

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
JANUARY 21, 2020
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 Prebble Ramswell

Councilmember Parker Destin
Councilmember Skip Overdier
Councilmember Rodney Braden
Councilmember Chatham Morgan

Destin City Staff

City Manager Lance Johnson
Public Info Manager Catherine Card
Code Compliance Manager Joey Forgione
Community Dev Director Louis Zunguze
Public Services Director Michael Burgess
City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
Deputy City Manager Webb Warren
Parks/Recreation Director Lisa Firth
Finance Director Bragg Farmer
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 PM. It was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Morgan requested that the nomination of Mr. James Geveden to the City's Local Planning Agency be added under his name on the agenda; and designate agenda item 7G(1) as agenda item 4A under City Manager Report.

Councilmember Menchel asked that agenda item 7J(2) be moved under agenda item 4B in the City Manager Report.

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

1. APPROVAL OF MINUTES

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

Motion by Councilmember Destin, seconded by Councilmember Menchel, to approve minutes of November 4, 2019 Regular City Council meeting passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

2. PROCLAMATIONS / RECOGNITIONS / SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Parks and Recreation Committee – Presentation of Fiscal Year 2019 Accomplishments and Fiscal Year 2020 Work Plans – Ms. Teresa Hebert, Committee Chair

Committee Chair Teresa Hebert presented the Parks and Recreation Committee’s Fiscal Year 2019 accomplishments and Fiscal Year 2020 Work Plans, as follows:

ARBOR DAY CEREMONY

- The City’s annual Arbor Day ceremony was held April 26, 2019 at the Nancy Weidenhamer Dog Park. Mayor Gary Jarvis presided with Councilman Skip Overdier in attendance. The city celebrated the planting of a Southern Magnolia (*Magnolia grandiflora*) in the small dog park. Committee member Myra Williams gave a short presentation and children from Noah’s Ark preschool participated in this high-profile event. The parks team also planted another magnolia tree in the large dog park at the same time.

PARK INSPECTIONS

- All parks and beach trails were inspected by committee members in FY19 and the findings were reported to the Department Director and Parks Supervisor in a late winter meeting of the committee. The majority of items of concern that were identified have been corrected.

“WELCOME TO DESTIN” SIGN BEAUTIFICATION PROJECT

- The committee worked with Allen French of the Destin-based Trees on the Coast and staff to shepherd along a proposal to beautify the popular “Welcome to Destin, The World’s Luckiest Fishing Village” sign by the Marler Bridge on Eglin Air Force Base property. The proposal would enhance the attractiveness of the sign with landscaping and the planting of trees.

CIVIC INVOLVEMENT

- Committee members were active in a variety of local annual civic events including Fall Fest, Founder’s Day, the Christmas Tree Lighting Ceremony, the Pinfish Tournament, and the Christmas Outdoor Decorating contest.

ANNUAL CHRISTMAS PARADE

- The committee constructed and entered a float celebrating the Nancy Weidenhamer Dog Park into the annual Christmas parade.

Councilmember Destin moved to approve the Parks and Recreation Committee's Fiscal 2019 Annual Report and Fiscal Year 2020 Work Plans; seconded by Councilmember Overdier. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

B. Destin Community Event Center Project – Mr. Rick Kosuback, President, International Coliseum Company

Mr. Rick Kosuback, President of International Coliseum Company gave a general overview of his company's mission and the different types of projects they do for a community.

- Primary Development Team
 - ❖ Hunt – Developer/Financier. One of the world's largest Public-Private Partnership (P3) developers with over 200 partnerships successfully completed across the globe
 - ❖ International Coliseum Company (ICC) – North America's leader in event center development
 - ❖ Core Construction – One of the nation's largest construction management firms primarily serving the civic/municipal and education building sectors
 - ❖ Perkins & Will – Leading architectural firm specializing in events centers, sports and recreational facilities
 - ❖ Structured Parking Solutions – Recognized as one of the premier parking consultants and developers of parking structures in the U.S.
- Conceptual Program
 - ❖ 80,000 square foot Field House
 - ❖ 60,000 square foot Twin Ice Facility (Hockey, Figure and Ice-Skating tournament venue)
 - ❖ Possible Destin Sports Hall of Fame
 - ❖ Replaces current Destin Community Center meeting rooms and offices
 - ❖ Pedestrian Plaza – Gathering Space
 - ❖ Parking
 - ❖ Optional Hotel (125-150 rooms)
 - ❖ Approximately 10-acre site required
- Field House Facilities Examples (photos)
 - ❖ Rocky Mountain, North Carolina
 - ❖ US Health Sports Factory, Rockford, Illinois
 - ❖ Recreation Center, Williston, North Dakota
 - ❖ Sports Center, Jacksonville, Florida
 - ❖ Colorado River Union High School (Multi-use Indoor Field House)
- Twin Ice Rink Examples
 - ❖ City of Lethbridge, Alberta Canada
 - ❖ Spruce Grove, Alberta, Canada
 - ❖ Idaho Falls, Idaho
 - ❖ Utica, New York
 - ❖ Greeley, Colorado
 - ❖ Littleton, Colorado

