

**REGULAR MEETING
DESTIN CITY COUNCIL
DECEMBER 16, 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 Dewey Destin
Councilmember Jim Bagby
Councilmember Rodney Braden

Destin City Staff

Interim City Manager Larry Jones
Parks & Recreation Director Lisa Firth
Public Information Director Tamara Young
Projects/Grants/Contract Manager Jeffrey Cozadd
Community Development Director Tina Deater
Deputy Comm Dev Director Steve O'Connor

City Clerk Rey Bailey
Finance Director Krystal Strickland
IT Director Andy Peters
HR Director Jamie Haynes
Building Official Noell Bell
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 David J. Butler of the Faith Assembly Christian Church gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Trammell requests that "Recognition of Destin Christmas Parade Award Winners" be added as agenda item 1C.

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

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

A. Employee of the Year 2024 Award

Mayor Wagner presented the Employee of the Year award plaque to the city's Records Management Specialist Sharon Gardner, congratulating her on her outstanding achievements.

B. Fire Watch Certification

Mr. Derek Collins, Regional Program Director for the Fire Watch organization, awarded a plaque to the City of Destin qualifying the city as a Veteran Safe Community.

B. 2024 Winners of the 40th Annual Destin Christmas Parade

Mayor Wagner presented award plaques to each of the following winners of the 40th Annual Destin Christmas Parade, themed "Flashback to 1984."

- Noel Award / Band Award: McGuire's Irish Band
- Elf Award / Children Service: Destin Dolphins Cheerleaders
- Santa's Helper Award / Children Commercial: Envision Dance Studio
- Angel Award / Religious Award: Church of Jesus Christ of Latter Day Saints
- Chamber Award / Commercial: A.J.'s Seafood & Oyster Bar
- Civic Club / Civic Award: Marine Corp Toys for Tots
- Crowd Pleaser: Destin Water Users

2. PUBLIC COMMENTS

3. CONSENT AGENDA

- A. RFB 24-08-REC, Independence Day Fireworks Bid
- B. RFB 24-13-PW, Old Pass Lagoon Navigational Channel Dredging Project bid
- C. RFB 24-14-REC, Morgan's Sports Complex Lighting Project
- D. RFB 24-04-PW ROW and Grounds Maintenance, authorization to enter into a contract
- E. Approval of minutes of November 4, 2024, Regular City Council Meeting
- F. Approval of minutes of October 21, 2024, Regular City Council Meeting

Councilmember Destin noted a typo in Consent Agenda 3B, pointing out that there is a reference to Clement Taylor Park being part of the dredging project. He clarified that this is a mistake and emphasized that, as long as everyone understands that the park is not part of the project, it should be corrected accordingly.

Councilmember Schmidt requests Consent Agenda item 3C be pulled for further discussion.

Councilmember Schmidt moved for approval of Consent Agenda items 3A, 3B, 3D, 3E, and 3F; seconded by Councilmember Destin. Motion passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).

Referencing Consent Agenda item 3C, expressed his gratitude for ensuring that this project was sent out to bid. Initially, they were looking at approving a contract worth approximately \$1.3 million. However, by putting this out for competitive bidding, they are now anticipating savings of around \$400,000 to \$500,000 for the city, depending on the final outcome of the contract. He urged the council to continue following this practice with future large contracts and projects, as it is clearly a responsible approach that benefits the city financially.

Councilmember Schmid moved to approve Consent Agenda item 3C, seconded by Councilmember Destin.

Councilmember Bagby noted that both this project and others highlight the need for this council to take a closer look at their procurement process. He emphasized the importance of establishing a policy that requires large contracts to come back before the Council for review and approval if they exceed a certain dollar threshold — for instance, \$500,000. He added that he is not comfortable approving contracts worth \$700,000 or more on the consent agenda without more oversight. When we have multiple bidders on a large project, I believe the top two or three should be invited to present their proposals directly to the council. They need to do more than just rely on a small group of staff members to evaluate these bids on paper. We need to ensure that the selected vendors are credible, reliable, and fully invested in the work they're proposing to do for the city.

Councilmember Bagby requested that when the updated procurement policy is brought back for consideration after the first of the year, that it includes a provision requiring any project over a certain amount to come before the council for a formal review. At that point, they should have the opportunity to hear directly from the top bidders and ask questions before approving such significant expenditures.

Motion passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).

Councilmember Destin moved for the city to establish a policy that any project costing \$500,000 or more must be forwarded to the council for review and approval but not placed on the consent agenda. The motion was seconded by Councilmember Bagby and passed unanimously, 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).

4. CITY MANAGER REPORTS

A. Linear Trail Project Update by DAG

Mr. Levi Weigand from DAG Architect, Inc. provided the following update on the Linear Trail project.

Overview of the Linear Trail Project Update by DAG Architects

The Linear Trail Project is a 1.7-mile trail running from the intersection of Airport Road and Commons Drive, extending under power lines to U.S. Highway 98. Mr. Levi Weigand from DAG Architects provided a comprehensive update to the council on the project's progress,

challenges with obtaining easements, permitting, and grant funding. The trail is designed to be a multi-use pathway, with educational signage and learning modules along the way. Mr. Weigand highlighted their efforts to move the project through the various design and permitting phases and emphasized that the remaining roadblock is securing final easement agreements from property owners, HOAs, and utility companies.

Mr. Weigand walked the council through the timeline of the project, work completed, outstanding tasks, and next steps. Despite delays, the project remains on budget, with an estimated construction cost of \$7.5 million. The remaining obstacle is finalizing easements from nine impacted parties. DAG has received verbal approvals from most stakeholders but has encountered delays in obtaining signed agreements.

