

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
MAY 6, 2019
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 Gary Jarvis
Councilmember Steven Menchel
Councilmember Cyron Marler
Councilmember Parker Destin

Councilmember Prebble Ramswell
Councilmember Chatham Morgan
Councilmember Skip Overdier
Councilmember Rodney Braden

Destin City Staff

City Manager Lance Johnson
Public Service Director Michael Burgess
Code Compliance Manager Joey Forgione
Public Information Manager Catherine Card
Community Development Director Louis Zunguze
City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
Building Official Noell Bell
Finance Director Bragg Farmer
Parks & Rec. Director Lisa Firth
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 PM. Pastor Steve Farris of the First Baptist Church gave the invocation, which was then followed by the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Braden, seconded by Councilmember Menchel, to pull agenda item 6E from the agenda passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

1. APPROVAL OF MINUTES

A. Approval of minutes of March 4, 2019 Regular City Council Meeting

Councilmember Marler moved to approve minutes of March 4, 2019 Regular City Council Meeting; seconded by Councilmember Menchel. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

2. PROCLAMATIONS / RECOGNITIONS / SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Proclamation Building Safety Month

The Mayor read the proclamation designating May 2019 as *Building Safety Month*; and then presented it to the City's Building Official Noell Bell.

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA

Ms. Carrie Harbarger, a Destin resident, addressed the crosstown connector project expressing her concern about a highway being placed through residential neighborhoods. She stated that many of the citizens are not in favor of it; adding that the City should have already reached its full capacity as there are bumper to bumper traffic everywhere. She asked how the Florida Department of Transportation (FDOT) defines capacity.

Councilmember Braden asked when the last traffic study was conducted to determine the City's capacity, and the result of that study.

According to Public Services Director Michael Burgess, all the streets associated with the crosstown connector were rated several year ago, around 2013, as stated in the staff report; and that he is not aware of any new study that had been conducted more recently.

Mr. Lockwood Wernet, a Destin resident, expressed his support of Resolution 19-06 – Supporting Advanced Funding Agreement with FDOT for the City's Crosstown Connector project. He stated it has been the City's priority since the 1990s, and that he had written a white paper on it when he worked for the City of Destin from 1991-1993. He continued there are currently traffic running through Legion Drive, which then splits into two residential neighborhoods. This would give the City an opportunity to improve a network of streets for the community, and they would have the opportunity to go through a corridor already acquired by the City. It only needs funding for construction; and that the City has an opportunity to secure some of that funding from FDOT. The County has already dedicated some funds to help offset the cost for the project. He urged the Council to support the City Manager's recommended motion to go forward with the project.

Councilmember Ramswell asked how the crosstown connector would improve some of the neighborhood streets.

Mr. Wernet explained that most of the traffic is currently running through Legion Drive and then to either north or south residential neighborhoods. Azalea Drive was developed with 100-foot right-of-way and it was designed to be a corridor road. The crosstown connector would send existing traffic through a designated corridor outside of a residential neighborhood to another corridor on Azalea.

Mr. Shane Moody, President and CEO of the Destin Chamber of Commerce, expressed the Chambers' support of the crosstown connector. He stated they need a much more visionary and regional approach to US Hwy 98 traffic, and that the crosstown connector is not being design for it. It is being designed and built for the residents to help residents of Stahlman and Calhoun avenues go east and west with relative ease. He continued that it has been in the planning stages for 30 years; and that the City has apparently spent over \$30 million over that period on this project. He also stated that Destin is a town of 13,000 people. The population increases to about 20,000 if they add the unincorporated areas of the Destin community. The population grows to almost 100,000 on any given day during the summer. It puts a major stress in the City's infrastructure. The crosstown connector would help alleviate some of the stresses on their residents battling traffic daily. It would take traffic to an area where there are no

residential units, such as the Old Campground. He urged the Council to move forward with the crosstown connector.

Councilmember Braden contends that a lot of the people who are in favor of the crosstown connector do not live on Legion Drive. He stated one of the problems he sees with the crosstown connector is it would result in traffic bottleneck when it gets to the Marler Bridge. He also stated that Legion Drive would forever be a two-lane road because there is not enough right-of-way to widen it; and so, when the traffic study comes back at full capacity, there is no way to fix that problem. He added there are a lot of questions with the crosstown connector project that would need to be answered before they could go forward with it.

