and county.

D. Capital Project Status - Informational Only

E. Quarterly Investment Report - Informational Only

F. Quarterly Attendance Report - Volunteer Committees and Boards – Informational Only

G. Draft Minutes of Standing Committee and Board Meetings - Informational Only

H. Announcements

- 1) City staff reached out to the Destin Fire District regarding the proposed boat slip lease and discussed the possibility of adding language to allow the slip's use for any municipal purpose, rather than limiting it solely to code enforcement. The lease agreement will be brought back to the council at the November 4th meeting.
- 2) City staff met with the school district to discuss the recently purchased property adjacent to Destin Elementary School and the possibility of partnering with Destin High School and the city to utilize part of the space for a high school athletic field. While the school district has plans to use some of the property,

they are unsure of the full extent of its use. Once their plans are finalized, the city will reach out to the school district to explore available options and discuss the potential for collaboration between the city and the school district on behalf of the high school

- 3) Early voting for the General Election will be from 7 AM to 7 PM, from October 21st through November 2nd at the Destin Community Center.
- 4) The city's annual Open House will be on Wednesday, October 23rd, from 11:30 AM to 1:00 PM, at the Destin Community Center. There will be Fish Fry and live entertainment.
- 5) Councilmember Schmidt requested that staff improve the clarity of the bidding announcement on the city's website. The senior leadership team worked on this, and the IT Department has done an excellent job ensuring that the language is now much clearer.

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 24-15-CC - Relating to livery vessels; amending Sections 13-141 "Definitions" and 13-144 "Application for Permit" of the City of Destin Code of Ordinances.

The City Attorney read proposed Ordinance 24-15-CC, and then presented it to the council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO LIVERY VESSELS; AMENDING SECTIONS 13-141 "DEFINITIONS" AND 13-144 "APPLICATION FOR PERMIT" OF THE CITY CODE OF ORDINANCES. PROVIDING FOR FINDINGS OF FACT; CLARIFYING THE DEFINITION OF LIVERY VESSEL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Hebert moved to continue second reading of Ordinance 24-15-CC to the December 2, 2024, council meeting; seconded by Councilmember Bagby. Motion passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted "yes"; Council members Schmidt and Stephens were absent from the meeting).

- B. First reading of Ordinance 24-12-LC - Amending Land Development Code Section 11.04.00 Floodplain Management; amending sections relating to elevation of manufactured homes in flood hazard areas.

The City Attorney read proposed Ordinance 24-12-LC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING LAND DEVELOPMENT CODE SECTION 11.04.00 FLOODPLAIN MANAGEMENT; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; AMENDING SECTIONS RELATING TO ELEVATION OF MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR A FISCAL IMPACT STATEMENT; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

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

Motion by Councilmember Bagby, seconded by Councilmember Hebert, to approve Ordinance 24-12-LC passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted “yes”; Council members Schmidt and Stephens were absent from the meeting).

- C. First reading of Ordinance 24-18-CC - Amending Chapter 6 "Buildings and Building Regulations" of the Code of Ordinances; amending sections relating to flood hazard areas and floodplain management.

The City Attorney read proposed Ordinance 24-18-CC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING CHAPTER 6, “BUILDINGS AND BUILDING REGULATIONS” OF THE CODE OF ORDINANCES. AMENDING SECTIONS RELATING TO FLOOD HAZARD AREAS AND FLOODPLAIN MANAGEMENT; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR A FISCAL IMPACT STATEMENT; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Bagby moved for approval of Ordinance 24-18-CC on first reading, seconded by Councilmember Hebert. Motion passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted “yes”; Council members Schmidt and Stephens were absent from the meeting).

- D. First reading of Ordinance 24-19-CN - Authorizing the issuance of the city's Non-Ad valorem revenue note, Series 2024 in the principal amount of not to exceed \$25,000,000 for the purpose of financing various capital improvement projects in the city including without limitation the acquisition of certain land for the purpose of providing public park facilities located at One Harbor Blvd, construction of the cross-town connector roadway and undergrounding overhead utilities.

