

**MINUTES  
REGULAR MEETING  
DESTIN CITY COUNCIL  
JULY 15, 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  
Code Compliance Manager Joey Forgione  
Public Services Director Michael Burgess  
Community Development Director Louis Zunguze  
HR Manager Karen Jankowski  
City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey  
Deputy City Manager Webb Warren  
Finance Director Bragg Farmer  
Public Info Manager Catherine Card  
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 gave the invocation, which was then followed by the Pledge of Allegiance.

**AGENDA APPROVAL**

Councilmember Menchel requested agenda item 6E to be pulled for discussion.

Councilmember Destin asked to switch the order of agenda items 4B and 4C.

The City Manager asked that "*Taylor Engineering Continuing Services Contract*" be added to the agenda as agenda item 4E.

**Motion by Councilmember Menchel, seconded by Councilmember Destin, to approve the agenda as amended passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").**

**1. APPROVAL OF MINUTES**

A. Approval of minutes of May 20, 2019 Regular City Council Meeting

**Motion by Councilmember Marler, seconded by Councilmember Menchel, to approve minutes of May 20, 2019 Regular City Council Meeting passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).**

**2. PROCLAMATIONS/ RECOGNITIONS /SPECIAL PRESENTATIONS/ ANNOUNCEMENTS**

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

Ms. Rhonda Dossey, a Destin resident and president of Sovereign Isle Homeowners Association, remarked that she supports the idea of changing the permitted uses for Commercial General to Conditional uses as it would allow Council to review applications and make sound development decision that would benefit the City. She also asked the Council not to make any decisions regarding the zoning for area 15 until all the facts are fully developed, and to allow affected property owners to fully understand the process and get behind a decision that is based upon hard facts.

Ms. Marcie Bell, read the following excerpts from a letter written by a resident to the City Council on December 2015, relating to Parcel B on Holiday Isle:

*“1963-1965 – The United States Corp of Engineers built the jetty system to protect the Destin Harbor & Pass. United States Conservation Land encompassed the end of Holiday Isle.*

*1972 – The US Corp of Engineers (COE) recorded the easement with a no-build order in the County records. In that year of 1972 the shoreline was on Rosalie up to Ultimate Towers. Therefore the explanation of the easement is very important and it states to the shore of the Gulf of Mexico; 100% covered by navigational servitude.*

*1973-2015 – Parcel B went through five investors and all bought in full knowledge of the easement upon the entire parcel. Ten lawsuits have been over this same land; fraud and foreclosure. Did you ever wonder why not one investor would have built out on Parcel B? Or why Destin Pointe developer Phil Herrington did not have the beach parcel of 11.77 acres in the development order? I will tell you why, they tried & Federal COE would not allow to build. Year after year, developer after developer got a “no” from the legal COE’s counsel. Call and ask if you question me. On October 20, 2015 minutes, City Manager Greg Kisela stated, ‘it is my understanding not all of B is encumbered by spoils and C is not encumbered by spoils easement.’ Working on this plan without correct knowledge was a mistake. I hold a map that explains that area 101-E-6 easement over all of C and B, but your clock limits explanation now.*

*In review we have covered what City staff told us to look at. Ordinance 380, to which Ashley Grana pointed out he made small changes and a major change to this since the last meeting. And 3 parcel changes to High Density. Again, State Conservation land parcel B & C was not mentioned.*

Ms. Bell contends that zoning for Parcels B and C were changed from Conservation to High Density Residential several years ago while these items were listed under consent agenda. A vote of the Council was taken without any discussions, and that affected property owners

surrounding those parcels were never notified. She urged the Council to instruct the new City Manager and City staff to investigate and determine how these parcels were converted from Conservation to High Density Residential across a spoils easement of the Army Corps of Engineers.

Mr. Karl Seekamp, a Destin resident, asked the Council to delay the rezoning of area 15 for there has not been an adequate opportunity for the residents of that area to provide their side of the story. He contends that the zoning map that was shown during the City Council workshop covered only a very small portion of the area, where across the street from it, and all the way to the County line, is zoned mixed use. This area currently consists of a golf course and medium density residential housing; and not commercial general as it seemed to appear from the images that was shown during the workshop. He continued that the mixed use that Sovereign Isle and Emerald Breeze neighborhoods are under is a very specific ROI zoning that is only for residential single-family housing; and that everything else is specifically prohibited. It is not truly a mixed use and a smooth transition buffer. If they change that area to commercial general, there would not be any transition at all. Rather, it would be a very abrupt change from commercial general to residential single-family housing. He added that he plans to make a presentation to Council at their next meeting to outline all these facts.

