

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
OCTOBER 21, 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 Chatham Morgan

Councilmember Rodney Braden

Councilmember Prebble Ramswell

Destin City Staff

City Manager Lance Johnson

Public Info Manager Catherine Card

Code Compliance Manager Joey Forgione

Community Dev Department Louis Zunguze

Public Services Director Michael Burgess

City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey

Deputy City Manager Webb Warren

Finance Director Bragg Farmer

Parks/Recreation 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; followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Ramswell, seconded by Councilmember Menchel, to approve the agenda passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

1. APPROVAL OF MINUTES

A. Approval of minutes of August 5, 2019 Regular City Council Meeting

Councilmember Marler moved for approval of minutes of August 5, 2019 Regular City Council meeting; seconded by Councilmember Menchel. Motion passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

2. PROCLAMATIONS/RECOGNITIONS/SPECIAL PRESENTATIONS

A. Proclamation – City of Destin 35th Anniversary Celebration

The Mayor read the proclamation for the City of Destin's 35th Anniversary, and then presented it to the Public Information Manager Catherine Card.

B. 2020 Census in Destin – Ms. Nisha Barron – Census Bureau

Ms. Nisha Barton of the US Census Bureau urges the City of Destin to partner with the US Census Bureau in raising awareness and increasing participation in the 2020 census. She then provided the following presentation.

2020 Census

- The United States Census is a decennial census mandated by Article 1, Section of the United States Constitution
- Participation in the Census is the civic responsibility of all US residents
- Census 101: What You Need To Know
 - ❖ Law
 - The US Constitution requires a census every 10 years. The census covers the entire country and everyone living here
 - ❖ Power
 - Every 10 years, the results of the census are used to reapportion the House of Representatives, determining how many seats each state gets
 - ❖ Money
 - Census data determine how more than \$675 billion are spent, supporting state, county and community's vital programs
 - ❖ People
 - The census counts every person living in the US once, only once and in the right place
 - After each census, state officials use the results to redraw the boundaries of their congressional and state legislative district, adapting to population shifts
 - ❖ Bottom Line
 - Census data are used to determine the allocation of federal funds to states for dozens of programs including:
 - Transportation, Roads and Highways
 - Medicaid
 - Children's Health Insurance Program
 - Pre-K or Head Start
 - Section 8 Housing Assistance
 - Emergency Response
 - Completing the census is required. It is a way to participate in the democracy and say "I COUNT"
- City of Destin
 - ❖ Population Est. – 14,077
 - ❖ Median Age – 39.5
 - ❖ Men – 6,627

- ❖ Women – 6,794
- ❖ Veterans – 1,616
- ❖ Children under 5 – 642
- ❖ Median Household Income - \$71,407
- ❖ High School Graduate or Higher – 95.8%
- ❖ Persons without health insurance – 16.1%
- ❖ Persons in poverty – 7.1%
- ❖ Percent of households with internet- 67.9%
- Census Confidential
 - ❖ Under Title 13 of the US Code, the Census Bureau is required by law to protect any and all personal information collected and keep it strictly confidential
 - ❖ Your responses cannot be shared with other government agencies and cannot be used against you by any government agency or court in any way
- Census Security. The Census Bureau
 - ❖ Never asks for full social security number
 - ❖ Never asks for money or a donation
 - ❖ Never sends requests on behalf of a political party
 - ❖ Never requests PIN codes, passwords or similar access information for credit cards, banks or other financial accounts
- Preparing for 2020 Census
 - ❖ Create or join a Complete Count Committee
 - ❖ Become a Census Partner to help raise awareness
 - ❖ Encourage yours peers to get involved
 - ❖ Find out all you need to now at www.census.gov
- What is a Complete Count Committee?
 - ❖ It is comprised of a broad spectrum of government and community leaders from advocacy, education, business, healthcare, faith-based and hard to count populations. It should have members to represent and have knowledge and/or influence on your community
- Complete County Committee Support Census Awareness
 - ❖ Host promotional events
 - ❖ Display census information
 - ❖ Include census messages on correspondence
 - ❖ Post on their social media sites
 - ❖ Network with community and business leaders
- 2020 Census Challenges
 - ❖ Educating the population
 - ❖ Residency Questions
 - ❖ Hard to Count Communities and Populations
 - ❖ Limited Internet and Phone Access
 - ❖ Security Concerns
 - ❖ Funding

Councilmember Destin noted the City has its library and the resources in that facility available to assist.