Ms. Patti Brown, a Destin resident, stated that the City needs to increase its effort to publicize the phone number to call for short term rental complaints because a lot of people still do not know who to contact. She suggests posting the City's contract number on the house when the house is registered. She also suggests sending a mailer out to all the homeowners.

Councilmember Destin wants to keep the Short-Term Rental Task Force intact and allow members to continue to meet when necessary; and to place this item on the next meeting agenda for discussion.

Mr. Mike Buckingham, a Destin resident, stated that a lot people, especially those who live on west Destin who will be directly impacted, do not want the crosstown connector.

The Mayor noted that the only portion they need to finish up only involves four tenth of a mile, in a corridor that would not affect the two residential neighborhoods that are currently being impacted by back road traffic.

Mr. Buckingham noted that Legion Drive is a two-lane road, and it cannot be widened as Councilmember Braden pointed out; and it would not make sense to direct thousands more cars on a two-lane road in a residential area. He added that the crosstown connector was originally designed for residents and not for the tourists to come through residential neighborhoods.

Ms. Marcie Bell, a Destin resident, stated that she does not agree putting a bypass lane in a residential neighborhood. She pointed out that Commons Drive, a two-lane road, gets completely backed up in a middle of the day during tourist season even with round-a-bouts that are supposed to prevent the back-up.

Councilmember Ramswell noted that former Councilmember Wood used to talked about "platooning" when there is a long feed of traffic coming through the round-a-bout making it more impossible for someone to feed into it. She is always reminded of this term when thinking about adding to the traffic they currently have with the round-a-bouts.

4. CITY MANAGER REPORTS

A. Resolution 19-06 Supporting Advanced Funding Agreement with Florida Department of Transportation (FDOT) for the City's Crosstown Connector Project.

The City Manager explained that Okaloosa County Board of Commissioners approved construction funding of the crosstown connector in the amount of \$4.8 million to be delivered to the

City beginning in October 10, 2020. The FDOT has budgeted \$2.7 million in their 5-year work program for the crosstown connector right-of-way acquisition. Approving the advanced funding agreement with FDOT will allow the City to be reimbursed by FDOT up to \$2.7 million for the property acquisition costs associated with completing the crosstown connector from Beach to Benning drives. The City will front the acquisition funds and then be reimbursed in the years 2021 and 2022.

Councilmember Braden noted that the Environmental Impact Study for the Crosstown Connector that has been provided to the Council states that the crosstown connector was designed for US Hwy 98 traffic as well as for local traffic. Reports show that 69 percent of traffic on US Hwy 98 is through traffic. He stated that nobody knows how to get west bound traffic off to Marler Bridge without a bottleneck; and there is no way to get all east bound traffic coming off the Marler Bridge to the crosstown connector.

Councilmember Destin moved to continue this item to the first meeting in July 2019 to get clarification on the impact of the advance funding agreement shall have on the City's budget. Councilmember Overdier provided a second to the motion.

According to Councilmember Marler, the intent of the crosstown connector since 20 or 30 years ago when it was first discussed was not to get people to the Marler Bridge; nor was it intended to be a secondary road to US Hwy 98. It was intended to get residents of West Destin home quickly and safely. However, extensive constructions on US Hwy 98 over the years forced people, both local residents and tourists, to find alternative routes to get to their destinations.

Councilmember Overdier remarked that Council has discussed and studied this issue for over 20 years. They have done all the planning and research, and everything necessary, to move forward with the crosstown connector.

According to Councilmember Morgan, this Council has had plenty of opportunities during the past three years to terminate the crosstown connector project and not purchase properties for the project; but they have consistently moved the project forward instead. He also stated that with regards to the concern about capacity issues and taking trips of US Hwy 98 thus allowing more development; they need to realize the City Council has control over what is built in this community; and that they could only build what is on their comprehensive plan. He added he would support passing the proposed resolution tonight.