A Destin resident asked the Council to consider the well-being of the residents of Sovereign Isle as well as their neighboring areas before making any decisions regarding the rezoning of area 15. She also stated that keeping area 15 zoned residential would also benefit the whole development of the City of Destin. She also asked the Council to afford the residents the opportunity to speak and provide their views on the subject before they vote on it.

Ms. Sherri Cox, a Destin resident, expressed her support of Councilmember Destin's previous suggestion to change the area's permitted uses to Conditional. She stated it would meet the needs of Sovereign Isle property owners as well as those of the developers and help avoid any Bert Harris Act litigations.

Ms. Jackie Severson, a Destin resident, stated that Sovereign Isle is a very nice and clean community as they do not have a whole bunch of commercial development in that area; adding that rezoning that area would increase traffic and destroy the beauty of that neighborhood.

#### **4. CITY MANAGER REPORTS**

##### **A. Establishment of the FY 2020 Tentative Millage Rate and Budget Public Hearing Dates**

The City Manager noted that the City's millage rate is currently at 1.6150 mil. He recommends increasing it or at least keeping it at its current level so they could meet the needs of the community as well as the staffing needs that have been established this year.

**Councilmember Overdier moved to set the tentative millage rate for ad valorem taxes at 1.6150 mills, which is more than the rollback rate of 1.5447 mills and confirm the dates and times of the public hearings for the FY 2020 Budget on September 4<sup>th</sup> and 16<sup>th</sup> 2019 at 6:00 PM. Councilmember Menchel provided a second to the motion.**

Councilmember Morgan asked the Finance Director to explain the roll back rate.

Finance Director Bragg Farmer explained that the roll back rate is the rate at which the same amount of taxes can be assessed in Fiscal Year 2020 as they did in Fiscal Year 2019 based on the additional increase in property values against that roll back rate.

**Councilmember Morgan offered a substitute motion to set the tentative millage rate for ad valorem taxes at 1.5 mills which is less than the rollback rate of 1.5447 mills and confirm the dates and times of the public hearings for the FY 2020 Budget on September 4<sup>th</sup> and 16<sup>th</sup> 2019 at 6:00 PM. Councilmember Destin provided a second to the substitute motion.**

Councilmember Overdier pointed out that the City's budget this year is higher than last year's budget; and so they will be short if they lower the millage rate to 1.5 mills.

Mr. Farmer noted that the current proposed budget is currently out of balance by approximately \$3 million.

According to Councilmember Ramswell, they are getting 16 percent more in property taxes and 7 percent more in Gas Tax.

Mr. Farmer explained they are getting approximately \$680,000 in additional revenue at the 1.6150 millage rate, of which \$440,000 have already been spent in the current fiscal year for new positions rolling forward to next fiscal year. He continued that at 1.5 mills, they would probably have to reduce the proposed budget by \$3 million they are already over and an additional \$750,000.

Councilmember Morgan asked how many years the City has operated at 1.5 mills.

Mr. Farmer replied the City has operated at 1.5 mills for about 4 or 5 years; adding that the millage rate has been as high as 1.8 mills and as low as 1.45 mills.

The City Manager noted that if they lower the millage rate to 1.5, the new positions that were added this year would be in jeopardy. He also noted that once they set the millage rate at this point, they could only lower it and not increase it. He recommends at least maintaining the current millage rate at this point, and if Council decides to lower it later, they could do so during the budget hearings.

Councilmember Menchel stated it would be a mistake to set a lower millage rate at this point; adding they could always lower it later if necessary.

Councilmember Marler pointed out they have regulations, such as those related to short term rentals, that they must enforce, and they need to add new positions to property enforce those regulations; and they would be taking those positions away by lowering the millage rate.

Councilmember Morgan pointed out they raised property taxes two years ago to pay off stormwater needs. They have since been paid, and so even if they keep a flat millage rate, property taxes will go up this year because their assessed values have gone up.

The City Manager noted that other funding sources, such as the Gas Tax and Half-Cent Sales Tax, have specific uses; and that they cannot be used for personnel expenses. He also stated they have been able to fund new positions, such as the planner positions they desperately need, out of the fund balance this year. But in order to maintain it, they would need to come up with a sustainable funding source.

Councilmember Morgan asserts they have infrastructure projects currently in their budget that are to be funded with ad valorem tax revenues. They could use the \$900,000 Half-Cent Sales Tax revenues for these projects, which could then free up some money for the new personnel positions.

