

**REGULAR MEETING
DESTIN CITY COUNCIL
JUNE 2, 2025
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM**

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

Destin City Council

Mayor Bobby Wagner
Councilmember Kevin Schmidt
Councilmember Terésa Hebert
Councilmember Sandy Trammell

Councilmember Dewey Destin
Councilmember Jim Bagby
Councilmember Rodney Braden

Destin City Staff

City Manager Larry Jones
Human Resources Director Jaime Haynes
Deputy Comm Dev Director Steve O'Connor
Public Information Director Tamara Young
Community Development Director David Pritchard
Projects/Grants/Contract Manager Jeffrey Cozadd
City Attorney Kimberly Kopp

City Clerk Rey Bailey
Finance Director Krystal Strickland
Public Works Director Michael Burgess
City Engineer Robert Tomasek
Parks & Recreation Director Lisa Firth
IT Director Andy Peters
Principal Planner David Butler

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 Faith Assembly Christian Church gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Hebert, seconded by Councilmember Schmidt, to approve the agenda passed 6-0. Councilmember Geile was absent from the meeting.

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

A. Rotary Club of Destin - Citizen Above Self Award 2025

Mayor Wagner read the Proclamation honoring Jessica Holzapple as the recipient of the Citizen Above Self Award 2025, and declaring June 2, 2025, as “Jessica Holzapple Day in the City of Destin.

2. PUBLIC COMMENTS

Mr. Riley Tanaka of 606 Harbor Lane described a recent safety incident involving jet skis on the sandbar in front of his residence. While snorkeling with his daughter, multiple jet skis approached at full speed within 10 feet of them, nearly causing a collision. Despite confronting the operators, who claimed to be in control, Mr. Tanaka emphasized the danger and discourtesy of such behavior. He requested city council guidance to address the broader safety implications of jet ski activity near residential areas. Though not on the agenda, he asked that the council treat it as a public safety concern.

Mr. Tadlock of 502 Norriego Point inquired whether boring operations for utility and fiber installations were being suspended. The City Manager responded that all major boring within the US-98 corridor south right-of-way was halted until after Labor Day, except for ongoing ADS undergrounding projects.

Regarding bonfires, Mr. Tadlock voiced strong opposition. He highlighted risks including environmental degradation, personal safety (referencing fire-related fatality statistics), and the disruption bonfires might bring to densely populated beach areas. He cited the West Destin Beaches and Norriego Point Park as inappropriate locations, urging the council to avoid jeopardizing neighborhood safety and tranquility.

Mr. Don Dulles of 442 Snapper Drive referenced a 2017 *Northwest Florida Daily News* article detailing a \$3.6 million National Fish and Wildlife Foundation grant intended for stormwater improvements. He expressed frustration that despite multiple visits by city staff and ongoing drainage projects across Destin, his street (Mary Street) remained unaddressed. Mr. Dulles compared this neglect to extensive spending on other projects—including pickleball courts, bridge purchases, and walkway improvements—and called out inequities in how the city prioritizes public funds. He asked the city to expedite stormwater relief in his area, noting his ongoing burden of sandbagging and paying for flood insurance.

Ms. Kerrie Harbarger of 307 Mountain Drive raised renewed complaints about illegal ice cream carts operating on Destin’s beaches. She reported that these vendors operate daily, unlicensed and untaxed, often misrepresenting themselves as lifeguard-affiliated to the public. She linked their presence to conflicts with sword fishermen, especially during Pompano season, where vendors are forced onto the sand due to lines cast in the water. She stressed the need to enforce regulations, stating that council directives had not resulted in meaningful action. She also emphasized that legitimate, local businesses were being undercut by transient operators and urged accountability.

Ms. Fay Colbertson of 6 Norriego Road opposed proposed bonfire allowances, citing Destin’s limited beach area, environmental risks, and threats to local turtle nesting. She also voiced concern over the frequency of fireworks, particularly in the new Holiday Isle park due to respiratory effects and excessive smoke. She asked whether parks would have dusk-to-dawn closures and expressed her desire to preserve Destin's natural tranquility.