The City Attorney read proposed Ordinance 24-19-CN by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AUTHORIZING THE ISSUANCE OF THE CITY'S NON-AD VALOREM REVENUE NOTE, SERIES 2024 IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$25,000,000 FOR THE PURPOSE OF FINANCING VARIOUS CAPITAL IMPROVEMENT PROJECTS IN THE CITY INCLUDING WITHOUT LIMITATION THE ACQUISITION OF CERTAIN LAND FOR THE PURPOSE OF PROVIDING PUBLIC PARK FACILITIES LOCATED AT 1 HARBOR BOULEVARD, CONSTRUCTION OF THE CROSS-TOWN CONNECTOR ROADWAY, AND UNDERGROUNDING OVERHEAD UTILITIES; PROVIDING THAT THE NOTE SHALL BE A LIMITED OBLIGATION OF THE CITY PAYABLE FROM NON-AD VALOREM REVENUES BUDGETED, APPROPRIATED AND DEPOSITED AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNER OF THE NOTE; AUTHORIZING CERTAIN OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE SALE, ISSUANCE AND DELIVERY OF SUCH NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

Councilmember Bagby moved for approval of Ordinance 24-19-CN on first reading, seconded by Councilmember Hebert. Motion passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted “yes”; Council members Schmidt and Stephens were absent from the meeting).

Councilmember Bagby addressed the handling of bond proceeds and reimbursement needs. He stated that the city needs to reimburse the General Fund for a \$9 million parcel purchase, cover costs for undergrounding equipment, and repay funds already expended on projects, amounting to \$12–13 million. He proposed investing the unspent balance of the bond proceeds in a Florida Prime account. This approach would allow the city to earn higher interest on the funds while meeting regulatory requirements. Councilmember Bagby suggested empowering the City Manager, City Attorney, and Finance Director to review the investment proposal to ensure compliance and explore possibilities for optimizing fund use.

The Finance Director elaborated on the proposed investment strategy stating that the bond counsel including tax experts confirmed the legality of investing excess funds temporarily. She emphasized that Arbitrage rules set thresholds and timelines for fund usage, which the city's construction schedule is expected to meet. The city will conduct annual Arbitrage reports to the IRS. If construction funds are not fully spent within 24 months, any surplus earnings may need to be repaid. Florida Prime offers a 5% interest rate, significantly higher than the 3.48% rate on the loan, providing a financial benefit to the city. She added that she has initiated contact with Florida Prime to establish an account dedicated to managing the bond proceeds.

The city attorney confirmed there are no immediate legal concerns with the proposed investment plan, as long as the appropriate reviews and due diligence are conducted.

Councilmember Bagby moved to authorize the City Manager, City Attorney, and Finance Director to confirm the legality of investing the remaining loan funds not spent by the end of November, and, if deemed legal, to invest those funds in a Florida Prime Account. Motion passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted “yes”; Council members Schmidt and Stephens were absent from the meeting).

- E. First reading of Ordinance 24-14-LC - Removing Section 20.06.00 of the Land Development Code - "Unsafe Building Abatement."

The City Attorney read proposed Ordinance 24-14-LC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA; REMOVING SECTION 20.06.00 OF THE LAND DEVELOPMENT CODE “UNSAFE BUILDING ABATEMENT”; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR REMOVAL FROM THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Councilmember Geile moved for approval of Ordinance 24-14-LC on first reading; seconded by Councilmember Hebert. Motion passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted “yes”; Council members Schmidt and Stephens were absent from the meeting).

The second reading of Ordinance 24-14-LC will be scheduled at the same time as the second reading of Ordinance 24-17-CC.

- F. First reading of Ordinance 24-17-CC - Amending Chapter 6 of the Code of Ordinances to create a new Article 5, "Property Maintenance Code."

The City Attorney read proposed Ordinance 24-17-CC by title, and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA; AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES TO CREATE A NEW ARTICLE 5, “PROPERTY MAINTENANCE CODE”; 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 Pro Tem opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor Pro Tem closed the public hearing and turned the matter over to the city council for their discussion and consideration.

The City Attorney explained that the new code extends beyond building safety to cover external factors such as vegetation height, garbage can storage, and general property upkeep.

Concerns were raised about potential over-regulation and the burden of compliance on property owners, particularly in rental-heavy areas.

Staff clarified that the code is primarily complaint-driven and targets egregious neglect, such as abandoned or unsafe properties.

