

**REGULAR MEETING  
DESTIN CITY COUNCIL  
MAY 19, 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 Torey Geile  
Councilmember Terésa Hebert  
Councilmember Sandy Trammell

Councilmember Dewey Destin  
Councilmember Jim Bagby  
Councilmember Rodney Braden

**Destin City Staff**

City Manager Larry Jones  
Finance Director Krystal Strickland  
Records Specialist Sharon Gardner  
Community Development Director David Pritchard  
Projects/Grants/Contract Manager Jeffrey Cozadd  
Deputy Comm Dev Director Steve O'Connor  
City Attorney Kimberly Kopp

Deputy City Clerk Kim Montgomery  
Public Works Director Michael Burgess  
Public Information Director Tamara Young  
Parks & Recreation Director Lisa Firth  
IT Director Andy Peters  
City Engineer Robert Tomasek

**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.

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

**A. 2025 National Public Works Week – Proclamation**

Mayor Wagner read the proclamation and then presented it to the Public Works Director Michael Burgess.

B. National Safe Boating Week – Proclamation

Mayor Wagner presented the proclamation before representatives of the Okaloosa County Sheriff's Department, the U.S. Coast Guard, the Florida Fish and Wildlife Conservation Commission, and the Destin Fire Control District

**2. PUBLIC COMMENTS: None**

**3. CONSENT AGENDA**

- A. Request for use of City Streets for Corpus Christi Catholic Church Eucharist Procession.

**Motion by Councilmember Bagby, seconded by Councilmember Hebert, to approve Consent Agenda item 3A, as printed above, passed 6-0. Councilmember Schmidt was absent from the meeting.**

**4. CITY MANAGER REPORTS**

- A. Final Vulnerability Assessment and Adaptation Plan.

The City Manager introduced Item 4A, a presentation on the final Vulnerability Assessment and Adaptation Plan prepared by Dewberry Engineers. Although originally listed as informational, the City Manager recommended the council formally approve and accept the plan to facilitate the city's pursuit of future funding opportunities.

Representatives from Dewberry Engineers presented the report. They explained that the project, completed in March and fully funded through the Resilient Florida grant program, evaluated flood vulnerability for the City of Destin. The assessment considered current and future conditions, analyzing various flood hazards such as tidal surge, rainfall, and compound events. Assets were ranked based on flood risk, and an adaptation plan was developed to prioritize mitigation projects. The plan integrates with the county's Local Mitigation Strategy (LMS) and positions the city to seek additional state and federal funding. Priority projects identified include the Four Prong Lake project and others, with considerations for shovel-readiness and public support. Funding opportunities include up to 100% match for planning grants and 50% match for design and construction for non-DEP communities, with \$20 million available for planning and \$200 million for design and construction.

**Councilmember Bagby made a motion to approve and accept the plan as presented, seconded by Councilmember Hebert. Motion passed 6-0.**

- B. RFB 25-02-REC Annex Pickleball Contract with BGN Contractors.

The City Manager presented Item 4B regarding the pickleball contract with BGN Contractors, noting this firm had previously been awarded the contract. The presented contract reflects the terms and conditions established at that time. Approval would allow the city to issue a limited notice to proceed—restricted to preliminary permitting work—while awaiting final confirmation of \$300,000 in funding from the county, expected at the county's first meeting in June.

The City Manager emphasized confidence in the funding outcome but advised caution to avoid advancing too far before the vote.

**Councilmember Bagby made a motion to approve the contract, which was seconded by Councilmember Hebert.**

Councilmember Braden inquired about project oversight, to which it was explained that oversight would be handled either by the City Manager or Grants/Project Manager Jeff Cozadd. Mr. Cozadd added that Matrix had been engaged to oversee day-to-day project operations.

**Motion passed 6-0.**

**C. Update from FDOT Regarding Westbound Right-Turn Lane from Highway 98 to Airport Road – Lane Delineator Installation Status**

The City Manager explained that the Florida Department of Transportation (FDOT) responded to the city's request to install delineator posts between the westbound right-turn lane and the bike lane at Highway 98 and Airport Road. FDOT declined the request, stating they do not recommend installing physical delineator posts in that area. The city will follow up with FDOT to request larger and clearer signage indicating that drivers are approaching a right-turn-only lane, with the goal of improving safety and reducing driver confusion.