- Example Elevations and Cost Estimates
 - ❖ Multi-Use Field House - \$17 million - \$25 million
 - ❖ Multi-Use Arena - \$48 million - \$65 million
- Projected Economic Impact: Field House
 - ❖ Direct: \$24,843,000 - \$28,454,000 / Year
 - ❖ Indirect and Induced: \$12,951,000 - \$14,835,000 / Year
 - ❖ Total New Jobs Locally – 450 – 520
 - ❖ 70,000 Additional Room Nights
- Representative Economic Impact: Arena
 - ❖ Direct: \$7,400,000 / Year
 - ❖ Indirect & Induced: \$5,600,000 / Year
 - ❖ Total New Jobs Locally: 250
- Next Steps:
 - ❖ Approval of basic concept, P3 model and pre-development agreement between parties
 - ❖ Basic programming exercise with stakeholder includes site identification
 - ❖ Feasibility and Economic Impact Study
 - ❖ Development of Triumph Gulf Coast, Inc. Trust Fund Application
 - ❖ Delivery of Study to Council
 - ❖ Notice to Proceed: Method of Procurement
 - ❖ Complete site plans and design
 - ❖ Establish a guaranteed price and schedule for construction
 - ❖ Structure and secure financing package
 - ❖ Negotiate and structure final lease, hotel and property development agreements
 - ❖ Nominate public-private board to oversee project
 - ❖ Obtain required governmental approvals for project

Councilmember Overdier noted there is already an Okaloosa County Convention Center located near Destin. He asked if they would be complementing or taking business away from that facility.

According to Mr. Kosuback stated they are not proposing a convention center but an event center, for special events such as sports, concerts, high school graduations, Easter services and non-denominational services.

Councilmember Overdier asked if the 10-acre site that is required conceptually include the parking area; and whether they have a site in mind in Destin that would accommodate such a facility.

Mr. Kosuback stated there was a location that was referred to them that may be big enough for the facility but excluding parking. In most cases, the 10 acres would be amenable for two buildings with minimum parking. Parking codes are usually about a 3-1 ratio, which means an event center with 4,000-seat facility requires 1200 to 1300 parking spaces. However, they would never recommend to specifically park the entire project on one site, but to spread that parking around the community so that there is a benefit for all.

Councilmember Ramswell noted that the Okaloosa County Convention Center has had its difficulty, bringing in questionable acts to attract people. She asked how an area as small as Destin could bring in enough people to provide full financial support for this kind of initiative.

According to Mr. Kosuback, they are merely providing some ideas at this point, not knowing exactly what the City wants and what they can actually develop. The main focus is to take care of residents and build a facility for the quality of life of the citizens. He continued that the primary goal for this type of project is to get to the breakeven point, not necessarily making huge profits right away; adding that often times, the benefit comes from within the community itself.

Councilmember Ramswell asked what sport, or combination of facilities they feel would actually be supported in this community.

Mr. Kosuback stated that a mid-size events center would make sense as there is nothing in the mid-size category for quite a distance. He continued that sports tourism business – volleyball, basketball, wrestling and cheerleading – is a massive industry right now.

Councilmember Ramswell noted they already have a major traffic situation in Destin, particularly in the area where the currently community center is located. They are about to open a high school in Destin and one of the entities they had been working with was one of the owners of the 20-acre property that includes Old Tyme Pottery. That is a much larger space for this type of project. She could foresee some sort of partnerships with the City to build an indoor soccer field as soccer is quite a popular sport at this time; as well as a facility that could support other high school sports, such as football.

Mr. Kosuback stated that the project he had shown earlier in Bull Head Arizona was a joint venture between the City of Bull Head and their school district. The facility is used by the high school first, and the Parks and Recreation programs second. He could see a similar joint venture between the City of Destin and Okaloosa County working out.

The Mayor noted that the location Councilmember Ramswell mentioned has always been what they had in mind because it is the only location that would support such a facility and the activities they have discussed.

According to Councilmember Ramswell, if this project is not what Council is interested in pursuing as part of a City project, she would be interested in pursuing it as a school and County type project.