1. Timeline and Phases:

- The project began in early 2023.
- The most time-consuming task was completing topographical surveys for the 1.7-mile trail area, which includes working with Florida Power & Light (FPL) and addressing wetlands and other easements.
- DAG has completed 30%, 60%, and 90% design approvals with the city.
- The city now holds all necessary documents for the development order and permitting, but the process cannot be finalized until the remaining easements are signed.

2. Easement Challenges:

- Initially, there were 24 required easements. DAG has reduced this number to 9.
- Six of the remaining easements have verbal approvals but not formal signatures.
- Two property owners have not been contacted yet.
- DAG emphasized that obtaining easements has taken longer than anticipated due to the need to coordinate with private homeowners, HOAs, and utility companies.

3. Permitting:

- Permitting is currently in progress with the City of Destin, Florida Department of Environmental Protection (FDEP), Army Corps of Engineers (ACOE), and FPL.
- DAG assured the council that all permits are on track once the easements are secured.

4. Project Cost:

- The estimated construction cost for the trail is \$7.5 million, which includes civil work, stormwater management, trail construction, elevated boardwalks, and bridges.
- Despite delays, the project remains within the original budget estimates.

5. Grant Funding:

- The project has been supported by a state grant, which has been extended by one year. DAG confirmed that there is no risk of losing the grant funding.

6. Educational Signage:

- DAG presented concept designs for educational signage along the trail. The signage will include informational panels and learning modules about the trail and the surrounding environment.
- There was some discussion about ensuring the signage refers to the project correctly as a "trail" and not a "park," as the trail cannot include rest areas due to FPL restrictions.

Councilmember Destin expressed concern about the remaining easements, specifically those involving utility companies Florida Power & Light (FPL) and Destin Water Users (DWU). He asked if there were any issues or concerns with obtaining easements from these entities.

DAG confirmed that they are not anticipating any problems with FPL or DWU easements. They have had ongoing conversations with both entities and have received verbal support. The delay is primarily due to the time it takes for these organizations to review and approve easement agreements internally. DAG mentioned they had recently resubmitted updated plans to DWU for their board's approval.

Councilmember Bagby pressed DAG for more specifics about the remaining easements and expressed concerns about the timeline for obtaining them. He asked for details on which easements are still outstanding and which HOAs or property owners need to be contacted.

Outstanding Easements Identified by DAG:

1. Twin Lakes HOA:

- DAG has not received a response to their outreach efforts.
- Councilmember Bagby suggested checking with former HOA board member Ken Wampler for assistance.

2. Troy and Paige Dooley Residence (1219 Quail Ridge Road):

- This is a private residence where the owners are not currently living on the property. The renters have been contacted, but DAG has not been able to present the plans to the owners.
- DAG is confident that once they meet with the owners and explain the project, they will gain their support.

3. Tuscan Village HOA:

- DAG reported that they have verbal approval from this HOA, but they need formal documentation.
- The easement being requested is an adjustment to an already existing easement to align with the trail's path.

Councilmember Bagby reiterated the importance of securing these easements as quickly as possible, suggesting that DAG follow up with the Twin Lakes HOA and Tuscan Village HOA and ensure that any management companies involved are contacted directly.

DAG assured the council they are actively pursuing these easements and are prepared to make adjustments if any easement cannot be obtained. They noted that it has taken longer to secure approvals from HOA boards due to meeting schedules and quorum requirements.

Councilmember Braden asked for clarification on the issues with the private property owners, particularly the Troy and Paige Dooley property. He was concerned about whether the trail would impact property owners' fences or create issues with private land.

DAG explained that the trail runs behind the Dooley property fence line. They have not yet had a direct conversation with the property owners to explain the scope of the project, but they are confident that once they do, the owners will be in favor of the easement. DAG noted that they have been successful in similar conversations with other private property owners by explaining that the trail will not negatively impact their property.

Councilmember Braden also inquired about the cost estimate for the project, asking DAG to clarify the overall construction budget.

DAG confirmed that the total estimated construction cost is \$7.5 million. This includes civil work, stormwater management, trail paving, boardwalks, and bridges. The budget has remained steady, and there have been no significant increases.

Councilmember Schmidt asked about the trail signage and whether the language would reflect that it is a "trail" and not a "park." He also asked if the project cost estimate included the design work or if it was limited to construction costs.

DAG clarified that the \$7.5 million estimate is for construction costs only and does not include the original design costs. They also assured that the signage will be updated to refer to the project as a "trail" to avoid confusion.

B. 2025 Budget Amendment - 2024 Loan

The Interim City Manager noted that on September 18, 2024, the city adopted the 2025 Budget. On November 7, 2024, the city closed on a \$25 million loan with Trustmark Bank. The assumptions creating the loan-related budget items for 2025 were different than the actual loan taken. The budget amendment revises total amounts available to pay principal and interest debt service, cost of issuance, and construction during FY 2025. Staff recommend adoption of the budget amendment in order to ensure compliance with the loan covenants and for most expedient encumbrance and expenditure of the loan proceeds to meet IRS arbitrage rules.

Councilmember Schmidt moved to adopt the budget amendment for the 2024 Loan as shown in the detailed amendment provided to the council. Councilmember Bagby provided a second to the motion, which passes 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).