Councilmember Destin then asked whether FDOT had been provided with data on the number of accidents at this location, noting they had observed several accidents. The City Manager responded that he believed that information had already been included in FDOT's review, but they would double-check and ensure FDOT had all relevant accident data.

Additionally, Councilmember Trammell suggested adding a large sign on Highway 98, similar to an interstate sign, placed before the curve and the intersection leading to City Hall. This sign would warn drivers that the right lane ends in half a mile, giving them advance notice. Councilmember Trammell noted they had previously requested this during the original construction of the four-lane roadway, but the request was not fulfilled at that time. They expressed hope that it would be approved now.

**D. Animal Control Services 2025 Contract Update.**

The City Manager reported on the ongoing negotiations with PAWS (Panhandle Animal Welfare Society) regarding animal control services. The previous contract with PAWS expired a few months ago. In negotiations, PAWS proposed a significant rate increase—from \$5 per capita to \$6.50 per capita—raising the city's annual cost from approximately \$69,000 to over \$90,000. The city countered with a proposal matching the unincorporated county rate of \$5.75 per capita, but PAWS declined that offer. Seeking alternatives, he contacted the county and discussed the possibility of joining their upcoming renegotiation with PAWS for unincorporated Okaloosa County later this summer. Both the county and PAWS agreed to this approach, and PAWS agreed to continue service under a month-to-month agreement until the new terms are negotiated.

**Councilmember Trammell made a motion that the city partner with the county and participate in their negotiation. The motion was seconded by Councilmember Hebert and passed 6-0.**

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

B. Announcements:

1. The mandatory pre-bid meeting for the Cross Town Connector project will take place this Wednesday, May 21<sup>st</sup>. The closing date for bid submissions is June 9, with an anticipated contractor recommendation to be presented at the second city council meeting in June.
2. Live Oak Fiber has posted a \$500,000 bond to ensure the city and utility providers are protected in the event of any issues after their work is completed. Live Oak has been permitted to resume work, but on a very limited basis. They may only conduct work under one active permit at a time, focusing on a single location. Once work is completed, inspected, and verified at that location, the permit is closed out before a new permit is issued.
3. Crown Castle, a new fiber provider, has notified the city of their intention to begin work in Destin. The city will impose the same restrictions on Crown Castle as are now applied to Live Oak Fiber: no citywide permits will be issued, and they will be limited to one active permit and location at a time, with each job needing to be fully closed before issuing the next permit.

Councilmember Trammell raised concerns about utility flags that have been left in residential areas for months. She asked if residents could be fined for pulling up the flags after work appears completed and expressed concern about outdated flags causing confusion. She also questioned how this issue would be managed given the new permit restrictions.

In response, the City Manager stated that limiting the scope of work to one location at a time should reduce the need for widespread flagging, and he hoped this would minimize the issue of old flags remaining in place. He acknowledged no clear penalty is in place under the current code but welcomed follow-up for further clarification.

The City Attorney confirmed that there is no specific penalty in the city code for a resident pulling up utility flags.

The Public Works Director explained that when the city initiates a dig ticket, white flags are used to outline the work area. After a location request is submitted, utility companies have 72 hours to mark their facilities with flags within the designated area. A dig ticket remains valid for 30 days. If work is not completed within this time frame, a new locate ticket must be requested.

The mayor added that the city has received numerous emails from residents asking if they can remove flags once work is done on their street. He suggested that as part of the city's new one-location-at-a-time permit process, removing old flags should be added to the contractors' job checklists.

