

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
NOVEMBER 4, 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 Skip Overdier
Councilmember Rodney Braden
Councilmember Chatham Morgan

Destin City Staff

City Manager Lance Johnson
Public Info Officer 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
Engineering Assistant II Joe Bodi
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. Pastor Todd Walker of the Destin Church of Christ gave the invocation; followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Menchel, seconded by Councilmember Overdier, to approve 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 August 19, 2019 Regular City Council Meeting

Councilmember Marler moved for approval of August 19, 2019 Regular City Council meeting minutes; seconded by Councilmember Overdier. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

2. PROCLAMATIONS / RECOGNITIONS / SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Waste Management/Ronnie Bell Recycling services update for the City of Destin

Mr. Ronnie Bell of Waste Management, Inc. announced that Okaloosa County has entered into a recycling contract with Emerald Coast Utility Authority (ECUA) in Pensacola effective November 1, 2019. It also allowed Destin's and several other local municipalities' recyclables to be delivered to the ECUA facility. He also stated that the new contract does not include any change in cost for customers in Destin. Before the new contract took effect, Destin's recycled items has temporarily been taken to the RePower South recycling facility in Montgomery, Alabama. He added that glass recycling has been an issue but ECUA has an outlet for it and continues to accept it.

B. Updates: Norriego Point Phase III Pearce Barrett, Project Coordinator, FDEP

Mr. Pearce Barrett provided a brief update of the 90 percent plan for the Norriego Point Recreation Enhancement Project and requested some guidance on how to proceed with the plan. He asked whether the City wants to keep the lighting along the boardwalk; noting that both City staff and the City's Parks and Recreation Committee are in favor of it. There is also lighting proposed for the restroom and the pavilion for security maintenance purposes, as well as three dune crossovers. He continued that they could keep all these items in the base bid, or they could make them alternates. There are mandatory facilities such as the boardwalk, restrooms, and the pavilion; and others are optional. If the cost is too high for the base bid, they could ask for additional money from the trustee implementation group to help cover most of cost for these items. He pointed out that the current cost based on the 90% plan is between \$800,000 to \$1 million over the original estimated cost or the budget for the park facility. He asked whether the City will be able to provide additional money to help cover some of the costs if they want all of these items. He continued that once they have all the permits, they will move forward to the 100 percent plan and put the project out to bid; adding that the bidding process could take 2 to 3 months, with construction is estimated at 12 months.

Mr. Barrett also noted that they would build a temporary construction road made of lime rock; and that they could leave the lime rock down if the City plans to proceed with the roadway soon after the park is completed. He stated that temporary road should only stay down for a short period of time before it receives a permanent coating of asphalt; otherwise, it will be overwhelmed with sand creating other problems. They could also put in the contract to remove the lime rock and stockpile it somewhere to be used later on by the City.

Councilmember Ramswell asked why the dune walkovers were being presented as an option. She thought they were part of the conceptual plan and have always been part of the project.

Mr. Barrett explained the dune crossovers have been in the project the entire time; but they are not a specific item. They are making them part of the boardwalk system to protect the dunes.

Councilmember Ramswell pointed out there is currently no electricity on Norriego Point. She expressed concern over putting a transformer above ground when they know the Point is subject to major weather pattern.

According to Mr. Barrett, they must have a transformer for the lighting and the lift station at the restroom. But it would be placed at the end of the current parking area and not way out on the point.

Councilmember Ramswell also noted that the turtles follow the light and that there have some nests at least down on the east side of the Point. She asked how they plan to prevent the light from attracting and confusing these turtles.

Mr. Barrett stated that FWC does not currently consider Norriego Point as a turtle-nesting beach; however, they plan to use an FWC-approved turtle lighting that would not attract the turtles toward the light and confuse them.

Councilmember Ramswell noted that Council had previously discussed the temporary construction road, but no direction had been given to staff.

According to the City Manager, that topic is on the agenda for discussion at the upcoming Council Visioning Session.

Councilmember Destin moved to instruct the FDEP to include in the plan the lighting for the boardwalk, the dune crossovers, electronic lights in the bathroom, and to leave the temporary construction road in place upon completion of the construction. Councilmember Overdier provided a second to the motion.

Councilmember Overdier noted they are already \$800,000 to \$1 million over the original budget estimate for the project. He asked if the City would be forced to cover this amount if they approve the motion adding all the other amenities and the trustee implementation group denies the request for additional funds.

According to Mr. Barrett, the City has no obligation to pay more money for the project. If the trustee implementation group disapproves the request for additional funding, they would simply drop some of the additional items and rebid the project, unless the City agrees to cover a portion of the funding.

Councilmember Menchel asked if additional funding is denied whether downsizing is an option, such as reducing the size of the bathroom.

Mr. Barrett explained that reducing the scope is always an option for any project; however, it would require additional design.

Councilmember Ramswell pointed out that one of the conditions of the development order being approved was the construction of the permanent road as a public benefit. She asked how it will affect the development order if the City decides to build the permanent road.

According to the Community Development Director, there is a development order exemption application in place for the project, and they would need to determine how it would impact the road issues.