Supporters of the proposed regulation noted the benefits of maintaining property values and ensuring community pride. Areas with Homeowners' Associations (HOAs) already enforce similar standards to preserve neighborhood aesthetics and property values. The proposed standards aim to ensure fairness and consistency citywide, especially in areas without HOAs.

There was a question raised about the code's application following storm events, emphasizing the need for flexibility.

Staff reassured that storm damage inspections are required by law, and any widespread disaster might prompt state-level waivers for repairs, as seen after Hurricane Opal.

The city attorney suggested including provisions to suspend code enforcement temporarily after emergencies, ensuring practical application during recovery periods.

Councilmember Destin suggests referring the proposed code to the Local Planning Agency for further workshop discussion and analysis. Other council members agreed this would allow for a deeper review of interior and exterior provisions, as well as occupancy standards and room size requirements.

The Building Official explained the challenges of tracking unpermitted work, particularly on older properties, and how tools like Google Earth are used to detect changes. She confirmed the city's reliance on the Property Appraiser's records and the limitations of those records for very old structures.

The city attorney clarified that the proposed code is based on nationally recognized standards tailored to Destin's specific needs, reminding the council that adopting portions of such code is common among cities and would be left to their discretion.

Councilmember Destin moved to refer this item back to the Local Planning Agency for the purpose of scheduling a workshop; seconded by Councilmember Hebert. Motion passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted "yes"; Council members Schmidt and Stephens were absent from the meeting).

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

- A. Councilmember Stephens
- B. Councilmember Geile
 - 1) Projects Status/Updates

C. Councilmember Destin

According to Councilmember Destin, a number of younger teenagers who fish at the harbor docks have approached him to report that they are consistently being banned from these areas. While it is understandable that property owners are concerned about the risk of vandalism, many of these kids are members of the Destin High School Fishing Club and are running out of places to fish. He plans to refer these teenagers to the City Manager, who can then act as a liaison to work with property owners. The goal is to explore the possibility of allowing these kids to fish on their docks through a system, such as registration, that could help alleviate concerns about illegal activities and give the property owners some peace of mind.

D. Councilmember Bagby

A) Proactive Code Compliance – Discussion

Potential Proactive Code Compliance Zones and Priorities

- What Does Proactive Code Compliance Mean?
 - Based on prior Council discussions-Actively looking for violations instead of only responding to complaints. When a complaint is received, looking at all properties in the vicinity for the same violation.
- What are Priorities?
 - Proactive enforcement would be limited to established priorities, unless a violation is egregious, a life/safety issue or associated with a complaint.
- Zones: Based on Identified Planning Areas
 - Allow for areas of the City with different characters to have different priorities
 - Allow us to focus limited resources on the most important issues identified for each area
 - Allow for targeted community awareness and outreach
- Important Points:
 - Complaints are handled consistently across all Zones-Every Complaint Will be Investigated
 - Zones and Priorities are established by Council-Can be amended by Council if other concerns/needs are identified
- Two Seasons:
 - Tourist Season (March through September)
 - Off-Season (October through February)
- Potential Priorities-Based on most common violations