Councilmember Braden noted that the current convention center located just a few miles from Destin can hold a lot of the events that have been discussed. He is not sure if this type of facility would be a good fit for a city the size of Destin.

Councilmember Morgan stated that the County TDC has been subsidizing the convention center which is why it is still in existence even though it loses a lot of money each year. The City of Destin will not have a similar funding source to subsidize its sports center if they decide to build one and it is not successful; adding that the Morgan Sports Center has been successful and it is not nearly as expensive to build as a field house. On the other hand, there is a developer proposing to

build 200-300 apartment units on that 20-acre property, which is absolutely not what Destin needs at this point. He added that the sports center project is worth exploring to see if it is financially feasible.

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, stated that with regards to agenda item 4C relating to the pursuit of the Eglin property, she suggests pursuing the beach park property as well. It has a pavilion, a very nice decking, 244 parking spaces and bathrooms. The property is not being properly utilized and staffed. The base conducts three events there a year for its military personnel, and then the facility remains locked most of the time. She also noted that an Eglin representative has informed her they fully intend on stopping traffic from leaving up under the bridge and going to the pavilion and driving out so they could cut across the median and head west. They will be routing all the traffic to the Stahlman Avenue intersection.

Ms. Karen Lugo, a Destin resident and short-term rental owner, noted that the City of Destin has been very actively regulating short-term rentals over the past year and a half – new rules, higher fees, new parking policy – but not the condominiums. The answer they usually get is that condominiums have homeowners' association. But short-term rentals have homeowners' associations also, and in some cases, they pay extra fees. And so, they pay both City and homeowners' association fees. She also stated that condominium owners have similar problems as short-term rental owners in terms of noise, trash and parking. If the City has legitimate concerns over these issues, then they should also regulate condominium owners.

Mr. Jonathan Querisma, a Destin resident, remarked that he embarked on a business endeavor in 2018 and opened up a pontoon rental company while also playing professional football and found it hard trying to do both and closed the business. Within the last year and a half, he had invested \$72,000 on pontoon boats and is currently paying for a marina to keep the boats and materials for the business he wishes to re-open. He recently became aware of the moratorium and he wants to know what to do in order to be able to re-open the business.

The Land Use Attorney noted there are two exceptions to the moratorium for hardships, and that Mr. Querisma can speak with City staff to go over his options.

Mr. Kevin Schmidt, a Destin resident and member of the City's Public Works and Safety Committee, noted that the committee has recently approved a motion related to the Airport Road guardrail design but was unable to place that item on the City Council agenda for consideration by the Council. The motion, which passed 5-1 was "to recommend to the City Council to consider installing the flashing speed limit signs in lieu of, or in addition to, the guard rail barriers." He stated that the FDOT has begun their plans to implement some design changes to the Airport Road curve. The City is also deciding to put some safety measures such as the guardrail system which is up for discussion tonight. He stated that the City of Fort Walton Beach installed flashing speed limit signs on Hollywood Blvd, which according to reports have been quite successful. These signs were purchased and installed for approximately \$15,000. He asked the Council to consider the committee's motion before approving a \$30,000 contract just for designing a guardrail system that may be removed once FDOT implements its plan for the curve.

Ms. Peggy Vinson of Vinson's Investment Properties stated that the economic impact of the events center for the City of Destin is approximately \$24 million to \$28 million a year; and that it could create about 250 jobs. With the ice-skating rinks and all other amenities that have been discussed such as a rehab center, restaurants, concert area and parking facility, this could be a tremendous events center. She also stated that a feasibility study that will consider all the things the City wants to see in an events center has to be conducted; after which they will come up with a cost estimate to present to the City. She continued that they have three possible sites in mind – two medium size (10 and 12-acre) parcels and a large (20-acre) property. She added this is a tremendous opportunity and she would like the Council to consider the impact of this project to the community.

Mr. Bill Reddington, a Destin resident, stated that he supports the recommendation from a prior speaker about pursuing Eglin's beach park property. There have been some damages caused by Hurricane Ivan, but the remodel for the City could be inexpensive. His only concern is swimming in that inlet. The current there is brutal when the tides are going in or out.