Mr. John McHale of 306 Harbor Blvd questioned the legitimacy and transparency of recent dock approvals near his business location. He observed inconsistencies between city maps and what was designated as “public,” noting selective enforcement of slip access. Although supportive of business growth, Mr. McHale urged the city to consider infrastructure pressures such as parking and restroom facilities that affect residents and tourists alike. He warned against creating tension-filled environments, referencing negative tourism experiences in other destinations. He called for responsible harbor growth and revisiting prior project approvals.

The City Attorney commented that the dock-related concerns would be addressed during a quasi-judicial hearing scheduled for June 16th and directed the public and council to engage formally during that session.

Ms. Barbara Coleman, who resides at Destin Pointe, expressed opposition to the bonfire proposal, especially near the East Pass state lands where turtle nesting has occurred successfully in recent years. She associated bonfires with excessive noise, drinking, and party behavior incompatible with a residential setting. She urged the council to reject measures that would disturb peace, wildlife, and community well-being.

3. CONSENT AGENDA

- A. Boathouse & Oyster Bar Forrest Day 5k
- B. 4144 Belcourt Dr, Residential Marine Construction, HWB-001565-2025
- C. 724 Harbor Blvd, Commercial Marine Construction, HWB-001582-2025

Councilmember Hebert moved for the approval of Consent Agenda items 3A through 3C, as printed above, seconded by Councilmember Trammell. Motion passed 6-0.

4. CITY MANAGER REPORTS

- A. RFP 25-05-PW, Disaster Debris Management Services, authorization to execute Contracts

The City Manager opened the discussion by explaining that the city had issued a Request for Proposals and received several qualified submissions. These contracts are pre-positioned and would remain inactive unless a disaster occurs that requires emergency debris removal. The City Manager emphasized the importance of having two firms on standby—TFR Enterprises and Southern Disaster Recovery LLC—to ensure adequate capacity and flexibility in response to a disaster.

Councilmember Schmidt moved to approve award of three-year pre-positioned contracts for disaster debris management services to TFR Enterprises, Inc., and Southern Disaster Recovery, LLC, and to authorize the City Manager to execute all necessary agreements related to RFP 25-05-PW. Councilmember Hebert provided a second to the motion.

Councilmember Destin inquired about the historical service provided by Crowder Gulf, noting that the city had received reliable service from the company for over 20 years, possibly dating back to Hurricane Opal. He questioned whether either of the recommended firms had held

the contract previously and why Crowder Gulf, despite submitting a proposal, was not among the top-ranked firms.

In response, the Public Works Director clarified that TFR Enterprises had held the contract for the past five years, while Crowder Gulf had previously served but was not selected in the current round. The evaluation was based on criteria outlined in the RFP, which included price, staff experience, past performance, project approach, and financial capability. While all 12 proposals were well-qualified, pricing played a significant role due to FEMA's reimbursement structure, which covers 75% of disaster recovery costs, with the state and local government splitting the remaining 25%. The Director revealed that Southern Disaster Recovery's estimated cost for the modeled event was \$79.3 million, compared to Crowder Gulf's \$83.34 million – a difference of about \$4 million. This price differential was a determining factor in the final selection, even though Crowder Gulf had a long-standing history with the city.

With no further comments from the council members, the mayor called for a vote on the motion on the floor, which passed 6-0.

B. Bonfires on the Beach Discussion

The City Manager began by reporting on research requested by the Council regarding how neighboring Walton County handles beach bonfires. Walton County allows bonfires on both public and private beaches with a \$100 permit plus a \$5 administrative fee. Permits are issued by the South Walton Fire District, and revenues are shared between the county and fire district. With approximately 9,500 bonfires annually, the program generates significant income, though the City Manager noted Destin would not reach such numbers. The Destin Fire Control District indicated a willingness to serve as the permitting authority if the council pursued this. However, he cautioned that any change would require amending the city's ordinances. He also emphasized the importance of using vendors to ensure compliance, suggesting that businesses dependent on maintaining permits are more likely to follow regulations.

Councilmember Hebert asked if bonfires would be permitted only on public beaches owned by the city or also on private property. She noted concerns about permanent residents in areas like Holiday Isle.