The City Manager noted that the proposed budget did not include any ad valorem tax revenues for the infrastructure projects in anticipation of the Half-Cent Sales Tax revenues.

**The Mayor called for a vote on the substitute motion, which failed 2-5 (Council members Morgan and Destin voted “yes”; Council members Marler, Overdier, Menchel, Ramswell and Braden voted “no”).**

**The Mayor called for a vote on the original motion to set the tentative millage rate for ad valorem taxes at 1.6150 mills, which is more than the rollback rate of 1.5447 mills and confirm the dates and times of the public hearings for the FY 2020 Budget on September 4<sup>th</sup> and 16<sup>th</sup> 2019 at 6:00 PM. Motion passed 6-1 (Council members Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Morgan voted “no”).**

The next item discussed was agenda item 4C

**B. Post-Workshop Discussion and Request for Direction on Zoning and Future Land Use Map Inconsistencies**

Community Development Department Director Louis Zunguze noted that they have had a full discussion of areas 4, 5, 7 and 15 at a previous workshop, and that they have come up with a number of options for Council to consider this evening to give some directions on how they wish to proceed. He also noted that during the workshop, there was a question regarding area 7 and the situation with the church at that location having split zoning. He stated that he and the City Manager are planning to meet with representatives of the church to find out under which zoning district they prefer the entire property to be placed. If they decide to incorporate the parking lot located in the TCMU, the maps would have to be amended to make that property whole in the Institutional zoning district. If they decide to do the opposite, they would have to incorporate the church and the parking lot into the TCMU. Either decision would not impact their current status or the future status of any schools because civic uses are allowable in either district. Mr. Zunguze also noted that they have a total of about 28 zoning districts, which is quite a lot for a community that is just over 7 square miles in size. He suggests they take every opportunity to consolidate some of these districts to streamline the internal review process and reduce public confusion in trying to determine which district they belong.

Mr. Zunguze proceeded to discuss areas 4, 5, 7 and 15:

#### Areas 4 & 5

- Potentially apply to 4 districts, which is way too much
- Suggests a consolidation to end up with just 2 ROI districts
  - Suggests consolidating ROI-VR with ROI-GD. Both districts are concerned about long-term residential uses from the residential standpoint, and neighborhood type services from the commercial standpoint
  - Suggests consolidating ROI-TD and ROI-CBR since they are more transient related from the use standpoint

Councilmember Destin stated that some ROI districts operate as single-family residential neighborhoods zoning districts. He asked if there is a way to make sure that if they consolidate them with the other ROI districts that anything more intensive than single-family residential uses could be Conditional, which would require Council's authorization.

According to the Land Use Attorney, it is what the Community Development Director is proposing for areas 4 and 5, and it is what they intend to bring before the Council for approval.

**Councilmember Braden moved to direct staff to prepare a zoning map amendment to rezone Areas 4 & 5 to ROI-GD; seconded by Councilmember Ramswell.**

Councilmember Ramswell asked if they could just zone all areas as ROI and get rid of all the sub-districts; and then add the Conditional uses.

The Land Use Attorney stated that it is a possibility if there is no reason to distinguish between districts in terms of uses.

Mr. Zunguze stated it is something that they can consider and come back with some options; adding they need to make sure they avoid creating any non-conforming uses.

Councilmember Ramswell asked if passing the motion currently on the floor would create a problem for staff in presenting other options for consolidation.

Councilmember Destin explained they are not passing anything that would change the zoning tonight; they are simply instructing staff to create an ordinance that would amend the code based on tonight's discussion. They will have more discussion later whether or not to adopt the proposed ordinance.

**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").**

#### Area 7

- This area is clear to staff. The only issue is under which zoning district to put the entire church property

Councilmember Destin expressed concern that if the Destin Charter School Board fails to obtain the property and it was obtained by another party, that they could develop it under the TCMU zoning district such as an apartment complex. He stated he would prefer for the Institutional zoning to stay in place for that area.

**Councilmember Destin moved to direct staff to have further discussions with the property owner but to prepare a zoning map amendment to rezone area 7 to Institutional; seconded by Councilmember Morgan.**

Councilmember Ramswell stated it would make more sense to maintain the Institutional zoning for area 7 as she fully expects the school to take over the facility.