Ms. Barton noted she has had preliminary discussion with the Library Director Wen Livingston. Ms. Livingston has offered having dedicated stations for the census where people and potential employers could come and watch videos about census taking; training on how to fill out the census form; and a conference room for group meetings

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

Mr. Jim Wood, a Destin resident, noted he was the Complete Count Committee Chairman in Destin in the 2010 Census; and that they conducted the on-the-ground count. He stated that not getting the right count has a long-term effect for the next 10 years; and so, it is critically important for everyone to get involved.

Councilmember Destin asked that an agenda item be placed on the next meeting's agenda about potentially putting together a volunteer committee in support of the 2020 Census.

Mr. Wood noted he would be glad to volunteer again for the 2020 Census.

Ms. Carrie Harbarger, a Destin resident, noted that Main Street and Spring Lane shares a mixed-use zoning with limited commercial. There is a Tom Thumb Store located on that site which they enjoy. She asked if that store will be affected by the adoption of proposed Ordinance 19-27-LC.

Councilmember Destin explained that specific site is a grandfathered use, or a non-conforming legal use. Once that store ceases to exist as a community store, that site will go back to the designation around it which is residential.

The Land Use Attorney noted that the parcel in question was not a part of proposed Ordinance 19-27-LC.

4. CITY MANAGER REPORTS

A. Request approval of contract extension for Concrete Services with SH Hayes Enterprises

The City Manager noted that at the previous Council meeting, Councilmember Braden asked that they obtain additional quotes from SH Hayes Enterprises with regards to the concrete services. That quote has been provided and is referenced on page 79 of the attached contract which provide the prices for strengthened concrete.

Councilmember Braden stated that after reading the contract and after making a few phone calls, he now agreed with the current contractor that 4000 psi with fiber sidewalk would be sufficient. He also added the ADA brick pavers at crosswalks.

Councilmember Braden moved for approval of the contract extension for miscellaneous concrete services with S.H. Hayes Enterprises, LLC for one year, with the following amendments:

- **4" thick 4000 psi with fiber sidewalk - \$5.75/sf – or –**
- **6" thick 4000 psi with fiber sidewalk - \$8.75/sf**
- **ADA brick pavers at crosswalks - \$36.00/sf**

Councilmember Ramswell provided a second to the motion, which passes 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

B. Request approval of contract extension for Road Striping Services with Emerald Coast Striping d/b/a Coastline Striping

According to the City Manager, Council directed staff at the last meeting to bring back additional information regarding, rental striping equipment cost, and the use of internal staff to operate the equipment; and that the staff report outlines the breakdown of the costs. He recommends extending the contract for an additional year and outsourcing these services as staff is not prepared to perform this type of work internally.

Councilmember Braden noted that they budgeted \$60,000 for restriping of programmed roadways. He asked how much striping they could accomplish for this amount.

Public Services Director Michael Burgess noted that part of the \$60,000 was for reconstruction of Beach Drive; half of which was supposed to occur this year. The other half would be completed by the next fiscal year. It does not include reflective pavement markers, delineators, and other requirements for road striping. He added they would be able to accomplish about 2 miles of striping for this budget year.

Councilmember Ramswell asked whether the estimate calls for a regular road paint or thermoplastic paint.

Mr. Burgess replied the estimated price is for thermoplastic paint, which typically has a service life of 7 to 8 years.

Motion by Councilmember Destin, seconded by Councilmember Ramswell, to approve the contract extension for miscellaneous road striping services with Emerald Coast Striping d/b/a Coastline Striping, Inc. for one year passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

C. Request approval of contract extension for Security and Fire Safety with Advanced Protective Technologies

The City Manager stated that Council directed staff to bring back some additional information relating to this contract at the previous meeting; which is provided. He also stated that currently underway at City Hall is security enhancement being provided by Advanced Protective Technologies (APT) for approximately \$10,000. They are putting security mechanisms at the front of the building to limit access to the back side of the building. Also, APT is currently monitoring all City facilities. They only have one extension left on the contract and he recommends the last renewal option and then going out to bid for this service for Fiscal Year 2021.

