

**REGULAR MEETING
DESTIN CITY COUNCIL
DECEMBER 2, 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 Sandy Trammell
Councilmember Kevin Schmidt
Councilmember Torey Geile

Councilmember Rodney Braden
Councilmember Dewey Destin
Councilmember Jim Bagby
Councilmember Terésa Hebert

Destin City Staff

Interim City Manager Larry Jones
Public Information Director Tamara Young
Projects/Grants/Contract Manager Jeffrey Cozadd
Deputy Comm Dev Director Steve O'Connor
City Attorney Kimberly Kopp

City Clerk Rey Bailey
IT Director Andy Peters
HR Director Jamie Haynes
Deputy Public Works Director Joe Bodi
Finance Director Krystal Strickland

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

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

INAUGURATION OF NEWLY ELECTED CITY COUNCIL MEMBER

Councilmember Kevin Schmidt was formally sworn into office by taking the Oath of Office.

AGENDA APPROVAL

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

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

Ms. Berri Scalione, a resident of Crystal Beach, sought to address a permitting issue for a garage apartment she intended to use for short-term rentals. The property was constructed with a local architect and contractor but was mistakenly registered as long-term occupancy due to a misunderstanding with the general contractor. She requested a revision of the comprehensive plan or an update to zoning definitions to allow homeowners to rent parts of their property short-term while residing onsite.

Staff clarified that the property exceeds density requirements outlined in the comprehensive plan, preventing short-term rental approval. Any changes would require either adjustment to density maximums in the land use map or a redefinition of single-room occupancy standards.

The council and City Attorney proposed reviewing the issue holistically, ensuring no unintended consequences for other properties. The matter will be further studied by city staff.

Mr. Don Dulles, a Destin resident, shared complaints about disruptive renters in his neighborhood, noting ongoing noise violations that disturb the peace. He emphasized ineffective enforcement of the city's noise ordinances and called for amendments to city codes.

The council's discussion highlighted a lack of effective communication and enforcement between the Sheriff's Department and the city's code compliance. The council requested a review of procedures for better enforcement, including the possible use of decibel meters and improved coordination between agencies.

3. CONSENT AGENDA

- A. Resolution 24-14 - Cyber Security Policy
- B. Microsoft licensing approvals for 2025
- C. Declaration of Depreciated and Non-Functioning IT Equipment as Surplus for Disposal
- D. Miscellaneous Concrete Continuing Services Contract, authorization for the City to execute a 1-year extension
- E. Miscellaneous Asphalt Continuing Services, authorization for the City Manager to execute a 1-year extension
- F. Miscellaneous Road Striping Continuing Services Contract, authorization to renew For one year
- G. Reimbursement to Mayor Bobby Wagner for expenses incurred while attending the 2024 National League of Cities Summit in Tampa, Florida, from November 12-17, 2024.
- H. Empire Builders Group LLC contract for RFP 24-05-REC Clement Taylor Park Renovations
- I. Interlocal with the County - Crosstown Connector funding
- J. Resolution 24-15 - Publishing the dates of the regular city council meetings in Calendar year 2025

Councilmember Hebert made a motion to approve Consent Agenda items 3A through 3J, seconded by Councilmember Trammell. Motion passed 7-0 (Council members Schmidt, Geile, Hebert, Bagby, Destin, Trammell, and Braden voted "yes").

4. CITY MANAGER REPORTS

A. Appointment / Reappointment of Members to the City of Destin Volunteer Committees and Boards

Some council members expressed frustration with the inefficiency and redundancy of existing committees. Some advocated for immediate action to fill vacancies, arguing that proactive engagement could revitalize the committees and better connect residents to local government. Suggestions included:

- Revising committee missions and reducing the number of meetings.
- Empowering committees with limited budgets for small projects to enhance engagement.
- Ensuring appointments align with the broader goals of the council and city staff efficiency.

The holiday season was identified as a challenging period for committees to convene or finalize plans, leading to a recommendation that any major committee decisions be deferred until January.

It was also recommended that all committee appointments be deferred until January 2025 to allow for a comprehensive review of all committees and boards. This review will focus on assessing their relevance, efficiency, and effectiveness. As part of the process, the review will include an evaluation of each committee's original purpose, its legislative foundation—whether established by ordinance, resolution, or statute—and a determination of whether these purposes remain applicable.