4. CITY MANAGER REPORTS

A. Food for Thought Lease Agreement

Ms. Tiffany Nelson, Founder and CEO of Food for Thought Outreach, stated that 2020 marked the 10th year anniversary of this organization where they were serving 6 children with a \$300 budget. Since then the organization has grown to serve 3,300 children a week at 35 school locations across Okaloosa and Walton Counties. They run 5 separate programs designed to fight child hunger, empower them to stay in school and become productive members of the community. For years they have gone from one borrowed space to another in Okaloosa County trying to find a home for their program. Space is important as they distribute 30,000 food items a week using 250 volunteer workers. Five years ago, they were presented with the opportunity to use the facility on Airport Road. At the time, the building needed a lot of work. Food for Thought through partnership with the Destin Rotary, City of Destin and the Destin Chamber of Commerce, as well as through donations given to Food for Thought, completed a \$200,000 renovation of the facility. From that location they distribute over 17,000 food items a week, and it is their goal to stay at that location and extend the lease agreement with the City for another 5 years.

Council members Braden and Ramswell expressed their support for lease renewal and rent reduction.

Councilmember Morgan recommends renewing the lease and giving Food for Thought two 5-year renewal options, thus providing them some security.

Councilmember Destin moved to instruct City staff and the City Attorney to renegotiate the terms of the lease with Food for Thought to include renewal options and to reduce the rent term to \$1 per year. Councilmember Menchel provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

B. Memorandum of Understanding between the City of Destin and Okaloosa County regarding City FDEP Permit # 0288799-003-JC

The City Attorney noted that the City of Destin and Okaloosa County have been working together to ensure the dredging of the East Pass and finally getting closed to accomplishing it. The City's dredging permit is in order. Financially, the City is not a qualified non-federal sponsor therefore they cannot receive flow-through federal funds relating to this project. However, the County is a qualified non-federal sponsor and can receive those funds. The County is also funding the remainder of the project. The memorandum of understanding being presented to Council memorializes the agreement between the City and County as it relates to the dredging permit.

Councilmember Destin moved to approve the Memorandum of Understanding Between Okaloosa County and the City of Destin for East Pass Dredging, authorize the Mayor to execute the MOU, and direct City staff to take all actions necessary to ensure the East Pass is dredged as soon as possible. Councilmember Overdier provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

C. Staff and City Land Use Attorney Update on Eglin Property

According to the City Manager, Council had previously tasked the City Land Use Attorney and staff to bring back additional information and options relating to obtaining a potential interest or license on the north west beach property under the East Pass bridge. Staff has presented three options for Council's consideration.

Councilmember Overdier moved to have the Parks and Recreation Committee explore this opportunity, its benefits, and its costs, and bring back a recommendation to the Council for consideration to include the NCO Beach Club area; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

D. Request to Approve Consultant for Building Height Analysis

Councilmember Overdier moved to approve the proposal from Fisher Planning & Development Consultants, dated January 15, 2020, not to exceed \$18,000 payable from the City's fund balance, authorize staff to make the required budget amendments, and authorize Fisher Planning & Development Consultants to commence work pursuant to the time table set forth therein. Councilmember Menchel provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

E. Airport Road Guardrail Design, authorization to execute task order

According to the City Manager, Council authorized him to negotiate a task order with Volkert Engineering to design two guardrail systems on Airport Road. On January 8, 2020, he and staff met with Volkert representatives and discussed the scope of the tasks order; which is now before the Council for consideration.

Councilmember Overdier moved to authorize the City Manager to execute a task order with Volkert Engineering for the design of Airport Road guardrails system in an amount not to exceed \$32,184 to be taken from Transportation Impact Fees and to make any required budget amendments; seconded by Councilmember Ramswell.

Councilmember Braden opined the proposed amount is too much to pay just for designing the guardrail system. He recommends placing the flashing speed limit signs recommended by the Public Works/Safety Committee in lieu of the guardrails and wait for FDOT to install the high friction surface on the road.

Councilmember Ramswell asked how often accidents happen on the Airport Road curve.

According to Capt. Nix of the Sheriff's Department, more accidents happen on that portion of the road when it rains; about one or two on average.

Councilmember Ramswell inquired as to the effectiveness of temporary barriers or the flashing speed signs.

According to Capt. Nix, he has not had a whole lot of experience with temporary barriers, however, the majority of the wrecks in the area of the guardrails on Scenic Hwy 98 by the Crab Trap involved people on rented scooters and some vehicle crashes. The guardrails cause a lot of damage when they are hit. He continued that placing speed signs on both sides of the roadway would slow traffic down for a few days; but once motorists realize there is no law enforcement action for violating the speed limit, the signs are ignored.

Councilmember Ramswell asked if the Sheriff's Department could put up the signs on that curve and enforce them.

According to Capt. Nix, the yellow signs on the corner are caution signs, which is basically the recommended speed; and that they are not enforceable because they are not placed by FDOT. The white speed limit signs on the road are the enforceable signs. When they put the speed trailers up, they purposely lower the speed limit to get motorists to slow down while approaching the curve, but they cannot enforce it. He continued that they have increased enforcement of speed limits signs on Airport Road.

