

**MINUTES  
REGULAR MEETING  
DESTIN CITY COUNCIL  
FEBRUARY 18, 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  
Parks/Recreation Director Lisa Firth  
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  
HR Manager Karen Jankowski  
Building Official Noell Bell  
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; which was then followed by the recitation of the Pledge of Allegiance.

**AGENDA APPROVAL**

**Motion by Councilmember Destin, seconded by Councilmember Marler, 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 January 27, 2020 Special City Council Workshop

**Motion by Councilmember Marler, seconded by Councilmember Overdier to approve minutes of January 27, 2020 Special City Council Workshop passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").**

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

## A. 2020 Mayor's State of the City

### Mayor Jarvis delivered the annual State of the City Address:

*Good evening. I am Mayor Gary Jarvis and I would like to welcome everyone to the 2020 State of the City.*

#### *[Recognize officials in attendance]*

- City Council:
  - Councilman Rodney Braden
  - Councilman Parker Destin
  - Councilman Skip Overdier
  - Councilman Cyron Marler
  - Councilman Steven Menchel
  - Councilman Chatham Morgan
  - Councilwoman Prebble Ramswell
- City Staff

*As I reflect upon 2019, I am extremely thankful for my family and for the opportunity to serve as your mayor of this great city. I truly appreciate the dedication of my fellow council members as well as our employees. Cities across the nation recognize the importance of developing a **brand** to help stimulate investment, promote business opportunities, quality development, tourism, and a quality of life for residents and future generations. This takes careful thought, consideration, and a vision. So, I ask the question, “**What is our brand?**” Is it our beaches? Our world class fishing? Our parks? Our quality of life? Tourism? It is all the above and more.*

*Some say that a **Brand** is “**setting an expectation and delivering upon it.**” My fellow city council members go to great lengths to listen and understand the **EXPECTATIONS** of our residents, businesses and visitors and what they **EXPECT** our great city to be. From this feedback, City Council established a long-term vision for our city. We also developed a strategic plan to ensure we deliver upon that long-term vision and **brand** for our city. With community input, we are managing this city with clear goals and expectations for the future. The objectives we have in place will contribute greatly to the quality of life for generations to come. The council's vision statement is **Destin is a family - oriented beach and fishing community where people want to live, work and play and where guests are welcomed to respectively enjoy our community and its resources.***

*City Council has identified three key groups that are our priority: The first priority group is our year-round residents. Followed by our Destin-based businesses and of course our visitors. Council has a clear vision and unified approach for quality development and revitalization as well as improved mobility and connectivity throughout our city. We as a council are thinking forward in prioritizing our goals as a city. We have many services, programs, and projects underway to fulfill our mission and continue to make Destin a great place to live, work, play and visit. We will continue these efforts well into 2020 and beyond. The city hosted a strategic visioning session in October of 2019. Council and senior city staff members met to discuss our achievements, where we are as an organization and possible paths forward into the future. During this strategic visioning session, City Council identified key objectives and projects for staff to focus on in 2020. These objectives and projects, help form the city's overall strategic plan. This strategic plan is critical to help guide elected officials and staff in their day-to-day activities as well as long term planning. It also provides our residents, businesses and visitors transparency into the City of Destin's planning and operations. **We have provided this strategic plan as a flyer to all participants here tonight and I would like to invite our video viewing audience to access it online at our website, [www.cityofdestin.com/strategicplan](http://www.cityofdestin.com/strategicplan).***

*I would like to update everyone on a few of our top Council Objectives for FY20, which is part of the strategic plan.*

*Beach Acquisition: We have identified multiple funding sources for beach acquisition and are moving forward to secure potential properties in 2020 and beyond.*

*We have made great progress with Gulf Power, and their parent company NextEra, to work on finalizing a new franchise agreement as well as find innovative ways to underground utilities for our city.*

*Community Development and our council has worked diligently with our residents and business community to continue to improve our Short-Term Rental regulations which will provide a higher quality of life for our residents and more enjoyable experience for our visitors.*