Councilmember Menchel asked what is being inspected at Buck Destin Park where they do not have any security monitor, fire monitor, fire sprinkler system or fire alarm inspection according to the contract and yet they are paying \$240.00 for inspection.

The City Manager noted they are providing fire extinguisher service in that facility.

Councilmember Menchel also noted they are paying a lot of money for just an alarm system monitoring for their facilities; and that he had asked the City Clerk to provide him some information related to these inspections.

Councilmember Destin moved for approval of the contract extension for miscellaneous alarm/fire safety services with Advanced Protective Technologies for one year; seconded by Councilmember Marler. Motion passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

D. Announcements

The City Manager announced that he, the Land Use Attorney and Councilmember Braden participated in a conference call with US Treasury and an Okaloosa County representative regarding Capt. Royal Melvin Heritage Park and Clement Taylor Park to get the answer to the following questions:

"Can the city perform the work prior to the US Treasury awarding the grant?"

The City received the following responses:

- The City can proceed with the work. If the City incurs cost before the grant is issued officially by the US Treasury, the cost will be on the City
- If the City performs work before the grant is issued, the risk will be on the City to perform the work

"Can the City start the procurement process without putting the grant award in jeopardy" (LUA)

The Land Use Attorney noted that US Treasury responded "yes." The risk to the City is if they get any unanticipated condition put on the grant award, once the RFP is out, it could

potentially affect the awarding of the grant. The City could also put some language in the RFP making everything contingent on the award.

The Land Use Attorney also noted that the US Treasury offered to review the RFP contingency language and provide input to the City. This is a two-part process: The awarding of the grant and obtaining permission to construct. The US Treasury is sending a checklist to City staff on how to proceed with these processes simultaneously. The City needs to respond to the County's question on whether the park is ADA compliant; after which, the County will give information back to the US Treasury so they could provide a much more definite and less contingent timeline for the park in general.

Councilmember Braden asked that the Land Use Attorney be copied on anything related to the park going forward.

Councilmember Destin moved to instruct the Land Use Attorney to work with City staff in drafting the RFP contingency language and transmitting it to the US Treasury; and in filling out the checklist from the US Treasury and communicating simultaneously with the County, and then bringing the RFP back to the Council for review and approval; seconded by Councilmember Marler. Motion passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

City Manager announcements:

- Short-Term Rental Task Force meeting on Tuesday, October 22nd, at 4:00 PM
- Pre-visioning session meeting with Mr. Buzz Eddy on Wednesday, October 23rd
- City's Open House on Thursday, October 24th, 11:00 AM to 1:00 PM, at the Destin Community Center
- Annual Pin Fish Children's Tournament, Saturday, November 2nd, on the docks behind AJ's
- Visioning Session on Thursday, November 7th, at the Destin Community Center

5. PUBLIC HEARINGS

A. Amendments to Destiny Planned Unit Development (PUD) Orders

The City Attorney sworn in the following individual for testimony:

Louis Zunguze, Community Department Director

The Land Use Attorney noted that the purpose of this proposed change is to facilitate a consistent urban design within the Destiny Planned Unit Development. Currently if an owner of one of the 25 non-conforming structures located in the Destiny PUD request to make any changes to the rear of their property, they would be required to apply for a variance and appear before the Board of Adjustment for failure to meet the 25 foot waterfront setback. The Council has directed staff to amend the Major Development Order deleting the 25-foot setback requirement from the lake within the PUD.

The Mayor opened a public hearing to receive comments for or against this action. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for discussion and consideration.

Councilmember Destin moved for approval of the requested Destiny Planned Unit Development Minor Deviation to a Major Development Order; seconded by Councilmember Menchel. Motion passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

B. Second reading of Ordinance 19-16-LC - Establishment of a "Change of Use" process which regulates changes of previously approved land uses.

The City Attorney read proposed Ordinance 19-16-LC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA ESTABLISHING A PROCESS FOR REGULATING AND REVIEWING CHANGES OF PREVIOUSLY APPROVED LAND USES IN THE CITY OF DESTIN; PROVIDING FOR AMENDMENTS TO ARTICLE 2 ("ADMINISTRATION") OF THE LAND DEVELOPMENT CODE; DEFINING "CHANGE OF USE"; PROVIDING FOR AMENDMENTS TO ARTICLE 3 "DEFINITIONS" OF THE LAND DEVELOPMENT CODE; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for their discussion and consideration.

