

**REGULAR MEETING
DESTIN CITY COUNCIL
SEPTEMBER 3, 2025
ANNEX COUNCIL CHAMBERS**

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 Torey Geile
Councilmember Dewey Destin
Councilmember Jim Bagby
Councilmember Rodney Braden

Destin City Staff

City Manager Larry Jones
IT Director Andy Peters
HR Director Jaime Haynes
Finance Director Krystal Strickland
Projects/Grants/Contract Manager Jeffrey Cozadd
Community Development Director David Prichard

City Clerk Rey Bailey
Public Works Director Michael Burgess
Public Information Director Tamara Young
City Engineer Robert Tomasek
Parks & Recreation Director Lisa Firth
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 Steve Farris of the First Baptist Church of Destin gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

- Moved agenda item 6C(1) – *FRS Discussion* up following approval of the Consent Agenda.
- Added Adelyn Merrell, a resident applicant for the Destin Youth Council, to the list of current applicants to be considered for appointment by the city council.

Motion by Councilmember Hebert, seconded by Councilmember Trammell, to approve the agenda as amended passed 7-0.

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

2. PUBLIC COMMENTS

Eli Burroughs, a City of Destin employee, spoke regarding retirement and Social Security participation. He expressed concern that the City of Destin does not currently participate in Social Security, meaning that neither the city nor its employees contribute the standard 6.2% payroll tax.

He stated that many employees would prefer the option of participating either in the Thrift Savings Plan or in the Florida Retirement System (FRS), and noted that nearby municipalities such as Crestview, Niceville, and Fort Walton Beach all participate in Social Security. He emphasized that adding Social Security, in addition to retirement contributions, would provide greater security, improve employee retention, and help attract new staff. He also highlighted that some employees may not be aware that if they do not contribute an additional 5% to the retirement plan, they are not receiving benefits comparable to Social Security contributions. He concluded by recommending that the city consider participation in both Social Security and FRS to provide stronger retirement options for employees.

Zoe Aslin, a junior at Destin High School, addressed the council regarding her interest in serving on the Destin Youth Council. She shared that she has lived in Destin for three and a half years and resides in Regatta Bay. She described her extensive involvement in leadership roles at school, including serving as President of Future Business Leaders of America, Captain of Fellowship of Christian Athletes, Secretary of the National Honor Society, and Secretary of her junior class for two years. She also participates in school sports, playing both indoor and beach volleyball. In addition to her academics and extracurriculars, she works at Bruster's Ice Cream and Dress Up in Destin, and has recently secured an internship with HomeFi Mortgage Company. She explained that she wants to join the Youth Council to give back to the Destin community, which she described as welcoming and supportive, and she expressed excitement about the ideas and plans she hopes to bring forward if selected.

3. CONSENT AGENDA

- A. RFB 25-04-REC, Batting Cage at MSC
- B. Grant Agreement DEP L0182 - Destin Mattie Kelly Outfall Project
- C. Property Insurance Renewals
- D. Reimbursement to Mayor Wagner for expenses associated with attending the Florida League of Cities Annual Conference in Orlando, Florida, held August 13–17, 2025
- E. Reimbursement to Councilmember Trammell for expenses associated with attending the Florida League of Cities Annual Conference in Orlando, Florida, held August 13–16, 2025
- F. Approval of minutes of August 4, 2025, Regular City Council Meeting

Motion by Councilmember Hebert, seconded by Councilmember Bagby, to approve the Consent Agenda as printed above passed 7-0.

Next item discussed was agenda item 6C(1) – FRS Discussion

4. CITY MANAGER REPORTS

- A. Lease of Dalton Threadgill Park (Destin Little League)

The discussion began with the City Manager explaining that council had previously directed staff to negotiate lease terms with the Destin Little League regarding Dalton Threadgill Park. The negotiations were successful, but one provision came back different from council's direction: during the off-season, the league wanted exclusive use with the city having only priority access upon request, rather than the city retaining control and granting the league priority. The City Attorney clarified that the version in the agenda reflected the league's language, which differed from council's earlier motion.

Councilmember Geile moved to approve the lease with the Destin Little League as presented in the agenda, seconded by Councilmember Trammell.

Councilmember Destin expressed concern, stating he did not support giving up city control of the facility outside the playing season, and offered a substitute motion restoring the original council language – city retains control, but the league has priority use in the off-season. Councilmember Hebert questioned why it mattered, suggesting the arrangement would just require coordination. The City Manager explained that in practice, cooperation would continue, but the key difference was legal control – whether the city had to request use or not.