*We have successfully hired an experienced Projects and Grant Manager to help the city maximize external funding opportunities for city projects as well as help to ensure our projects are managed as efficiently as possible.*

*We are working with our community partners to ensure our sheriff services are properly funded for Destin.*

*Discussions continue to be held in public meetings regarding the viability of a multi-use community and events center in our Town Center Community Redevelopment District.*

*As we move into the next decade, we have made technology a top priority to further improve our business process, organizational efficiency, and customer service. Our City Council and staff have made a firm commitment to implement a comprehensive municipal management software package. Staff established a software implementation team with representatives from the Community Development, Code Compliance, Public Services, Information Technology and Finance Departments. The goal was to collaborate and find an innovative solution to improve organizational efficiency in permitting, review, inspection, code compliance and financial processes. This goal has now become a reality.*

*The City of Destin is now implementing a software solution – Energov, of Tyler Technologies, Inc. This is one of the largest and most comprehensive projects the city has ever undertaken. During the implementation process, IT worked with software deployment engineers to make the system available and user friendly to the city staff who will be using the new program. Through this software development, our departments are streamlining business processes. Everyone is very excited to have a new tool that will help serve the City of Destin better, more efficiently, and improve communication with the citizens of Destin. We are leaving no stone unturned as we enter 2020, the city's financial software received a major upgrade, which was completed by IT, with great success. Another major undertaking by IT was the coordination of the scanning and digitization of the Building and Planning division files. This process, as it continues into 2020, will help the city move to a paperless system and provide greater access to documents.*

*Council is proud of all our departments and the many other accomplishments they have made in the last year.*

***Code Compliance** has two top priority management objectives with the goal to strengthen community outreach and gain voluntary compliance through education and awareness of our city ordinances. With a mixture of proactive, reactive and enforcement education we have seen positive results. All code vehicles have been striped to promote visibility, light bars have been added for safety, and with support from IT, in-car computers and printers now allow our officers to be more efficient in responding to citizen concerns and spend more time engaging our citizens and visitors on our local ordinances. Community service and education is now the key focus of our code compliance department to improve the quality of life in our city.*

*Assisting the City Council to implement Land Use policies that enhance the quality of life and promote the economic growth of the city, is the cornerstone of the work of the Department of **Community Development**. One of management's top priority objectives, is to align the comp plan with the Land Development Code. Consistent with that goal, over the past year, the Community Development Department completed a year-long effort of aligning the Future Land Use Map (FLUM) and the Zoning Map to provide both synergy and clarity to the City Land Use policies and regulations. Now the department is turning its efforts to updating the City's Land Use Regulations to be consistent with the alignment.*

*Through the acquisition of new development review software, the department's planning, permitting, licensing and citizen requests will be automated and connected with a view to streamlining workflow, improving communication, and increased productivity from the office to the field operations. We are thankful for the patience and cooperation shown by the public as this system is being implemented.*

Finally, notwithstanding these major system changes, the department is proud to announce that in 2019 it continued to provide the community a high level of service. The department processed a total of 53 major plan reviews, 3007 permits issued, 1602 Business Tax Receipts issued, and 4564 inspections (1677 Commercial and 2877 Residential) performed to further the growth and redevelopment of the city. For a city to run smoothly you must have a dedicated staff. One of the City's top management priorities is to balance staffing resources with expectations.

The city's **Human Resources Department** was extremely busy conducting recruitment efforts, orientations and benefits enrollment. This year we replaced 17 employees due to retirements and turnover. HR has hosted team building events to boost morale, promote teamwork, and foster the core values of our organization. Focusing on employee's health HR held an annual employee health fair and partnered with entities like Fort Walton Beach Medical Center and Walgreens to cover flu shots and medical screenings for our employees and their spouses. Thus, keeping our medical costs low and our workforce healthy. Our HR department also initiated an eight-week leadership training course to our supervisory staff thanks to the partnership with the City of Fort Walton Beach and Northwest Florida State College.

As a city our strategic focus is to operate with a transparent and equitable governance of our city's finances. Council has made it a priority to ensure that we operate in a fiscally sound manner and continue to keep our millage rate as one of the lowest in the State of Florida. I want to thank our council and all our staff for their continuing attention, assistance, and cooperation regarding the financial operations of the city.