**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”).**

#### Area 15

**Councilmember Destin moved to direct staff not to take any action to rezone Area 15 until after Commercial General (CG) is amended to convert all “permitted” uses, which are not allowed in ROI-TD to “Conditional”, and increase the buffering requirements in the CG district when adjacent to residential uses; seconded by Councilmember Menchel. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).**

#### Next item discussed was agenda item 4E

#### **C. Invocation of Pending Ordinance Doctrine for Modifications to Commercial – General Zoning District**

The Land Use Attorney requested that the Mayor, with consensus of the City Council, announce a pending ordinance for modifications to the Commercial General zoning district, as set forth in the City’s Land Development Code. Such ordinance will amend the Commercial General zoning district to add increased buffering for properties adjacent to existing residential uses or residential zoning districts and change all currently permitted uses in the zoning district to Conditional uses, and to set up a process and establish associated criteria.

**Councilmember Menchel moved that Pursuant to *Smith v. City of Clearwater*, 383 So. 2d 681 (Fla. 2d DCA 1980) a “zoning is progress” is hereby announced as to the above referenced Land Development Code amendments to the Commercial General (CG) zoning district, thereby invoking the Pending Ordinance Doctrine. Consideration of all applications for development approval, including any application for development order, development order amendment, building permit, or zoning approval, which is received by the City after the date hereof, and which may be affected by the above referenced Code amendments, shall be compliant with such Code amendments. Councilmember Overdier provided a second to the motion.**

Councilmember Morgan noted that one of the reasons they stopped progress on the City’s Crosstown Connector was a fear of a future pro-development Council making it a 4-lane road.

His suggestion for that was for people to stay vigilant and run for City Council. In this particular case, the concern is having a pro-development Council, which they had for a long time resulting in some of the problems they have to date; and that residents may not get the conditional use that they are seeking. In this case, his advice is for residents of large neighborhood with a large stake in the City to also stay vigilant and run for City Council.

The Mayor asked if changing the zoning to Commercial General – Conditional gives the Council a lot more leverage and ability to control buffer zone.

According to the Land Use Attorney, this is separate from the rezoning of any property. This is a code amendment that would apply City-wide in the zoning district to anyone that is zoned or in the future will be zoned Commercial General. It puts more control in the City than the district has now or that any district would have that does not have Conditional uses.

The Mayor asked if this would mitigate the City's exposure to litigation.

The Land Use Attorney stated that having the Conditional use would allow the City to put actual conditions on the property and mitigate any adverse impact by placing appropriate conditions on the property. She also stated there is no guarantee what a future Council is going to do; however, there would be a required public hearing and there would be at least specific criteria in the code that has to be met in order to approve a Conditional use.

**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").**

The next item discussed was agenda item 4B

#### D. Announcements

- Wednesday, July 17, 2019, 5:30 PM – Budget Workshop
- Thursday, July 18, 2019, 6:30 PM, Community Center – Tropical Town Hall Meeting
- Jenkins Engineering to make corrections to the Capt. Royal Melvin Heritage Park plan by adding a small playground, which is a required element for the Florida Communities Trust Grant. It was inadvertently omitted from the plan. The plan will be brought before the Council on the next meeting for final approval

Councilmember Ramswell asked how the playground was inadvertently omitted from the 90 percent plan when the Council discussed the plan in detail during previous meetings.

According to the City Manager, he could only assume that when they changed engineering firms, the new firm, Jenkins Engineering, did not receive the most accurate information. The management plan also refers to 4 recreation areas and Mr. Jenkins considered all the other areas recreation when in fact the amendment management plan specifically referred to a small playground.

#### E. Taylor Engineering Continuing Services Contract

According to the City Manager, Taylor Engineering is currently under contract with assisting the City with the litigation related to the dredging administrative challenge and have been authorized by Council to be the City's representative in this case. He continued that the amount that was originally allocated to the firm has been expended and they require authorization from the Council to amend the contract with Taylor Engineering and authorize up to \$20,000 in additional funds to come from the City's fund balance and for staff to make the appropriate budget amendment.

**Councilmember Menchel moved to amend the continuing services contract with Taylor Engineering and authorize up to \$20,000 in additional funds to come from the City's fund balance and authorize staff to make the appropriate budget amendment; seconded by Councilmember Braden. Motion passed 6-1 (Council members Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes"; Councilmember Morgan voted "no").**

Next item discussed was agenda item 4D

## **5. PUBLIC HEARINGS**

### **A. First reading of Ordinance 19-12-LC – Motor Vehicle Tent Sales**

The City Attorney read proposed Ordinance 19-12-LC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA REGULATING THE SALE OF MOTOR VEHICLES UNLESS CONDUCTED BY A BUSINESS WITHIN OKALOOSA COUNTY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AN AMENDMENT TO ARTICLE 7 OF THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Shaun Hickey, a Destin resident, asked if this ordinance would apply to motor home sales, which he normally sees at the parking lot at Wal-Mart.