Motion by Councilmember Destin, seconded by Councilmember Ramswell, to approve Ordinance 19-16-LC on second reading passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

C. Second reading of Ordinance 19-19-LC - Process of development application review.

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

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO THE PROCESS FOR DEVELOPMENT APPLICATION REVIEW; PROVIDING FOR AMENDMENTS TO ARTICLE 2 ("ADMINISTRATION") OF THE LAND DEVELOPMENT CODE; PROVIDING FOR AMENDMENTS TO ARTICLE 7 "LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS") OF THE LAND DEVELOPMENT CODE; MODIFYING THE TECHNICAL REVIEW COMMITTEE PROCESS; AMENDING NOTICE REQUIREMENTS FOR DEVELOPMENT APPLICATIONS; AMENDING THE

CONDITIONAL USE PROCESS; AMENDING THE THRESHOLDS FOR MAJOR DEVELOPMENT ORDER REVIEW; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for their discussion and consideration.

Councilmember Destin moved for approval of proposed Ordinance 19-19-LC on second reading; seconded by Councilmember Marler. Motion passed 6-0. (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted “yes”; Councilmember Overdier was absent from the meeting).

D. Second reading of Ordinance 19-23-LC - Amending the Land Development Code, Section 7.12.01(A)2 Zoning Maps to include a change in the zoning designations of parcels from Medium Density Residential Village (MDR-V) to Residential, Office and Institutional Village Residential (ROI-VR)

The City Attorney read proposed Ordinance 19-23-LC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO RESIDENTIAL, OFFICE AND INSTITUTIONAL-VILLAGE RESIDENTIAL (ROI-VR); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for their discussion and consideration.

Councilmember Ramswell moved to approve Ordinance 19-23-LC on second reading; seconded by Councilmember Braden. Motion passed 6-0. (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted “yes”; Councilmember Overdier was absent from the meeting).

E. Second reading of Ordinance 19-24-LC - Relating to changes to the Zoning Map, which changes the zoning of multiple parcels from Residential, Office, Institutional General Development (ROI-GD) to Residential, Office Institutional Village Residential (ROI-VR)

The City Attorney read proposed Ordinance 19-24-LC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT (ROI-GD) TO RESIDENTIAL, OFFICE AND INSTITUTIONAL-VILLAGE RESIDENTIAL (ROI-VR); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for their discussion and consideration

Councilmember Ramswell moved to approve Ordinance 19-23-LC on second reading; seconded by Councilmember Braden. Motion passed 6-0. (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted “yes”; Councilmember Overdier was absent from the meeting).

- F. Second reading of Ordinance 19-25-LC - Amending Article 7 of the Land Development Code to establish conditional uses in the Commercial General (CG) zoning district.

The City Attorney read proposed Ordinance 19-25-LC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING THE COMMERCIAL GENERAL (C-G) ZONING DISTRICT; AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES”; ESTABLISHING CONDITIONAL USES IN THE COMMERCIAL GENERAL (C-G) ZONING DISTRICT; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for their discussion and consideration.

Councilmember Marler moved to approve Ordinance 19-25-LC on second reading; seconded by Councilmember Menchel. Motion passed 6-0 (Council members Morgan,

Destin, Marler, Menchel, Ramswell and Braden voted “yes”; Councilmember Overdier was absent from the meeting).

- G. Second reading of Ordinance 19-26-LC - Relating to changes to the Zoning Map, which changes the zoning of one parcel from Institutional (INST) and Commercial General (CG) to entirely Institutional (INST).

The City Attorney read proposed Ordinance 19-26-LC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM INSTITUTIONAL (INST) AND COMMERCIAL GENERAL (C-G) TO INSTITUTIONAL (INST), ONLY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for their discussion and consideration.

Councilmember Menchel moved to approve Ordinance 19-26-LC on second reading; seconded by Councilmember Marler. Motion passed 6-0. (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted “yes”; Councilmember Overdier was absent from the meeting).