Councilmember Ramswell recommends issuing more traffic citations than warning tickets for speeding along that road to let people know they mean business. She also stated that considering the cost and time it would take to install the guardrails, she is now leaning towards something that makes better sense like taking the recommendations of the Public Works/Safety Committee and increasing enforcement of the speed limit until the permanent solution is put into place by FDOT.

According to Councilmember Menchel, the way to stop the problems on Airport Road is to slow people down whichever system they choose to use; adding that his main goal regarding putting in the guardrail is to avoid a head on collision by stopping motorist from crossing the median. He stated that he has discussed this issue with the City Manager and Deputy City Manager, and they came up with the public relation slogan, "Don't fly on Airport Road." They

would need to convince the Sheriff's Office to basically issue a "zero-tolerance policy" along that road; and then put out a press release in that regard and advertise it on their web page and social media to get people's attention. He also expressed concern regarding the time element for installing the guardrail; stating that by the time they finished processing all the paperwork and installing the guardrail, it would be time for FDOT to construct the high friction surface on that road. He asked if staff could narrow down the timeline for the actual placement of the guardrail system, and to request the Sheriff's Office adopts a "zero tolerance policy" on Airport Road.

Councilmember Destin offered a substitute motion to table this item, seconded by Councilmember Braden. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes"). Motion 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

Councilmember Destin moved to instruct the City's Public Information Manager to work with other members of staff in putting out a public relations campaign announcing to the general public the increased speed enforcement along Airport Road by the Sheriff's Office; and to instruct staff to bring back some options and recommendations with regards to costs associated with the radar signage passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

F. Stahlman Avenue Intersection Assessment, authorization to execute task order

According to the City Manager, the Council requested that an assessment of the Stahlman Avenue/US Hwy 98 intersection and immediate areas be evaluated for the purposes of improving the flow of vehicular traffic while promoting pedestrian safety. He continued they have met with Volkert Engineering to discuss this project and finalize a task order/scope of work both for short term and long-term solution for that area.

Councilmember Braden suggests they reach out to the County first to determine what they plan to do for that intersection before they spend some money redesigning it.

The City Manager noted there is an area associated with the PD&E that the County and State would do. The area beyond that which is more towards the community center is what this scope of work is all about. They could then combine that with the County and State's plans in the future.

Councilmember Ramswell requested they include the underground pedestrian tunnel as one of the options to consider at the Stahlman Avenue and US Hwy 98 intersection.

Councilmember Marler stated that in the process of redesigning that intersection, they need to keep in mind they would not be able to acquire additional rights-of-way as the existing Whataburger Restaurant and Chevron Gas Station may not be amenable to giving up their rights-of-way.

Councilmember Overdier moved to authorize the City Manager to execute a Task Order with Volkert Engineering to provide an assessment of the Stahlman Avenue/US Hwy 98 intersection and adjacent areas consistent with the base scope of work provided to

include the Local Concerns meeting in an amount not to exceed \$64,696 to be taken from the Transportation Impact fees and to make any necessary budget amendments. Councilmember Ramswell seconded the motion, which passes 6-1 (Council members Morgan, Destin, Marler, Overdier, Menchel and Ramswell voted “yes”; Councilmember Braden voted “no”).

G. Development Review System Software Update

The Deputy City Manager announced that City staff continues to work hard in preparation for the Energov Project. They had very productive sessions with Energov staff and will continue to provide updates to the Council as the project progresses. Staff is prepared to move forward and have a target date for substantial completion of this phase of the community development portion of Energov in January 2021.

H. The City is partnering with the United States Army Corps of Engineers to conduct a Harbor Capacity Study for the Harbor and Choctawhatchee Bay areas.

Community Development Director Louis Zunguze informed the Council that staff has been coordinating with the Army Corps of Engineers to prepare a survey that will be used for data collection and analysis during the Harbor Capacity Study. The City would need to establish a Harbor Capacity Study Steering Committee made up of stakeholders to aid staff in reparation of the harbor study questionnaire. The Steering Committee, once established, will work to finalize the survey so that it can be released in time to begin the execution of the study.

Councilmember Menchel moved to form a Harbor Capacity Study Steering Committee; seconded by Councilmember Ramswell.

Councilmember Ramswell inquired as to the main purpose of the study.