Councilmember Destin offered a substitute motion to return to the original intent, under which the city would maintain control of the facility during the off-season, and would not have to seek permission to use its own facility while still giving the Little League priority use when needed. Motion was seconded by Councilmember Trammell.

Mr. Matthew Dalmon, treasurer of the Destin Little League Board, spoke in support of the league's position. He emphasized that baseball has become year-round, with heavy demand for clinics and fall programs, and argued the league should not have to request permission for every activity. He referenced past issues with locked facilities and stressed the league's investment and presence at the park, noting this ensured better oversight and maintenance. He reiterated the league was not trying to exclude the city but wanted to avoid delays and red tape.

Councilmember Bagby focused on liability, stating that as the property owner the city would always be the first named in lawsuits. He favored retaining city control to protect taxpayers and ensure responsibility.

Councilmember Geile defended his original motion, acknowledging the league's contributions but pointing out they were not making a complete donation, and stressing that city investment must be balanced with control.

Councilmember Destin clarified his substitute motion, saying his intent was not to restrict the league but to ensure the city retained legal authority over its own facility, while directing the City Manager to make the process smooth for the league.

Councilmember Schmidt raised questions about maintenance and responsibility during the off-season if the facility sat unused. The City Manager responded that, like any unused property, problems could arise, and the lease outlined shared responsibilities.

Councilmember Schmidt recused himself from voting on the motion to avoid any appearance of impropriety.

Other members weighed in, with some emphasizing the city's liability concerns and others acknowledging the league's role in providing opportunities for children. Council members discussed practical solutions such as shared keys, streamlined communication, and ensuring access without excessive bureaucracy.

The City Manager reinforced that staff had always worked cooperatively with the Little League and would continue to do so. He explained that regardless of the specific lease language, the city would coordinate with the league to accommodate their programs, while also ensuring the facility could be used for city needs. He emphasized that the goal was to maintain a coordinated effort so both the city and the league could maximize the benefit of the park.

The substitute motion passed 5-1 with Councilmember Geile dissenting and Councilmember Schmidt abstained from voting.

B. Lien Reduction Request - 3695 Scenic Hwy 98, Unit 101

The City Manager explained that this item concerned a request for lien reduction tied to a 2018 code violation involving an unregistered short-term rental property. A fine of \$250 per day had accrued from September 23, 2018, until March of the previous year, when all required business tax receipts and short-term rental registrations were paid. The total fines amounted to over \$500,000 before the request for reduction.

Johnny King, a former council member, spoke on behalf of the property owners, Mr. and Mrs. Childress. He described the family's long-standing connection to Destin, dating back to 1985, and the hardships they endured, including Mr. Childress's serious health issues and their daughter Melissa's medical crisis and loss of her husband. He emphasized that the family had been misinformed by city staff when they called in 2023 and were told there was no lien. He argued the Childresses acted in good faith and asked for the lien to be reduced to \$40,000, citing previous reductions granted by the council.

Councilmember Bagby moved to reduce the lien to \$35,000, seconded by Councilmember Hebert.

Councilmember Geile questioned when exactly the Childresses were told by city staff there was no lien and wanted to know the dollar amount of the lien at that point. He stressed that if the city had provided incorrect information, fines accrued after that date should not be the responsibility of the property owners.

The city's Finance Director provided calculations, noting that from the lien start date in September 2018 until June 1, 2023, the daily fines totaled approximately \$428,000. This amount was presented as the figure owed up to the time the family was allegedly misinformed.

Councilmember Geile made a substitute motion to reduce the lien to \$428,000, seconded by Councilmember Hebert.

Councilmember Hebert pointed out that the city had dealt with other cases involving miscommunications and unusual circumstances. She suggested that in prior similar situations, the council had reduced liens to about 16% of the total fines, which in this case would amount to \$80,000.

Councilmember Bagby focused on fairness, arguing that while the Childresses had made mistakes, the penalty should not be excessively punitive. He emphasized that the role of council was to be fair not only to staff and taxpayers but also to those who come before the council.

The substitute motion failed 1-6, with only Councilmember Geile providing a "yes" vote.