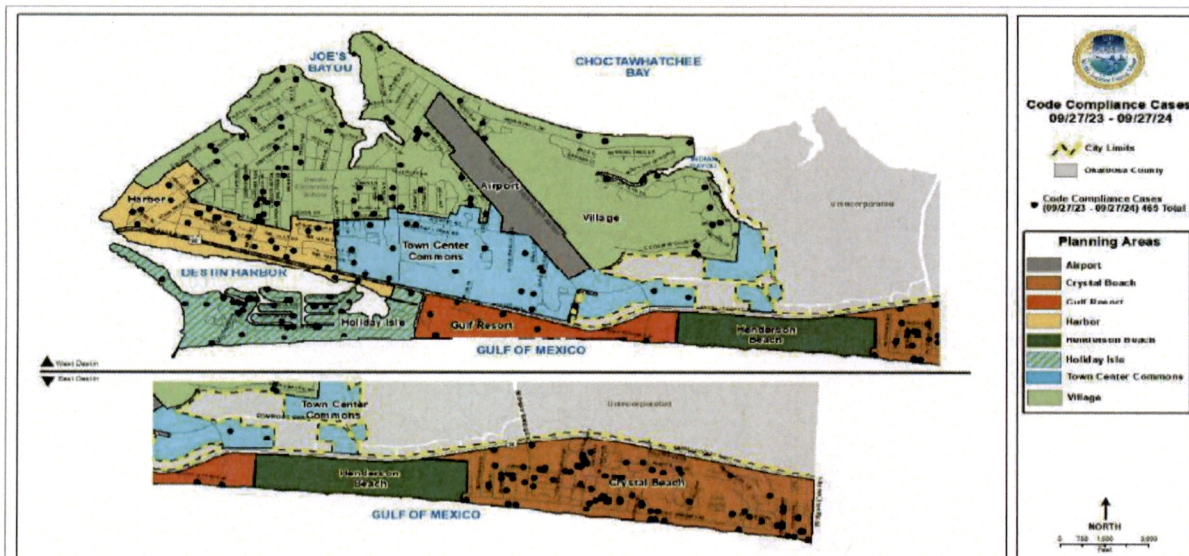
The Community Development Director discussed concerns about the city adopting a more proactive approach to code compliance. The proposed approach involves shifting from a complaint-driven process to one