Mr. Zunguze explained that the study will look at the environmental aspects of the harbor and the balance between recreation and the business side of the harbor. It will also determine the interaction among all the uses including the capacity of the boarding fleet. He continued there will be a series of recommendations for the Council to consider from the policy and regulatory standpoints to make sure the harbor continues to be a thriving part of the City. He added it would also help in securing grant that might be needed, for instance, for environmental purposes.

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

Councilmember Menchel recommends they advertise the opening quickly and obtain some applicants so that that Council could appoint members in a timely manner.

It was the consensus of the Council to adopt an application form for the steering committee and present all completed applications to Council for appointment on the second meeting in February 2020.

I. Announcements

The City Manager made the following announcements:

- Workshop on potential uses of half-cent sales tax on January 27th at 5:30 PM at the Annex Council Chambers
- Social Media/Public Records/Ethics Training on January 30th at City Hall
- It does not appear that streetlights are included in the plans for the Henderson Beach Drive/Commons Drive intersection. County staff recommends that the Destin City Manager or Mayor write a letter to BOCC requesting they include lights in that project for safety reasons (there was a Council consensus to send the letter)
- Second edition of Task Tracking Report went out on Friday. Encourage a one-on-one discussion with Council members

5. PUBLIC HEARINGS

A. First reading of Ordinance 20-01-PC – Amending Chapter 6 of the City of Destin's Comprehensive Plan, "Coastal Management Element", providing updates to the Coastal Management Element pursuant to State law.

The City Attorney read proposed Ordinance 20-01-PC by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING CHAPTER 6 OF THE CITY OF DESTIN'S COMPREHENSIVE PLAN, "COASTAL MANAGEMENT ELEMENT"; PROVIDING UPDATES TO THE COASTAL MANAGEMENT ELEMENT PURSUANT TO STATE LAW; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING 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 and sent the matter over to Council for their discussion and consideration.

Motion by Councilmember Menchel to approve proposed Ordinance 20-01-PC and direct staff to forward the EAR report and the ordinance to the State Department of Economic Opportunity (DEO) was seconded by Councilmember Overdier and passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

6. *CONSENT AGENDA

- A. Valentine's Day 8k Request
- B. Draft Minutes of Standing Committee/Board Meetings

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

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

A. Councilmember Braden

Councilmember Braden noted that he has not received the specifications he asked for on Coleman Lake spillway, showing the height before and after it was built.

Public Services Director Michael Burgess stated that he has conducted a research on the original Coleman Lake spillway retrofit. It incurred some damages a few years ago and so it was necessary to rebuild the spillway. He continued that Jenkins Engineering went on site a few days ago and shot the elevations as a courtesy. It was about 5- or 6-inches lower from the original condition sheet to its current elevation. Mr. Jenkins expressed concern that if they raise the lake level, they would be losing storage capacity in the lake during a large storm event.

Councilmember Braden asked why it would be necessary for the City to hire a grant writer for \$100,000 a year instead of outsourcing it.

The City Manager noted they are advertising the position as instructed by the Council to fill the Grants Manager/Project Manager position. They have several large-scale grant programs coming online, and that this position will not only seek out new grants but will be managing the capital projects which is necessary to make sure they are in compliance with both state and federal guidelines. He added he does not have the exact salary figure for the position, but it falls quite short of \$100,000.

Next, Councilmember Braden asked if the insurance company would cover the stucco repair for the Community Center.

The City Manager noted that the City's Risk Manager has filed the claim with the insurance company, but the case file is still open. He continued they are waiting for an official cost estimate for the repair which they would need to submit to the insurance company to determine how much coverage they would provide.

According to Mr. Burgess, some contractors would be looking at some of the problem areas and possibly doing an assessment of the entire building to determine if there are any other damages that may not have yet presented to the surface.

Councilmember Braden asked if they have put out the bid for the Capt. Royal Melvin Heritage Park.

The City Manager noted they are still waiting for the County's approval of the bid document, which is part of the federal guidelines as recipient of the money from the Treasury Department. However, he expects to be able to advertise the bid within the next 10 days.

B. Councilmember Ramswell

Councilmember Ramswell asked if the City's Finance Director had been able to review the matter relating to NPEB funding which the Council discussed at the last meeting.

According to Finance Director Bragg Farmer, they have confirmed that the two NPEB funds – \$46,000 and \$48,500. One had already been attached to the construction and they will attach the other one this week so that they are both in the funding. He continued they are still looking through the development file to make a determination regarding the Pointe One contribution and will advise the Council of their findings.