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

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, commented on the old CEMEX Plant property that was purchased by the City. She stated that fly ash is dangerous, and the CEMEX Plant was one of the largest producers of fly ash, which is used to strengthen the concrete. The standard report did not indicate there was any chemical tests that have ever been done to this property. She urged the Council to address this issue and conduct additional tests to make sure the property is clean and safe.

Councilmember Ramswell asked what steps are involved in this process.

According to the City Manager, though he was not previously directly involved in the process, it was his understanding they have met all the environmental requirements which is a prerequisite for purchasing the property. He continued he would need to confer with the new City Engineer to determine what additional steps they need to take and come back to Council with his response.

4. CITY MANAGER REPORTS

A. Census Outreach Update

The City's Public Information Manager Catherine Card provided the following update:

On October 21st, Ms. Nisha L. Barron, Partnership Specialist with the U.S. Census Bureau out of the Atlanta Regional Census Center, gave a presentation to Council asking the City of Destin to partner with the U.S. Census Bureau in raising awareness and increasing participation in the 2020 Census. She and Ms. Barron are currently in communication and gathering information to put together marketing materials to promote and encourage the community to participate. The City plans to utilize all social media platforms to market the 2020 Census and post to the City's website. In addition, a 15 second public service announcement will be produced so staff members can relay the 2020 Census information to their patrons who contact City facilities. She has also secured key partnerships with the Okaloosa County Sheriff's Office, the Destin Chamber of Commerce and Destin Water Users to promote the U.S. Census on their social media platforms. Destin Water Users will also include information about the 2020 Census on their billing. Mr. Jim Wood has contacted several community partners from the public, private and faith-based organization. A contact data sheet will be put together to share 2020 Census information, and the City of Destin's strategic partners will also be included.

B. Hwy 98 Irrigation System Update

The City Manager noted that on October 27th City council meeting, the Council requested an update on the status of the irrigation system that services the medians on US Hwy 98, between the Marler Bridge and Airport Road, as well as the irrigation system on Mountain Drive. He stated there are currently two pumps on US Hwy 98 that are operational but are turned off because of the 3R project. The rest of the pumps are currently inoperable. The pump system on Mountain Drive is working, but there is damage to the system itself. They could perform a temporary maintenance on the system, which would cost approximately \$5,000; but it would require a complete overhaul of the system to make it is functioning properly.

Public Services Director Michael Burgess noted that the City's irrigation contractor, Gulf Coast Environmental, is putting together a quote for the City.

Councilmember Ramswell suggests putting a process in place to have someone conduct a regular inspection of the irrigation system to identify those parts that are broken or inoperable to hold people accountable, if necessary, and avoid any major problems from occurring.

The City Manager noted that as part of the contract for the median right-of-way, the contractor performs monthly inspections of the systems. In the most recent version of the contract, the inspector will be accompanied by a staff member to verify what is being written down during the inspection. He added that inspections have not been conducted in a while because of the 3R project.

Councilmember Menchel wants to know how FDOT was able to identify \$1.61 million for the landscaping restoration when the landscaping plans have not been created.

Mr. Burgess explained that FDOT created the landscaping restoration project in that amount and that the TPO has programmed it into their future budget.

Councilmember Braden would like to see a copy of the landscaping plans, from Marler Bridge to Airport Road, once they become available.

C. Development Review System Software Update

Deputy City Manager Webb Warren announced that the Energov Project has officially began last week. Representatives from the Community Development Department, City Manager's Office, IT, Finance, Clerks and Code Compliance departments have worked closely with the Energov Project Manager for 3 straight days to learn the system and the result was very positive. According to the Project Manager and Implementation Manager, this group was one of the most prepared groups that they have ever encountered.

D. Paid Parking Update: Existing Lots and Proposed Lots in Crystal Beach and Gulf Shore Drive Areas.

Deputy City Manager Webb Warren and Finance Director Bragg Farmer provided the following presentation:

- Paid Parking Transaction Count
 - ❖ 2017
 - Marler Parking Lot – 3178
 - Community Center Parking Lot – 0
 - Zerbe Parking Lot – 0
 - ❖ 2018
 - Marler Parking Lot – 6900
 - Community Center Parking Lot – 4348
 - Zerbe Parking Lot – 7192
 - ❖ 2019
 - Marler Parking Lot – 4785
 - Community Center Parking Lot – 8730
 - Zerbe Parking Lot – 7123
- Parking Net Revenue
 - ❖ 2018 – \$41,321
 - ❖ 2019 – \$70,774
 - ❖ Total: \$112,095
- Proposals from Parking RFP
 - ❖ 4 proposals received
 - ❖ 2 proposals for lot entrance/exist rails
 - Orbility 128,614
 - Gorrie Regan and Asso. \$332,204 (TIBA Equipment)
\$484, 659 + 6% per trans
(ZIP by Equipment)
\$214,338 + 660/month
(Hectronic Equipment)
- 2 proposals proposed to Operate the lots:
 - ❖ Premium Parking – 50/50 revenue sharing + additional fees for credit card usage
 - ❖ Florida Parking Co. – Year 1-4 25/75 or until expense is recouped yeas 5 5050
- Why Create Short-Term Paid Parking in Beach Areas?
 - ❖ Maximize availability for beach goers to have parking spaces to access beach parks
 - ❖ Minimize long-term parking overflow from residential rentals consuming beach parking spaces
 - ❖ Create dedicated revenue stream for parking improvements
- Proposed Parking Areas in Destin
 - ❖ Crystal Beach – Scenic 98 Drive (East) – Parallel Parking – 13 spaces
 - ❖ Crystal Beach – Scenic 98 Drive (Central) – Parallel Parking – 24 spaces
 - ❖ Crystal Beach – Scenic 98 Drive (West) – Parallel Parking – 22 spaces
 - ❖ Gulf Shore Drive – Parallel Parking – 70 spaces
- Paid Parking Spaces
 - ❖ Marler Street
 - Capacity – 175