Our **Public Services Team** has done another remarkable job this year. Under their new leadership, they have been working diligently to map processes and memorialize procedures, not only to improve internal efficiencies, but also in advance of seeking Departmental Accreditation from the American Public Works Association. Public Works' Staff completed several infrastructure assessments this year to include our pavement, sidewalks, pavement markings, signage and drainage systems.

Thanks to a 3.6 million-dollar Gulf Environmental Benefit Fund grant, the City was able to complete all initially identified storm water projects which have worked to improve the water quality in and aquatic habitat of our City's waterways, as well as mitigating those areas historically susceptible to flooding. Public Services continues to work with the National Fish and Wildlife Foundation to use the remaining grant funds to complete two additional projects to mitigate non-point source pollution and improve drainage from two existing outfalls that discharge into the Marler Bayou and Choctawhatchee Bay.

In addition, Public Services oversaw the recertification of our Community Rating System Program that rewards our citizens with a 20% discount on their flood insurance premiums based on a combination of factors, particularly our higher building standards, stormwater management program and drainage system maintenance.

Five major paving projects were completed this year. Gulf Shore Drive, Mattie M. Kelly Boulevard, Stahlman Avenue, Restaurant Row and a portion of Scenic 98 were all resurfaced and restriped. Scores of sections of damaged sidewalk were repaired as well.

Public Services works to keep Destin beautiful every day. This dedicated staff administers our revitalized citywide Adopt-a-Street program which has welcomed several new volunteer groups, manages our right-of-way maintenance contract, regularly operates its street sweeper, conducts an annual city-wide tree-trimming effort, is responsible for removing derelict vessels in the Destin Harbor and Joe's Bayou, maintains the harbor pumping station (which ran flawlessly this year), assists in community events and so much more. Kudo's to the employees for their can-do attitude.

Now, moving on to the **City Clerk's Office**, who provided administrative support for 128 meetings to include City Council and 9 city committees and boards in 2019. They responded to approximately 550 public records requests and is charged with the maintenance of our records dating back to 1984 when the city was incorporated. As it pertains to the maintenance, retention, and destruction of our public records, the clerk's office does an excellent job of maintaining a viable records management program.

Our **Parks and Recreation Department** are highly valued in our city. This department and everything that they do reflects upon the quality of life of our community, contributes to our economy, our environmental well-being

and ensures the health of our youth, adults and seniors. In 2019, staff installed a lighting alert system and resurfaced the walking track at Morgan Sports Complex. Tennis court renovations were completed at Buck Destin Park. Destin's first NFL youth flag football season was a success and the city hosted 18 sports tournaments. And, after many years, the original bleachers at the community center were replaced.

Not only do they bring our community together by providing programs for all age groups year-round, they provide wonderful contributions to our city, which makes our home a desirable place to live.

Our staff is working incredibly hard to bring our parks online for our residents and visitors to enjoy. The city has approximately \$8.5 million earmarked for our public beach initiative to secure permanent public beach parks and we will continue our efforts for more financial funding well into 2020. We are thinking big and going to aim high to provide as much public beach access as possible. The best kept secret is our parks along the bay. Once work is completed and these parks are open to the public, we will have an unprecedented number of water-front parks for a city of our size to enjoy. Progress is moving forward with the new Captain Leonard Destin Park and we look forward to the park opening sometime in the spring. We hope the renovations and repairs to our existing bay side parks like Joe's Bayou Recreation Area will be completed sometime in 2020.

Our **Library** is where the love of learning takes place and where citizens young and old can come together to learn new things. In 2019, the library received 55,000 visitors. Through the year, the library hosted various reading programs, continued with its STEAM curriculum for middle school students, and during the summer, offered weekly STEAM programs for grades 1 – 5 and code camps for teens. Our summer reading program was a great success with more than 1500 patrons attending 54 programs, and special events. The staff focused on community outreach by making trips to Destin Elementary School, Destin Middle School, and Fort Walton Beach High School on orientation days to registered students for library cards and distribute information about our library services.