- H. Second reading of Ordinance 19-27-LC - Relating to changes to the Zoning Map, which changes the zoning of multiple parcels from Commercial General (CG) to Town Center Mixed Use (TCMU), to match the future land use designation assigned in the Comprehensive Plan.

The City Attorney read proposed Ordinance 19-27-LC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM COMMERCIAL GENERAL (C-G) TO TOWN CENTER MIXED USE (TCMU); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR

CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for their discussion and consideration.

Councilmember Ramswell moved to approve Ordinance 19-27-LC on second reading; seconded by Councilmember Marler. Motion passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted “yes”; Councilmember Overdier was absent from the meeting).

- I. Second reading of Ordinance 19-28-LC Consolidation of the Residential, Office, Institutional General Development (ROIGD) and Residential, Office, Institutional Village Residential (ROI-VR) zoning districts.

The City Attorney read proposed Ordinance 19-28-LC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE TO ELIMINATE THE RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT ZONING DISTRICT (ROI-GD) AND CONSOLIDATE IT WITH THE RESIDENTIAL, OFFICE AND INSTITUTIONAL-VILLAGE RESIDENTIAL ZONING DISTRICT (ROI-VR); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for their discussion and consideration.

Councilmember Marler moved to approve Ordinance 19-28-LC on second reading; seconded by Councilmember Braden. Motion passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted “yes”; Councilmember Overdier was absent from the meeting).

- J. Second reading of Ordinance 19-29-LC - Relating to changes to the Zoning Map, which changes the zoning of one parcel from multiple zoning districts (Recreation, Institutional, and Residential, Office, Institutional General Development) to Institutional (INST).

The City Attorney read proposed Ordinance 19-29-LC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT

CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATION OF THE PROPERTY DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM MULTIPLE ZONING DISTRICTS TO ONE ZONING DISTRICT; SPECIFICALLY, FROM INSTITUTIONAL (INST), RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT (ROI-GD), AND RECREATIONAL (REC) TO INSTITUTIONAL (INST), ONLY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing portion of this item and turned the matter over to the City Council for their discussion and consideration.

Councilmember Marler moved to approve Ordinance 19-29-LC on second reading; seconded by Councilmember Marler. Motion passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted “yes”; Councilmember Overdier was absent from the meeting).

K. Second reading of Ordinance 19-30-CN - Livery Vessel Permitting Moratorium Extension

The City Attorney read proposed Ordinance 19-30-CN by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO LIVERY VESSELS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR DEFINITIONS; PROVIDING FOR A TWELVE MONTH EXTENSION OF ORDINANCE 19-08-CN (TEMPORARY MORATORIUM ON LIVERY VESSEL PERMITS); DIRECTING STAFF TO DEVELOP RECOMMENDATIONS FOR REGULATION OF LIVERY VESSELS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXPIRATION OF MORATORIUM; 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 portion of this item and turned the matter over to the City Council for their discussion and consideration.

Councilmember Menchel moved to approve Ordinance 19-30-CN on second reading; seconded by Councilmember Destin. Motion passed 5-1 (Council members Destin, Marler, Menchel, Ramswell and Braden voted “yes”; Councilmember Morgan voted “no”; Councilmember Overdier was absent from the meeting).

6. CONSENT AGENDA

- A. Development Review System Software - Update
- B. Main Street Betterment Alliance, Inc. Veteran’s Day Run/Walk
- C. Request approval of contract extension for the Asphalt Services with H&T Contractors

- D. Request approval of contract extension for Fencing Services with SH Hayes Enterprises
- E. Request approval of contract extension for Stormwater Maintenance with Florida Septic & Sewer
- F. Request approval of contract extension for median maintenance with Gulf Coast Environmental Contractors, Inc.
- G. Request approval for contract extension for HVAC and other mechanical services

Motion by Councilmember Marler, seconded by Councilmember Destin, to approve Consent Agenda items 6A thru 6G, as printed above, passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

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

A. Councilmember Braden

Councilmember Braden asked how many of the sprinkler wells on the medians on US Hwy 98 between the Marler Bridge and Main Street are inoperable.

According to the City Manager, all the sprinkler wells are inoperable. They were instructed by FDOT to remove or shut them down until after completion of the 3R Project.