C. All Employee Satisfaction Survey

The Interim City Manager explained that on November 4th, staff presented three options to the council for conducting the All-employee Satisfaction Survey. The council directed staff to conduct the survey via SurveyMonkey. Staff presented a draft copy of the survey on December 2nd. After receiving feedback from the council, staff have made adjustments and are ready to disseminate the survey to employees. Staff will send an email link to employees in the first week of January and will leave the survey open for two weeks. Once the results are compiled, staff will prepare a report of the findings and present them to the council.

Motion by Councilmember Trammell, seconded by Councilmember Destin, to direct staff to conduct the All-Employee Satisfaction Survey passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).

D. Community Development Director Confirmation

The Interim City Manager informed the council that he has reappointed Mr. Louis Zunguze as the Community Development Director. Mr. Zunguze was previously the department director from December 2018 – June 2024. The position has recently been vacated with the resignation of the current director.

Councilmember Bagby moved to confirm Louis Zunguze as the Community Development Director in the Community Development Department; seconded by Councilmember Schmidt. Motion passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).

E. Committee Appointments

The Interim City Manager noted that at the December 2, 2024, meeting, the council approved a motion to defer all committee appointments until January 2025. This decision was made to allow time for a comprehensive review of all committees and boards, aimed at assessing their relevance, efficiency, and effectiveness. The review will involve examining each committee's original purpose, its legislative foundation—whether established by ordinance, resolution, or statute—and evaluating whether these purposes remain pertinent. The council authorized him and staff to lead the review, in collaboration with Councilmember Trammell, who volunteered to serve as the legislative sponsor for this initiative. A detailed proposal is expected to be presented at the council's first meeting in the new year.

Staff seek appointments to the Local Planning Agency (LPA), established pursuant to Florida Statute Section 163.3174 and Land Development Code (LDC) Section 4.05.00. The LPA, a statutorily mandated committee, plays a critical role in planning and development. Meetings are scheduled twice monthly, on the first and third Wednesdays, with the next session scheduled for January 9th. These appointments are particularly urgent due to the ongoing Land Development Code rewrite, a major initiative requiring the LPA's active involvement. The LPA will function as a standalone committee and will not merge with other groups.

Also, during the December 2nd meeting, the council appointed the following representatives to the Tourist Development Council:

- **Primary Representative:** Councilmember Hebert
- **Alternate Representative:** Councilmember Schmidt

Subsequently, Councilmember Hebert requested that the roles be reversed, with Councilmember Schmidt serving as the primary representative and herself as the alternate.

Motion by Councilmember Braden, seconded by Councilmember Schmidt, to appoint Mr. Jim Wood to the LPA passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).

Motion by Councilmember Trammell, seconded by Councilmember Schmidt, to appoint Mr. Ken Wampler to the LPA passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).

Motion by Councilmember Destin, seconded by Councilmember Geile, to appoint Ms. Tammy Weidenhamer to the LPA passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).

Councilmember Bagby moved to appoint Councilmember Schmidt as the primary representative to the Tourist Development Council, and Councilmember Hebert as the alternate. Motion passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).

F. Destin Town Center Master Plan Update - Synalovski Romanik Saye, LLC (SRS) Presentation

Synalovski Romanik Saye, LLC (SRS) provided a comprehensive update on the progress of the city’s long-term vision for revitalizing key municipal and recreational spaces, including the development of a new City Hall, Community Center, Civic Campus, and a Fishing Village at the Gateway District. The SRS team provided detailed site analyses, building concepts, community feedback, logistical plans, and cost estimates for the proposed projects. The presentation aimed to provide the council and public with a roadmap to develop a cohesive civic campus while celebrating Destin’s historic roots and improving the city’s infrastructure to meet future growth.

1. Project Background and Community Input:

- SRS engaged the community through two in-person meetings and an online survey, which received 301 responses (noted as one of the most active surveys in Destin’s history).
- Meetings were held with various city departments, council members, developers, and the Chamber of Commerce to gather input on programmatic needs.

- The primary goals were to:
 - Update municipal facilities to accommodate future growth.
 - Centralize recreational programming.
 - Celebrate Destin's history through public spaces.

2. Facility Needs Analysis:

- **City Hall:**
 - Current facilities are split between two buildings, which creates inefficiencies.
 - The proposed new City Hall would be 30,000 square feet, allowing for current operations and future growth.
 - It would include public meeting spaces and secure administrative offices with modern amenities.
- **Community Center:**
 - The new Community Center would grow to 40,000 square feet, offering expanded programming with two basketball courts instead of one to increase flexibility for events and recreational use.
 - The Parks and Recreation Department offices would be centralized in this facility.

3. Site Exploration and Recommendations:

- SRS evaluated multiple sites in Destin to determine the best locations for the City Hall and Community Center.
- The analysis concluded that the Morgan Sports Complex site was the best option to create a unified Civic Campus, connecting City Hall, the Community Center, and various recreational facilities.
- The plan also includes improvements to Morgan Sports Complex, such as:
 - Enhanced parking.
 - A fitness trail.
 - A potential skate park.
 - Improved pedestrian and vehicle connectivity across Commons Drive.

4. The Fishing Village Concept:

- The existing Community Center site at the Gateway District could be transformed into a Fishing Village that celebrates Destin's history as a fishing town.
- The Fishing Village would include:
 - A History Museum (6,250 square feet).
 - Replica buildings such as the original Destin Home, Fish Camp, and Schoolhouse.
 - A 300-space parking garage to accommodate tourists and special events.
 - Spaces for small cafes, gift shops, and community gatherings.
 - The concept is to create a public space and tourist destination that honors Destin's heritage while supporting local tourism and events.

5. Architectural Vision:

- The proposed architecture for the new City Hall and Community Center would reflect a "nautical" and "tropical Florida vernacular" style, which aligns with Destin's coastal identity.