The Mayor noted that Wal-Mart is at Okaloosa County, and not in the City of Destin; and that Okaloosa County has a similar ordinance.

Councilmember Ramswell noted that one of her main concern is conflicting zoning and allowable uses between the City and County, which occur in several cases. Though it may not exist in this case, they would need to reach out to the County and ensure they are thinking in similar fashion, and that they are not doing something different from what the County is doing with regards to this issue.

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

**Councilmember Overdier moved to approve proposed Ordinance 19-12-LC on first reading and direct staff to advertise it for second reading; seconded by Councilmember Braden.**

Councilmember Morgan noted this ordinance is being pushed by Okaloosa County car dealerships. It is similar to restaurant owners wanting to ban food trucks in the City to help their businesses. He feels there is too much government intervention.

**Motion passed 5-2 (Council members, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Council members Morgan and Destin voted “no”).**

## **6. CONSENT AGENDA**

- A. Health Plan Ancillary Benefits Renewal
- B. Property & Casualty Insurance Renewals FY 2020
- C. Destin 5k Rodeo Run\
- D. City Hall – Generator
- E. FY 2018 Byrne Grant Funding – 51% Letter of Support

**Motion by Councilmember Overdier, seconded by Councilmember Marler, to pull Consent Agenda item 6E for discussion, and approve Consent Agenda items 6A thru 6D, as printed above, passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).**

With regards to Consent Agenda item 6E, Councilmember Menchel noted that the letter of support for Byrne Grant funding lists mostly law enforcement-initiated grants. He asked if the Destin component of the Sheriff’s Office has submitted similar requests.

According to Capt. Nix of the Sheriff’s Office, they are working on a traffic grant, but he is not sure about the funding source for it.

The City Manager will investigate if the City of Destin can file for a specific grant to obtain additional funding to assist the Sheriff’s Office.

**Motion by Councilmember Menchel, seconded by Councilmember Ramswell, to approve Consent Agenda item 6E, as printed above, passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).**

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

- A. Councilmember Braden

Councilmember Braden stated he has informed the City Manager he was trying to get some equipment to knock down the dirt over at the old CEMEX plant and level it off for parking; but earlier today Mr. Mike Buckingham informed him the contractor doing the resurfacing on US Hwy 98 is offering to provide the City \$30,000 worth of asphalt millings to be used as layer for parking on the old CEMEX plant. They also offered a bulldozer to be used to push the dirt

down and make room for the asphalt milling. He would like to know if the entire Council is agreeable to accepting this offer.

It was the consensus of the Council to authorize the City Manager to move forward with this offer.

B. Councilmember Ramswell

Councilmember Ramswell announced that on July 14<sup>th</sup>, the Destin United Methodist Church took a vote of its congregation to move forward with the sale of the church to Destin High School, Inc.; and so they are now moving forward with a sales contract, doing the due diligence and with the plan to open up the school in August 2020. They have also started a logo, mascot and a school color contest.

C. Councilmember Menchel

Councilmember Menchel inquired as to the status of the overall renovation for Clement Taylor Park.

According to the City Manager, they are still awaiting final approval from the Treasury Department regarding funding. They received some questions from the Treasury Department, and they plan to respond to those questions as quickly as possible. The approval process should move forward from that point.

Councilmember Menchel requested that staff check with FDOT regarding the “bump” in front of City Hall and Triumph Road. He stated that the transition between the new construction and the existing road in both places has not been very smooth.

Councilmember Menchel asked staff to contact the County and have them notify the Crab Trap personnel that they need to clean up their area – especially along the railings and the parking lot – as stipulated in their contract.

Councilmember Menchel noted that Adopt-A-Street volunteers used to assemble in front of City Hall on a Saturday morning on a quarterly basis to receive their supply and then disperse to clean up their areas. Now it is on the honor system where the volunteers are doing their own thing. He stated that he has approached the former City Manager and requested they go back to that practice because they seem to have a better success with the program. He learned that the reason it was stopped was somebody from staff would have to come out on a Saturday morning and coordinate matters; which he volunteered to do to no avail.

D. Councilmember Overdier

Councilmember Overdier announced he will attend an upcoming TPO meeting in Crestview. He will make sure they read the letter the City sent regarding the request to move up the Stahlman Intersection Improvements Project.