Councilmember Hebert then offered another substitute motion to reduce the lien to \$80,000, seconded by Councilmember Geile. Motion failed 3-4 (Council members Hebert, Geile, and Schmidt voted "yes"; Council members Destin, Bagby, Braden and Trammell voted "no").

The mayor called for a vote on the original motion made by Councilmember Bagby to reduce the lien to \$35,000, which was seconded by Councilmember Hebert. Motion passed 5-2, with Council members Geile and Braden dissenting.

C. Sea Chase: Livery vessel agreement partial extension request (Sheri Andrews)

The City Manager introduced the item as the “Chase livery vessel agreement,” which had expired at the end of June. Ms. Sheri Andrews was present to ask the council to reconsider the expiration or reinstate the agreement so she could continue holding some of her vessel registrations. She explained that she was the only person to originally come before the council for an agreement and that her request was simply to allow her to keep a small number of registrations until the city finalized its livery ordinance. She noted her business model had changed over the years from standard livery operations to captained-only charters, all of which carry yacht-level insurance, and said she currently owns 10 registrations that are paid through 2025. Some registrations are unassigned because her boats are being run under a management company, as she now lives in Panama City Beach and is semi-retired. She said she only wanted to keep two or three registrations in case she later severed ties with the management company and needed them for her own operations.

The City Attorney clarified that since the agreement had already expired, any action would be a reinstatement rather than an extension. She explained that the city has never issued “medallions” despite that term being used, and that registrations cannot be used unless they are tied to vessels that meet code requirements such as parking and restroom facilities. She further clarified the distinction between livery vessels, bareboat charters, and captained charters. She stated that although Ms. Andrews insisted all her boats always run with captains, the city’s ordinance defines bareboat charters – even those with captains – as livery, since the owner relinquishes control and renters choose captains from a list.

During questions, council members pressed Ms. Andrews about her delay in coming forward, the fact that some of her registrations remained unassigned, whether she had tried to resell registrations, and whether she had her own dock space. Ms. Andrews responded that she had sold eight registrations in the past but was not seeking further sales now. She admitted she does not have her own dock space, but her management company operates boats from Marina Café and she could obtain dockage if needed. She stressed that her request was only to retain three registrations until ordinances were finalized.

Several members of the council raised fairness concerns, noting that others who want to enter the business are being denied the opportunity while she was holding unassigned registrations. Others argued that the moratorium had been necessary for public safety but acknowledged her point that captained boats are safer than bare rentals.

Councilmember Destin moved that Ms. Sherry Andrews be allowed to renew and retain three unassigned livery-vessel registrations, consistent with the city attorney’s description that they remain unassigned to specific vessels and may be used only upon full compliance with all applicable code requirements (including parking and restroom provisions), with this authorization expiring on March 1, 2026; and that she remain eligible to participate in whatever decisions the council ultimately adopts regarding livery vessels. Motion was seconded by Councilmember Bagby.

Discussions followed on whether the registrations needed to be tied to specific vessels, though the City Attorney emphasized they could not be used until code requirements were met regardless. Some members supported giving Ms. Andrews temporary relief, while others objected on grounds of fairness and the precedent it would set.

Motion failed 3-4 (Council members Destin, Bagby, and Trammell voted “yes”; Council members Hebert, Schmidt, Braden, and Guile voted “no”).

. After the vote, Ms. Andrews remarked that she might pivot to operating six-pack charters and asked for clarification on the differences between livery and other vessel types, which staff advised her to follow up on separately.

D. CRA Additional Revenues Update

The City Manager provided an update on potential ways the CRA can generate revenue outside of the normal incremental tax increases. His research showed that options are limited, but some districts expand their boundaries to capture additional taxable property value, rent or lease blighted properties they have acquired and improved, or resell those properties for profit. Another option sometimes used is generating income from parking revenue. He explained that neither of Destin's CRA districts currently own assets that could be rented or leased, leaving paid parking as the most practical revenue option. This led into the next agenda item, which was a discussion of the paid parking program. While the existing program does not dedicate revenue to the CRA, the city council has the authority to decide whether to assign such funds.

E. Paid Parking Program Update - Selection of Proposal from LAZ Parking

The City Manager introduced the item, which is the paid parking program, noting that while current program revenues are not assigned to the CRA district, the council could make that decision if desired. He explained that representatives from LAZ Parking, Chris Walsh and Lewis Medito, were present to provide a presentation outlining two scenarios for consideration. Scenario one offered a base model to enhance existing efforts to capture revenue through usage fees and citations, while scenario two proposed an enhanced model with additional features. Both scenarios relied on a roving enforcement officer using license plate recognition (LPR) technology to efficiently identify violators. The City Manager requested council direction to move forward with negotiating a contract.