- Proposed Beach Areas – Crystal Beach
 - Capacity – 65
 - ❖ Community Center
 - Capacity – 83
 - Proposed Beach Areas – Holiday Isle
 - Capacity – 70
 - ❖ Zerbe
 - Capacity – 91
 - ❖ Peer Cities – Beach Parking Prices
 - Deerfield Beach, Florida
 - \$3.00/hour, Monday-Friday
 - \$4.00/hour – Weekends
 - Panama City Beach, FL
 - \$5.00 /24 hours
 - Hollywood, Florida
 - \$2.00-\$4.00/hour
 - Gulf Shores, AL
 - \$5.00/4 hours-or-\$10/day
 - ❖ Miami Beach, Florida
 - \$2.00/hour
 - ❖ Clearwater, Florida - \$3.00/hour
- Proposed Actions
- ❖ Staff's Recommendation
 - Continue to use the current paid parking app on all current lots and convert parking spaces in Crystal Beach and on Guff Shore Drive to paid parking at \$5.00 for 5 hours
 - Additional Cost – Minimal-new signage and striping
 - Net Revenue - \$150,000-\$175,000
 - Convert the 3 current lots to an entrance/exit rail system and use the paid parking app for the 2 proposed parking areas
 - Additional Cost – \$128,614 - \$484,659 +
 - Net Revenue - \$150,000-\$175,000
 - Contract with one of the parking management companies for all parking systems
 - Additional Cost – 25%/ 75% to 50% / 50% sharing
 - Net Revenue - \$37,000-\$75,000
 - Have staff research additional parking app systems to find the best parking app that will best meet the needs of the City
 - Additional Cost – Unknown
 - Net Revenue - \$150,000 - \$175,000
- Resident Passes - Options
- ❖ Tie in residential passes to existing Henderson Beach Pass system
 - Combined beach pass would be good for Henderson and Paid Beach Parking
 - Full time residents would be eligible and affixed to vehicle
 - Simple roll out

❖ Passport System

- Available but must be managed by City staff

Councilmember Morgan stated that he would like to implement the resident passes but not in the harbor district. The City permitted several huge restaurants and other businesses in the harbor district with inadequate parking and with no parking available for their employees on their property. As a result, the City parking lots have turned into employee parking lots. He continued that the City should not be in the business of subsidizing irresponsible businesses. He added he would not support implementing paid parking in the harbor district, but he would support having time limits on paid parking in other parts of the City.

Councilmember Braden expressed that having paid parking at Crystal Beach is subsidizing parking for short-term rentals.

Councilmember Marler noted that when the boardwalk was built in 2008, various easements were provided by business owners. The City promised to provide extra parking for these businesses. He also stated that the City was going by the existing code at the time they permitted the businesses on the harbor. He recommends building parking garages on properties they already own and working with the harbor businesses to come up with adequate solutions to their problems.

Councilmember Ramswell asked why Restaurant Row was not incorporated into the study.

According to Mr. Warren, they plan to bring that back at a separate time because they need some clarifications on some of the public parking spaces at that area.

Councilmember Morgan stated that their beach situation is so terrible that tourists and residents alike are fed up with it; and that he feels the paid parking system will just be adding insults to injury.

Councilmember Ramswell moved to direct the City Manager to continue with the current paid parking app system in City parking lots and add the parking in Crystal Beach and Gulf Shore drive as short-term parking with the rate of \$5.00 per 5 hours, and with no parking from dusk to dawn; and that they also provide passes to residents; seconded by Councilmember Braden.

Council members Menchel and Marler both feel that prohibiting parking from dusk to dawn is unenforceable as no Code Compliance officers are on duty during those times.

The City Manager noted that discussions regarding extending the hours for the Code Compliance Department is on the agenda for the upcoming Council Visioning Session. He also stated that the City has always has a no parking overnight policy at their parks; and that the Sheriff's Office recommends they keep it that way because seeing cars parked in these parks after dark gives them a reason to ask individuals to leave the park at that point.

The Mayor called for a vote on the motion, which passes 4-3 (Council members Overdier, Menchel, Ramswell and Braden voted “yes”; Council members Morgan, Destin and Marler voted “no”).

E. Airport Road Update

According to Mr. Burgess, the FDOT District Secretary Gainer is asking for a letter and a resolution from the City requesting termination of the current Local Agency Program (LAP) Agreement; and that draft copies of both documents have been provided to the Council for their consideration.

Councilmember Overdier moved for approval of Resolution 19-28 and authorize the Mayor to sign the letter requesting the termination of the current design Local Agency Program Agreement; seconded by Councilmember Destin.