My heartfelt thanks go to our first responders. Whether on the road, on the sand or on the water, they truly are the lifeline for all of us in Destin. Every day they ensure Destin remains a place of peace and unity. They sacrifice weekends, holidays, and time away from their families to protect ours – and for that, I am forever grateful. Thank you to the Okaloosa County Sheriff's Office and the Destin Fire Control District for your partnership, for your friendship, and caring about the citizens we serve.

I would like to close by recognizing our city staff. They are creative, resourceful, and every day we see the results of their commitment to delivering excellent services to our residents and visitors. Most of their efforts are not seen by the public and their dedication to serve this community is sometimes taken for granted and in most cases goes unnoticed. **So, I want to extend to them a great big thank you.** Thank you for what you do every day for Destin. Thank you to all our boards and committee members who give their time willingly because they care and are committed to our community. Our strength comes from you and your involvement is what makes Destin special.

Thank you, God bless you, and God bless the City of Destin

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#### B. Certificate of Achievement for Code Compliance Officers Danny Sullivan and Sean Donaldson

Mayor Jarvis presented the Certificate of Achievement to Code Compliance Officers Danny Sullivan and Sean Donaldson for their courage under pressure and quick response while on duty, rendering first aid to an injured citizen.

#### C. Joint Proclamation of the Florida House of Representatives, the Board of County Commissioners of Okaloosa County and the City of Destin proclaiming April 20th through 24th "Beach Trash Awareness Week"

Mayor Jarvis presented the Joint Proclamation of the Florida House of Representatives, the Board of County Commissioners of Okaloosa County and the City of Destin designating the week of April 20-24, 2020, as "Beach Trash Awareness Week."

D. Water quality standards Mr. Alan Osborne

Mr. Alan Osborne, a Walton County resident, spoke of water quality standards not being enforced by Walton County; stating that Choctawhatchee Bay water quality is a concise summary of the problems faced in Walton County, specifically with the Sandestin Development of Regional Impact (DRI). He noted that he lives within the boundaries of the Sandestin DRI. It is an exception to the County's comprehensive plan with specific requirements that are not optional. He continued that the Sandestin DRI was first approved in 1976 and was in violation by 1982. In 1984, the County passed County Resolution 84-24 and adopted an updated Master in order to settle the compliance issues. He presented the City Council several documents which he states support his argument. He also stated that Walton County water quality problems will soon become Okaloosa County problems, and that any delays in addressing these issues will ultimately cost more money to fix. He asked the City Council to adopt a resolution requesting the Governor's Office to have the Department of Economic Opportunity issue a notice of violation on the offenders.

It was the consensus of the Council to instruct the City Attorney to obtain and review all documentation provided by Mr. Osborne pertaining to this issue and bring back some recommendations for Council's consideration.

E. Sunday parking at Marler Street Parking Lot

Mr. Joe Gholston, representing St. Andrews by the Sea Episcopal Church, informed the Council that St. Andrews Episcopal Church, Coastline Calvary and Grace Lutheran Church will soon be holding Sunday services at different times between 9 AM and 11 AM. All three services will take place at the combined campus located at 307 Harbor Blvd. and 310 Mountain Drive, which is adjacent to the Marler St. Parking Lot. The combined congregations of the three churches are approximately 600 persons. While there will be arrivals and departures throughout the 8 AM to 1 pm period, additional parking is needed to ensure orderly flow of church members. He asked the Council to provide free access to the Marler Street Parking Lot on Sunday mornings from 8 AM to 1 PM for church attendees, except during special event weekends such as the Seafood Festival.

Councilmember Destin stated he is open to the idea of allowing the churches the use of the parking lot on Sundays; however, they should not make an official decision until after the City's attorneys conduct due diligence to make sure they do not violate any agreement that exist on the property. He also recommends allowing everyone to park in the parking lot for free during the specified time frame so that they do not violate any constitutional law.

Councilmember Braden noted that several pontoon boat rental companies apparently have a contract with the church to be able to use their parking lot for their overflow businesses year-round.