- The design incorporates natural light, elevated walkways, and outdoor spaces to encourage community interaction and provide modern amenities for city employees and residents.

6. Cost Estimates:

- **Fishing Village and Parking Garage:**
 - Total estimated cost: \$22 million, with the parking garage representing a significant portion of that cost.
- **Morgan Civic and Recreational Complex:**
 - Total estimated cost: \$42 million, which includes:
 - City Hall: \$11 million for a 30,000-square-foot building.
 - Community Center: \$16 million for a 40,000-square-foot building.
 - Site Development Costs: Approximately \$1 million.
 - A 30% contingency was included in the budget to account for future market fluctuations.

Councilmember Geile questioned how much of the original \$150,000 contract with SRS has been utilized, and how much remains?

- **SRS Response:**
 - Approximately one-third of the contract value has been billed.
 - Additional billing from SRS partners is pending, so the remaining amount will be invoiced soon.

Councilmember Schmidt expressed excitement about the overall project and its potential to transform Destin's future. He highlighted the importance of presenting the Fishing Village concept to the community, as most residents have not seen such ambitious ideas. He asked if the 300-space parking garage could be built separately from the Fishing Village.

The SRS team responded that the parking garage could be built as a standalone project, separate from the Fishing Village. The garage is intended to serve both the Fishing Village and Harbor District, providing much-needed parking for tourists and community events.

Councilmember Bagby referenced previous city planning initiatives, such as Vision 2000 and the Sasaki Plan, and noted that several elements of those plans (like the Harbor Boardwalk and park improvements) have since been implemented. He acknowledged that long-term planning often evolves over time, and some elements will be funded while others may not. He emphasized that this process is typical in municipal planning, where plans are developed in phases, with funding secured as needed.

Councilmember Destin stated that there are elements of the plan he supports, but there are others he could not back. He specifically expressed concerns about closing the current community center and relocating it to the Morgan Sports Complex. He raised concerns about the parking garage, suggesting that residents in the Gateway District may not support it, as it could facilitate more development in that area. He highlighted the need to determine funding sources before moving forward with any large-scale projects, as the estimated costs are substantial (nearly \$60 million).

Councilmember Trammell commented on the community engagement process, praising the SRS team for their thorough engagement with the public during the planning process and noted that community input was clearly reflected in the presentation.

The presentation concluded with council members expressing their appreciation to SRS for their work and indicating that further discussions would take place during the Visioning Session planned for early next year. Councilmember Schmidt expressed enthusiasm for championing the project, while others expressed caution regarding costs and community support. SRS committed to providing a finalized report to help guide future decision-making.

- G. TDC Monthly Report - Informational Only
- H. Operations Financial Report - Informational Only
- I. Announcements:

1. The city's legislative delegation meeting is scheduled for tomorrow, December 17th. Ahead of this meeting, staff met with Representative Maney's office and the City's lobbyist to review the proposed legislative priorities that were previously presented to the council on November 7th. Based on the recommendations received from Representative Maney's staff, it was suggested that the city narrows its focus to three to four priority items for presentation. Following these recommendations, the items that the mayor will present during the delegation meeting, pending final approval from the Council, are as follows:

- a. *Stormwater Infrastructure Project*: M. Kelly Outfall
- b. *Capacity Project*: Cross-Town Connector
- c. *Recreational Project*: Clement Taylor Park

All these items were originally presented to the council on November 7th. Additionally, a fourth item, the Stahlman Intersection Project, may also be submitted to the legislative delegation once more detailed information is received from Baskerville-Donovan. Staff are still gathering the necessary data for this project and will prepare it for submission before the deadline of February 15th. Staff are prepared to move forward with the current list of priority items but also welcome any further input from the council. If there is a need for additional discussion or adjustments to the list of projects, staff are willing to regroup and proceed based on the council's direction.

Councilmember Bagby raised concerns about the lack of progress on the Stahlman Avenue Intersection improvements, noting that an engineering firm had been hired a year ago to assess the intersection and provide recommendations, but the council had not yet received an update. He emphasized that the Stahlman Intersection should be prioritized higher than other projects, stating that waiting until the last minute to request legislative funding was ineffective, as state legislators are already filing bills by early February.

Councilmember Bagby stressed that legislative priorities must be approved by the council before being presented to the legislative delegation, noting that these should be council-approved priorities, not the staff or the mayor's priorities.

Councilmember Bagby moved to direct staff to ensure that future legislative priorities are brought to the council for discussion and approval at least one month before the legislative delegation meeting; seconded by Councilmember Trammell.

Councilmember Bagby volunteered to be the Legislative Sponsor for this item starting next year.

Motion passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).

Councilmember Destin provided an update on a recent meeting with Baskerville-Donovan, the engineering firm working on the Stahlman Intersection study. He noted that the firm is exploring cost-effective solutions for improving the intersection’s traffic flow and pedestrian safety, with a focus on overpasses or underpasses to separate pedestrians from vehicle traffic. He added that removing pedestrians from the intersection could improve traffic efficiency by 25-30%. Local businesses near the intersection, including Emerald Grande, have expressed willingness to collaborate on solutions to help with pedestrian crossings.

Councilmember Destin also emphasized that short-term, affordable improvements are being prioritized to secure state legislative support and funding. He mentioned that another meeting with Baskerville-Donovan was scheduled for the following day and anticipated that concept designs would be ready to present to the council in January.

Councilmember Braden raised questions about a previous \$50,000 allocation for a redesign of the Stahlman Intersection that was approved by the council three to four years ago. He wanted to know what happened to that money and whether a design was ever completed. He expressed frustration that there has been no visible progress despite the previous spending.