Councilmember Menchel noted that Public Works/Safety Committee has been discussing this project for nearly 6 years. As the committee’s chairman, he went before the Council nearly 2 years ago and recommended the installation of temporary guardrails because of all the wrecks and injuries that had taken place at this section of Airport Road and his recommendation was unanimously approved. At the time, City staff informed him installing the temporary guardrails would compromise the grant. He then contacted FDOT and was able to obtain in writing that the City could install the guardrails without compromising the grant. However, in August this year, the City sent a letter to FDOT telling them they were unable to complete this project. City staff then reported that FDOT has agreed to handle this project. However, the letter they received from FDOT regarding this subject did not even identify the project correctly; furthermore, the letter states that this project is currently not on their agenda and not budgeted. Therefore, they have no idea when FDOT will go forward with this project.

Councilmember Menchel offered a substitute motion to move forward with installing temporary guardrails on Airport Road, as a temporary measure until FDOT decides to move forward with the project; seconded by Councilmember Destin.

Councilmember Braden suggests they specify location of the guardrails; adding it should be place in the middle to keep cars from crossing the median, and in the north curve to keep people from hitting the airport.

Councilmember Menchel amended his substitute motion to move forward with installing a temporary guardrail on Airport Road, placing it in the median and in the north curve, as a temporary measure until FDOT decides to move forward with the project; seconded by Councilmember Destin.

The Mayor recommends they determine the cost for the guardrail before they adopt such a motion.

The City Manager offered to bring back a cost estimate for the guardrail.

Councilmember Menchel noted they previously offered several suggestions for funding the guardrail including reaching out to the County to see if they would agree to partner with the City because there have been so many damages done to the airport which is County property.

Councilmember Ramswell noted there have been many accidents, some of them fatal, that had occurred on that curve; and that over the years they have made it clear they wanted something done to improve safety on that road.

Councilmember Marler opined that the guardrail is more of a hazard and could result in more serious accidents or fatalities. He stated that most of the accidents on that curve were caused by people over speeding.

The Mayor called for a vote on the motion, which passes 6-1 (Council members Morgan, Destin, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Marler voted “no”).

Councilmember Morgan stated that he would like to make the recommended motion to turn the project over to FDOT.

Councilmember Morgan moved for approval of Resolution 19-28 and authorize the Mayor to sign the letter requesting the termination of the current design Local Agency Program Agreement; seconded by Councilmember Overdier. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

F. Little League Batting Cage Update

Parks and Recreation Director Lisa Firth noted that the City Engineer is currently working with the Little League on the design for the batting cage at Threadgill Park; adding they would like for the cages to be built in time for the March Little League season.

G. FAA/Drones Coordination

Program Information Manager Catherine Card announced that City staff is in communication with Mr. Richard Henry, FAA Safety Team Program Manager. Staff is reviewing the government and public operations information that has been provided by Mr. Henry. She has also been gathering public information material from the FAA to help create awareness for operation of drones within the City limits of Destin. Staff is working to ensure that any public information on drones is consistent with FAA's public information and regulations. City staff is coordinating with the FAA to establish a schedule for them to host a public town hall meeting as well as meet with law enforcement, code compliance officers and elected officials to discuss drone safety and reporting as well as create public awareness of drone safety for the community and visitors. As soon as the FAA makes a firm commitment on a travel schedule, staff will bring back a firm schedule for any town hall or public safety meetings.

H. Enhanced Public Records Policy

Councilmember Destin expressed his full support of the policy. He stated that to ensure full compliance with Chapter 119, Florida Statutes and increase efficiency, the City has recently undergone an extensive process involving the digitization of its records. This resolution furthers the City's goals of transparency and efficiency by strengthening and consolidating its public records, records retention and records disposition policies into a single document.

Councilmember Overdier moved for approval of Resolution 19-27 and adopt the enhanced public records, records retention, and records disposition policy attached to Resolution 19-27, exhibit "A"; seconded by Councilmember Destin. Motion passed 6-1 (Council members Morgan, Destin, Marler, Overdier, Ramswell and Braden voted "yes"; Councilmember Menchel voted "no").

I. Code Compliance Yearly Update

Code Compliance Manager Joey Forgione provided the following Code Compliance 2019 statistical review and analyses:

- Total Code Files and Activities
 - ❖ 2018
 - Code Files – 2586
 - Code Activities – 4640
 - ❖ 2019
 - Code Files – 4665
 - Code Activities – 6693
- Code Statistics
 - ❖ Registrations – 1894 – 38%
 - ❖ Cases – 2746 – 62%
- Registrations – Total: 1894
 - ❖ Short-Term Rentals – 1010 – 53%
 - ❖ Livery Vessels – 450 – 24%
 - ❖ Long-Term Rentals – 393 – 21%
 - ❖ Beach Vendor – 41 – 2%
- Code Compliance Statistics
 - ❖ Notices of Violation – 302
 - ❖ Notices of Hearing – 81
 - ❖ Orders Imposing Fine/Lien – 6
 - ❖ Compliance Rate – 98.01%
- Code Citations – 169
 - ❖ Warnings – 163
 - ❖ Monetary – 6
 - ❖ Compliance Rate – 96.45%
- Parking Violations by Location
 - ❖ South of Hwy 98 – 1310 – 85%
 - ❖ North of Hwy 98/Residential – 240 – 15%