LAZ Parking representatives presented their proposal, emphasizing a conservative and community-conscious approach that avoided excessive ticketing or steep rate increases. They reviewed data showing that in 2022 the city collected about \$932,000 in parking revenue, with only about \$20,000 from citations, averaging less than one citation per day. Under scenario one, citations would increase to an average of nine per day, and dynamic pricing would be introduced to encourage lot usage, sometimes lowering rates in the off-season. Scenario two expanded enforcement to 15 citations per day in the Harbor District and included the option of installing LPR cameras at select lots. LAZ also proposed adding QR-code payment options for faster, app-free transactions, reservable parking, and validation systems for events and community center use. Enforcement would rely on a vehicle equipped with LPR cameras, with optional fixed cameras for high-demand lots, and the system could integrate with law enforcement alerts. Walsh and Medito noted that only one enforcement officer would be needed, LAZ would provide full benefits and incentives to retain staff, and all staffing costs were built into the contract. They emphasized their local presence, pointing out that LAZ also manages parking at the Destin-Fort Walton Beach Airport.

Councilmember Schmidt made a motion to authorize the City Manager and staff to proceed with final contract negotiations with LAZ Parking; and that the contract include the use of a roving vehicle equipped with license plate recognition (LPR) technology as well as the installation of LPR cameras at the Marler, Zerbe, and Destin Community Center lots, along with Joe's Bayou. The motion included the add-on of a validation kiosk inside the Destin Community Center; and to authorize the allocation of the necessary capital funds from the parking fund to cover the costs associated with these components. The motion was seconded by Councilmember Hebert.

A question was asked about integrating the system with existing city cameras, which LAZ confirmed was possible, and clarified the actual citation count in 2022 as approximately 264.

Councilman Bagby raised the issue of resident permits, urging integration of the city's database of more than 3,000 registered stickers so that locals would not receive citations, and suggested sending positive messaging to residents when their plates were recognized.

Councilman Destin emphasized the importance of using parking lots, not just generating revenue, and supported dynamic pricing to encourage greater utilization. Staff clarified that vehicles with disabled or disabled veteran plates park free.

The motion passed unanimously, 7-0.

F. Fiscal Year 2027 State Appropriation Request Consideration

The City Manager noted it was time to prepare the city's list of appropriation requests. He reminded the council that a preliminary list of ideas had been shared previously, though it was not exhaustive, and asked for direction on priorities moving forward. He explained that the city had already been contacted by the Representative's office to move quickly, and the lobbyist was ready to begin advocating on the city's behalf. He recommended that the city consider pursuing a range of projects across different categories such as infrastructure, recreation, resiliency, and stormwater, and also suggested resubmitting some requests that were denied in previous years, as repeated efforts can improve the likelihood of success.

Councilmember Bagby emphasized the importance of focusing on a limited number of priorities, explaining that requesting too many projects could result in receiving none. He noted that having local matching funds available strengthens the city's case when lobbying in Tallahassee. He identified Stahlman Avenue, the Four-Prong project, the Crosstown Connector, and undergrounding utilities as key priorities.

Councilmember Trammell raised questions about the scope of the Stahlman Avenue project, pointing out that it appeared to include only the portion between Azelia and Highway 98, excluding the intersection improvements and smart signals. She asked whether funding had already been allocated for those other elements. In response, Councilmember Destin and the City Manager explained that while the mobility plan identified only the limited segment, the city's discussions and intended request would include the broader scope of improvements. This would cover the intersection, tunnel, potential roundabout, and signalization. Councilmember Trammell stressed that the road would not be effective without these additional improvements, and her concerns were acknowledged as part of the overall project scope.

Councilmember Schmidt then inquired about Joe's Bayou, specifically whether the city had committed any funds toward the project. The City Manager clarified that no city funds had been appropriated yet, noting that only BP-related funding was currently tied to it. Councilmember Schmidt contrasted this with the Four-Prong project, which had \$1.6 million already committed, including \$1 million from the state and \$600,000 from the City.

