

**PUBLIC WORKS/PUBLIC SAFETY  
COMMITTEE MEETING MINUTES  
DESTIN CITY HALL ANNEX CHAMBERS  
TUESDAY, MARCH 11, 2025 - 5:30 PM**

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:**

Chairman Wood called the Public Works/Public Safety Committee to order on Tuesday, March 11, 2025, at 5:30 p.m. at the City Hall Annex Chambers, with the Pledge of Allegiance immediately following.

**2. ROLL CALL:**

**Members Present**

James T. Wood, Jr.  
Tom Weidenhamer  
Curtis Smith  
Marcie Bell  
Tammy Weidenhamer  
John Green

**Members Absent**

**Staff**

Kim Montgomery Deputy City Clerk  
Joe Bodi, Deputy Public Works Director  
Danae Kesterson PW Admin. Asst.

**3. APPROVAL OF MINUTES:**

➤ **February 11, 2025**

Since a majority of the members have not reviewed the minutes, it was decided to push the approval to their next meeting.

**4. AGENDA AMENDMENT:**

**Motion by Chairman Wood to change the order of the day by moving the eBikes presentation to Item B and pushing everything else down one slot. Committee member Bell provided the second and the motion passed with a unanimous vote of 6-0.**

**5. NEW BUSINESS:**

**A) Sunshine Law Presentation/Public Records - Sandy Trammell**

- Discussion of the Sunshine Laws and its implications for the members if they are overheard discussing anything relevant to their meetings by the public.
  - Clarification on interactions with members and public officials to ensure unbiased decision-making.
  - Importance of not discussing subjects items outside of a meeting with members of the public
  - Cautionary examples were provided, highlighting past violations and their consequences, including having all personal devices confiscated and possible removal from office with legal repercussions.
    - Making notes of a conversation in an email and sending it to their city

email address of possible Sunshine discussions is an easy way to capture the conversation on the city server for any possible conflicts.

- Discussed ethics standards and avoiding conflicts of interest and how meetings generally follow Robert's Rules of Order.
- Provided guidance on Public Records Act compliance, including maintaining emails, text messages, and social media interactions.
  - Best course of action is to not comment or like any social media posts pertaining to city business.
  - Members were reminded not to use their positions for personal advantage and once and once a motion has passed, even if they are not in agreement and voted against the motion, they need to support it, when it goes forward to City Council.

## **B) eBikes Presentation – Chairman Wood**

Chairman Wood welcomed Captain Jason Fulghum from the Okaloosa County Sheriff's Office and asked him to provide a comprehensive overview of the issues related to e-bike operations, accident trends, and challenges associated with enforcement. He discussed the following:

### **➤ Accident Trends:**

- 70% of bicycle and e-bike crashes occur on sidewalks at entry/exit points of roads and driveways.
  - These incidents are often caused by motorists turning without checking for sidewalk traffic.
- Determining fault is complex, but in most cases, vehicle drivers are found at fault.

### **➤ Visibility & Obstructions:**

- Driver line-of-sight is often obstructed by signage, landscaping, or infrastructure, contributing to accidents.
- 20% of bike/e-bike accidents occur in designated bike lanes.

### **➤ Infrastructure & Safety:**

- FDOT engineers created bike lanes to address collisions from wrong-way bike travel.
  - Capt. Fulghum noted that sidewalks remain safer than bike lanes in some cases but did not advocate for a specific policy direction.

### **➤ Enforcement Challenges:**

- Radar enforcement is unreliable due to inability to isolate e-bikes from other traffic. The radar picks up the fastest or largest object within its cone.
- Laser enforcement is also problematic. Deputies had only a 1-in-4 success rate hitting bike handlebars at close range.
- Speeding enforcement on Airport Road is especially difficult due to these limitations.

Capt. Fulghum emphasized the importance of avoiding ordinances that are unenforceable, as it leads to public frustration and misplaced blame on the Sheriff's Office.

➤ **Alternative Enforcement – VASCAR:**

VASCAR (Visual Average Speed Computer and Recorder) was brought up, this is an older method based on time/distance.

Capt. Fulghum acknowledged it could be used but has limitations, including the need for certified equipment and typically requires two officers. He noted that if the city pursues VASCAR, it should cover equipment and certification costs.

➤ **Definitions & Regulations:**

Florida law defines three classes of e-bikes; only Class 3 can go up to 28 mph.

- E-bikes exceeding 28 mph are considered mopeds and are not permitted to use motors on sidewalks.
- Many high-speed bikes marketed as “e-bikes” are actually mopeds under state law.