- Parking Violations – 1550
 - ❖ Short-Term Rentals – 1117 – 71%
 - ❖ Beach Access – 207 – 13%
 - ❖ Residential – 240 – 16%
 - ❖ Warnings Issued – 1536 – 99%
 - ❖ Parking Citations – 14 – 1%
 - ❖ Compliance Rate – 99%
- Trash Violations – 243
 - ❖ South of Hwy 98 – 200 – 82%
 - ❖ North of Hwy 98 – 43 – 18%
- Noise Violations – 33
 - ❖ South of Hwy 98 – 14 – 43%
 - ❖ North of Hwy 98 – 10 – 30%
 - ❖ Short-Term Rentals – 9 – 27%
- Stop Works – 198
 - ❖ South of Hwy 98 – 112 – 57%
 - ❖ North of Hwy 98 – 86 – 43%
- Sign Complaints – 553
 - ❖ Signs Collected – 235 – 42%
 - ❖ Miscellaneous Sign Violations – 213 – 39%
 - ❖ STR Sign Violations – 105 – 19%
- Sheriff's Office – 908 Reported Violations
 - ❖ Noise violations – south of Hwy 98 – 308 – 35%
 - ❖ Noise violations – north of Hwy 98 – 125 – 14%
 - ❖ Noise violations – STR – 206 – 23%
 - ❖ Parking violations – south of Hwy 98 – 100 – 11%
 - ❖ Parking violations – north of Hwy 98 – 86 – 10%
 - ❖ Parking violations – STR – 63 – 7%
- Beach Vendor Registrations
 - ❖ 31 businesses / 41 locations
- Beach Compliance – 513
 - ❖ Residents/Visitor complaints about vendors – 200 – 39%
 - ❖ Violation of 20 feet warnings – 130 – 25%
 - ❖ Parking violations – 91 – 18%
 - ❖ Glass on beach warnings – 18
 - ❖ Dogs on beach warnings – 20 – 4%
 - ❖ Soliciting on beach warnings – 17 – 3%
 - ❖ No vendor permit citations – 5 – 2%
 - ❖ Removal of sea oats warning – 10 – 2%
 - ❖ Fire on beach warnings – 10 – 2%
 - ❖ Violation of 20 feet citations – 6 – 1%
 - ❖ Violation of wheeled vehicle citations – 6 – 1%
- Beach Citations – 15
 - ❖ Warnings – 10
 - ❖ Monetary – 5
 - ❖ Compliance Rate – 50%

- Challenges
 - ❖ Beach Management Ordinance - 20' Mean High Water Line
 - ❖ Ropes and Permanent Signage
 - ❖ Violations of Beach Management Ordinance
 - ❖ Lack of education of guests, property owners, management companies and beach vendors
- Recommendations
 - ❖ 20' from water's edge
 - ❖ Limit ropes
 - ❖ No permanent signage allowed
 - ❖ Violations of Beach Management Ordinance needs to go to property owners
 - ❖ More education of guests by management and Code Compliance
 - ❖ More education of management companies, property owners and beach vendors
- Livery Vessels Registration
 - ❖ Vessels in Okaloosa County
 - Total Registered – 18,924
 - Destin Livery Jet Skis – 225
 - Destin Livery Pontoons – 225
- Business Tax Receipts in Harbor Area
 - ❖ Livery Vessels – 20 – 3%
 - ❖ All Other Businesses – 680 – 97%
- Livery Vessels by Type
 - ❖ 2018
 - 18 – businesses
 - 245 – pontoons
 - 169 – Jet Skis
 - Registration Fees - \$28,500
 - ❖ 2019
 - 20 – businesses
 - 225 – pontoons
 - 225 – Jet Skis
 - Registration Fees - \$30,125
- Harbor Waterways – Total Activities – 1029
 - ❖ Report of sewage – 3
 - ❖ Noise complaints – 5
 - ❖ Commercial activity from residential properties – 8
 - ❖ Abandoned Vessels – 4
 - ❖ Transient boat slips violations – 10
 - ❖ Dog warnings at Norriego Point – 26
 - ❖ Parking violations – 165
 - ❖ Idle speed zone warnings – 275
 - ❖ Livery vessel inspections – 90
 - ❖ No BTR citations – 48
 - ❖ No BTR second citation – 17
 - ❖ Warnings for no registration – 88

- ❖ Fine for operating without registration – 1
- Challenges
 - ❖ Identify cars parked in spaces belongs to a business
 - Mark each parking space for which business on property
 - Mark each parking for which businesses shared parking agreements
 - ❖ Moving targets
 - Do not have the statutory powers to pull over vessels
 - ❖ Vessels rentals from outside of City's jurisdiction coming into Destin waterways
 - ❖ Privately owned vessels coming into waterways
 - ❖ Capt. Vessels rentals do not register
 - ❖ Manpower
- Items Noted for Next Season
 - ❖ Follow through with:
 - Quality of submittal
 - Quality of review
 - Review all businesses on property for total count
 - ❖ Engineer/Scale parking drawings submitted from property owner
 - ❖ Engineer fuel plans
 - ❖ Signs marked for parking spaces with times (all businesses)
 - ❖ Register captained pontoons
 - ❖ Not allow storage of excess inventory on property
- Short-Term Rentals
 - ❖ Grandfathering applications
 - Issued – 202
 - Modified Issued – 36
 - Pending Approval – 15
 - Denied – 2
 - Refunded – 9
 - ❖ STR Registrations
 - Currently – 1010
 - Notices of Violations – 46
 - Projected – 1056
 - ❖ Rental Registrations
 - Short-Term – 1010 – 72%
 - Long-Term – 393 – 28%
 - ❖ STR Notices of Violations Compliance Rate – 98.72%
 - Notice of Violations – 156
 - Voluntary Compliance – 153
 - Daily Fine/Lien – 3
 - ❖ STR Parking Enforcement – 1117
 - Warnings Issued – 1103 – 99%
 - Citations – 14 – 1%
 - Compliance Rate – 99%
 - ❖ STR Activities – 2340
 - Events 10 – 0%