4. It has been brought to staff's attention that the Welcome to Destin sign at the west foot of the bridge requires maintenance. A new sign face will be installed within the next couple of weeks.
5. County mosquito control spraying for 2025 has commenced. Crystal Beach will be treated on Monday evenings, while West Destin will be treated on Tuesday evenings as part of the county's weekly spraying schedule. More details, including opt-out instructions, can be found on the city's Facebook page.
6. The Morgan Sports Center children's playground will reopen this Saturday. The newly updated playground features new ADA-accessible and inclusive play equipment as well as new shade structures. A ribbon-cutting event will be scheduled later, but the playground is being opened early to the public in time for Memorial Day weekend.
7. On Memorial Day, Monday, May 26, the American Legion will host a public celebration at 11:00 a.m. at the Destin Memorial Cemetery. Afterward, attendees are invited to the Legion for food and refreshments. City offices will be closed in observance of the holiday.
8. With the start of summer, the Destin Community Center is offering half-day camps and over 24 specialty camps, featuring a variety of engaging topics such as Shark Week, music, and mad science. Parents are encouraged to register their children for these fun and educational opportunities.
9. Following recent council requests, the city has investigated options for utility box wraps. Each wrap costs approximately \$1,200 to \$1,500. The city has identified a potential location for the next wrap — the green utility box near the church at Main and Airport. Florida Power & Light (FPL), which owns this box, will meet with the city to discuss their interest in continuing the wrapping program. Some local businesses have already expressed interest in supporting the project.
10. The City of Destin Leadership Academy officially launched on May 14, with 25 staff members participating in the seven-part series facilitated by Lisa Gunderson from Northwest Florida State College. Human Resources Director Jamie Haynes will contact council members to coordinate their availability to meet with Leadership Academy classes.
11. On June 9, the city will host a public workshop to discuss SRS results and improvements to the Town Center and other city spaces. The workshop will be held at the annex, with doors opening at 5:00 p.m. to allow attendees to review informational boards. The meeting itself will begin at 5:30 p.m., and the public is encouraged to attend.
12. The Destin History and Fishing Museum is currently undergoing renovations. During this time, the museum has offered the city a 13-foot marlin display piece to exhibit at the annex for the next couple of years. Public Works staff will assist with installing this display.

## 5. PUBLIC HEARINGS

- A. First reading of Ordinance 25-05-CC - Relating to livery vessels; amending Article VIII "Registration of Livery Vessels"; amending provisions related to transferability of permits; providing for additional required training and safety measures.

The City Attorney read proposed Ordinance 25-05-CC by title and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO LIVERY VESSELS; AMENDING ARTICLE VIII "REGISTRATION OF LIVERY VESSELS" OF THE CITY CODE OF ORDINANCES; AMENDING PROVISIONS RELATED TO TRANSFERABILITY OF PERMITS; PROVIDING FOR ADDITIONAL REQUIRED TRAINING AND SAFETY MEASURES; 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 no further comments from the public, the mayor closed the public hearing and turned the matter over to the city council for discussion and consideration.

Mr. Chuck Hiers (316 Harbor Boulevard) addressed the council to express concern over his significant investment of approximately \$125,000 to purchase 17 livery licenses from another business under the moratorium. He continues to pay the required \$100 per vessel annually to maintain these licenses. He argued that under the proposed ordinance, his licenses could be revoked and redistributed after 180 days of non-use, which he believes is unfair. He emphasized that he purchased these licenses in good faith based on existing rules and city approvals, and that taking away his investment and reallocating it would be punitive and unjust.

The City Attorney clarified that the 180-day rule refers to licenses becoming inactive if not registered or operated within that period. She also explained the 490 total cap—this figure represents all currently legally permitted livery vessels, including boat clubs and 11 yachts expected to register under recent ordinance changes. She advised that the council should first decide the policy language and separately handle cases of adversely affected parties through individual agreements, as has been done previously.

Mr. John Stephens commented on the mechanics of medallion transfer, explaining that a registration should remain attached to an operating vessel, to prevent hoarding. The proposed change would allow transfers from one registered vessel to another, even across businesses, but not holding registrations without vessels.

Councilmember Destin suggested that Mr. Hiers licenses should be grandfathered because his purchase was made in good faith during a time when sales were allowed. He also stressed handling the adversely affected cases separately, consistent with past city practices.

Councilmember Bagby proposed reducing the 180-day rule to 60 days to prevent businesses from operating unlicensed during the busy season. He also suggested adding an ordinance provision to clarify what happens to revoked licenses—whether by lottery, list, or first-come-first-serve. He voiced concern about a loophole where businesses might profit excessively by selling licenses attached to old vessels, proposing a two-year minimum operation before resale.

Councilmember Braden asked about the history of the medallion system, originally created to simply track boats operating in the harbor—not intended to become a speculative market. The City Attorney explained that after the moratorium, licenses became valuable, as new operations were frozen, creating a resale market among existing businesses. Once the city learned of this, the council began discussing how to manage the situation.