City staff clarified that the \$50,000 was spent on a study conducted by Volkert Engineering several years ago. The study explored potential design options to improve traffic and pedestrian safety at the intersection but did not produce a finalized design. Baskerville-Donovan is now incorporating the results of that study into their current work to avoid duplicating efforts. The study was initially delayed due to coordination issues with the county and other agencies, but the results are now being utilized in the current design process.

Announcements (Cont.)

2. Recent holiday events, including the Boat Parade and city activities, were successful.
3. The second public outreach meeting for the Vulnerability Assessment is scheduled for January 6th at 5:00 PM in the City Hall Annex before the regular council meeting. The vulnerability assessment will help identify funding opportunities for stormwater improvements and other coastal resilience projects.
4. The city was awarded a \$2 million grant from the Department of Transportation for the Crosstown Connector Construction project.

5. Thank you to the community for participating in recent holiday events, including the Holly Jolly event at Captain Royal Melvin Heritage Park, activities by Parks and Recreation, library events like "Brunch with Santa," and the boat parade organized by the Destin History and Fishing Museum.
6. The Vulnerability Assessment Public Outreach Meeting #2 is scheduled for January 6th at 5:00 PM in the annex before the city council meeting, Public participation on issues such as storm surge and other community concerns is encouraged.

5. PUBLIC HEARINGS

- A. First Reading of Ordinance 24-20-LC – Amending Article 2 "Administration" and Article 20 "Building Regulations" of the Land Development Code (LDC) to remove provisions related to construction permits, building permits, inspections, certificates of occupancy, and Fire District reviews from the LDC.

The City Attorney read Ordinance 24-20-LC by title and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA; AMENDING ARTICLE 2 "ADMINISTRATION" AND ARTICLE 20 "BUILDING REGULATIONS" OF THE LAND DEVELOPMENT CODE TO REMOVE PROVISIONS RELATED TO CONSTRUCTION PERMITS, BUILDING PERMITS, INSPECTIONS, CERTIFICATES OF OCCUPANCY, AND FIRE DISTRICT REVIEWS FROM THE LAND DEVELOPMENT CODE; PROVIDING FOR A FISCAL IMPACT STATEMENT; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CITY LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; 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 deliberation.

Motion by Councilmember Bagby, seconded by Councilmember Trammell, to approve proposed Ordinance 24-20-LC on first reading passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).

- B. First reading of Ordinance 24-21-CC – Amending Chapter 6 of the Code of Ordinances "Buildings and Building Regulations" to address construction permits, building permits, inspections, certificates of occupancy, and Fire District reviews within the Code of Ordinances.

The City Attorney read Ordinance 24-21-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 "BUILDINGS AND BUILDING REGULATIONS" TO ADDRESS CONSTRUCTION PERMITS, BUILDING PERMITS, INSPECTIONS, CERTIFICATES OF

OCCUPANCY, AND FIRE DISTRICT REVIEWS WITHIN THE CODE OF ORDINANCES; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CITY CODE OF ORDINANCES; PROVIDING FOR A FISCAL IMPACT STATEMENT; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; 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 deliberation.

Motion by Councilmember Trammell, seconded by Councilmember Braden, to approve proposed Ordinance 24-21-CC on first reading passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).

C. First reading of Ordinance 24-23-CC - Requiring short-term rental registrations at all multifamily units (including but not limited to condominium units and apartment units) within the City of Destin; distinguishing between short-term rental registrations for single-family homes and short-term rental registrations for multifamily units; renaming Article VI of Chapter 13 "Registration of Short-Term Rentals (single-family) but making no other amendments to the regulations for short-term rentals single-family homes; creating Article VI(A) of Chapter 13 "Registration of Short-Term Rentals (Multifamily); Requiring an application for such registration and authorizing registration fees for short-term rentals at multifamily units; Requiring a local responsible party for short-term rentals at multifamily units.

The City Attorney read Ordinance 24-23-CC by title and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA REQUIRING SHORT-TERM RENTAL REGISTRATIONS AT ALL MULTI-FAMILY UNITS (INCLUDING BUT NOT LIMITED TO CONDOMINIUM UNITS AND APARTMENT UNITS) WITHIN THE CITY OF DESTIN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; DISTINGUISHING BETWEEN SHORT-TERM RENTAL REGISTRATIONS FOR SINGLE-FAMILY HOMES AND SHORT-TERM RENTAL REGISTRATIONS FOR MULTI-FAMILY UNITS; RENAMING ARTICLE VI OF CHAPTER 13 "REGISTRATION OF SHORT-TERM RENTALS (SINGLE FAMILY) BUT MAKING NO OTHER AMENDMENTS TO THE REGULATIONS FOR SHORT-TERM RENTALS FOR SINGLE-FAMILY HOMES; CREATING ARTICLE VI(A) OF CHAPTER 13, "REGISTRATION OF SHORT-TERM RENTALS (MULTI-FAMILY); REQUIRING AN APPLICATION FOR SUCH REGISTRATION AND AUTHORIZING REGISTRATION FEES FOR SHORT-TERM RENTALS AT MULTI-FAMILY UNITS; REQUIRING A LOCAL RESPONSIBLE PARTY FOR SHORT-TERM RENTALS AT MULTI-FAMILY UNITS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The mayor opened a public hearing to receive comments for or against the proposed ordinance.