Councilmember Overdier noted that two weeks ago the Council voted to take no further action regarding the crosstown connector; and then they directed City staff to put out a Request for

Qualification (RFQ) to redesign the road making it a permanent 2-lane road. He stated it would be much quicker and cheaper to ask the same company who created the initial design to do some modifications. He expressed concern that if they go back to the starting point, they could lose the funding from the County and FDOT.

The City Manager stated he has directed staff to put together an RFQ for a new engineering firm; which is the way he understood the direction from the Council.

Councilmember Destin noted that was the intent of his motion; adding they are not going back to the starting point completely as all the schematics have been designed and they have footprints at some level. He continued they would probably need to schedule a workshop where they could tell the new engineering firm exactly how they want the 2-lane road to appear. He added they could tell the County and FDOT exactly what they intend to do, and they would have to make their decisions internally on what they want to do with the money already earmarked for this project.

E. Councilmember Marler

Councilmember Marler inquired as to the status of the traffic light that was supposed to be installed at the Henderson Street and Commons Drive intersection.

The City Manager noted that when the apartment complex was built, there was an impact fee assessed and the Council voted to send that money to the County to pay for the engineering costs; which is currently taking place.

Public Services Director Michael Burgess stated that according to the information he received from the County, the lights is scheduled to be installed between Thanksgiving and Christmas Holidays this year.

F. Councilmember Destin

G. Councilmember Morgan

Councilmember Morgan asked staff to contact FDOT to request removal of the "No Turn on Red" signs on Benning Drive, Legion Drive and Stahlman Avenue as he believes having these signs on these areas does not make any sense.

Councilmember Menchel pointed out it was based on safety study conducted by FDOT in 2015. The study contained several recommendations for road improvements, to include the "No Turn on Red" signs; but none were accomplished except for the signs 4 years later.

H. Mayor Gary Jarvis

The Mayor requested Council's authorization for him to send a letter to Mr. Jared Huffman, Chairman of the Subcommittee on Water, Oceans and Wildlife, inviting Mr. Huffman to visit the City of Destin during his tour. Mr. Huffman is conducting a Healthy Oceans and Fisheries Listening Tour in advance of Magnuson-Stevens Reauthorization Bill. There were no objections from the Council.

I. Land Use Attorney

1. Monthly TRC Update

The Land Use Attorney announced there is one application going to TRC for the month of July. It is for 192 dwelling unit multi-family development; which was approved by the Council two months ago after they approved the rezoning to TCMU.

J. City Attorney

**PUBLIC COMMENTS**

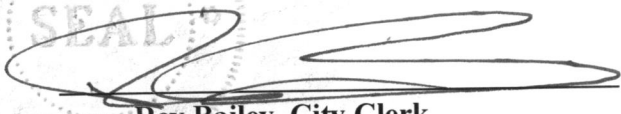
Ms. Marcie Bell noted that the statement she made earlier in the meeting that the Council voted to change the zoning of Parcel B from Conservation to High Density Residential through a consent agenda was incorrect. She stated that the rezoning and the changing of the Future Land Use Map from Conservation to the present HDR zoning was based upon a settlement agreement in litigation of another parcel not relating to Parcel B; and that this parcel was in Crystal Beach. She continued that the City agreed to adopt the change in the Comprehensive Plan that deleted all privately-owned land from the Conservation district. The FLUM designation for Parcel B was made several years later.

Mr. Karl Seekamp stated that the specific zoning of ROI-CBR for Sovereign Isle and the specific zoning of ROI-VR for Emerald Breeze are very restrictive; and that if they go ahead and reclassify all of ROI district to a simple ROI-CG, it would remove a tremendous amount of protection in their neighborhood and mis-characterized the neighborhood as being the buffer zone or a transition area where they could easily put commercial general next to it that would impact the quality of life of the residents. There would not be any transition at all. It would be a very abrupt change from commercial general to residential single-family housing. He added that the City planner explained that the proper way to do a zoning change is to do a gradual change from commercial general through some sort of a mixed-use zoning, and eventually to a residential.

Ms. Rhonda Dossey stated that she agrees with Mr. Seekamp's statement; adding she was involved in her neighborhood's rezoning to ROI-CBR which took nearly two years. She also supports the Council's decision not to take any action to rezone area 15 until after commercial general is amended to convert all permitted uses not allowed in ROI-TD to Conditional.

Having no further business at this time, the meeting was adjourned at 8:00 PM.

**ATTEST:**

  
Rey Bailey, City Clerk

  
Gary Jarvis, Mayor