Councilmember Trammell moved to combine the Harbor Capacity Study Steering Committee and the Harbor and Waterways Board; seconded by Councilmember Hebert. Motion passed 5-2 (Council members Geile, Hebert, Bagby, Destin, and Trammell voted “yes”; Council members Schmidt and Braden voted “no”).

Councilmember Destin made a motion to appoint members to the Harbor CRA Advisory Committee during tonight’s meeting. The motion was seconded by Councilmember Trammell. Motion failed 3-4 (Council members Bagby, Destin, and Trammell voted yes”; Council members Schmidt, Geile, Hebert, and Braden voted “no”).

Councilmember Hebert moved to instruct the City Manager to take a comprehensive or holistic approach by incorporating the broader goals and viewpoints of each of the city’s volunteer committees and boards, and then providing recommendations to the city council by January 2025. Councilmember Trammell provided a second to the motion, which passes 7-0 (Council members Schmidt, Geile, Hebert, Bagby, Destin, Trammell, and Braden voted “yes”).

Councilmember Trammell offered to serve as the legislative sponsor for this item and will collaborate with the City Manager and staff to develop their recommendations.

B. Appointment of Council Representatives to Various Local and Regional Committees and Boards

The City of Destin is represented on several area-wide committees by members of the city council. The results of the appointments are as follows:

Committee	Council Representative
Economic Development Council (EDC) Policy Board	Primary: Schmidt Alternate: Hebert
Northwest Florida League of Cities	Primary: Hebert Alternate: Trammell
Okaloosa – Walton TPO	Primary: Wagner Alternate: Hebert
Okaloosa County League of Cities (OCLOC)	Primary: Wagner Alternate: Hebert
Okaloosa County Public Library Cooperative	Primary: Braden Alternate: Trammell
Okaloosa County Public Transit Cooperative	Primary: Wagner
Tourist Development Council (TDC)	Primary: Hebert Alternate: Schmidt
Walton/Okaloosa/Santa Rosa Regional Utility Authority (RUA)	Primary: Destin
Emerald Coast Regional Council (ECRC)	Primary: Bagby

C. City Manager Contract

According to report provided by the Human Resources Director, Mr. Louis Zunguze last worked as the Destin City Manager on July 19, 2024. His Family and Medical Leave Act (FMLA) was exhausted on October 11, 2024. His accrued leave runs out on December 20, 2024, but he has medical clearance to return to work on January 1, 2025.

Councilmember Geile moved to terminate Mr. Louis Zunguze’s contract as Destin City Manager effective December 20, 2024, seconded by Councilmember Hebert. Motion passed 5-2 (Council members Geile, Hebert, Bagby, Trammell, and Braden voted “yes”; Council members Destin and Schmidt voted “no”).

Debate arose about using consulting funds to engage Mr. Zunguze in a new capacity. Several council members emphasized the importance of clarity on funding sources and aligning decisions with the city’s Request for Qualifications (RFQ) process.

Councilmember Geile moved to instruct the Interim City Manager and City Attorney to explore the feasibility of creating a consulting position within the city for Mr. Zunguze, potentially funded by the salary allocated for the Assistant City Manager role.

Councilmember Bagby proposed a substitute motion to provide six months of COBRA coverage for Mr. Zunguze, at an estimated cost of approximately \$13,000, to ensure his medical expenses are covered through the end of June 2025; seconded by Councilmember Destin. Motion failed 3-4 (Council members Schmidt, Bagby, and Destin voted “yes”; Council members Geile, Hebert, Trammell, and Braden voted “no”).

Councilmember Schmidt proposed directing the Interim City Manager and the City Attorney to engage with Mr. Zunguze to assess his interest in a potential consulting role with the city; seconded by Councilmember Geile. Motion passed 5-2 (Council members Schmidt, Geile, Hebert, Destin, and Braden voted “yes”; Council members Bagby and Trammell voted “no”).

D. All Employee Satisfaction Survey- Informational Only

E. Operations Financial Report - Informational Only

F. Announcements

1. The city’s Christmas Tree Lighting will take place at the Destin Community Center on Thursday, December 5th, at 6:00 PM.
2. Brunch with Santa will be held on Saturday, December 7th, from 10:30 to 11:30 at the Destin Library.
3. The annual Destin Christmas Parade is scheduled for Saturday, December 14th, at 10:00 AM.
4. Before the Boat Parade, the Holly Jolly Harbor event will be held on Sunday, December 15th, from 3:00 PM to 5:00 PM at Captain Royal Melvin Heritage Park.
5. City Council workshop – LDC Rewrite is scheduled for tomorrow, December 3rd, at 5:30 PM.
6. The Meet and Greet with Utility Consultant of Northwest Florida scheduled for Wednesday, December 4th, has been cancelled.