Mr. Gholston stated it was his understanding they currently have contracts with several establishments to rent parking spaces; and that all the rental spaces are at the front lot in Bldg. 8; but personally, he had never seen any vehicles in the parking lot from those establishments.

Councilmember Menchel asked how they should handle a situation where they allow the churches the use of the parking lot and then another entity made a similar request. They would not want to be accused of discrimination by approving one and denying the other.

The Land Use Attorney noted that before anything could happen at this parking lot, the Community Development Department staff would have to determine what parking agreement, if any, exist on the property and how they could be affected by this proposal. She added that the Marler Street Parking Lot would have to be opened to all and not just for the church congregations.

**Councilmember Destin moved to direct City staff, Land Use Attorney and City Attorney to contact the church representatives and review with staff any parking agreement that exist on the property and how it will be affected with what is being proposed. Councilmember Braden provided a second to the motion.**

The Mayor asked if any member of the public wishes to provide a comment relating to this subject.

Ms. Carrie Harbarger, a Destin resident, expressed concern about businesses leasing church parking spaces; adding that these are mostly illegal businesses that are creating havoc with the small businesses in the community.

Councilmember Morgan stated there is a deficiency in their City code that allows pontoon boats parking on other parcels such as church parking lots. On paper they have to show they have a parking agreement with other property owners even though they do not use the parking lot. He added this is a problem that they would need to address separately.

Having no further comments from the public, the Mayor called for a vote on the motion.

**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. Betty Letcher, a Walton County resident, stated that the bay is dying; and that the drain off from all the golf courses at Sandestin and the developments that are not following the rules are mostly to blame. She added that the City of Destin would soon be affected the same way as the Walton County residents.

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

#### **A. Sibert Avenue Parking Area Improvements**

According to the City Manager, Council has previously authorized construction of two crushed concrete/gravel parking lots on City-owned property located at 104 and 112 Sibert Avenue. Council subsequently authorized construction of a third parking lot on City-owned property located at 108 Sibert Avenue and capped the funding applied towards this project at \$40,000. A quote was received from of the City's continuing services provider for this project in the amount of \$60,292.50. Lighting will also be required for this project. After the grading is completed, solar LED parking lot fixtures attached to Hurricane resistant poles will be installed. Staff requests that Council raise the cap for the project to \$67,000. Staff has budgeted \$75,000 in FY 20 for this project to be taken from proceeds of the half-cent sales tax revenue.

**Councilmember Destin moved to authorize the City Manager to execute an agreement with the City's continuing services contractor, H&T Contractors, LLC to construct a consolidated public parking area on Sibert Avenue in an amount not to exceed \$67,000; seconded by Councilmember Marler. Motion passed 6-1 (Council members Morgan, Destin, Marler, Overdier, Menchel and Ramswell voted "yes"; Councilmember Braden voted "no").**

#### B. Development Review System Software Update

The Deputy City Manager provided an update on the Municipal Software Project. He stated that City staff continues to work hard in preparation for the EnerGov Project. They continue the effort of reviewing and streamlining all development review processes, application forms and workflow project critical paths, in preparation for the EnerGov Software Implementation Process. They had very productive sessions with EnerGov staff in the preceding months and will continue to provide updates to the Council as the project progress. This will be a challenging project for staff, but they are 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.

#### C. Approval of Resolution 20-3 opposing the Short-Term Rental legislation proposed at the State level (SB 1128/HB 1011)

According to the City Manager, the Council previously directed the City Land Use Attorney to prepare a resolution opposing pending State legislation that would usurp municipal home rule powers and negatively impact the City's ability to regulate short-term rentals. Resolution 20-03 is now before the Council in this regard.

**Motion by Councilmember Overdier, seconded by Councilmember Ramswell, to approve Resolution 20-3 and direct the City Clerk to distribute the Resolution according to Section 4 of the Resolution passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").**

#### D. Discretionary Half-Cents Sales Tax Direction

The City Manager noted that on January 27, 2020, The City Council held a workshop to discuss options for spending the new discretionary half-cent sales tax. It is estimated that approximately \$12,800,000 will be available from this tax over the next 9 years. Council reached

general consensus at the workshop that the funds could be spent between for different pots as listed below. Based on allocation amounts discussed at the workshop, staff has drafted the following percentage allocations for discussion purposes. Staff is looking for direction on how much of the discretionary sales tax should be allocated to the 4 designated categories.