The City Manager clarified that under the proposed system, permits could be issued for both public and private beaches. He cautioned that city-owned beaches are narrow and may not be suitable for bonfires. Walton County, he noted, limits bonfire flame height to four feet, although enforcement can be tricky. He affirmed that coordination with the fire department for permitting and monitoring would be essential, although Walton County primarily relies on code enforcement due to limited fire personnel availability.

Braden expressed concern about environmental impacts, referencing frequent complaints about fireworks and air shows at the harbor. He claimed the air shows burn large amounts of oil, contributing more pollution than bonfires. He shared his personal experiences with bonfires in Walton County, highlighting that local code enforcement was actively checking permits, something he doubted Destin's staff could realistically replicate.

Councilmember Schmidt, who had also participated in bonfires in Walton County, stressed that the process there was well-regulated. He supported the idea of limiting bonfire frequency (e.g., one per night) and location within the city. He proposed restrictions on months of operation (excluding turtle nesting season) and emphasized the potential revenue if done responsibly.

Councilmember Destin asked how the city code defined “beach” to understand whether fires further inland would be allowed.

The City Attorney read the following definition of “beach”, “*The zone of unconsolidated material that extends landward from the mean low water line to the place where there is a marked change in material or physiographic form or to the line of permanent vegetation, usually the effective limit of storm waves.*” She noted that areas above this line would not fall under the beach definition, and fires there would be subject to different rules.

Councilmember Bagby, drawing from his time as tourism director in Walton County, doubted the 9,500-bonfire figure and said he had reached out to Walton officials for confirmation. He warned of enforcement issues, such as unauthorized vendors and unsafe practices like burying fires in the sand—hazardous particularly during turtle nesting season. He opposed unlimited permitting but was open to a tightly controlled pilot program.

Councilmember Schmidt moved for city staff and the attorney to draft an ordinance allowing beach bonfires under strict conditions:

- **Limited to the months October through March.**
- **Only through an approved vendor (initially one).**

Motion seconded by Councilmember Hebert.

He clarified this was to begin the ordinance process, not immediate implementation.

Councilmember Braden raised concerns about allowing private vendors to operate and profit on city-owned beaches, which currently lack designated vendors. The City Attorney clarified the ordinance could specify fire-only vending permissions and limit vendors to private property or permitted areas.

Instead of moving forward with an ordinance, Councilmember Destin proposed holding a public hearing at the first July meeting to gather more input. He noted that, so far, public commentary had been mostly opposed.

Councilmember Destin offered a substitute motion to schedule a public hearing on this matter for the first city council meeting in July, which is set for July 7th. The motion was seconded by Councilmember Braden and passed 6-0.

C. 4481 B Luke Avenue - Proposed Scaglione Agreement

This transcript outlines the discussion regarding a proposed temporary agreement for 4481B Luke Avenue, prompted by a miscommunication between city staff and the property owner, Ms. Barrie Scaglione. The City Attorney explained that due to conflicting guidance provided to the property owner – resulting in construction and expenditures based on incorrect

interpretations – the city was recommending a compromise: a temporary agreement permitting short-term rental use of an attached unit only while the owner resides on the property. The agreement would become null upon the property's sale or the owner's departure.

Councilmember Braden expressed strong opposition, recounting how contractors and builders have long been misinformed by staff only to be contradicted later by code enforcement. He emphasized that, as builders, they are routinely told it's their responsibility to verify ordinances themselves. He questioned why, in this case, the homeowner would be treated differently or receive compensation via a special agreement.

Councilwoman Hebert voiced similar concerns, advocating for clear, written communication from staff rather than informal verbal confirmations. She urged that staff require all clarifications to be sent and confirmed via email to avoid such confusion.

The City Attorney noted that while some email communication had occurred in this instance, the homeowner, Ms. Scaglione, and her spouse were present and could better elaborate. Ms. Scaglione addressed the council, describing the exhausting process and expressing frustration that she had received multiple assurances from city personnel that her plans were permissible—despite later being told otherwise. She underscored her good faith, the existence of supportive emails, and her willingness to comply fully, including living onsite and acting as a responsible neighborhood steward.

Councilmember Destin supported the agreement, highlighting it as a fair solution given the circumstances. He appreciated that the owners would be present on-site and noted that this arrangement would address typical issues associated with short-term rentals.