Mr. Ken Wampler, 4320 Comm Drive, addressed the Council regarding the proposed short-term vacation rental ordinance. He expressed frustration that condominiums are now being included in the registration process, despite condo associations already handling services such as security, trash, and parking. He questioned why other multifamily properties, such as timeshares, hotels, motels, and bed-and-breakfasts, were not included in the ordinance. He urged the Council to ensure the fees for registration are fair and reasonable and noted that without the fees being specified yet, it is difficult to support the ordinance.

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

Councilman Braden questioned why all property types were not included in the ordinance.

The City Attorney explained that hotels, timeshares, and other commercial properties are being handled separately in a forthcoming ordinance. The residential ordinance was prioritized, and the commercial regulations will be introduced in January, along with a fee resolution.

Councilmember Schmidt moved to table this item to a council meeting in January 2025 when a similar ordinance for commercial uses is brought before the council; seconded by Councilmember Destin. Motion passed 4-2 (Council members Schmidt, Bagby, Destin, and Trammell, voted “yes”; Council members Geile and Braden voted “no”; Councilmember Hebert was absent from the meeting).

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

A. Councilmember Braden

1) Noise Ordinance

Councilmember Braden opened the discussion by raising concerns about the city’s current noise ordinance, which allows noise up until 10:00 PM. He criticized the ordinance as overly complicated and outdated, noting that residents, particularly those with children, find the 10:00 PM limit disruptive to their quality of life. He shared complaints from residents who have called multiple times about noise issues without seeing effective enforcement. He proposed simplifying the ordinance and reducing the allowable noise hours to 8:00 PM for residential areas Sunday through Thursday, with commercial areas allowed to continue until 10:00 PM on weekends. He emphasized the importance of protecting the quality of life for families in the community and expressed frustration over the lack of enforcement.

Councilmember Braden made a motion to direct staff to rewrite the noise ordinance, seconded by Councilmember Schmidt.

Councilmember Braden volunteered to be the legislative sponsor of the proposal.

Councilmember Destin questioned who holds primary responsibility for enforcing noise violations, the city’s code compliance officers or the Sheriff’s Office. He noted that Okaloosa County Sheriff’s deputies have been reluctant to dedicate time to noise complaints, and that the city no longer has code compliance officers working overnight. He stated that code enforcement

used to use noise meters, but this practice was discontinued due to legal challenges from violators questioning the accuracy of the equipment and the officers' training. He suggested that code enforcement officers could resume noise monitoring if they received proper training and that sheriff's deputies could assist when repeat violations occur or if there are concerns about safety.

Councilmember Schmidt sought clarification on the ordinance's maximum noise distance rule, which states that noise is considered a violation if it is plainly audible at 150 feet from the property line. He asked whether this meant a neighbor could only complain if the noise traveled that distance.

The city attorney clarified that if noise is audible at 150 feet or more from the property line, it is a violation, regardless of the time of day.

Councilmember Schmidt agreed that construction noise should be restricted to 7:00 AM to 10:00 PM, but he questioned whether residents fully understand how noise complaints are handled.

Steve O'Connor, Deputy Community Development Director, addressed the public's misconceptions about the noise ordinance, stating that many residents believe noise complaints cannot be filed before 10:00 PM, which is incorrect. He explained that the ordinance applies at all times of day, and code compliance officers can issue written warnings or citations for violations if the noise exceeds the allowable distance limit. He also confirmed that construction noise is allowed from 7:00 AM to 10:00 PM, and he agreed that this timeframe could be reconsidered. He noted that many residents seem unaware that they can report noise violations during the day and offered to speak directly with residents to clarify the process.

Mr. O'Connor added that the city is conducting a comprehensive review of its code compliance processes, including how complaints are handled, enforcement procedures, and how to improve consistency in the way officers follow up on complaints.

Councilmember Braden suggested that the city should issue fines for noise violations rather than multiple warnings. He proposed a system where first-time violators receive a written warning, but subsequent violations result in escalating fines. He suggested fines could start at \$100 for a second violation, increasing to \$200 or \$500 for repeat offenses. He argued that hitting violators in their wallets would be more effective than warnings, especially in areas with short-term rentals, where out-of-town property owners are often unaware of noise complaints until it impacts them financially.

Councilmember Braden also emphasized the need for clear communication between code compliance officers, residents, and property owners to ensure everyone understands the rules and consequences.

Councilmember Schmidt expressed support for adjusting the allowable construction hours to ensure the work does not continue late into the evening. He agreed with Councilmember Braden that 10:00 PM is too late for construction activities, and the city should consider ending such activities at an earlier time, such as 7:00 PM. However, he cautioned against rewriting the entire ordinance and instead recommended focusing on specific problem areas, such as construction noise.

Councilmember Geile raised a question about the city's contract with the Okaloosa County Sheriff's Office, which costs the city over \$1 million annually. He asked whether the contract specifies which code violations deputies are required to respond to and whether the sheriff's office can refuse noise complaints. He also wanted clarification on whether the sheriff's deputies are obligated to assist with noise enforcement as part of their contract.

Captain Fulghum, representing the Okaloosa County Sheriff's Office, confirmed that there is no language in the contract allowing deputies to refuse noise complaints. He explained that deputies will assist with code compliance if requested but emphasized that noise complaints are a low priority for deputies compared to life safety issues. He noted that if a code compliance officer feels unsafe, deputies are available to accompany them on noise complaint visits, especially if repeat violations have occurred or if there are threats of violence. He reiterated that deputies would respond to noise complaints, but life-threatening emergencies will always take precedence. He suggested that code compliance officers should be the first responders to noise complaints, with deputies stepping in when needed.