The City Manager pointed out that if they wait after July 1st to approve the resolution, it would push the project another year and under a different cycle because the State's fiscal year begins on July 1st. He also noted that based on his research, he believes the crosstown connector project ends at Stahlman Avenue; and that he agrees that a huge debate needs to take place on what happens from that point forward.

Councilmember Morgan offered a substitute motion to approve Resolution 19-06 that authorizes the City Manager to deliver said resolution to FDOT to confirm City Council support; seconded by Councilmember Overdier.

Councilmember Ramswell wants to know if FDOT has explicitly said the crosstown connector project is a good idea or if they have given their seal of approval in writing for the Crosstown Connector.

The City Manager explained that the PD&E study conducted by Atkins, Inc. was done at the request of FDOT; and that it was his understanding the PD&E study is what FDOT requires to move forward with the project.

Mr. Burgess added that the project has also been listed under the Okaloosa County's long-term transportation plan for quite a while. The application went through and reviewed by FDOT, which commented and adjusted it accordingly. It meets their minimum specifications and standards as a transportation improvement project. He added they could have further discussions with FDOT about this project and possibly pursue having FDOT opine in writing that this project could really help the City of Destin with their traffic issues.

Councilmember Ramswell also questioned what the capacity numbers are based on, what they are currently, and what the capacity number is on a residential street. She also noted that the PD&E report did not include trip numbers for Mountain Drive and Kelly Street, or for any streets going from east to west; and she would like to know if there are any available data.

Mr. Burgess will reach out to Atkins for answers and then respond back to the Council.

Councilmember Ramswell stated she would support tabling this issue until July to gather more data; adding she has heard from a significant number of people over the past months that were against moving forward with this project.

The Mayor read the following section of the Environmental Impact Report:

"The Northwest Florida Transportation Corridor Authority (NFTCA) Master Plan provides a framework for the most efficient investment of resource to ensure a safe and reliable transportation system while making northwest Florida economically competitive with other regions in the state and nation. The NFTCA 2016 Master Plan documents the qualitative and cost benefit analyses of 33 transportation projects across the region. Project Number 19, the Destin Cross Town Connector, was ranked overall as the number 1 project."

Councilmember Ramswell asked if FDOT was included in the group that rendered this opinion about the crosstown connector.

The Mayor noted that parts of the document discussed the project meeting all FDOT requirements; which is why FDOT agreed to fund it.

Councilmember Ramswell asserted that a project can meet all the requirements without being necessary or feasible to a community.

Councilmember Menchel asked if there would be any adverse effect on the project if they postpone making a decision and delaying it for another year.

The City Manager does not believe they would be forfeiting the money; but it would push the project another year.

Councilmember Menchel asked everyone to think about the following hypothetical questions as they decide on this matter: *If they do not move forward with the crosstown*

connector, what can they do to fix the traffic problem in Destin? What would they do with all the properties they already own?

Councilmember Braden noted that while they are being told the crosstown connector was mainly for local residents, the Environmental Impact Report indicates that, *"The proposed project is one of the strategic connections that would relieve congestion on US 98 by re-routing local traffic from US 98 to a parallel corridor..."* This means they would re-route US Hwy 98 traffic through residential neighborhoods.

Councilmember Destin asked how much money out of the budget they would need to advance and then be reimbursed by FDOT for this project.

The City Manager replied it would be approximately \$2 million to complete the acquisition; and that the money would come from the unallocated funds balance.

Councilmember Destin noted since they have earmarked another \$2 million for property acquisition for beach access, it would leave a balance of about \$2.5 million. He asked if they have made any commitments for the remaining funds.

The Finance Director replied that portions of the remaining funds may be committed to some projects for this year and prior year; however, they are undesignated at this point.

Councilmember Destin stated he would prefer having this conversation at their upcoming Visioning Session before they decide on the proposed resolution; adding he would like to make sure they have no other higher priorities for which to use the \$2 million they plan to allocate for property acquisition for the crosstown connector.

The Mayor commented that they are only talking about four tenths of a mile in property which they already owned; and that they just need to acquire a few more to finish the project. The four tenths of a mile would smooth the flow of traffic that already exists. They are not going to solve their existing traffic problems by doing nothing, and it could get worse as time goes by.