**Councilmember Trammell moved to approve the ordinance on first reading with the understanding that staff would handle individual cases of adverse impact. The motion included reducing the 180-day window to 60 days and establishing the two-year transferability limit. Councilmember Hebert seconded the motion.**

Councilmember Geile questioned why licenses (medallions) should be attached to vessels rather than to the business or owner. He argued that no other city licenses (like short-term rentals or business licenses) operate this way, and the current setup risks creating an artificial market.

In the broader discussion, Councilmember Bagby reiterated the need for clarity on revoked license redistribution, stressing this should be part of the revised ordinance. Council members also discussed aligning this approach with other policies (like short-term rentals), enforcing compliance through fines for unlicensed operation, and preventing license hoarding.

Ultimately, it was agreed that the ordinance would be brought back for a new first reading with the discussed changes incorporated: 60-day renewal period, two-year restriction on transferability, and a clear process for handling revoked licenses. Adversely affected parties would be addressed through individual agreements, likely at the same future meeting.

**Motion passed 5-1, with Councilmember Geile dissenting. Councilmember Schmidt was absent from the meeting.**

- B. First Reading Ordinance 25-11-CC - 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 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 first 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.

**Councilmember Braden moved to approve Ordinance 25-11-CC on first reading. Councilmember Hebert provided a second to the motion which passed 6-0.**

- C. Second Reading of Ordinance 25-08-LC relating to the imposition of mobility fees; providing for adoption of a mobility fee study and table of mobility fees; providing for mobility fee discounts; and providing for city enforcement.

The City Attorney read proposed Ordinance-25-08-LC by title and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RELATING TO THE IMPOSITION OF MOBILITY FEES; PROVIDING FOR ADOPTION OF A MOBILITY FEE STUDY AND TABLE OF MOBILITY FEES; PROVIDING FOR MOBILITY FEE DISCOUNTS; PROVIDING FOR CITY ENFORCEMENT; 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 Braden moved to adopt Ordinance 25-08-LC on second reading with the discounts applied to Long-term Single Family Uses, and the full rate per the Mobility Fee Study to all other uses; seconded by Councilmember Hebert.**

Councilmember Destin noted that he had recently attended a Planning and Zoning meeting in Walton County, where a large, dense development was under review. The Walton County Planning and Zoning Commission had expressed concerns about transportation concurrency and was prepared to deny the project. However, the developer's attorney argued that because Walton County had adopted mobility fees, state law prohibited denial of the project based on mobility issues, as the fees were intended to address those impacts.

Councilmember Destin expressed concern that a similar situation could occur in Destin. After reviewing the applicable legislation and legal analysis provided by the City Attorney, he believed there was a strong implication that the city could lose its ability to deny or modify future projects based on transportation concurrency once mobility fees were adopted. He stressed that transportation concurrency was one of the city's most effective tools for managing impacts from dense development, particularly at problem intersections such as Stahlman Avenue and many of which were not addressed in the current mobility fee study. He also pointed out a perceived inequity in the proposed fee structure, noting that large single-family homes (e.g.,

4,000 square feet) would be charged fees equivalent to those for high-density multifamily projects, even though their traffic impact would likely be less. He urged caution and requested that the council delay adoption of the ordinance until these issues can be clarified.

**Councilmember Destin offered a substitute motion to table the ordinance for one month to allow for further clarification. The motion died for lack of a second.**

**The mayor called for a vote on the original motion, which passed 5-1, with Councilmember Destin dissenting. Councilmember Schmidt was absent from the meeting.**

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

Councilmember Braden expressed gratitude to the Public Works Director and his staff for maintaining the city medians along Highway 98. He emphasized the importance of keeping these areas visually appealing since they serve as the "front door" to the city and are highly visible to residents and visitors. He also noted how well-maintained they appeared and shared appreciation for proactive communication from the director regarding ongoing maintenance.

Councilmember Trammell thanked the organizers of the city's employee appreciation activities, stating that she valued the opportunity to celebrate city staff and noted the importance of such morale-boosting events. She also reported that the Parks Foundation had received a donation from Trees on the Coast and was in the process of finalizing its branding and website to facilitate future donations.