Mr. O'Connor confirmed that the city is working to improve follow-up procedures for noise complaints. He stated that all complaints are logged, and officers are being trained to consistently follow up with residents after a complaint is resolved. He acknowledged that there have been inconsistencies in the past, with some complaints falling through cracks, but assured the council that the city is working to improve communication and follow-up procedures. He also emphasized that the city is reviewing its entire code compliance process and will bring recommendations to the council soon on possible changes to shifts, hours, and procedures to improve enforcement.

The Interim City Manager recommended that Councilmember Braden meet with Deputy Community Development Director O'Connor, Captain Fulghum, and himself to review the current noise ordinance, enforcement procedures, and proposed changes. He emphasized the need to ensure that any changes are aligned with the council's goals and that the city is moving forward in the right direction. He suggested a collaborative approach, where Councilmember Braden and staff can work together to ensure everyone is on the same page before bringing a formal proposal back to the council.

Councilmember Braden withdrew his motion to rewrite the noise ordinance, agreeing instead to work with city staff and the Sheriff's Office to bring back specific recommendations to the council for consideration. He maintained his position as the legislative sponsor for any future changes to the ordinance.

B. Councilmember Trammell

C. Councilmember Destin

D. Councilmember Bagby

1) Larry Jones - City Manager Contract

The Council discussed the hiring of Mr. Larry Jones as the City's new full-time City Manager, following his interim appointment. The conversation focused on the terms of his compensation, his qualifications, and the structure of his contract.

The HR Director was asked to provide a breakdown of the compensation package previously offered to the former City Manager Louis Zunguze.

The HR Director explained that the total compensation package for the former City Manager, including salary and benefits, amounted to \$273,566. This package consisted of the following:

- Base Salary: \$205,000
- Vehicle Allowance: \$6,000
- Retirement Contributions: \$32,000
- Medical, Dental, and Vision Benefits (including disability insurance): \$29,000

Councilmember Bagby moved to instruct the City Attorney and the HR Director to confer with Interim City Manager Larry Jones to negotiate a contract for a full-time City Manager position with total compensation not to exceed \$255,000. The contract will include clauses specifying a five-day work week and prohibiting Mr. Jones from taking on new contracts for his consulting company for the duration of his contract with the City of Destin. Councilmember Destin provided a second to the motion.

Councilmember Braden raised concern regarding the proposed compensation package for Mr. Jones. He questioned why the proposed total compensation for Mr. Jones was lower than what had been paid to the previous City Manager, especially given Mr. Jones' extensive experience.

Councilmember Bagby explained that the proposed contract was structured in a way that would save the city money while also providing flexibility for Mr. Jones. He clarified that the difference in total compensation was due to Mr. Jones' personal preference to forgo certain benefits, such as health insurance, which reduced the overall package cost. He further explained that Mr. Jones would be hired as a contractual employee rather than a regular employee, which would allow for more flexibility in structuring his compensation. Mr. Jones has expressed that he does not need the city's health care benefits or vehicle allowance, which were significant components of the previous City Manager's compensation package. Instead, he prefers to take that money in salary or other forms of compensation that suit his needs. The city benefits by saving on those unused benefits, and Mr. Jones benefits by having more control over how his compensation is structured. Additionally, because he would be hired as a contractual employee, he can allocate his compensation in ways that make sense for him, whether that's into retirement, deferred income, or other arrangements.

Councilmember Bagby further noted that he had already discussed these terms with Mr. Jones before the meeting and prior to making his motion.

Councilmember Schmidt voiced his support for the motion, noting that Mr. Jones has been doing a commendable job as the Interim City Manager and that the city should act quickly to secure his services full-time. He added that the contract terms are fair, stating that in the consulting world, it is common for businesses to offer lower rates to retain experienced professionals without the cost of benefits. It saves the city money while allowing them to hire someone with extensive experience.

Councilmember Destin emphasized the importance of the City Manager position being treated as a full-time job and stressed the time commitment required of the role.

Mr. Larry Jones expressed his gratitude to the council for considering him for the position. He acknowledged the council's concerns and reassured them of his commitment to the city.

The mayor called for a vote on the motion, which passes 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).

E. Councilmember Hebert

F. Councilmember Geile

1) Projects Status / Updates

Councilmember Geile stated that last year, Mr. John Hodges from the Buccaneer Cruise Ship approached him regarding the dredging in the harbor. The previous City Engineer Ryan Scott had been spearheading that project before he left. He asked who is now responsible for managing or organizing this project to ensure that Mr. Hodges is not facing the same issues as in the past two years, especially with the upcoming tourist season.

Projects/Grants/Contract Manager Jeffrey Cozadd noted that he, along with the Public Works Deputy Director have been working on it. They have selected a contractor and will provide further updates soon.

Councilmember Geile expressed the need to review potential registration fees and inspection protocols for short-term rentals, citing research and conversations he had with neighboring municipalities. He emphasized that, as the city's Legislative Sponsor for this item, he had actively investigated how other cities, including Panama City Beach, handle short-term rental regulations, particularly regarding registration fees and occupancy limits. He shared details from his in-depth conversation with Panama City Beach's Captain of Fire Inspections, Shawn Legleiter

Councilmember Geile explained that several cities, including Bay County, Tampa, and Panama City Beach, have already implemented short-term rental registration fees. Additionally, those cities have adopted provisions requiring short-term rental owners to register their properties with the Florida Department of Business and Professional Regulation (DBPR) and adhere to Florida Administrative Code 69A-43.060, which sets maximum occupancy levels based on fire safety standards. He noted that this is something he would like the city to explore further. He proposed that Building Official Noel Bell and the city's fire inspector examine whether a similar approach could be implemented locally, including determining the costs associated with inspections and compliance enforcement. He added that having a consistent registration and inspection process across cities would benefit both municipalities and property owners by creating uniform standards, which could alleviate confusion caused by varying local codes. He also stated that he would like to delve deeper into this before the January meeting so that the council has a better understanding of what it could cost the city and what revenue they could potentially recover through a registration process.