Councilmember Destin moved to approve the proposed agreement with the property owner, seconded by Councilmember Hebert.

Councilmember Schmidt sought timeline clarification, particularly around when the incorrect guidance was given. The Community Development Director explained that the initial permit was submitted in July 2023, revised in early August after staff identified that the requested design would constitute an impermissible Accessory Dwelling Unit (ADU). A revised plan showing internal connectivity between the structures was approved as an addition, with a condition clearly stating that short-term rental of the unit was not allowed. However, in October, a staff error led to an email mistakenly approving the use of a short-term rental, which was corrected within two weeks.

The discussion turned to the failure of the contractor to communicate permit restrictions to Ms. Scaglione. Staff emphasized that the contractor, not the homeowner, signed the permit application and should have conveyed the use limitations. Several council members expressed concern over the contractor's performance and questioned whether the homeowner would pursue a complaint through the Florida DBPR.

Councilmember Bagby acknowledged the complexity and requested an amendment to the motion requiring that the agreement not take effect until the homeowner formally relinquishes her homestead exemption status. Ms. Scaglione agreed and pledged to begin that process immediately.

Councilmember Destin offered an amended motion to approve the proposed agreement with the property owner, contingent upon the withdrawal and official confirmation of the property's homestead exemption; and that the agreement shall not be executed until this condition is satisfied. Councilmember Hebert provided a second to the amended motion, which passed 4-2, with Council members Schmidt and Braden dissenting.

D. Engagement Letter with Warner Law Firm for Requested City Litigation re: Beach Vending

The city council considered an engagement letter with the Warner Law Firm to represent the city in litigation against beach vendors who are in violation of the city's code. The City Attorney explained that this item was a follow-up from a previous meeting, where the council directed staff to seek legal representation for enforcing regulations on unauthorized beach vending. The City Attorney stated that the Warner Law Firm was recommended because they are already handling an insurance defense case involving the city, which has given them familiarity with the relevant issues. The firm agreed to offer the same competitive rates they charge to the city's insurance provider, making this engagement cost-effective. She also clarified that engaging Warner would allow the city to file its own lawsuit through the Circuit Court of Okaloosa County, a process that could yield more enforceable outcomes than internal options like code citations or the special magistrate.

Councilmember Bagby raised two concerns. First, he insisted on including a \$30,000 spending limit on the engagement, citing opposition to any blank check arrangement. He stated that he would not support the motion without a firm cap.

Councilmember Bagby asked what the Sheriff's Office was doing to help enforce the code on the beach, and whether changes to the ordinance – such as adding arrestable offense – could provide stronger enforcement tools.

In response, Captain Fulghum of the Sheriff's Office explained that deputies currently alert the city's code enforcement staff when they observe violations and may remain on-site for safety if requested. However, under their existing contract, the Sheriff's Office does not enforce the city's Land Development Code. Only provisions codified in the general code. Capt Fulghum noted that if the city wanted the Sheriff's Office to assume a greater enforcement role, particularly to act against unlicensed vendors, this would require an ordinance revision and funding for an additional beach patrol unit. He also clarified that while the Sheriff's Office does not want to regulate the conduct of permitted businesses, they would be willing to act against individuals operating without a permit. Regarding enforcement options, the City Attorney confirmed that the city could amend its code to make violations a misdemeanor offense, punishable by up to \$500 in fines and 60 days in jail. Capt Fulghum acknowledged this and confirmed that such enforcement would be possible if the ordinance was updated accordingly.

Councilmember Braden asked how many citations had been issued to date, referring to a public comment suggesting there had been only a few warnings. In response, the Deputy Community Development Director reported that since the last city council meeting, eleven \$500 citations had been issued – six to repeat offenders and another four to a different repeat offender. Three verbal or written warnings were also issued, and one additional citation was given to a vendor attempting to take advantage of the Memorial Day weekend.

Councilmember Schmidt expressed strong opposition to the engagement letter. He cited multiple reasons including opposition to open-ended spending, skepticism about bypassing existing processes, and concerns about prioritizing this issue over long-standing complaints from residents about trash, illegal parking, RVs in driveways, and sidewalk blockages. He questioned the urgency behind this issue, noting that complaints appeared to come primarily from a single business owner. He argued that the city had not yet fully exhausted existing enforcement tools, such as the Special Magistrate Hearing process, and urged the council to allow that process to play out before committing to litigation.