The Mayor then called for a vote on the substitute motion to approve Resolution 19-06 that authorizes the City Manager to deliver said resolution to FDOT to confirm City Council support, which passes 4-3 (Council members Morgan, Marler, Overdier and Menchel voted "yes"; Council members Destin, Ramswell and Braden voted "no").

- B. Destin Cemetery Parking Analysis
- C. Destin Traffic Crash Analysis

The City Manager noted that the City's Code Compliance Manager Joey Forgione had provided Council some information they have requested for both agenda items 4B and 4C above.

Mr. Forgione briefly went through some of the information.

- D. Installation of "No Parking" signs on Sibert Avenue

Mr. Burgess informed the Council he received a regulatory sign request from Mr. Mike Shoults. There are vehicles that regularly park in front of two properties he owns on Sibert Avenue

and these vehicles block the sidewalk and/or create ruts in the City's right-of-way. He stated that he visited the site and documented both vehicles blocking and damaging the sidewalk. He asked for Council's authorization to install the signs.

Councilmember Marler moved to authorize the City Manager to install "No Parking Anytime" signs (or equivalent) at 109 and 115 Sibert Avenue; seconded by Councilmember Overdier

Councilmember Ramswell asked if the applications for placement of similar signs in front of some of the homes along Shirah Street and Crystal Beach are still being processed; and the reason for the delay in processing these applications.

Mr. Burgess will investigate this matter and report back.

Councilmember Ramswell asked why the Regulatory Signage Policy (ADM-94) was put in place without Council's approval and why the City Manager has the authority to forego presenting regulatory signage requests to the Public Works/Safety Committee for review and go directly to the City Council for approval. She stated that advisory committees are created for good reasons and certain matters need to go through them for review and recommendations.

The City Manager will review and make appropriate amendments to the policy.

Councilmember Ramswell asked if the code prohibits parking in the City's rights-of-way; and if so, how are they enforced.

According to the Land Use Attorney, the code does not allow parking in the rights-of-way; and that violations are reported to Code Compliance Department, who then forward the case to the City's Special Magistrate.

Councilmember Ramswell asserts they should be able to ticket and tow vehicles if they choose to do so.

The Community Development Director agrees with Councilmember Ramswell, stating it would give more enforcement power to their code.

Councilmember Marler asked when the property which they recently acquired for parking will be ready for public's use.

Mr. Burgess stated they recently had the properties surveyed, and that they will provide a proposed schedule at the next Council meeting.

The Mayor called for a vote on the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

E. Status update on RESTORE Grant Applications

The City Manager noted they have two pending applications; one for Clement Taylor Park for approximately \$750,000, and another for Captain Royal Melvin Heritage Park & Plaza for approximately \$1.25 million. He just received notice from the County that they have recently

submitted these initial applications to the U.S. Department of Treasury. The Treasury Department will review the applications and return comments that will be addressed by the City. The final application would then be submitted to Okaloosa County Board of Commissioners for approval to submit to the Treasury Department.

Councilmember Ramswell asked the City Manager to address a previous comment by a citizen that these applications were moved to the bottom of the list.

The City Manager confirmed the applications were not placed at the bottom of the list.

5. PUBLIC HEARINGS

A. First reading of Ordinance 19-10-LC – Safety Corridor Ordinance

The City Attorney read Ordinance 19-10-LC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA ESTABLISHING SAFETY ZONES ON THE BEACH; PROVIDING FOR AMENDMENTS TO LAND DEVELOPMENT CODE SECTION 11.08.00. BEACH MANAGEMENT; 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.

Ms. Marcie Bell, a Destin resident, asked for further description of the corridor.

The Land Use Attorney noted that the corridor establishes essentially a grid on the beach. There is a corridor that goes from the waters edge 20 feet north and there is another corridor from the foot of the dunes going 15 feet towards the water. The ordinance, as currently drafted, creates 5-foot setbacks to the side property lines. She continued that the purpose of the corridor is safety so that law enforcement personnel and the fire department can get to the water in the event of a swimmer in distress or for a medical emergency on the sand during very crowded summer months.