Councilmember Geile also emphasized the importance of proactive inspections to ensure properties are compliant with city regulations, especially in cases where a home's original use

might change to a short-term rental after it is built. He pointed out that there are instances where property owners initially claim a home will be used as a personal residence during the permitting process but later sell the property or convert it to a short-term rental without the city capturing the appropriate fees or conducting proper inspections.

Building Official Noel Bell provided additional input on the city's current inspection practices. She explained that the city already conducts inspections when a home undergoes a change of use to become a short-term rental prior to approving the change of use. She also noted that the city also requires sprinkler systems to be installed in newly constructed three-story homes if they are intended to be used as short-term rentals.

Councilmember Geile clarified that his concern is primarily with homes that are initially permitted for personal use and later converted to short-term rentals. He believes that annual inspections, like those conducted in Panama City Beach, could help the city better track these properties and ensure compliance with safety codes. He added that Panama City Beach conducts annual random inspections, not scheduled ones, which allows the city to verify that properties remain compliant with fire and safety regulations.

Councilmember Braden raised a question about the inspection process for new homes that are intended to be short-term rentals, specifically inquiring about sprinkler requirements. He noted that he believed Panama City Beach conducted quarterly inspections when short-term rentals are registered. He also raised concerns about the lack of sprinkler requirements in new construction, even for three-story homes that may later be used as short-term rentals. He pointed out that a property owner could easily avoid installing sprinklers by initially claiming that the home is for personal use, then later converting it to a short-term rental after construction is complete.

The Building Official acknowledged the concern and agreed that the city could consider adopting a local ordinance requiring that if a home undergoes a change of use to a short-term rental and does not have sprinklers, they would be required to install them as part of that change of use process. She added that it would be less costly for property owners to go through a change of use process than to retrofit a home with sprinklers after it is built, and that requiring sprinklers up front might be a more effective way to ensure compliance with safety regulations.

G. Councilmember Schmidt

Councilmember Schmidt requested a status update on the Norriego Point project and suggested that it would be helpful to receive a timeline update, especially as the city approaches spring break and summer.

Staff noted that the city receives a bi-weekly update on the project and confirmed that more details on its progress could be shared in January.

Councilmember Schmidt inquired about the progress of Joe's Bayou project, mentioning that there had been considerable excitement about the project over the last six months, with many residents believing that it was close to beginning construction.

City staff reported that the project was at 60% completion with the permitting process still underway. It was noted that Community Development had a pre-application meeting with the project's developer a few weeks ago and confirmed that the project is moving forward.

Additionally, the developer has created a project website that includes concept renderings, which staff offered to share with the council. They also explained that they did not have a definitive date for when the developer would submit their development order deviation but will follow up with him to get a more detailed timeline to clarify expectations.

Councilmember Schmidt also asked for updates on the Destin Crosstown Connector project, particularly the funding status, estimated costs, and progress toward starting construction.

City staff reported that the Destin Crosstown Connector project had recently received promising news regarding funding. The Tourist Development Council is expected to approve a \$3.3 million allocation toward the project during their recent meeting, and that this amount has already been accounted for in the city's budget. Staff provided an updated cost estimate of \$11.8 million to complete the project, including construction and related expenses. The city has secured funds from the following sources:

- \$4.5 million loan proceeds (which are currently earning interest in a bank account).
- \$2 million from the TRIP program (Transportation Regional Incentive Program), which will be available during the state's next fiscal year, likely by September.
- The anticipated \$3.3 million from the TDC.

Staff expect to put the project out for bids within the next 30 to 90 days. Once the bids are received, the city will be ready to move forward with construction.

Councilmember Schmidt asked for clarification on whether the project's design was fully approved. Staff confirmed that the project is at 100% design completion and awaiting final permits, including environmental clearance. The environmental report will determine if any further adjustments to the design are required.

H. Mayor Wagner

The mayor announced that the governor extended the holiday season by closing state offices on December 23rd and December 31st, in addition to the regular closures. He asked the council if they wished to align with this decision by closing local offices on those dates as well.

Motion by Councilmember Bagby, seconded by Councilmember Destin, to close city facilities on December 23rd and December 31st passed 6-0 (Council members Schmidt, Geile, Bagby, Destin, Trammell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).

J. City Attorney

1) Pursuant to Section 286.011(8), Florida Statutes, the City Attorney desires the advice of the City Council in the case of Wilkerson, Vina v. City of Destin, Florida (3:23-cv-24754-TKW-HTC), and as such, is calling for an Executive Session to be held in the City Council Chambers at the Destin City Hall Annex, 4100 Indian Bayou Trail, Destin, Florida 32541, on January 6, 2025 at 5:45 pm Central. Present at the Executive Session will be a court reporter, Mayor Wagner; all City

Council Members; Larry Jones, City Manager; Eric Krebs Litigation Attorney for the City; and the City Attorney, Kimberly Romano Kopp.

PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 9:05 PM.



ATTEST:

A blue ink signature of Rey Bailey, written in a cursive style, is positioned above a horizontal line.

Rey Bailey, City Clerk

A blue ink signature of Bobby Wagner, written in a cursive style, is positioned above a horizontal line.

Bobby Wagner, Mayor