Councilmember Braden asked staff to find out why the well in front of Goodwill Store and another in front of CVS Pharmacy have been inoperable since nothing is being done to the medians in front of those locations.

According to Mr. Burgess, FDOT will redo the landscaping on the median on US Hwy 98 from the Marler Bridge to Airport Road. They budgeted \$1.2 million for the landscaping project.

Councilmember Destin stated it was reported to him that the pump that feeds the majority of the landscaping up and down Mountain Drive is also down.

Mr. Burgess stated that he will check on the accuracy of that report.

1) Crystal Beach Right-of-Way Encroachments

Councilmember Braden noted there is a similar issue in about every street at Crystal Beach where the white picket fence was built next to the sidewalk. One lady was trying to sell her home but the sale was being held up because staff wanted her to move her fence back; but every fence at that location had their fence next to the sidewalk.

According to the Land Use Attorney, these properties are not in compliance with the code if their fence is into the right-of-way. Certain property owners were issued permits and they placed their fence correctly on the permit plans that shows it on the property line; however, they are about 4 feet into the right-of-way. If the City sends letters and direct staff not to force the owners to come

into compliance now but wait until the sidewalk is widened, they might want to record them or at least put it in the City's open permit file so that any future purchasers will be aware of the issue when they purchase the property.

Councilmember Braden suggests they handle this issue in the same manner they handled the issue at Hutchinson Street.

The Community Development Director, through collaborative efforts with the Land Use Attorney and Public Services Department, will bring back some recommendations for a community-wide solution.

B. Councilmember Ramswell

According to Councilmember Ramswell, she received a call from someone concerned about the intersection of Matthew Blvd and Old Hwy 98. This area used to be a dedicated public right-of-way space when they built The Henderson; but now someone is building on that property. She asked staff to check into it.

Councilmember Ramswell asked staff to contact the County and encourage them to mow and landscape the right-of-way along Commons Drive because that area is looking pretty bad.

Councilmember Ramswell also noted that the City needs to trim the bush or tree located on the side street near Goodwill Store. It is a safety hazard for motorists wanting to make a right-hand turn from that street on to US Hwy 98.

C. Councilmember Menchel

Councilmember Menchel followed up on the following requests:

- Invite an FAA representative to a Council meeting to discuss drones

The Deputy City Manager noted they have contacted the FAA. They will inform staff when they can attend a Council meeting to address this issue. Additional details will be provided shortly.

- Streetlight inventory from Gulf Power

Mr. Burgess stated they have not received the inventory but will follow up again.

Councilmember Menchel commented they cannot keep paying their electric bill without an inventory.

Councilmember Destin noted they will have a public meeting scheduled with Gulf Power and will bring up this issue.

- Update on the status of the Airport Road project

The City Manager stated they have not received an updated timeline for the project.

Councilmember Menchel asks that staff provide an update on status of Airport Road project at every Council meeting.

Also, according to Councilmember Menchel, the issue regarding body cams for Code Compliance Officers is a work in progress; and that it will be discussed at the Visioning Session.

D. Councilmember Overdier

E. Councilmember Marler

Councilmember Marler stated that due to some personal issues, he recently discovered that the previous owner of his residence did not properly permit his accessory dwelling unit, and that he is currently working with the City's Building Department to handle this issue. He continued that in the process, he also discovered he was not the only one that is non-compliant with the code.

According to the Land Use Attorney, Councilmember Marler's code enforcement potential issue is not related to this because he is working on coming into compliance on his property; however, with respect to the zoning district at-large, which is Low Density Residential, the code does not currently allow accessory dwelling units. For this reason the Council could either direct staff to look at this issue and determine how many problems there are in the district; or the Council could direct staff to prepare an ordinance to change the code to allow accessory dwelling units in the zoning district if they feel they have enough information at this time.

It was the consensus of the Council to instruct staff to evaluate the zoning district and gather some information to see if it is appropriate to allow accessory dwelling units in Low Density Residential District.

F. Councilmember Destin

1) FDEP/Norriego Point Land Use Conference

Councilmember Destin announced they have met with FDEP and discussed the Norriego Point issue and came up with a good compromise regarding docking for vessels. He stated that FDEP did not ask the City to put in any kind of infrastructure. The compromise involves the City designating 3 of the 4 embankments for swimming only and leaving the fourth one open for docking of non-commercial vessels.