➤ **Identification and Regulation Suggestions:**

- Difficulty in identifying e-bike class markings while in motion.
- Potential for a city-issued permit or sticker (e.g., orange label) to signify inspection and compliance was suggested.
- If implemented, the Sheriff's Office would help enforce but not conduct inspections or training.

➤ **Support for Local Policy:**

Capt. Fulghum reaffirmed willingness to work with the city on crafting enforceable regulations and that the Sheriff's Office would assist in enforcing a licensing program, if created by the city.

➤ **Pedestrian Safety:**

Capt. Fulghum Noted that in his 32 years of service, he has only seen one case of a bicycle hitting a pedestrian. There have been no reported pedestrian collisions with e-bikes in the referenced five-year study.

➤ **Sidewalk & Roadway Rules:**

E-bikes operating in bike lanes or roadways must follow traffic laws (e.g., stopping at red lights, stop signs).

State law allows cities to regulate e-bike use on sidewalks and can impose stricter limitations if desired.

The Committee Members discussed the practicality of enforcing speed laws on sidewalks. Inconsistent bike lane widths and infrastructure designs as well as concerns for pedestrian safety and shared sidewalk use. The suggestion for city-based e-bike licensing or permitting programs was also discussed.

Chairman Wood then proceeded to launch his Power Point Presentation he created.

As per section 316.008(7)(a), Florida Statutes, a county or municipality may enact an ordinance to permit, control, or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, electric bicycles, and electric personal assistive mobility devices on sidewalks or sidewalk areas when such use is permissible under federal law. The ordinance must restrict such vehicles or devices to a maximum speed of 15 miles per hour in such areas. Generally, state law provides that an operator may ride an electric bicycle where bicycles are allowed, including, but not limited to, streets, highways, roadways, shoulders, bicycle lanes, and bicycle or multiuse paths. However, the city remains able to regulate e-bikes within the city subject to the requirements of state law, which we can discuss as needed.

➤ **Classes of E-Bikes:**

- (A)“Class 1 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- (B)“Class 2 electric bicycle” means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- (C)“Class 3 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.
  - Speed on sidewalks is limited to 15 mph, presenting conflict with Class 2 and 3 usage.
  - Visual identification of class types is difficult; a possible tagging program was suggested for enforcement visibility.

➤ **Enforcement and Safety Challenges:**

- Speed enforcement is largely ineffective due to limited radar/laser usability and lack of flat surfaces.
- Riders often fail to use onboard features like horns or speedometers.
- Lack of rider education noted—especially around courtesy practices like giving audible warnings on sidewalks.
- Concerns over limited driver sight lines and narrow roadways/sidewalks, particularly around Airport Road.
- e-Bikes far exceeding legal limits (e.g., 5,000-watt battery, 40+ mph).

➤ **Infrastructure Limitations**

- Discussion about wider multi-use paths versus lack of designated bike lanes on many city roads.
  - Consideration of reallocating road width for bike lanes, with anticipated driver resistance.
  - Concerns about visibility issues at ingress/egress points, especially with fast-moving e-bikes reducing driver reaction time.
- **Current Regulations & Legal Considerations:**
- Florida state law does not require licenses or insurance for e-bike riders.
  - Helmets are only required for riders 16 years or younger.
  - The city already prohibits rental of e-scooters; a proposal to extend that ban to eBike rentals was raised.
  - Amazon and other similar websites sells eBikes with a 5k wattage batter that enables it to go 40-45 mph and weighs 100lbs.
    - The implications if someone get clipped by one of these is high, and it's going to hurt that person.
  - Ambiguity exists on whether current code language already includes seated devices like e-bikes.
- **Comparative Municipal Approaches:**
- Examples from Sanibel Island and Fort Myers Beach
    - Sanibel allows only Class 1 bikes on shared paths.
    - Fort Myers recently passed a first reading to limit sidewalk e-bike speeds to 10 mph, with yield requirements to pedestrians when safety is endangered.
- **Equity and Education Concerns**
- Current education efforts through PSAs (including in Spanish and Portuguese) are ongoing but may need expansion.
  - Distracted driving and pedestrian unawareness noted as compounding safety risks.
- **Technical Limitations**
- Limiting based on battery wattage (750-watt max for legal e-bikes).
  - Suggestion to develop a city certification/inspection program to verify and label legal e-bikes for easy field identification.
- **Action Items & Next Steps**
- All participants are encouraged to review the topics discussed and reflect on possible action items, focusing on:
- **Feasibility**
- Cost
- **Implementation of Logistics**
- Responsible departments or staff

- A shortlist of potential policy recommendations will be developed for presentation to the City Council at a future meeting.
  - City Attorney (Kim Kopp) will be consulted to assess:
- **Legal limits of sidewalk restrictions**
    - Ability to regulate or prohibit rentals
    - Impact of federal/state funding on limiting e-bike access to multi-use paths
  - **Outstanding Questions**
    - Can the city prohibit e-bike use on sidewalks without jeopardizing grant-funded infrastructure?
    - Should the city consider location-based restrictions (e.g., Crystal Beach, Holiday Isle)?
    - Can a wattage-based enforcement policy be implemented effectively in the field?
    - Would expanding the rental ban to include e-bikes reduce congestion and safety issues?