that actively identifies violations across the city.

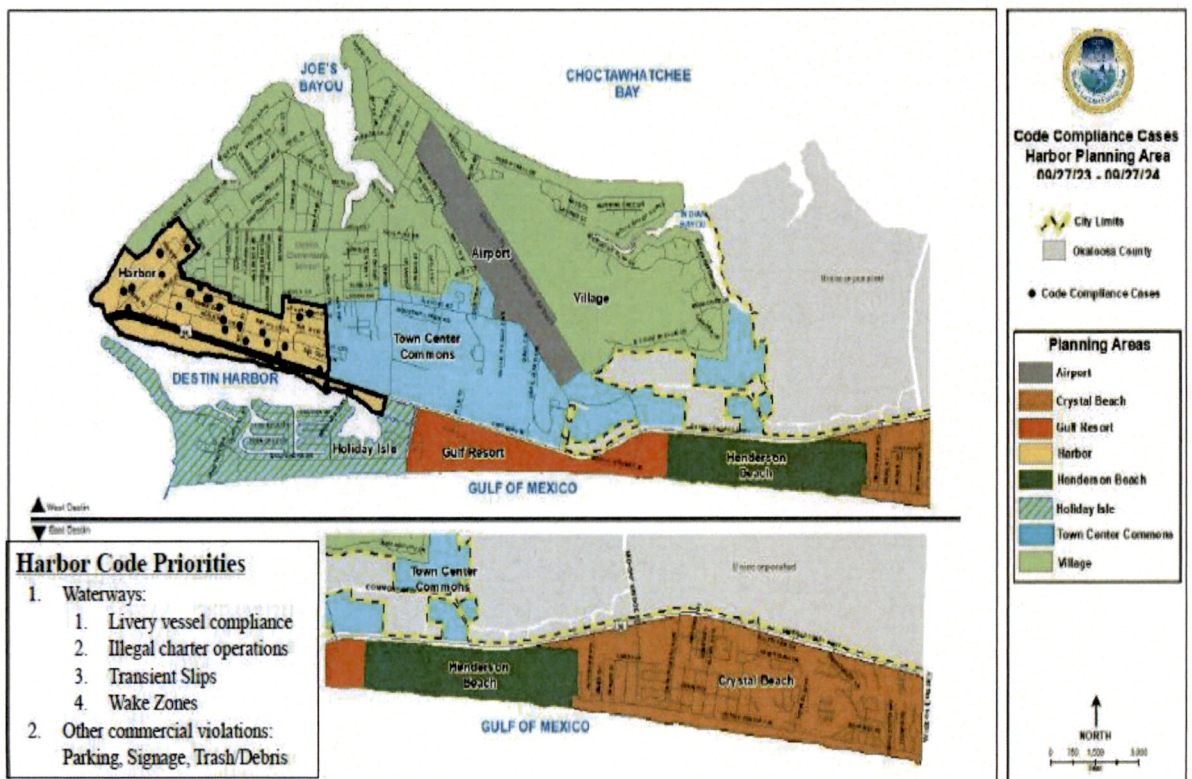
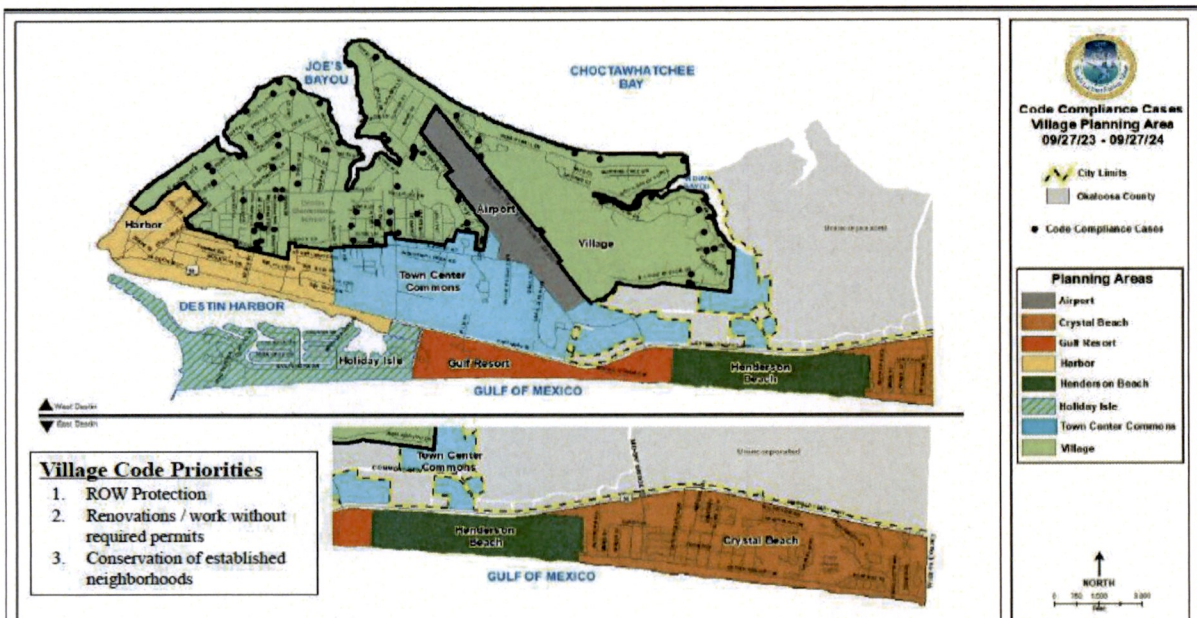
This includes investigating complaints and assessing the surrounding area for other potential violations.