Motion by Councilmember Bagby, seconded by Councilmember Hebert, to prioritize Stahlman Avenue Improvements, 4 Prong Lake, the Crosstown Connector, and Utility Undergrounding – Phase 2 projects for the upcoming legislative appropriation requests passed 7-0.

G. Boating Safety Zones

The City Manager opened the discussion by referencing a flowchart in the packet that outlined the process for creating boating safety zones under Florida Statute 327.46(1)(c), which permits municipalities to establish slow speed, minimum wake, or numerical speed limit zones if certain safety criteria are met. He explained that staff would need to coordinate with legal counsel, the Sheriff's Office, and Fish and Wildlife Commission (FWC) to ensure proper documentation and data support.

Councilmember Hebert described a recent incident where a resident in Joe's Bayou drove at excessive speed, disturbing property owners and raising safety concerns for families and children. She noted the frustration that although residents submitted videos, neither FWC nor the Sheriff's Office could issue a citation without an officer witnessing the violation in person. She stressed the importance of moving forward with an ordinance to protect residents.

Captain Jason Fulghum from the Sheriff's Office clarified that citations for boating infractions cannot be issued based on video evidence alone; enforcement requires a direct observation by law enforcement officers.

Councilmember Schmidt raised questions about the need for police reports or crash data, pointing out the challenge of collecting such information when violations cannot be enforced under current limitations. The City Manager reiterated that staff would research what data is available and bring back a draft ordinance or a report by October.

Councilmember Bagby questioned the statutory criteria, particularly the definition of "unsafe levels of vessel traffic congestion." He noted the need to identify which statutory criteria should apply. Captain Fulghum responded that FWC uses crash reports and vessel traffic studies, which are typically conducted through direct observation, similar to traffic counts done by engineers.

Councilmember Geile asked whether there were any circumstances where video could support enforcement, such as in serious crimes. Captain Fulghum confirmed that video could be used for crimes but not for civil infractions like speed or wake violations, emphasizing that officers lack legal authority to enforce those solely on video evidence.

Councilmember Hebert made a motion to move forward with preparing an ordinance to establish a slow speed/minimum wake zone or numerical speed limit for Joe's Bayou, with staff to bring back either a draft ordinance or a report on the necessary justification and supporting data. The ordinance or report should be presented to council by the first meeting in October. Motion was seconded by Councilmember Destin and passed 6-1, with Councilmember Braden dissenting.

H. Innovative Technology Grant Update

The City Manager reported that Mr. Daniel Danforth previously offered a proposal involving a potential \$1 million investment, which led to productive follow-up meetings. As a result, the city submitted a grant application to the FDEP before the deadline. The grant would fund a one-year pilot program at Twin Lake and Coleman Lake to test a mechanism intended to control algae blooms, with no cost or match required from the city. At the end of the year, the mechanism would be removed, and effectiveness would be assessed. Since the lakes are managed by private HOAs, any continuation beyond the grant period would be their financial responsibility.

Councilmember Destin made a motion directing staff to proceed with the grant application, seconded by Councilmember Hebert. Motion passed 7-0.

I. Destin Youth Council - Membership Appointments

Councilmember Trammell made a motion to appoint the 3 resident applicants (Alyssia Gentile/Sophia Eason/Adelyn Merrell) to the Destin Youth Council, seconded by Councilmember Hebert. Motion passed 7-0

Councilmember Schmidt moved to amend the Destin Youth Council Bylaws to increase the maximum number of allowable non-resident members to six, and to appoint the following five remaining non-resident applicants to serve on the Destin Youth Council:

- **Zoe Aslin**
- **Luci Frankfurt**
- **Chloe Majors**
- **Benjamin Hustin**
- **Aspen Baker**

Motion was seconded by Councilmember Hebert and passed 7-0.

J. Resolution 25-18, Employee Manual Update

The City Manager presented Resolution 25-18, which updates the employee manual to align policies with recent council actions and clarify provisions for staff management. The changes include updating the manual language to ensure it properly reflects the city's drug-free workforce policy, as well as codifying the shift differential pay that the City Council approved at a previous meeting. The most significant update involves the reimbursement requirement for employee training expenses. Instead of a flat one-year payback period, the new policy establishes a tiered system based on the cost of training: \$2,500 requires a one-year commitment, \$5,000 requires a two-year commitment, and \$7,500 requires a three-year commitment. Following the City Manager's explanation.

