

**MINUTES
EXECUTIVE SESSION
CITY COUNCIL
MARCH 2, 2026
5:45 PM
CITY HALL ANNEX COUNCIL CHAMBERS**

The council of the City of Destin met at an executive session with the following members and staff present:

Council Present

Mayor Bobby Wagner	Councilmember Dewey Destin
Councilmember Kevin Schmidt	Councilmember Jim Bagby
Councilmember Terésa Hebert	Councilmember Rodney Braden
Councilmember Sandy Trammell	Councilmember Torey Geile (arrived: 5:55 pm)

Staff Present

City Manager Larry Jones
City Clerk Rey Bailey
City Attorney Kimberly Romano Kopp
Litigation Attorney William G. Warner, Esq.

Others Present

Sherry Bennett, Certified Court Reporter

CALL TO ORDER

Mayor Wagner convened the meeting and announced that:

"This session of the Destin City Council is hereby convened as noticed by publication in a newspaper of general circulation, The Daily News, on Friday, February 27, 2026."

The City Attorney states as follows:

"Pursuant to §286.011(8), Florida Statutes, at this time, I would like to request that we adjourn to executive session so that I, the attorney of record for the City of Destin in:

***Rainbow Frost Ice Cream, Inc.; Ronald Ellison and William Ellison ,
Plaintiffs v. City of Destin, Florida, Defendant, et al in the U.S. District Court,
Northern District of Florida, Pensacola Division, Case No. 3:25-cv-00550-MCR-
ZCB (ECF 20) ("Lawsuit")***

may receive the council's advice regarding the strategy to be used in this case and the type of expenses to be incurred."

The entire session would be recorded by a court reporter, the transcript would be filed with the City Clerk, and available to the public at the conclusion of the litigation discussed today. A copy of the published notice of this executive session is hereby identified as Exhibit A and will be attached to the transcript of this executive session.

In addition to the Mayor Pro Tem and City Council members in attendance tonight, the following individuals will attend the session:

Attorneys for the City: **William G. Warner, Esq**
Warner Law Firm, P.A.
519 Grace Avenue
Panama City, Florida 32401

Kimberly Romano Kopp, Esq., LEED AP
Romano Kopp Law, PA.
P.O. Box 5524
Destin, Florida 32541-0445

City Manager **Larry Jones”**

The City Attorney (Cont.)

“At this time will the mayor and council members in attendance please identify yourselves for the record?”

The following members of the city council each announced their presence:

Councilmember Rodney Braden
Councilmember Sandy Trammell
Councilmember Jim Bagby
Councilmember Dewey Destin
Mayor Bobby Wagner
Councilmember Terésa Hebert
Councilmember Kevin Schmidt

The City Attorney (Cont.)

I estimate that this executive session will take approximately 30 minutes. At the conclusion of the executive session, the Council will reconvene the public hearing, accept any motions if applicable, and the mayor will end the session.”

Mayor Wagner states that:

“At this time, we will recess the public portion of tonight’s meeting and convene the executive session.

Individuals whose names are not listed in the published notice left the room and the executive session convened.

Once the closed session ended and the City Clerk has returned, the mayor states:

"We will now reconvene the public portion of this meeting and I will accept any motions from the council."

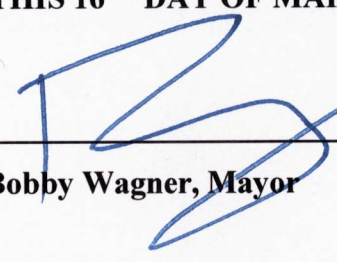
Councilmember Destin moved to accept the negotiated settlement as presented, seconded by Councilmember Hebert. Motion passed 5-2, with Council members Bagby and Schmidt dissenting.

ADJOURNMENT:

Having no further business at this time, the mayor adjourned the meeting at 6:13 PM.

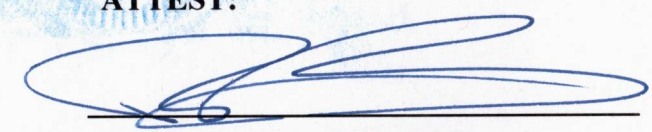
ADOPTED THIS 16TH DAY OF MARCH 2026

By:



Bobby Wagner, Mayor

ATTEST:

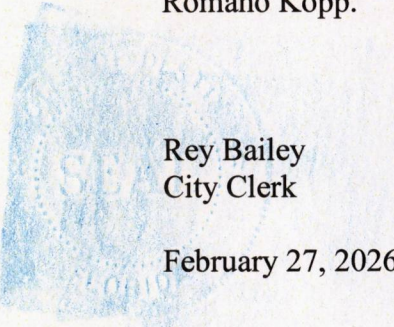


Rey Bailey, City Clerk

NOTICE

Pursuant to Section 286.011(8), Florida Statutes, the City Attorney desires the advice of the City Council in the case of ***Rainbow Frost Ice Cream, Inc.; Ronald Ellison and William Ellison , Plaintiffs v. City of Destin, Florida, Defendant, et al in the U.S. District Court, Northern District of Florida, Pensacola Division, Case No. 3:25-cv-00550-MCR-ZCB (ECF 20)*** (“***Lawsuit***”), and as such, is calling for an Executive Session to be held in the City Council Chambers at the Destin City Hall Annex, 4100 Indian Bayou Trail, Destin, FL 32541, on Monday, March 2, 2026, at 5:45 PM Central, or as soon thereafter as the issue may be heard.

Present at the Executive Session will be a court reporter, Mayor Bobby Wagner; City Council Members Kevin Schmidt, Torey Geile, Terésa Hebert, Jim Bagby, Dewey Destin, Sandy Trammell, and Rodney Braden; Larry Jones, City Manager; William Warner Litigation Attorney for the City of Destin; and the City Attorney Kimberly Romano Kopp.



Rey Bailey
City Clerk

February 27, 2026