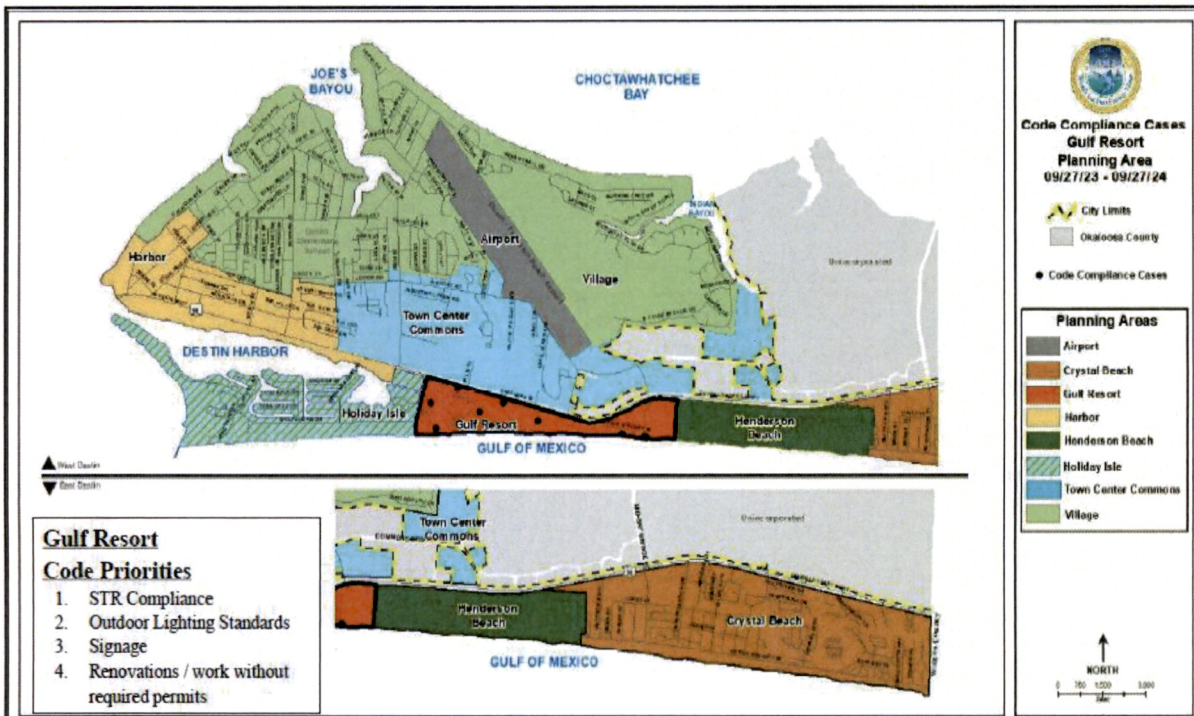
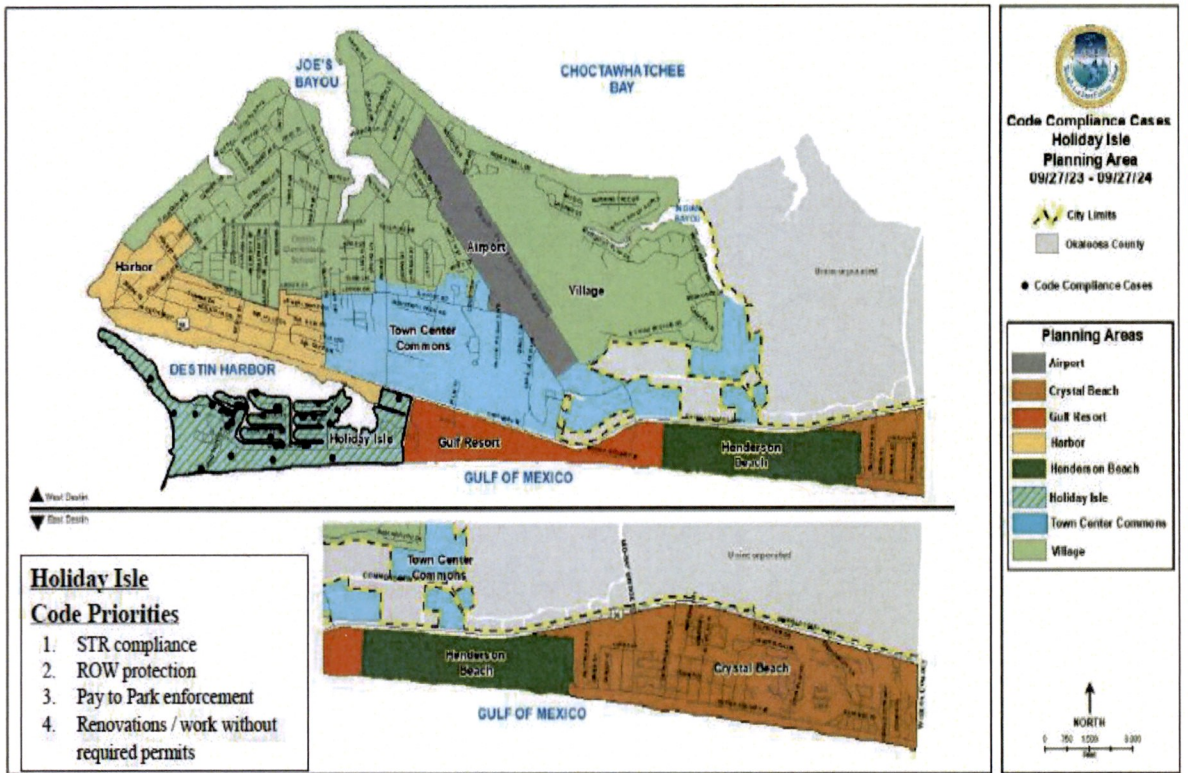
To implement this strategy, staff proposed dividing the city into zones, aligned with its adopted planning areas, which reflect the unique characteristics of each area. The council would establish proactive priorities for each zone, ensuring that complaints are consistently addressed citywide while tailoring proactive efforts to the specific needs of each zone.