### **C) 2024 Annual Report/2025 Work Plan**

Chairman Wood spoke of their goals and asked the members to review them and bring back at their meetings anything they feel may need to be added or changed. He will keep track of the motions and present to Council, briefing them on each of the items and the ones that get finalized. He also asked the members to look at their areas of assignments and reminded them of their duties to look out for, and any items that need immediate attention to report them to Public Works.

Mr. Bodi, the Deputy Public Works Director provided the members with their department email address that everyone should use to send their items of concern they see that needs immediate attention, and staff will track those, and they'll be discussed at their next scheduled meeting.

Committee member Smith asked if he could be reassigned to past member Sam Perman's section in Crystal Beach since he is over there the most. Chairman Wood stated that section four (4) will be assigned to the next new member but asked for everyone to keep an eye out for anything when they are over in that area.

### **D) Crosswalk on Beach Drive/Mountain/Seaview**

Mr. Bodi, the Deputy Public Works Director provided the members with optional locations to recommend to the City Council for the crosswalk to be installed. After a brief discussion of the advantages of each, **Chairman Wood made the motion to recommend the crosswalk to be installed at north end of Mountain on Beach Drive with rapid flashing beacons to be installed. Committee member Smith provided the second.** In discussion, Committee member Green stated that he feels that a crosswalk should also be installed at the southern location as well, that was provided by staff. **Committee member Green made a substitute motion to recommend a crosswalk be installed at the southern location as well as a crosswalk installed at the northern end of Mountain Drive on Beach Drive with the rapid flashing beacons at this location. The motion passed with a unanimous vote of 6-0.**

Mr. Bodi, the Deputy Public Works Director asked the members if they were intending to use their budgeted funds to purchase the rapid flashing beacons for this, they would need to make that recommendation to Council to approve the purchase. Committee member Smith asked for assurance that they will be the kind that are actuated by the pedestrian and not stay on all the time. Mr. Bodi assured him that they are indeed the ones to be actuated. **Motion by Committee member Bell, seconded by Chairman Wood, the members voted 6-0, to recommend the City Council approve allocating \$100k for the purchase of the rapid flashing beacons to be installed at the Mountain Drive Beach Drive north crosswalk.**

**6. CONTINUING BUSINESS:**

➤ **Stormwater/Floodplain Public Comments**

Chairman Wood opened the floor for public comments on this item. With no one coming forward, he closed the public discussion on the topic.

**7. MEMBER DISCUSSION ITEMS:**

➤ **Committee Member Smith** – Asked about the status of the City Engineer position. Mr. Bodi informed the members that the City Manager has made the offer of the position to his top applicant and the applicant is discussing it over with his family, since they would be moving from Shreveport, LA.

➤ **Committee Member Green** – Encouraged the members to read over the rules for the eBikes and know what the rules are. Noting that he feels strongly about some sort of licensing program needs to be in place.

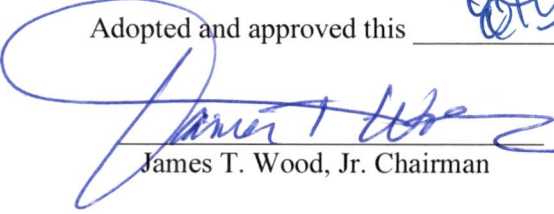
➤ **Chairman Wood** – Mentioned for the members to read the information on e-bikes, work on work plans to bring back to their next meetings and be sure to provide staff with anything they want to bring up on an upcoming meeting agenda by the last Tuesday of the month.

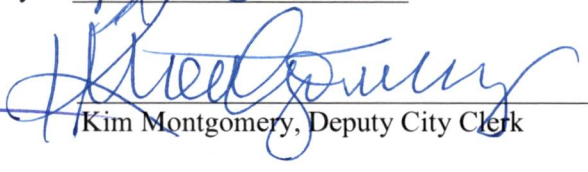
➤ **Committee member Bell** – Stated that she would contact different municipalities and get their information on their eBike regulations and bring back to the next meeting for discussion.

**8. ADJOURNMENT:**

Having no further business at this time, the meeting adjourned at 7:30 p.m.

Adopted and approved this 20th day of April 2025.

  
James T. Wood, Jr. Chairman

  
Kim Montgomery, Deputy City Clerk