Having no further comments from the public, the Mayor closed the public hearing portion of this item, and then turned the matter over to the City Council for discussion and consideration.

Councilmember Overdier moved to approve Ordinance 19-10-LC on first reading and direct staff to forward it to the Local Planning Agency for recommendation, followed by a second reading before the City Council; seconded by Councilmember Destin.

Councilmember Marler asked if the corridors would affect the people traversing the wet sand.

According to the Land Use Attorney, Florida laws allow people to travel through the corridors, but they cannot set up equipment such as what is listed in the ordinance within the 20 foot area, which would move throughout the day with the tide.

Councilmember Ramswell noted there is an existing agreement between the Sheriff's Department, the City and the public that the public can utilize the 20-foot zone from the mean-high tide line. She expressed concern the proposed ordinance would essentially remove that option from the public considering they are already very tight in space for the public to enjoy the beach.

Councilmember Ramswell asked if the 5-foot setback from the side means there would be a total of 10 feet; 5 feet from either property owner. The Land Use Attorney replied affirmatively.

Councilmember Ramswell noted that the proposed ordinance prohibits equipment; but there were no mention of signs, chains and ropes. She asked if they would be allowed across these corridors.

Mr. Forgione explained this is the first of three phases for beach management. The first phase involves public safety. Since no equipment can be placed in the corridor, it will give first responders and emergency personnel a clear path down to the water's edge. He continued that ropes and signage will be addressed in the second phase.

The Land Use Attorney stated that signage, chains and ropes should not be allowed in the corridors; and that they plan to draft a more specific ordinance later on to address them.

According to Chief D'Agostino of the Destin Fire Control District, they would be using the back corridor 99 percent of the time because they want visitors and guests to have a good time and a good field of vision and enjoy the water; but, they know how crowded it could get without these setbacks. The front corridor would probably not be utilized for most of the time; but they want it there in case they need it.

The Mayor called for a vote on the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

B. Second reading of Ordinance 18-15-LC – Wheeled Vehicles on the Beach

The City Attorney read Ordinance 18-15-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 USE OF WHEELED VEHICLES ON PUBLIC AND PRIVATE AREAS OF THE BEACH; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AN AMENDMENT TO LAND DEVELOPMENT CODE SECTION 11.08.02, AND CREATING SUBSECTIONS C(i) THROUGH C(v); 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.

Ms. Marcie Bell asked if the definition of beach in the proposed ordinance include all beaches especially along the East Pass as well as the gulf front.

The Land Use Attorney noted there is a detailed definition of beach in the proposed ordinance, and that it covers those beaches.

Having no further comments from the public, the Mayor closed the public hearing portion of this item, and then turned the matter over to the City Council for discussion and consideration.

Councilmember Ramswell moved to approve Ordinance 18-15-LC on second reading; seconded by Councilmember Braden. Motion passed 6-1 (Council members Morgan, Destin, Overdier, Menchel, Ramswell and Braden voted "yes"; Councilmember Marler voted "no").

C. Second reading of Ordinance 18-30-LC – Creates definitions for commercial uses, commercial special events and commercial special event venues. Provides for amendments to Articles 3, 7 and 9 of the Land Development Code; amending Table 72, Table of Allowable Uses in zoning districts to prohibit commercial special event venues in all residential districts.

The City Attorney read Ordinance 18-30-LC by title, and then presented it to the City Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO COMMERCIAL ACTIVITY IN RESIDENTIAL AREAS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; CREATING DEFINITIONS FOR COMMERCIAL USES, COMMERCIAL SPECIAL EVENTS, AND COMMERCIAL SPECIAL EVENT VENUES; PROVIDING FOR AMENDMENTS TO ARTICLES 3, 7, AND 9 OF THE LAND DEVELOPMENT CODE; AMENDING TABLE 7-2, TABLE OF ALLOWABLE USES IN ZONING DISTRICTS TO PROHIBIT COMMERCIAL SPECIAL EVENT VENUES IN ALL RESIDENTIAL DISTRICTS; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Land Use Attorney noted a typographical error in the proposed ordinance. She stated that the Table of Allowable Uses prohibits Special Events in the Crystal Beach area; which was not intended and therefore should be corrected. Also, the definition portion of the text refers to the phrase, "property owner's." They would like to change that phrase to "property owner's or property owner's agents."