Councilmember Ramswell noted that she and Parks and Recreation Director Lisa Firth has discussed the idea of forming a City Beach Committee comprising of representatives from different entities – i.e., Parks and Recreation, lifeguard, Sheriff's Office, Okaloosa County, Code Compliance, vendors, City Attorney, etc. – so that everybody could come together and discuss and come to an agreement on beach issues before the start of the season. She continued that Ms. Firth has agreed to contact and gather representatives from different stakeholder groups.

Next, Councilmember Ramswell asked if it would be necessary to schedule an executive session ahead of the mediation for the Pointe Mezzanine litigations.

According to the Land Use Attorney, it would not be necessary at this time unless the Council feels they have something to discuss in terms of litigation strategies and expenditures. She stated that the mediation is very limited in scope and they would not be mediating any specific land use issues. She added they would more likely schedule an executive session at some point after the mediation as the Council would need to approve anything discussed at the mediation.

Councilmember Ramswell wants to make sure no negotiations, bargaining or decisions occur at the mediation; and that the Council will have the opportunity to discuss strategies before such decisions are made.

The Land Use Attorney noted they have already discussed with the counsel for Pointe Mezzanine that no decisions that the lawyers agreed to at the mediation would be binding on the City Council. They would be taken back to the Council for approval at a public meeting, and any matter relating to strategies and expenditure will be discussed in an executive session.

Councilmember Ramswell announced that a Destin High School pep rally was held in town hall last week, and that it was a tremendous event with people packing the Destin United Methodist Church gymnasium which is quite a large facility. Families that will have a 9th or 10th grade students next year and are contemplating on attending the school next year are being encouraged to go online and submit an application to secure a spot.

C. Councilmember Menchel

- 1) Okaloosa County Sheriff's Office "increased" traffic enforcement on Airport Road

2) Adopting a resolution specifying that the City Council meeting agenda is to be published by Thursday, prior to the meeting to which it pertains

Councilmember Menchel noted that a City Council agenda packet typically consists of 500 – 600 pages on average, and that staff spends a lot of time processing it. They previously amended their council meeting resolution establishing a deadline of Wednesday prior to a scheduled council meeting to publish the agenda. During the past several meetings, there have been additions and deletions to the agenda after it has been published which necessitated re-publishing it on a Friday. It created a lot more work for staff and some confusion on the part of the council. He stated that he and the City Manager both agreed that reverting back to the previous publication deadline of Thursday could help alleviate this problem.

Councilmember Menchel moved to adopt proposed Resolution 20-2 that would rescind Resolution 18-22 and uphold previous provisions of Section 6-2 of Resolution 13-15 to allow staff more time to process the agenda; seconded by Councilmember Braden.

Councilmember Ramswell stated that the idea behind the Wednesday deadline was to give the Council more time to read and study the materials and make the necessary research.

According to Councilmember Menchel, the City Manager gave his assurance that the Council will receive the materials by noon on Thursday, and that any materials not ready to be published and any new items will be added to the next meeting agenda.

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

Next, Councilmember Menchel pointed out that the update status for 01/17/20 for tracking report Item #5 – *Requesting additional funding from the TDC for the Sheriff’s contact* shows legal opinion is needed. He stated that the City Attorney has already provided the Council a legal opinion from the County on September 6, 2019 via email and so it is no longer necessary

Councilmember Ramswell noted that County Commissioners who attended a subsequent City Council meeting verified the legal opinion.

Next, Councilmember Menchel noted that the Council recently received a document from the Insurance Service Office (ISO). It is an organization that basically goes to most of the communities in the nation and studies 3 areas – fire department, 9-11 and water department – and then give the community an ISO rating which impacts the community’s insurance rates as insurance companies use this rating to raise insurance rates. The City of Destin has had a very good ISO rating; however, according to the information they received, the ISO rating for the City will be downgraded. When he spoke with a fire district commissioner about this issue, he was informed that last year the fire district had to let go of 6 firefighters to save money. The number of firefighters in Destin decreased resulting in a lower ISO rating. Effective April 1, 2020, Destin’s rating will be lowered which would give the insurance companies the ability to potentially raise the insurance rates for residents. Even though the fire district has subsequently rehired the firefighters, it would take another year to update the ISO rating to reflect the change.

D. Councilmember Overdier
E. Councilmember Marler

1) Revisit discussion on building parking garages

Councilmember Marler stated they do not have adequate parking in Destin because they have more people than they have ever had before. None of the restaurants or any other businesses along the harbor have adequate parking spaces for the number of tourists they get each year. They need to consider building parking garages sooner rather than later and pursue a public-private partnership as he previously suggested. They have acquired more land and already have a paved parking lot at Marler Street which they could convert into a parking garage.

Councilmember Marler moved to revisit the parking garage issue; seconded by Councilmember Overdier.