1. Beach Acquisition – 75% - \$9,600,000
2. Underground Utilities – 10% - \$1,280,000
3. Public Works/Safety Committee identified projects – 10% - \$1,280,000
4. Other projects as designated by the Council – 5% - \$640,000

**Councilmember Overdier moved to allocate portions of half-cent sales tax revenues as follows:**

- **75% towards beach acquisitions**
- **10% towards undergrounding utilities**
- **10% towards Public Works/ Public Safety Committee initiated projects**
- **5% towards other projects**

**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. Beach Acquisition Agent**

According to the City Manager, public beach acquisition is the top priority for the City Council. Staff is recommending an independent third party to assist with negotiations and property acquisition to help expedite the beach acquisition project. The Trust for Public Land (TPL) is a 501(c)(3) organization that has worked with the City on past and present projects, such as Leonard Destin Park and Royal Melvin Heritage Park. Partnering with the TPL will also provide additional transparency and an experienced acquisition manager to work with staff during this process. Staff can work with the TPL to pursue supporting grants and assist in project management to ensure the acquisition process moves forward in a transparent, cost-efficient and proactive manner. Staff has communicated with Ms. Kate Brown, a TPL representative concerning their availability for this project. If Council approves, the TPL is ready to move forward on this project as soon as possible. No contract is necessary for the City to utilize the TPL and their expertise to negotiate and facilitate the acquisition process.

**Councilmember Menchel moved to authorize the City Manager to work with the Trust for Public Land to negotiate beach acquisition opportunities and bring individual properties back to Council for consideration in accordance with State Statutes. Councilmember Ramswell seconded the motion.**

The Mayor noted that the TPL was established by the State for this purpose and he, along with the City Manager and Deputy City Manager, believe this would be the best and the most practical route for the City to take because the costs of the projects involve millions of dollars.

Councilmember Braden requested an update on the Eglin property located on the west side of the Marler Bridge, which the City was interested in pursuing.

The Mayor noted that Commissioner Kelly Windes had asked if the City was still interested in pursuing that particular piece of property with the Air Force as a joint venture for the County and the City. They informed Commissioner Windes that the City, along with other members of the public, has had prior discussions about pursuing that property. Commissioner Windes would be bringing that issue before the Board of County Commission for discussion and that the City will be informed as to the result of that discussion.

Councilmember Braden noted that the City Council has previously directed the City's Parks and Recreation Committee to take this matter up and make recommendations to Council.

According to the Parks and Recreation Director Lisa Firth, they have contacted Eglin representatives about this issue and that an application has been provided for their review.

According to the Land Use Attorney, the Parks and Recreation Committee will be asked to make recommendations with regards to information to include in the application, and then it will go before the City Council for further direction.

The Mayor noted he has a scheduled meeting in March with the Eglin AFB commander, and that this is one of the issues he plans to discuss with him. He will also ask Commissioner Windes to provide the City Council an update on the path the County Commission wish to explore so they could move along the same path.

**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")**

#### F. Land Development Code (LDC) Update Overview

The Community Development Director Louis Zunguze provided the following Land Development Code update overview:

- Philosophy: "How we develop and where we develop matters. An adopted Comprehensive Plan and Land Development Code are the community's guiding framework for attaining a community's vision – for growth, redevelopment and investment."
- The Issue:
  - ❖ The City's Land Development Code is not consistent with the City's adopted Comprehensive Plan
  - ❖ It is time for a thorough article by article evaluation
- Guiding Principles
  - ❖ Simplicity
  - ❖ Easy to Navigate
  - ❖ Enhance Liability Elements of City's Planning Areas
  - ❖ Implement the City's Development Policies
- The Approach
  - ❖ Focus on LDC Article 8 – Transportation