The Council had no objections to the proposed changes.

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

Ms. Marcie Bell noted there has been a commercial event being held at the East Pass. The activity has since moved to the State land outside of the residential district where the event would be prohibited. He urged the Council to pass this ordinance and then start moving forward on preventing commercial activity on conservation districts.

The Land Use Attorney stated that the City can enforce its code but not the State law.

Having no further comments from the public, the Mayor closed the public hearing portion of this item, and then turned the matter over to the City Council for discussion and consideration.

Motion by Councilmember Menchel, seconded by Councilmember Ramswell, to approve Ordinance 18-30-LC, as amended, on second reading passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

D. Second reading of Ordinance 19-04-LC – Prohibiting Pay-to-Park Facilities from Collecting Fees at Entrance to Facility

The City Attorney read Ordinance 19-04-LC by title, and then presented it to the City Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA PROHIBITING PAY-TO-PARK FACILITIES FROM COLLECTING FEES AT ENTRANCE TO FACILITY; PROHIBITING BACKUP OF VEHICLES ONTO CITY, STATE AND FEDERAL HIGHWAYS, ROADS AND STREETS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CREATION OF LAND DEVELOPMENT CODE SECTION 8.10.00; PROVIDING FOR CIVIL AND CRIMINAL PENALTIES; 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.

Hearing none, the Mayor closed the public hearing portion of this item, and then turned the matter over to the City Council for discussion and consideration.

Councilmember Ramswell moved to approve Ordinance 19-04-LC on second reading; seconded by Councilmember Menchel. Motion passed 6-1 (Council members Morgan, Destin, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Marler voted “no”).

6. CONSENT AGENDA

A. Reimbursement to Councilmember Skip Overdier for expenses incurred while attending the IEMO Advanced in Tampa, Florida, from April 11 14, 2019

B. Approval of Amendment for Project #45909 Choctawhatchee Bay National Fish and Wildlife Foundation (NFWF) Dewberry Engineers, Inc. Attachment A Scope of Work/Agreement

C. Acceptance of Quit-Claim Deed

D. Scope of Services Contract with Taylor Engineering, Inc. for Expert Witness and other Assistance in Administrative Challenge Donovan et al. v. City of Destin and Florida Department of Environmental Protection, Department of Administrative Hearings Case Number 191844

E. Agreement with Wet N Wild Water Sports, LLC pursuant to section 4(b) of Ordinance 19-08-CN

Item pulled from the agenda.

F. Request for Council Approval to Purchase FY 19 Budgeted Equipment: Vehicle Lift and Jacks

Councilmember Destin requested that Consent Agenda item 6C be pulled for discussion.

Motion by Councilmember Destin, seconded by Councilmember Menchel, to approve Consent Agenda items 6A, 6B, 6D & 6F, as printed above, passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

Councilmember Ramswell moved to approve Consent Agenda item 6C, as printed above; seconded by Councilmember Overdier.

Councilmember Destin announced he would abstain from voting as the quick claim deed is being executed by a direct relative.

Motion passed 6-0 (Council members Morgan, Marler, Overdier, Menchel, Ramswell and Braden voted "yes"; Councilmember Destin abstained from voting).

7. COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY

A. Councilmember Braden

Councilmember Braden moved to authorize the City Manager to purchase the necessary development software and employ additional Planning staff for the Community Development Department; and to make the appropriate budget amendments passed 7-0. (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

Councilmember Braden noted that the flower beds and landscaping around City Hall Annex as well as the round-a-bout need to be treated for weeds.

B. Councilmember Ramswell

Councilmember Ramswell asked for a status update on the City's negotiations with Eglin AFB regarding the landscaping beneath the "Welcome to Destin" sign.

The City Manager will investigate and report back to Council.

Councilmember Ramswell announced that the Destin High School charter application was unanimously approved by the Okaloosa County School Board. They have begun negotiations for the final contract with the school district. The goal is to open the Destin High School in August 2020.