The City Attorney elaborated on the Special Magistrate Hearing process, stating that a hearing was scheduled for June 17. She explained that if vendors are found in violation, they will be given a compliance deadline. If they fail to comply, they would be subject to daily fines – initially ranging from \$50 to \$250, potentially increasing to \$500 per day for repeat violations. She explained that the city can place a lien on any real or personal property owned in the county but noted that homesteaded properties are exempt. If the violators cease operations and leave, that would be considered compliance under the current code enforcement framework.

Councilmember Destin raised concerns about enforcement challenges when violations are committed by individuals who do not own lienable property. He emphasized that the Special Magistrate has no enforcement power beyond fines and liens, whereas the circuit court could order compliance under penalty of jail time, regardless of property ownership. He supported the engagement with Warner Law Firm on that basis.

Councilmember Destin moved to authorize the City Manager to engage the Warner Law Firm to represent the City of Destin against mobile vendors that fail to comply with city regulations and proceed with the necessary legal action. The city's Finance Director is to bring back to the council a recommendation on how to fund the litigation. As a temporary measure, the funding will come from general revenue until funds become available—such as the anticipated \$20,000 to \$30,000 from recent code enforcement actions. The legal expenses shall be capped at \$30,000 for the initial year, in accordance with the estimate provided by the Warner Law Firm. Any expenditure beyond the \$30,000 cap must receive prior approval from the City Council. Councilmember Hebert provided a second to the motion.

Councilmember Bagby stated that he would support the engagement letter because the magistrate process would take too long to produce meaningful results. He noted that even if violators are found guilty on June 17, they would likely receive 30 to 60 days to comply, meaning enforcement might not occur until the end of summer – by which point the peak season would have already passed. He added that he would propose additional actions following the vote to ensure the city continues to pursue multiple enforcement avenues.

The motion passed 5-1, with Councilmember Schmidt dissenting.

Councilmember Bagby made a motion to direct the city manager and the city attorney to sit down with the sheriff's office and bring back a plan to put this in an enforceable code, not the Land Development Code, to preclude this action, seconded by Councilmember Hebert. Motion passed 5-1, with Councilmember Schmidt dissenting.

D. Draft Minutes of Standing Committees and Boards - Informational Only

E. Announcements

- 1) Due to a recent waterline strike on Holiday Isle, the city met with Gigapower and imposed a \$500,000 bond requirement, similar to what was implemented for Live Oak. All work by the company is suspended on Fridays and limited to the hours of 7:00 a.m. to 3:00 p.m., Monday through Thursday. Additionally, no work is allowed on Highway 98 right-of-way or south of it, except for the city's undergrounding contractor ADS and those directly supporting them. Only one permit will be issued at a time for Gigapower's work, and subsequent permits will not be issued until previous work is completed and any damage is repaired. The only exception is boring or digging on private property to install services for end users.
- 2) The city discussed beach vending enforcement with the Department of Environmental Protection (DEP), who stated they would not enforce vending restrictions unless a permanent or semi-permanent structure was present. DEP also indicated the city could define "beach" however it chooses in its ordinances, and they would not contest that definition.
- 3) An unexpected issue arose with the animal control services provided through the PAWS contract. At 4:00 p.m., the city was notified that the agreement would be terminated at 5:00 p.m. the same day. Fortunately, Walton County provided backup coverage over Memorial Day weekend, though no calls were reported. The city is now exploring alternative animal control options, both for control and possibly housing. Staff also hope to meet with PAWS representatives to determine if the relationship can be salvaged.
- 4) A pre-bid meeting for the Crosstown Connector project was recently held, with eight contractors in attendance, which bode well for receiving competitive pricing for the work.
- 5) The library received a \$2,500 nationwide general literacy grant supporting programs across 48 states. Its summer reading program is underway and runs through August 2nd. The kickoff event was held this past Friday, attracting over 200 participants, and over 14,000 minutes of reading have already been logged.
- 6) On June 9th, the city will host a public workshop to present the SRS (Strategic Redevelopment Study) results for the Town Center and other city improvement areas. The event will begin at 5:00 p.m. at the annex with a visioning board open house, followed by a 5:30 p.m. council meeting to discuss the findings and receive community feedback. A budget workshop will follow the SRS session.
- 7) The city submitted formal concerns regarding the poor condition of navigational aids at East Pass, an issue long tied to restoration projects. City staff are working with Alex Fogg and Congressman Patronis' office to urge the U.S. Coast Guard to