- Parking citations – 14 – 1%
 - Parking warnings – 1103 – 47%
 - Sign inspections – 867 – 37%
 - Trash violations – 182
 - Notice of violation – 154 – 7 %
- ❖ Sheriff's Office STR Complaints – 269
 - Noise violations – 206 – 77%
 - Parking violations – 63 – 23%
- Challenges
 - ❖ After hours emergency contacts
 - ❖ Excess trash
 - ❖ Turnover days trash
- Recommendations
 - ❖ Number for emergency contact only/should be answered 24/7
 - ❖ Explore properties to acquire more cans by floor or bedrooms
 - ❖ Require properties to have special trash pick-up on turnover days
- Department Challenges
 - ❖ Identifying unregistered STRs
 - ❖ Decal ID for each property
 - ❖ Lost decals
 - ❖ Tracking events
 - ❖ Identify change of ownership/management
 - ❖ Parking violations
- Recommendations
 - ❖ Continue search through websites
 - ❖ Each decal has registration number assigned to property
 - ❖ Fee of \$25 for replacement decal
 - ❖ Evening and weekend shift can assist in tracking events
 - ❖ Search property appraisers, track sign and website changes
 - ❖ More education of guests by management and Code Compliance
- Department Challenges/Needs
 - ❖ One vehicle is over 15 years old
 - ❖ Manpower
 - Evening coverage
 - Weekend coverage
 - Shift rotation
 - ❖ Rank structure
 - ❖ Clarify of code
 - ❖ Complaints
- Recommendations
 - ❖ Flush out vehicles 15 years or older
 - ❖ Must show professionalism
 - ❖ Change Code Compliance hours of operation
 - Day shift change 6 AM TO 3 PM or 7 AM to 4 PM
 - Evening shift – 2 PM to 11 PM or 3 PM to 12 AM
 - ❖ Evening shift will cover weekends – 2 PM to 11 PM
 - ❖ Shift rotations every 3 months

- ❖ Senior Code Compliance Officer will report to Code Compliance Director/Chief
- ❖ Create divisions (Registration Division and Operations Division)
- ❖ Follow recommendations for all registrations

Councilmember Menchel recommends they explore the possibility of having a Code Compliance officer working past midnight; stating that a lot of violations occur after the midnight hours.

Councilmember Overdier noted that the situation at Crystal Beach is very much out of control as he witnessed this past summer when he rode along on the beach with a Code Compliance officer. One visitor complained to him about spending a lot of money renting a home but unable to find a place to go on the beach; with all the chairs, umbrellas, chains and ropes set up on the beach. He added that visitors will stop coming to Destin if this situation does not change.

Councilmember Overdier move to instruct the City Manager to direct the Code Compliance Department to work with the Land Use Attorney to develop some solutions to the challenges and implement the recommendations that have been identified. Councilmember Menchel provided a second to the motion.

Councilmember Marler stated that for the safety of their Code Compliance officers who are unarmed, they should consider reactivating their radio frequency so they could immediately notify the Sheriff's Office in case of an emergency.

According to Mr. Forgione, the Sheriff's Office is going into a new system. They will engage them on this issue once the new system has been activated. In the meantime, a Code Compliance officer working the evening shift will not go into a house without an escort from a Sheriff's deputy.

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").

J. Announcements:

The City Manager made the following announcements:

- Offices closed Monday November 11th in observance of Veteran's Day.
- Visioning Session: Thursday November 7th, 2019 at the Destin Community Center
- Roadway Redesign Project: Staff requested cost estimates from our interested continuing services Engineering contractors. This information will be brought back to council for direction at the next available meeting after securing the information.
- He would like to use 3 days' vacation the week of Thanksgiving.

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 19-11-CC - Amends the Election Day for the City of Destin

The City Attorney read proposed Ordinance 19-11-CC by title, and then presented it to the City Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO ELECTION DAY; PROVIDING FOR AUTHORITY; PROVIDING FOR THE AMENDMENT OF THE CODE OF ORDINANCES CHAPTER 9 ELECTIONS BY AMENDING SECTION 9-4 ELECTION DAY; PROVIDING THE ELECTION DAY FOR COUNCIL MEMBERS AND MAYOR TO BE HELD ON THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF NOVEMBER IN EACH EVEN-NUMBERED YEAR; PROVIDING FOR REAFFIRMATION OF THE CANDIDATE QUALIFYING DATES PROSCRIBED BY THE CODE OF ORDINANCES CHAPTER 9 ELECTIONS, SECTION 9-8 CANDIDATE QUALIFYING DATES; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; 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 discussion and consideration.