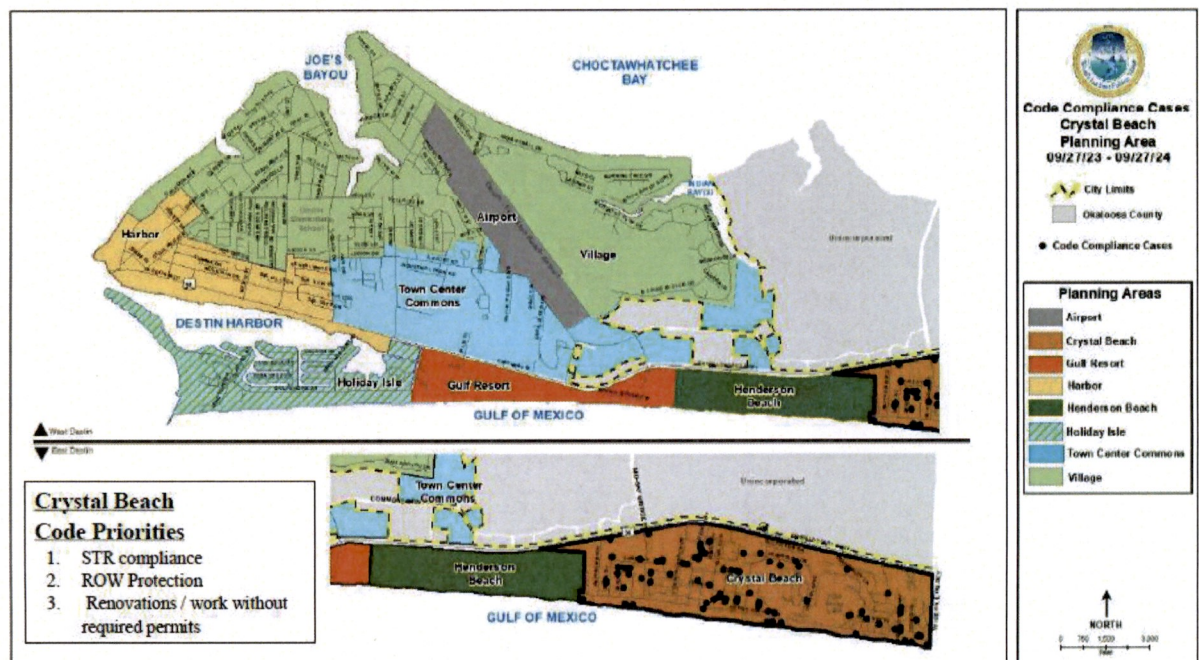
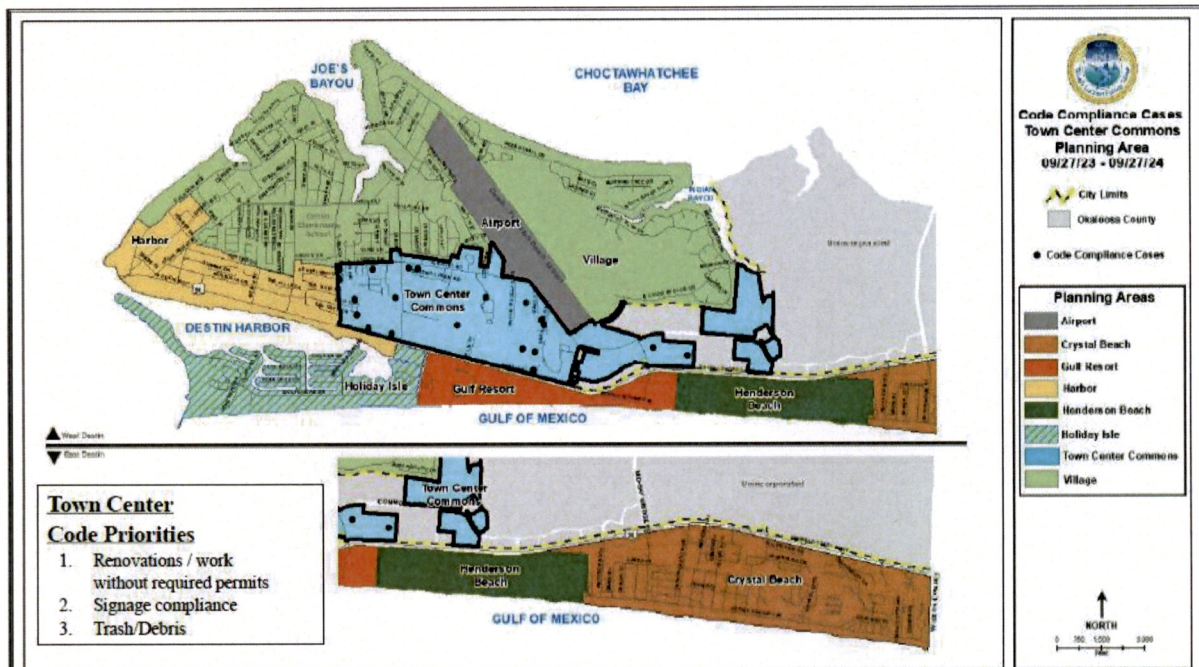
Staff suggested setting seasonal priorities for proactive compliance, reflecting the city's two distinct seasons. Example priorities were based on common complaints received in each area. She asked the council to review and provide feedback on this strategy, which would form the basis for a formal proactive Code Compliance policy.