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 24-22-CN - Amending appropriations for certain expenditures, expenses, capital improvements, and certain indebtedness for the city for the fiscal year beginning October 1, 2023, and ending September 30, 2024.

The City Attorney read Ordinance 24-22-CN by title, and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN AMENDING APPROPRIATIONS FOR CERTAIN EXPENDITURES, EXPENSES, CAPITAL IMPROVEMENTS AND CERTAIN INDEBTEDNESS FOR THE CITY OF DESTIN, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Motion by Councilmember Bagby, seconded by Councilmember Hebert, to approve Ordinance 24-22-CN on second reading passed 7-0 (Council members Schmidt, Geile, Hebert, Bagby, Destin, Trammell, and Braden voted “yes”).

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

A. Councilmember Braden

Councilmember Braden requested that the topic "Noise Ordinance" be added under his name to the agenda for the next council meeting. Additionally, he asked staff to prepare a comprehensive report on the 25% Harbor NPEB fee, including the following information:

- The origin and rationale for the implementation of the fee.
- Details on how the collected funds are allocated and utilized.
- The current balance in the account associated with this fee.
- A complete historical overview of the fee, highlighting any changes or significant developments over time.

B. Councilmember Trammell

C. Councilmember Destin

D. Councilmember Bagby

E. Councilmember Hebert

F. Councilmember Geile

G. Councilmember Schmidt

- 1) Destin Recreational Facility Rentals
- 2) City Purchasing Manual Policy

Councilmember Schmidt made a motion to direct the Interim City Manager to work with city staff and bring back recommended updates to Resolution 23-21, Sections 347-220 and 347-520, with price comparisons to the City of Fort Walton Beach, City of Niceville, and Publix Sports Park and Frank Brown Park at Panama City Beach, by the end of January 2025. Motion seconded by Councilmember Bagby which passes 7-0 (Council members Schmidt, Geile, Hebert, Bagby, Destin, Trammell, and Braden voted “yes”).

Councilmember Schmidt moved to instruct the Interim City Manager to collaborate with city staff to develop and present recommended updates to Resolution 22-10 and its related policies, aiming to enhance clarity, efficiency, and alignment with current best practices. Councilmember Hebert provided the second to the motion, which passes 7-0 (Council members Schmidt, Geile, Hebert, Bagby, Destin, Trammell, and Braden voted “yes”).

H. Mayor Wagner

I. City Attorney

Destin Fishing Fleet, Inc., v. City of Destin; 2019-CA-002599-F: Engagement of Expert Witness

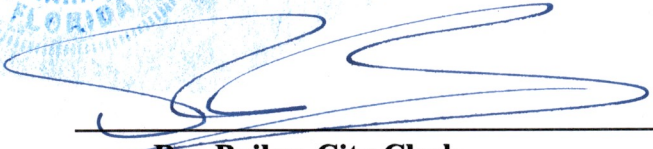
Councilmember Hebert moved to engage Fisher Planning and Development Services for use as an expert witness in the above referenced litigation, seconded by Councilmember Trammell. Motion passed 6-0 (Council members Schmidt, Geile, Hebert, Bagby, Trammell, and Braden voted “yes”; Councilmember Destin abstained from voting).

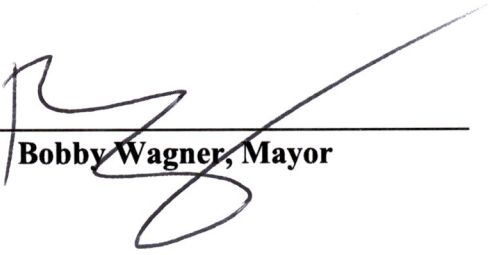
7. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 8:30 PM.

ATTEST:



Rey Bailey, City Clerk

Bobby Wagner, Mayor

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME DESTIN Dewey E		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE DESTIN CITY COUNCIL	
MAILING ADDRESS 777 SPRING LAKE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY DESTIN FL	COUNTY OKALOSA	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 12/2/24		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ☒ ELECTIVE ☐ APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Dewey Dostin, hereby disclose that on 12/2/24, 20 :

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

PART OF THE LAWSUITE
OFFICER OF THE LLCs INVOLVED AS 10 DEFENDENTS

12/2/24
Date Filed

Dewey Dostin
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.