Councilmember Destin raised ongoing concerns about unregulated beach vending, noting persistent violations despite enforcement attempts. He asked how many citations had been issued recently. The Deputy Community Development Director responded that three \$500 citations had been issued (May 9, May 14, and one in April), but none had been paid. Two were issued to the same individual and one to a different violator. One citation from March had been downgraded to a warning.

**Councilmember Destin made a motion to authorize the City Attorney to file for an injunction in circuit court against the two most frequent violators. The motion was seconded by Councilmember Bagby.**

There was discussion about estimated legal expenses, which could reach up to \$30,000 depending on the case complexity.

**The motion passed unanimously, 6-0.**

Councilmember Bagby supported the motion for injunction and recommended that the city not overburden the City Attorney with litigation tasks. Instead, he suggested engaging Special Projects Attorney Kyle Bauman or another external attorney for such special legal projects. The City Attorney confirmed that Attorney Kyle Bauman had already provided a cost estimate.

Councilmember Destin brought up concerns about churches receiving code violations for temporary signage such as banners advertising events like Vacation Bible School. He argued that the original ordinance did not intend to penalize churches for these activities and recommended revising it to allow for temporary, informational signage without penalties.

Councilmember Hebert thanked the Code Compliance team for enforcing parking regulations, specifically citing enforcement at the McGuire's lot where many out-of-state vehicles were ticketed. He appreciated the revenue generated and emphasized its reinvestment in parking infrastructure. He also raised concern about a large piece of machinery left on the grass at Main Street Park, requesting its removal or relocation to paved parking spaces to protect the landscaping.

Councilmember Geile asked for a status update on the harbor dredging project. The City Manager responded that three quotes were being collected to prepare the RFP documents. A recommendation is expected by the next council meeting, with dredging planned after the 2025 turtle nesting and shorebird season.

Councilmember Geile also questioned how often Development Orders (DOs) on the harbor are reviewed. The Deputy Community Development Director explained that livery operators submit affidavits of no change annually, and spot checks are conducted to verify parking, bathroom access, and compliance with vessel registrations. The city is restarting these inspections to catch potential violations, including unregistered or "rogue" operations.

The mayor requested that the city send a formal letter to the U.S. Coast Guard, Congressman Patronis, and Okaloosa County requesting repairs and possible relocation of damaged or misaligned East Pass channel markers.

**A motion by Councilmember Destin to proceed with the letter was seconded by Councilmember Bagby and was approved unanimously, 6-0.**

The City Attorney announced a closed executive session scheduled for June 16, 2025, at 5:30 p.m. regarding the legal case *Carissa Harbarger, Rainbow Frost Ice Cream, Ronald Ellison, William Ellison vs. City of Destin* (Case No. 3:25CV00550). The meeting will involve all council members, the mayor, city manager, the city's defense counsel William Warner, and a court reporter.

The council members reached a mutual agreement to schedule the executive session.

## **7. PUBLIC COMMENTS**

Mr. Will Ellison criticized the lack of enforcement against illegal beach vending. He reported repeatedly calling in violations with limited response. He challenged the city's claim that only three citations had been issued and raised concerns about vendors operating daily with little accountability. He also mentioned difficulties using the new online help desk to submit complaints and emphasized the importance of documentation for tracking enforcement.

Ms. Carrie Harbarger supported enforcement efforts and offered to help identify illegal vending operations. She emphasized that vendors were staging at multiple beach accesses daily,

using uniforms to blend in with legal operations. She also addressed the city's responsibility, based on prior agreements with the Florida Department of Environmental Protection (DEP), to enforce regulations on state-owned beachfront property. She voiced support for Deputy Community Development Director Steve O'Connor urging the council to provide him with the necessary tools to enforce effectively.

**7. PUBLIC COMMENTS**

**ADJOURNMENT**

**Having no further business at this time, the meeting was adjourned at 7:54 PM.**



**ATTEST:**

A handwritten signature in blue ink is written over a horizontal line. The signature appears to be 'Rey Bailey'.

**Rey Bailey, City Clerk**

A handwritten signature in blue ink is written over a horizontal line. The signature appears to be 'Bobby Wagner'.

**Bobby Wagner, Mayor**