- To bring LDC Chapter 8 requirements into conformity with Comprehensive Plan policies Chapter 2 – Transportation Element
- Set the tone – Provide requirements and process for a safe, convenient and cost-effective multimodal transportation system and roadway network that optimizes access for current and future development
- ❖ Three Part Approach
  - Evaluate the applicability and consistency of existing LDC provisions with the Comprehensive Plan 2020 Goals, Objectives and Policies
  - Reorganize the existing provisions into a logical sequence of elements addressing transportation corridors and facility design, access management, on-site transportation and community parking strategies
  - Update and draft new provisions to implement the Transportation Element of the Comprehensive Plan
- Benefits of the Land Development Code Update
  - ❖ Deliver customer-oriented development review service to residents of the development community
  - ❖ Enhance quality of life and showcase investment opportunities in the City
  - ❖ Enable Council and administration to guide current and future development towards the City's vision
- Vision 2035
  - ❖ DESTIN IS A FAMILY-ORIENTED BEACH AND FISHING COMMUNITY WHERE PEOPLE WANT TO LIVE, WORK & PLAY AND WHERE GUESTS ARE WELCOMED TO RESPECTFULLY ENJOY OUR COMMUNITY AND ITS RESOURCES

**Motion by Councilmember Menchel, seconded by Councilmember Overdier, to direct staff to proceed with updates to the Land Development Code as outlined passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").**

#### G. Construction Noise Limitations

The City Manager noted that the Council instructed staff to bring back some recommendations for amending the construction noise limitation in the Code of Ordinances. Staff proposes that the Council amends the code as follows:

##### All Zoning Districts

1. Construction activity shall not be allowed on any Federal Holiday
2. Limit construction activities to Monday – Friday from 7:00 a.m. to 7:00 p.m. only
3. Limit construction activities on weekends (Saturday and Sunday) from 9:00 a.m. – 5:00 p.m. only

Councilmember Marler expressed concern regarding construction activities in residential areas on weekends; stating that people working all week long should be able to spend a quiet weekend at home.

The Mayor suggests limiting construction activities to 9:00 a.m. – 4:00 p.m. on weekends rather than banning it completely as sometimes the weather is bad all week-long limiting construction activities and some work had to be done on weekends to catch up. He asked if they have received comments from the construction community on issues relating to the pouring of concretes which is ideally done in cooler temperature.

According to the City's Building Official Noell Bell, they have not received many comments relating to pouring of concrete, which is currently allowable starting at 3:00 a.m.; adding that the Council would need to decide if they want to continue with this schedule.

The Mayor suggests instituting stricter guidelines but making provisions for special waivers for which construction companies would have to apply and meet certain standards.

According to the Land Use Attorney, they have not addressed the issue relating to the pouring of concrete because based on her discussion with the Building Official and Community Development Director, if they start to restrict when the concrete can be poured, it could stall the entire construction project.

Mr. Zunguze stated that they are currently reviewing this situation. They are trying to strike a balance between getting something done as efficiently as possible while also not creating a degradation of the quality of life for residents. He continued that the longer it takes for construction to be completed, the longer complaints will carry on. In those cases where concrete or heavy equipment is being used, they could require additional notification or special provision to take place.

**Councilmember Menchel moved to direct the City Land Use Attorney to proceed with preparation of an ordinance to implement staff's recommended changes; seconded by Councilmember Marler.**

Councilmember Braden stated he does not understand the reason concrete had to be poured at 3:00 a.m. other than people just do not want to do it under the hot sun. In which case, they could hire more people to get it done quickly. He added he has been involved in construction business for several years. They never had to pour concrete at 3:00 a.m. and still completed their projects on schedule. He asked staff to conduct further analysis as to the reason the placement of concrete must occur at 3:00 a.m.

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

#### H. Announcements

The City Manager announced the City Council Workshop scheduled for Monday, February 24<sup>th</sup>, beginning at 6:00 p.m. to discuss the proposed Destin Community Events Center.

## 5. PUBLIC HEARINGS

A. Second reading of Ordinance 20-02-LC, amending Articles 6, 7, 8, 11 and 12 of the Land Development Code to delete all references to the tiered land use system pursuant to the City's Comprehensive Plan.