prioritize this. A call was held with Colonel Fountain, the congressional liaison, who assured the city that action is being taken, and funding efforts are underway.

- 8) The Children's Park at Morgan Sports Center reopened on May 24th, and the official ribbon-cutting ceremony is scheduled for Monday, June 16th, at 10:00 a.m. Additionally, on Friday, June 20th, from 4:30 to 7:30 p.m., Parks and Recreation will host its first Friday night event at Destin Elementary School, featuring live music, food trucks, and other fun activities.
- 9) The city is also advancing plans to expand its utility box art wrap program. Two wraps have been identified for 2025: one on the green FPL box at Airport and Main near the white church, and the other on the gray city-owned box kitty-corner to it. Designs have been submitted to FPL, whose process is now more detailed. The corner with greenery will feature a more subtle design, while the box near the American Legion will have a bold American-themed look.
- 10) It was reported that a 7-year-old boy who went missing while paddleboarding in Bluewater Bay earlier in the day and prompted an Aqua Alert has been found safe.

5. PUBLIC HEARINGS

- A. First reading of Ordinance 25-10-LC - High Density Residential Townhomes Setbacks

The City Attorney read proposed Ordinance 25-10-LC by title and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, REDUCING CERTAIN SETBACKS FOR TOWNHOMES WITHIN THE HIGH DENSITY RESIDENTIAL ("HDR") ZONING DISTRICT; AMENDING TABLE 7-3 "TABLE OF DIMENSIONAL REGULATIONS"; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE 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 discussion and consideration.

Councilmember Bagby moved for the approval of Ordinance 25-10-LC, seconded by Councilmember Trammell.

Councilmember Destin expressed strong opposition to the proposed change, which would reduce the required rear setback for townhouses in the High-Density Residential (HDR) district from 10 feet to 5 feet. He argued that this reduction would effectively expand the allowable building footprint for townhouse projects. He took issue with the rationale behind the ordinance, noting that it seemed to legalize previous noncompliance with the code due to past permitting

inconsistencies. He stated that rather than changing the law to accommodate violations, the city should enforce the existing 10-foot setback requirement.

Councilmember Bagby suggested that a possible compromise could involve grandfathering in existing properties that had received improper permits in the past, thereby avoiding penalization of current homeowners. He raised concerns about the implications of increasing the impervious surface area associated with larger building footprints. He inquired whether the HDR district had any impervious surface or open space requirements.

In response, city staff confirmed that there is a 25% open space requirement in the HDR district, and that this would remain unchanged under the proposed ordinance. Councilmember Bagby emphasized that, although the open space requirement helps mitigate his concerns, the trend toward increasingly larger structures still posed a long-term concern.

The City Attorney explained that a 10-foot separation between buildings is required by fire code. This requirement can still be met if each adjoining property maintains a 5-foot setback, making the proposed reduction compliant with fire safety regulations.

The City Attorney elaborated on the rationale behind the ordinance. She acknowledged that inconsistent permitting practices over the past 15 years had resulted in several properties receiving approvals for deck structures that encroached into the required setback. These issues stemmed from decisions made by former staff who are no longer with the city. In proposing the ordinance, current staff sought to align code requirements with these historical precedents, especially given that there was no clear safety or practical benefit to maintaining the 10-foot setback instead of reducing it to 5 feet. She clarified that the proposed change would apply only to townhouses in HDR districts that do not front the Gulf, harbor, or bay. Since canal-front properties are considered waterfront under the code, they are already exempt from setback requirements.

Councilmember Braden questioned whether all properties benefiting from the ordinance had received proper permits. Staff responded that while some had permits, others had not. The council debated the distinction between formally grandfathering in properties that violated the previous code and retroactively legalizing violations through a code amendment. It was also clarified that the setback requirement applies to all structures, including decks.