Councilmember Destin moved for approval of Ordinance 19-11-CC on second reading; seconded by Councilmember Ramswell. Motion passed 6-1 (Council members Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Morgan voted “no”).

- B. First reading of Ordinance 19-32-LC - Relating to changes to the Zoning Map, which changes the zoning of two parcels from Institutional (INST) and Medium Density Residential Village (MDRV) to Residential, Office Institutional Village Residential (ROIVR).

The City Attorney read proposed Ordinance 19-32-LC by title, and then presented it to the City Council on second 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 PROPERTIES DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM INSTITUTIONAL (INST) AND MEDIUM DENSITY RESIDENTIAL-VILLAGE (MDR-V) 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 discussion and consideration.

Motion by Councilmember Braden, seconded by Councilmember Ramswell, to approve Ordinance 19-32-LC on first reading passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

C. First reading of Ordinance 19-33-LC Relating to changes in the Zoning Map, which changes the zoning of one parcel from Residential, Office, Institutional-General Development (ROI-GD) and Medium Density Residential-Village (MDR-V) to Residential, Office Institutional-Village Residential (ROI-VR).

The City Attorney read proposed Ordinance 19-33-LC by title, and then presented it to the City Council on second 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 PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM RESIDENTIAL, OFFICE AND INSTITUTIONAL-GENERAL DEVELOPMENT (ROI-GD) AND MEDIUM DENSITY RESIDENTIAL- VILLAGE (MDR-V) 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 discussion and consideration.

Motion by Councilmember Marler, seconded by Councilmember Overdier, to approve Ordinance 19-33-LC on first reading passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

D. Kimley-Horn, on behalf of Kahuna Property, LLC is requesting approval of a Major Development Order and Major Subdivision identified as “The Charles.” The proposed development consists of 192 multifamily units. The proposed project is generally located east of Big Kahuna’s Water Park, and west of Airport Road, addressed as 1021 U.S. Highway 98. The total site area is 11.54 acres, more or less.

The City Attorney sworn in the following individuals for testimony:

Louis Zunguze, Community Development Director
Joe Bodi, Engineering Assistant II
Cameron Snipes – Project Engineer
Chip Dillard – Project Developer

Parke Lammerts – Project Developer

Mr. Cameron Snipes, project engineer, presented the project, stating that it is a 192 multi-family unit subdivision. It is approximately an 8-acre project. They will be dedicating an 80-foot right-of-way with roadway to the City of Destin as part of this project. The project was rezoned approximately 12-16 months ago.

Councilmember Ramswell stated it is hard for her to believe the Mattie Kelly Road they are putting will not impact US Hwy 98 as indicated by the Traffic Concurrency Study.

Mr. Snipes noted they are working with FDOT and City staff on this matter. There is a right-turn lane that will be added as part of this project, which goes along with the level of service standard that deals with the traffic.

Councilmember Ramswell asked if it is customary to do a traffic study before and another one after development.

According to Mr. Zunguze, there are phases of their review that require that process to verify every assertion they are making.

Councilmember Braden asked if they are still planning on putting a retail store on the 1.17-acre lot in the section in front on Hwy 98.

Mr. Chip Dillard, project developer, stated it is still the plan, but it is not part of this development order.

Councilmember Ramswell asked that for the front section that could be developed whether the density is already utilized for the main complex.

Mr. Zunguze noted that when Council approved the rezoning of this parcel, they held the total zoning for the 11-acre parcel to 192 units; therefore, that front section cannot be used for residential development. It would have to be for some other allowable use.

At this time the Mayor asked if any member of the public wishes to comment on the proposed development. Hearing none, the Mayor turned the matter over to the City Council for their consideration.

Councilmember Ramswell moved for approval of the Major Development Order and Major Subdivision identified as “The Charles”; seconded by Councilmember Braden. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

6. *CONSENT AGENDA

A. Membership Appointment Destin Youth Council

Motion by Councilmember Destin, seconded by Councilmember Marler, to approve Consent Agenda item 6A, 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 (No public comments)

A. Councilmember Braden

Councilmember Braden requested an update on the undergrounding of utilities on US Hwy 98.

Councilmember Destin noted there is public meeting with Gulf Power scheduled for November 19th, beginning at 1:30 PM at City Hall, and this is one of the topics that will be discussed.

Councilmember Braden wants to know the reason they are cutting down large Crepe Myrtle trees on US Hwy 98 and a large grapefruit tree at the Old Campground.

Mr. Burgess stated there have been repeated requests to trim those trees located in front of Crackel Barrel. The Deputy Director of Public Services decided to go ahead and cut them down, which is against City policy. It has been addressed. They have put in new processes to make sure it never happens again. The grapefruit tree was cut down for safety reason. There were some concerns for pedestrian and bicycle safety as fruits were being dropped on the sidewalk.

Councilmember Braden requested an update on the hiring of a grant writer for the City.

The City Manager stated that the job description has been written and they plan to advertise the position this week.

Councilmember Braden noted they have previously discussed moving the Engineering Division from Public Services Department to the Community Development Department. He would like to know if there is a consensus of the Council with regards to this matter.