Next, the Deputy Community Development Director presented the following map of code enforcement cases from October of the previous year to October of the current year, categorized by planning area.









OTHER PRIORITY ZONES

- Waterways
 - Livery vessel compliance
 - Illegal charter operations
- Beach
 - Beach vendor compliance
 - Illegal vending
 - Beach management (sand holes, tents, etc.)
- U.S. 98 (Harbor Blvd. & Emerald Coast Pkwy.)
 - Signage compliance
 - Pay to Park

DISCUSSION:

Key areas of concern: Crystal Beach and Holiday Isle had higher densities of cases compared to North 98 and other regions.

Common issues include:

- Right-of-way infringements (e.g., signs, parking, overgrowth).
- Renovations without permits.
- Trash and debris accumulation, particularly in areas like the "222 Sibert lot"

Simplification of enforcement priorities was suggested, focusing on:

- Trash cans left out on non-pickup days.
- Parking in rights-of-way
- Unregulated signage.

A proactive enforcement approach was proposed, with officers issuing warnings or tickets for these violations.

Proposed Measures:

- Development of a sticker warning system for trash cans left out on non-collection days.
- Enhanced education and communication for residents about trash collection schedules (e.g., colored lids for trash and recycling).
- Exploring amendments to existing codes to extend trash enforcement

Parking in Right-of-Ways:

- Challenges in distinguishing between areas where parking has been historically or specifically permitted by council action (e.g., near schools and older developments).

Councilmember Bagby moved to direct code enforcement to proactively enforce regulations on right-of-way signs, trash cans, and parking. The motion was seconded by Councilmember Hebert and passed 5-0 (Council members King, Hebert, Bagby, Destin, and Geile voted “yes”; Council members Schmidt and Stephens were absent from the meeting).

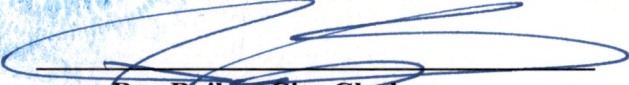
- E. Councilmember Hebert
- F. Councilmember King
- G. Councilmember Schmidt
- H. Mayor Wagner
- I. City Attorney

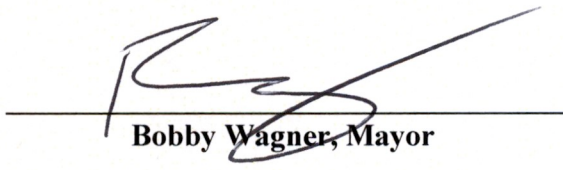
7. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 8:00 PM.

ATTEST:


Rey Bailey, City Clerk


Bobby Wagner, Mayor