Motion failed 3-4. Council members Bagby, Hebert, & Trammell voted “yes”; Council members Schmidt, Braden, & Destin voted “no”; Mayor Wagner cast the tiebreaking vote of “no.”

B. Resolution 25-14 Harbor CRA Master Plan

The City Manager stated that at the last meeting, the council reprioritized the objectives outlined in this plan, and that the updated list is now reflected in the current document.

Councilmember Bagby made a motion to approve Resolution 25-14 and the Harbor CRA Master Plan, as presented, seconded by Councilmember Trammell. Motion passed 6-0.

C. Resolution 25-13 Town Center CRA Master Plan

The City Manager noted that the list of prioritized objectives for the Town Center CRA Master Plan had not been readdressed since its original publication and encouraged the council to revisit and codify those priorities during the session.

Councilmember Bagby moved for the approval of the Town Center CRA Master Plan with a proposed re-prioritized project list. His draft prioritization included:

- 1. Cross Town Connector (moved from #6 to #1)**
- 2. Linear Park (kept at #2)**
- 3. Arts District Downtown (moved to #3)**
- 4. Park System Enhancements (kept at #4)**
- 5. Sidewalk and Bike Lane Improvements (moved to #5)**
- 6. Intersection Improvements (moved to #6)**
- 7. Street Network Completion (remained at #7)**

Councilmember Hebert provided a second to the motion.

Councilmember Destin expressed concern with elevating the crosstown connector to the top of the list. He noted that planned improvements involved enhancing existing street sections (notably Legion Drive) with sidewalks, bike lanes, buffers, and landscaping. The project had already incurred \$13 million in costs for just 800 feet of new road, with the rest of the route already built. He also questioned the financial prudence of committing additional CRA funds to add features such as medians that might not even physically fit along the constrained corridor. He also highlighted concerns about unforeseen costs, noting the expense might climb by another \$8–10 million if features like medians and landscaping were pursued.

Mayor Wagner offered a more visionary view, stating that while high costs are a valid concern, design improvements could help address speeding and elevate the road beyond a basic vehicle corridor. He expressed a desire for a tree canopy, safe sidewalks, and a place that would be “worth going to”, possibly comparable to a neighboring park. He also acknowledged that achieving that vision could require purchasing adjacent properties to expand the right-of-way, which poses challenges. However, he admitted the practicality of such enhancements might be limited.

Councilmember Bagby offered an amended motion to approve Resolution 25-13 and the Town Center CRA Master Plan and re-prioritize the project list in the following order:

- 1. Linear Park**
- 2. Arts District (Downtown)**
- 3. Cross Town Connector**
- 4. Park System Improvements**
- 5. Sidewalk and Bike Lane Improvements**
- 6. Intersection Improvements**
- 7. Completion of the Street Network**

Councilmember Hebert provided a second to the amended motion, which passed

6-0.

- D. Second Reading Ordinance 25-11-CC - Relating to noise regulations; amending Chapter 4 "Offenses and Miscellaneous Provisions"; Article II "Noise" of the City Code of Ordinances; amending definitions; amending provisions relating to the measurement or assessment of noise; and providing for permissible noise levels.

The City Attorney read proposed Ordinance 25-11-CC by title and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO NOISE REGULATIONS; AMENDING CHAPTER 14 "OFFENSES AND MISCELLANEOUS PROVISIONS", ARTICLE II "NOISE" OF THE CITY CODE OF ORDINANCES; AMENDING DEFINITIONS; AMENDING PROVISIONS RELATING TO MEASUREMENT OR ASSESSMENT OF NOISE; PROVIDING FOR PERMISSIBLE NOISE LEVELS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR FINDINGS OF FACT; 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 discussion and consideration.

Motion by Councilmember Hebert, seconded by Councilmember Destin, to adopt Ordinance 25-11-CC passed 6-0.