The City Manager stated they have just hired a City Engineer within the past 4 weeks. He is currently weighing all the facts to determine if it would be a good idea to move that position under the Community Development Department; adding he would need some time to do some logistical planning and discuss this matter with the department directors that will be impacted by this move.

Councilmember Braden moved to place the Engineering Division under the Community Development Department; seconded by Councilmember Menchel.

Councilmember Ramswell asked for Mr. Zunguze's opinion on the matter.

Mr. Zunguze noted that when he started work as the City's Community Development Director, one of the things he and the City Manager discussed is the best operational configurations of the department; and that one of the things that were identified was placing the City Engineer Division under the Community Development Department. He continued that the key core functions of the development review are planning and zoning services, building services, and engineering services. To ensure optimum efficiency in terms of timeliness of decision making and delivery of service and streamlining processes, it would be necessary to put all these services under one management.

Councilmember Marler stated this is strictly a City Manager decision; and that he should be given enough time to make that decision.

Councilmember Menchel recommends giving the City Manager by the end of the year to do the logistical planning; adding they should include a date certain to avoid talking about this issue repeatedly.

Councilmember Destin stated if they go forward with the move, they would be putting additional responsibility on Mr. Zunguze. He recommends amending the motion to include a parameter that gives the City Attorney and City Manager the ability to pay Mr. Zunguze more money.

Councilmember Braden offered an amended motion to place the Engineering Division under the Community Development Department and to give the City Manager 30 days to do the logistical planning; and to include a parameter that gives the City Attorney and City Manager the ability to pay Mr. Zunguze more money for this added responsibility. Councilmember Menchel provided a second to the motion.

Councilmember Ramswell noted that salary increase for department heads is a City Manager decision according to their City Charter.

The City Attorney stated that the motion does not mandate a salary increase; it merely gives the City Manager the ability to consider it.

Councilmember Morgan would like to see a formal agenda item on this matter and not give the City Manager a time constraint to decide.

Councilmember Braden stated that if things are not accomplished within 30 days, he would expect the City Manager to come back and request additional time, which would surely be granted.

Councilmember Morgan stated they should at least approve a motion to set aside the order of the day before voting on this issue.

Motion by Councilmember Destin, seconded by Councilmember Menchel to set aside the order of the day and vote on the issue at hand passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

The Mayor called for a vote on Councilmember Braden's motion, which passes 5-2 (Council members Destin, Overdier, Menchel, Ramswell and Braden voted "yes"; Council members Morgan and Marler voted "no").

Next, Councilmember Braden requested an update on the Heritage Park.

The Land Use Attorney stated that she is working on the language that was discussed at the previous meeting with the US Treasury, and that the City Manager has directed the new City Engineer to work on the scope of services for the RFP package.

B. Councilmember Ramswell

Councilmember Ramswell requested that the possibility of forming a Beach Committee made up of vendors, residents, code compliance officer, a Council member and the Land Use Attorney be placed on the next Council meeting agenda for discussion.

C. Councilmember Menchel

Councilmember Menchel asked staff to notify FDOT that the blinking yellow/red light at the US Hwy 98 and Triumph Road serves no real purpose and needs to be turned off.

Councilmember Menchel inquired as to the status of the generator contract.

Mr. Burgess noted there is a bid opening for the generator contract this coming Thursday, November 7th.

Councilmember Menchel inquired as to the extent of the damage to the City Hall generator which is currently under repair.

Mr. Burgess explained that the generator is monitored remotely by RONCO. It threw some trouble codes and it was determined that the head gasket had blown, and coolant has gotten into the engine.

Councilmember Menchel asked if they have anything in place whereby somebody from staff verifies that the required work in any of their contracts is actually being accomplished.

Mr. Burgess replied they have processes in place for verification of the work being completed, such as for the sidewalk installation, before they would pay an invoice. They have staff members that accompany the contractors, and they also have staff members that do independent audits and inspections. Once a work is finished, the Deputy Public Services Director approves payment of the invoice by placing his initials on it indicating he has physically verified that the work has been done.

- D. Councilmember Overdier**
- E. Councilmember Marler**
- F. Councilmember Destin**
- G. Councilmember Morgan**

H. Mayor Gary Jarvis

Mayor Jarvis noted that it is daylight savings time and it gets dark early. He asked staff to make sure the lights in the dog park are lit as soon as it gets dark.

I. Land Use Attorney

The Land Use Attorney stated they have a significant number of Bert Harris claims. The Mayor suggested they hold a special Council meeting instead of the regular Council meeting to discuss settlement for these cases. She asked if the Council is amenable to scheduling that meeting on December 9th.

It was the consensus of the Council to schedule a Special City Council meeting on Monday, December 9, 2019, to discuss all the Bert J. Harris cases

J. City Attorney

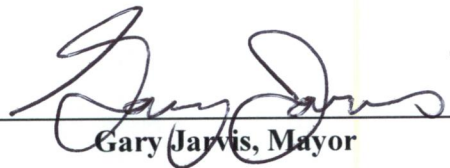
8. PUBLIC COMMENTS

Having no further business at this time, the meeting was adjourned at 9:15 PM.

ATTEST:

A blue ink signature of Rey Bailey, City Clerk, written over a horizontal line.

Rey Bailey, City Clerk

A blue ink signature of Gary Jarvis, Mayor, written over a horizontal line.

Gary Jarvis, Mayor