The motion by Councilmember Bagby to approve Resolution 25-18, updating the Employee Manual as presented, effective immediately, was seconded by Councilmember Hebert and passed 7-0.

K. Minutes of Standing Board & Committees – For Informational Only

L. Announcements:

- 1) The city will host a Legislative Delegation Meeting on October 30th at 5:30 PM, which will also be live-streamed.
- 2) Fencing has been placed at Clement Taylor Park along the street side. The park is now temporarily closed for upcoming renovations, and Parks and Recreation will ensure fencing is added on the water side next week.
- 3) The city will hold its Open House on Wednesday, October 22nd, from 11:30 AM to 1:00 PM at the Destin Community Center, and all are invited to attend.
- 4) The Destin Christmas Parade will take place on Saturday, December 13th, in the morning, with the city's Christmas Dinner scheduled for that evening.

5. PUBLIC HEARINGS

A. First reading of Ordinance 25-20-CN - Adopting the Fiscal Year 2026 Millage Rate

The City Attorney read Ordinance 25-20-CN by title and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN OF OKALOOSA COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF DESTIN FOR FISCAL YEAR 2026; 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 to approve Ordinance 25-20-CN on first reading adopting a proposed Fiscal Year 2026 millage rate of 1.6150 mills which is more than the rollback rate of 1.5463 by 4.44%. The second reading will take place at Public Hearing #2 on September 15, 2025, at 6 PM in the City Hall Annex. The motion was seconded by Councilmember Hebert and passed 6-1, with Councilmember Schmidt dissenting.

B. First reading of Ordinance 25-21-CN - Adopting the Fiscal Year 2026 Budget

The City Attorney read Ordinance 25-21-CN by title and then presented it to the city council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN MAKING APPROPRIATIONS FOR CERTAIN EXPENDITURES, EXPENSES, CAPITAL IMPROVEMENTS AND CERTAIN INDEBTEDNESS OF THE CITY OF DESTIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026; 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 to approve Ordinance 25-21-CN on first reading to provide for a balanced budget for Fiscal Year 2026. The second reading will take place at Public Hearing #2 on September 15, 2025, at 6 PM in the City Hall Annex. Motion was seconded by Councilmember Hebert and passed 7-0.

C. First reading of Ordinance 25-05-CC - Relating to livery vessels; amending Chapter 13 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.

The City Attorney read 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 none, the mayor closed the public hearing and turned the matter over to the city council for discussion and consideration.

Motion by Councilmember Trammell, seconded by Councilmember Hebert, to approve Ordinance 25-05-CC on first reading passed 7-0.

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

A. Councilmember Braden

- 1) Establishing Code of Ethics for elected officials

Councilmember Trammell requested that the City Manager contact the City Manager of Jacksonville Beach, noting that Jacksonville Beach conducts an annual review, and suggested this may be a good model for Destin to consider as a starting point.

B. Councilmember Trammell

Councilmember Trammell requested that the Parks & Recreation Director inform the Parks & Recreation Committee that if they want to do a float for the Destin Christmas Parade, they must either make a formal motion for approval/disapproval or include the float in their work plan.

C. Councilmember Destin

- 1) FRS Discussion

Councilmember Destin began by noting he had missed a prior discussion on the Florida Retirement System (FRS) and welcomed a representative to provide details.

Ms. Kathy Ghoul from FRS presented, explaining the system's structure, including its defined benefit and defined contribution options, unique employee choice, strong funding status, DROP program, and health insurance subsidy. She emphasized the plan's stability, investment performance, and importance of retirement education.

Councilmember Destin later asked about monthly retirement benefits and a subsidy program for retirees' health or dental insurance, which the representative confirmed and explained. Discussion then shifted to costs, with Councilmembers raising concerns about the financial impact on the city. The Finance Director clarified that moving employees to FRS and Social Security would cost approximately \$261,000 more annually compared to the city's thrift plan, plus an additional \$448,000 for mandatory Social Security contributions, totaling around \$700,000.

Councilmember Geile asked whether new hires would have options. The FRS representative clarified that once the city joins, all new hires are compulsory FRS participants, while current employees could choose.

Councilmember Schmidt sought clarification on yearly cost estimates, and the Finance Director confirmed calculations based on wages and Social Security contributions.

Councilmember Bagby emphasized that while FRS may not benefit every employee, many staff members desire the option to switch, aligning with the city's goal of offering competitive benefits.