Councilmember Braden stated it would be very hard to convince the community to build a parking garage for Emerald Grande, which is basically what they would be doing.

Councilmember Overdier stated that parking is a definite problem no matter who created it, and it is up to them to find a solution or things will not get any better.

Councilmember Ramswell asked staff how often they have had to put up a sign stating that the parking lot is full at the Marler Parking Lot as well as the parking lot at Stahlman.

According to the City Manager, he had seen the lots nearing capacity only during the 4th of July week and other special events, but he personally had never seen any sign indicating that the lot is in full capacity.

Councilmember Marler mentioned that other businesses, not just the Emerald Grande, are having their employees park at City parking lots. The City is still getting the payments no matter who park on these lots. He continued they are not building parking garages for any particular business or property, rather they are building it for the tourism industry as well as their residents.

Councilmember Menchel stated they cannot justify spending money building parking garages if they are not filling up their existing parking lots; adding that their current priorities include undergrounding the utilities and obtaining beachfront properties which would require spending a lot of money.

Councilmember Marler noted there are no areas closed to the harbor businesses that are zoned for parking garages; otherwise, several of the business owners would build their own parking garage.

Councilmember Ramswell pointed out that no one has put forth a request to change zoning for such a venture.

Motion failed 2-5 (Council members Marler and Overdier voted "yes"; Council members Morgan, Destin, Menchel, Ramswell and Braden voted "no").

F. Councilmember Destin

Councilmember Destin asked the City Manager to contact the County Administrator to check on the status of the bid document for the Capt. Royal Melvin Heritage Park.

G. Councilmember Morgan

- 1) Nomination of Mr. James Geveden to the Local Planning Agency

Motion by Councilmember Morgan, seconded by Councilmember Ramswell, to appoint Mr. James Geveden to the Local Planning Agency passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

Councilmember Morgan requested that Coleman Lake outfall update be placed on the next agenda and for staff to prepare a report.

H. Mayor Gary Jarvis

I. Land Use Attorney

- 1) Pointe Mezzanine mediation set for February 5th, 2020.

2) Briefing on proposed legislation (SB 1128/HB 1011), dealing with Short-Term Rentals

The Land Use Attorney announced that proposed Senate Bill 1128 and House Bill 1101 if passed would preempt all regulations of all short-term vacation rentals in the State including inspection and licensing. The only regulation that would be permitted would be those that apply uniformly to all residential properties. Any regulations enacted before 2011 would be exempted and all others would be preempted.

After a brief discussion, Councilmember Destin moved to authorize the Mayor to write a letter and to instruct the City staff and Land Use Attorney to bring back a resolution opposing the Short-Term Rental legislation proposed at the State level; seconded by Councilmember Menchel. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

J. City Attorney

- 1) Update to Destin Election and request for direction

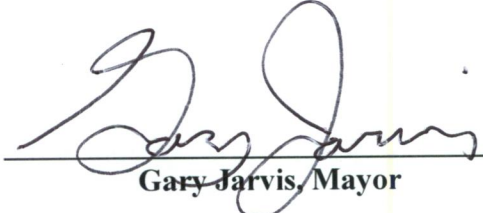
The City Attorney noted that the Destin City Council adopted an ordinance moving the City's election day from the second Tuesday in March and aligns the City's election day with the State general election on the first Tuesday following the first Monday of November of even numbered years. At its recent meeting, the Supervisor of Election presented four cost sharing options for the Board of County Commissioners (BOCC) to consider for municipalities holding regularly scheduled elections in conjunction with countywide general elections. The BOCC elected

to proceed with "Option 2" which provides that the County will absorb the cost of conducting municipal elections, including cost of additional ballot cards that may be required. Additionally, Option 2 presents two add on items for the City to consider. At the City's option it may request that all legally required advertisements be published and administered by the Supervisor of Elections' office. The City would be required to reimburse the Supervisor for the actual, full cost of these advertisements. Additionally, the City may pay the Supervisor a flat fee of \$500 to handle and administer all candidate qualifying and campaign finance filings. City staff recommends that they exercise both options offered by the Supervisor and County in Option 2.

Councilmember Destin moved to exercise both add-on options offered by the Supervisor of Elections and Okaloosa County, thereby having the Supervisor of Elections administer all legally required advertisements and public notices for the City's election, and administer all candidate qualifying and campaign finance filings. Councilmember Braden provided a second to the motion, which passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

8. PUBLIC COMMENTS

Having no further business at this time, the meeting was adjourned at 9:10 PM.



Gary Jarvis, Mayor

ATTEST:



Rey Bailey, City Clerk