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

- A. Councilmember Braden
- B. Councilmember Trammell
- C. Councilmember Destin
- D. Councilmember Bagby

Regarding short-term rental renewals, Councilmember Bagby requested that staff provide the number of registered individuals as of May 31st last year and as of May 31st this year for the next council meeting

- E. Councilmember Hebert
- F. Councilmember Geile
 - 1) Projects Status/Updates
- G. Councilmember Schmidt
 - 1) Council's List of Priorities

Mayor Wagner:

- Traffic Relief: Emphasized solving traffic issues as the top concern of citizens.
- Support for a Feasibility Study: Advocated pursuing FDOT's four-lane alternatives for West Highway 98 (especially the Stahlman Avenue and West Corridor improvements).

- Update Strategic Priorities List: Requested removal of completed items (e.g., Destin City Center, bridge property acquisition, phase one of underground utilities), and clear updates from staff.

Councilmember Schmidt:

- Clement Taylor Park: Requested the start and completion of the park be added as a critical priority for the city council.

Councilmember Hebert:

- Clement Taylor Park: Strongly supported making it a priority after years of stalling.
- Stahlman Avenue/4-Laning: Supported improvements and traffic relief.

Councilmember Trammell:

- Greenspace Expansion: Echoed the community's desire for more green space.
- Parks Master Plan: Wants the city to prioritize and act on it once finalized, utilizing low-cost opportunities.

Councilmember Bagby:

- Public Waterfront Acquisition: Wants to retain this as a top ongoing priority, not tied to specific parcels.
- Clement Taylor Park: No objection to adding it.
- Underground Utilities: Wants to keep it as a long-term goal with appropriate updates.
- Stahlman/US 98 Underpass: In support, but cautious on specifics of four-lane proposals.
- Parking Improvements: Highlighted past commitments, especially in the Harbor District.
- Annexation: Implied support to keep this active if the Mayor is still pushing it.
- Pocket Parks: Wants small parks in every neighborhood.

Councilmember Destin:

- Clement Taylor Park: Fully supports adding it to the priority list.
- 4-Laning of Highway 98: Willing to explore but wants details and clarification—concerned about possible controversial elements like restricted turns.
- Stahlman Intersection: Supports improvements.

2) Interlocal Agreement - City of Destin and Okaloosa County School Board

Councilmember Schmidt moved to direct the City Manager, in coordination with the Parks and Recreation Director, to work with the Okaloosa County School Board to update the existing interlocal agreement between the City of Destin and the School District, specifically addressing the current and future use of the Destin Elementary School property. This includes clarifying allowable uses, updating facility maps to reflect expansions, and ensuring the agreement reflects present-day operations and expectations. Motion was seconded by Councilmember Hebert and passed 6-0.

H. Mayor Wagner

Mayor Wagner reported that state regulations now restrict the ability to establish no wake zones unless certain infrastructure exists—such as a boat ramp—creating a 500-foot enforceable radius. This change is due to issues in South Florida, leading the state (FWC) to limit municipality's authority over such zones. Currently, Joe's Bayou has two no wake signs at 500 feet from the public launch, but further no wake areas would require additional qualifying infrastructure. The mayor suggested that installing improved kayak launches (e.g., floating docks) could legally justify additional 500-foot no wake zones within the bayou. This approach could offer a cost-effective and creative way to enhance safety and expand wake coverage.

Councilmember Schmidt moved to:

- 1. Direct staff to provide the cost of replacing the previously removed no wake sign in the back of Joe's Bayou.**
- 2. Add a new no wake sign 500 feet from Joe's Bayou boat launch.**

Motion was seconded by Councilmember Destin and passed 6-0.

I. City Attorney

7. PUBLIC COMMENTS

Mr. Guy Tadlock, a resident of Destin, expressed disappointment over the lack of Memorial Day decorations in the city. He noted that aside from decorations by the Emerald Grande and a few private homes and businesses like Ace Hardware, the city did little to visually honor the holiday. He emphasized that this absence contributed to Memorial Day feeling like just another long weekend, rather than a solemn day of remembrance. He shared concern that the public's awareness of the holiday's purpose is diminishing, citing examples from media coverage. He urged the city to make a more visible and respectful effort in the future to commemorate those who sacrificed their lives for the nation's freedom.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 9:07 PM.

ATTEST:



Rey Bailey, City Clerk



Bobby Wagner, Mayor