The HR Director reported that staff were asked, "*Are you satisfied with the city's thrift savings plan?*", to which 76% responded yes and 23% responded no. A follow-up survey question asked, "*Instead of the city participating in the thrift savings plan, would you prefer to participate in social*

security?”, and the results showed that 46.55% of respondents answered “yes”, while 53.45% answered “no.” The HR Director further explained that these results reflect the city’s staff demographics, since about half of employees would not benefit from starting contributions to social security at this stage in their careers, given they have not contributed throughout their employment.

Councilmember Destin made a motion that employees be given authority to vote on whether they would like the Florida Retirement System (FRS) to be offered as an option for their retirement, thus allowing staff to make an informed choice rather than speculating about their preferences. Motion was seconded by Councilmember Trammell and passed 4-3 (Council members Destin, Bagby, Braden and Trammell voted “yes”; Council members Geile, Hebert, and Schmidt voted “no”).

Proposed Survey Questions:

“Do you support having the option of moving to Social Security and Florida Retirement System?” and

“Given if that is an option, would you opt to move to Florida Retirement System?”

Councilmember Schmidt suggested that, along with providing an FRS contact, the city should also provide employees with contact information for the firm that has represented the city for nearly 30 years regarding the current thrift plan, to ensure balanced and supplemental information is available.

- D. Councilmember Bagby
- E. Councilmember Hebert
- F. Councilmember Geile
 - 1) Projects Status/Updates
 - 2) Raising the speed limit on Airport Road.

Councilmember Geile made a motion to raise the speed limit on Airport Road to 35 mph, seconded by Councilmember Schmidt. Motion failed 3-4 (Council members Geile, Hebert, and Braden voted “yes”; Council members Destin, Schmidt, Trammell and Bagby voted “no”).

- 3) Harbor Safety/Livery

Councilmember Geile acknowledged that he had not had sufficient time to research this matter before it was placed on the agenda but had learned that Senate Bill 606 (2022) restricts local authority in this area. He therefore withdrew the item temporarily, requesting it be placed on the next council meeting agenda so that he could conduct additional research into the bill and related options.

- G. Councilmember Schmidt
- H. Mayor Wagner
- I. City Attorney - Announcement

- 1) Pursuant to Section 286.011(8), Florida Statutes, the City Attorney desires the advice of counsel at an executive session on September 15, 2025 at 5:30 PM in the following litigation: City of Destin v. KYLE M. COLEMAN dba KYLE COLEMAN ICE CREAM aka GULF STREAM ICE CREAM, OHANA GELATOS LLC; and WOUNDED WARRIOR COMMISSARY, LLC.; Case No. 2025-CA-002412A0010F, in the Circuit Court of Okaloosa County, Florida. Present at the litigation will be the City Attorney

Kimberly Kopp, Litigation Counsel William Warner, City Manager Larry Jones, the Mayor and all members of the City Council.

The City Attorney provided a litigation update, noting Destin had joined other municipalities in challenging Senate Bill 180, which restricts local land use regulation after storms. She reported that sufficient plaintiffs had been gathered, with the lawsuit expected to be filed by mid-to-late September.

The City Attorney discussed the Live Local Act, which mandates that cities approve qualifying affordable housing developments administratively without council review. She explained that the act overrides local zoning rules on height, density, and floor area ratio, setting maximums based on nearby structures or state defaults. Councilmembers expressed concern that the law strips away local authority and undermines Destin's voter-approved height restrictions.

Councilmember Destin made a motion directing staff not to approve Live Local Act applications administratively but instead bring them before council for review. Motion was seconded by Councilmember Hebert and passed 7-0.

7. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 10:00 PM.

ATTEST:



Rey Bailey, City Clerk

Dewey Destin, Mayor Pro Tem

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Schwarz, Kevin, Matthew</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>City of Destin</i>	
MAILING ADDRESS <i>3833 Indian Trl</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Destin</i>	COUNTY <i>Ocala</i>	<input checked="" type="checkbox"/> CITY	<input type="checkbox"/> COUNTY
DATE ON WHICH VOTE OCCURRED <i>9/3/25</i>		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

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

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

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

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Kevin Schwelt, hereby disclose that on 9/3, 20 25:

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

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

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

I sit on the board at Dora Little League in an unpaid position. Due to possible view of impropriety, I have abstained from voting.

9/3/25
Date Filed

[Signature]
Signature

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