C. Councilmember Menchel

1. 3D Crosswalk

Councilmember Menchel showed a photograph of a 3D painted crosswalk on the screen. He asked staff to come back with some ideas and recommendations at a future meeting. He stated he already asked the Destin Chamber of Commerce if they would be interested in partnering with the City to paint the crosswalks if they decide to move forward with this idea.

Councilmember Menchel announced that he hosted a town hall meeting on April 19th at the Destin Library. The meeting was well attended, to include the Mayor and Councilmember Braden. Some of the issues discussed included old permits not being closed out, areas in the City that need sidewalk, noise issues and traffic cones scattered on US Hwy 98 following a storm. He is looking forward to the next one.

Councilmember Menchel announced he recently received a call from a citizen of Destin who was conducting business at the Destin Commons. The citizen informed him that the receipt they received clearly showed a two percent Destin Municipal Sales Tax charge. The City's Finance Director Bragg Farmer reached out to Destin Commons and spoke with a Mr. Perry who told him there was an issue with a vendor who is European and who was in the process of getting his software updated and replaced. There was a fee involved in the transaction, but it was not supposed to be a Destin Municipal Sales Tax.

Councilmember Menchel noted that the Public Works and Safety Committee has discussed the big dip on the road in front of City Hall for years. It was supposed to be corrected once the street is resurfaced. The street has been resurfaced passed City Hall; however, it was not a smooth transition from where the old road ends and the resurfacing began as it left a big bump on the road. He asked staff to look into this matter.

Councilmember Menchel stated that he does not see a need for the City Clerk to automatically receive copies and be burden with all the emails addressed to individual member of the City Council. He continued that it may have been a policy that was put in place in the past which he would prefer to see changed if there are no objections from other members of the Council.

D. Councilmember Overdier

Councilmember Overdier complimented the Mayor and City staff for an excellent presentation to the Tourist Development Council and getting \$6.5 million for the purchase of beach front properties for beach accesses.

1. Appointment of Mr. James Staley for membership to the Board of Adjustment

Councilmember Overdier moved to appoint Mr. James Staley to the Board of Adjustment; seconded by Councilmember Braden. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

E. Councilmember Marler

Councilmember Marler announced they had a great Founders' Day Celebration last Saturday, May 4th, at the Destin Community Center; and that the Community Center staff did an excellent job with the preparation. The event was well attended with present and past members of Council in attendance.

F. Councilmember Destin

1. Traffic Capacity Study for the City of Destin Discussion

Councilmember Destin asked staff to present some options and cost analysis for a Traffic Capacity Study for the City of Destin at the Visioning Session on May 15th.

2. Cemetery Parking Discussion

Councilmember Destin noted that the cemetery parking is being utilized by the harbor district employees and people are not able to utilize them either during funeral service or to visit their love ones at the cemetery. He would like to offer a motion based on the report presented earlier by Mr. Forgione.

Councilmember Destin moved to designate the 17 parking spaces located in front of the Destin Cemetery as two-hour parking; seconded by Councilmember Braden.

According to Mr. Forgione, they would have to draft an ordinance to include enforcement and signage.

Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

G. Councilmember Morgan

Councilmember Morgan requests the following item be placed on the next agenda for discussion: *Occupancy signs for short term rentals on decorative fences in Crystal Beach.*

The Land Use Attorney noted that the code currently prohibits signage on fences; and so, they would need to include an exception to allow placement of these signs on decorative fences in Crystal Beach.

H. Mayor Gary Jarvis

I. Land Use Attorney

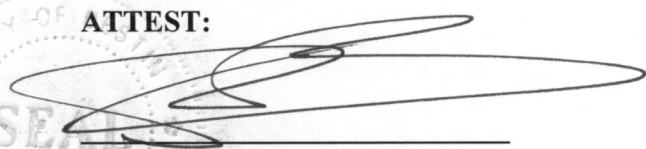
J. City Attorney

Having no further business at this time, the meeting was adjourned at 8:25 PM.



Gary Jarvis, Mayor

ATTEST:



Rey Bailey, City Clerk