Councilmember Braden requests they also look into the map FDEP put out where they are claiming they own a section of the harbor.

According to the City Attorney, all the spoils probably belongs to FDEP and the rest belongs to the City. However, they did not specifically discuss the delineation of where the City land ends and the FDEP spoils begin; but the Council could direct them to do so.

Councilmember Ramswell noted it was never made public, nor the Council was advised, that one of the embankments was going to be used for boat docking; adding she has major concerns about using the embankment for which it was never intended. She continued that Parcels B and C

are an option because their primary purpose was for spoils easement and support of the jetty system. She also pointed they are already allowing boats to dock on the northeast side of Norriego Point, which should provide enough access for vessels. She asked who will pay for prop dredging that could become necessary if they allow boats in one of the embankments.

Councilmember Destin noted that the Memorandum of Understanding that was executed several years ago when the grant application was put in for this project did include vessels. He also stated they addressed the issue regarding prop dredging that may occur in the embankment, but it was not fully discussed as FDEP did not show much concern about it. He added that he feels comfortable with the compromise that they reached with FDEP.

Councilmember Ramswell asked why a compromise was necessary.

Councilmember Destin explained that FDEP is very pro-access and seemed to want all the embankments open for swimming or boating; and so they came up with a safety compromise to only keep one of the embankments open for vessels; but with the understanding that they reserve the right to close the embankment if they face prop dredging or public safety issues. Also, if they are overrun with commercial vendors trying to utilize that area for commercial purposes, which is a similar issue they are having on Crab Island, they reserve the right to try to regulate it or close it.

Councilmember Ramswell stated that she has major concerns with all sorts of ancillary issues that could emerge; adding that someone would have to monitor the situation closely to make sure there are no swimmers in the embankment for vessels, and no vessels in the other 3 embankments reserve for swimmers.

Councilmember Destin moved to direct staff to draft a resolution in line with a compromise of keeping 3 of the embankments closed for public swimming only and leaving the bottom embankment open for vessels; but also reserving the City's right to close that embankment in the event of commercial activity and public safety hazard; seconded by Councilmember Menchel. Motion passed 5-1 (Council members Morgan, Destin, Marler, Menchel and Braden voted "yes"; Councilmember Ramswell voted "no"; Councilmember Overdier was absent from the meeting).

2) City Manager Vacation Terms

Councilmember Destin moved to direct the City Attorney to negotiate some sort of a buyout with the City Manager for his unused leave time and bring the negotiated amount in the form of a budget amendment for Council's consideration at the next Council meeting; seconded by Councilmember Ramswell. Motion passed 6-0 (Council members Morgan, Destin, Marler, Menchel, Ramswell and Braden voted "yes"; Councilmember Overdier was absent from the meeting).

Councilmember Destin announced they received a letter from Gulf Power relating to their negotiations and the undergrounding agreement they are trying to negotiate. They have been asking Gulf Power for their estimate of the cost to underground the electric utilities for the entire City.

They are still working hard at the transition of taking over the company. They have a public meeting scheduled for November 19th at 1:30 PM at City Hall and he is urging everyone to attend.

G. Councilmember Morgan

Councilmember Morgan requests they place on the next meeting agenda a budget amendment to spend \$30,000 on a batting cage for the Little League Park, in lieu of the \$40,000 for a Pickle Ball Court.

H. Mayor Gary Jarvis

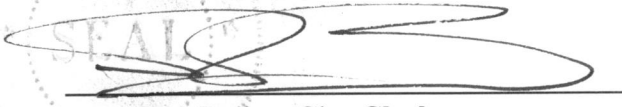
I. Land Use Attorney

J. City Attorney

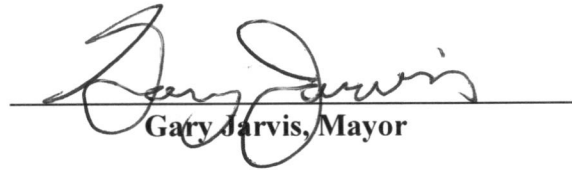
8. PUBLIC COMMENTS

Having no further business at this time, the meeting was adjourned at 7:55 PM.

ATTEST:



Rey Bailey, City Clerk



Gary Jarvis, Mayor