The City Attorney read proposed Ordinance 20-02-LC by title, and then presented the ordinance to the City Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLES 6, 7, 8, 11 AND 12 OF THE LAND DEVELOPMENT CODE TO DELETE ALL REFERENCES TO THE TIERED LAND USE SYSTEM PURSUANT TO THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

**Councilmember Overdier moved to approve proposed Ordinance 20-02-LC on second reading; seconded by Councilmember Menchel. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").**

B. Second reading of Ordinance 20-03-LC, amending Article 2 of the Land Development Code, amending procedures for lot splits and lot line adjustments.

The City Attorney read proposed ordinance 20-03-LC by title, and then presented it to the City Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 2 OF THE LAND DEVELOPMENT CODE; AMENDING PROCEDURES FOR LOT SPLITS AND LOT LINE ADJUSTMENTS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

**Councilmember Overdier moved to approve proposed Ordinance 20-03-LC on second reading; seconded by Councilmember Marler. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").**

## CONSENT AGENDA

A. Request approval for a marine construction project at 3813 Indian Trail. The project, located on Choctawhatchee Bay, includes  $\pm 70$  LF of dock, a boathouse and two (2) catwalks. The total project footprint is  $\pm 1000$  sq. feet.

B. Draft Minutes of Standing Committee/Board Meetings

C. Memorandum of Understanding between Marine Forces Special Operations Command and The City of Destin, Florida

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

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

A. Councilmember Braden

Councilmember Braden would like to spearhead Council's effort to get involved with FDOT's planned redesign of US Hwy 98, to include landscaping. This improvement project will cost millions of dollars.

**Councilmember Destin moved to appoint Councilmember Braden to the OW-TPO Board, seconded by Councilmember Marler. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").**

Councilmember Braden inquired as to the status of hiring a City Engineer.

The City Manager stated the position has been re-advertised at several locations and they have already received two applications.

Councilmember Braden asked for an update on Capt. Royal Melvin Heritage Park construction.

The City Manager replied the project is currently out to bid. Bids are initially due by the end of this month; however, it would need to be extended as they are about to issue an addendum and give the contractors time to amend their bids, if necessary.

B. Councilmember Ramswell

Councilmember Ramswell would like to have the Beach Advisory Group review the Wheeled Vehicle on the Beach ordinance and provide recommendations before it comes back to the Local Planning Agency. She stated that several individuals have contacted her expressing concern about the ordinance, and she feels the Beach Advisory Group is perfect for this task because of its makeup.

There were no objections from other members of the Council.

Councilmember Destin would like the meeting to occur soon and to invite some of the stakeholders if possible. He added that all the issues have to be resolved before the season gets in full swing.

Councilmember Ramswell asked if the Council feels the Events Center Workshop scheduled for February 24<sup>th</sup> is still necessary since they already had two different meetings in trying to establish their priorities and the Events Center does not seem to have the support of the Council.

According to Councilmember Braden, he has heard people say an event center is a good thing but not for the City of Destin.

The Mayor stated it is an initiative that he is promoting, and it is something that he feels the City ought to consider. There are hundreds of millions of dollars available for economic improvement for the communities through the Triumph fund; and that an event center would not only serve the community 365 days a year, but it would also create an economic driver and create the intent of the Town Center CRA when it was formed. It will be a transformational project where none correctly exists.

Councilmember Overdier stated that he supports going forward with the workshop. The group that will make the presentation will provide input and solicit input from the Council in terms of what they want out of this facility. The group can also recommend other sources for funding, in addition to Triumph, and that it is an opportunity that may never come around again.

#### C. Councilmember Menchel

Councilmember Menchel stated that the State of the City was delivered tonight and it has been the most poorly attended State of the City he has ever attended; adding that people seem to only care when there is something on their agenda. He added that one item that was not covered during the State of the City presentation involved the Sheriff's Office. The total calls for service for 2019 was 35,477, and that there were 142 city ordinance violations. He added they need to keep these figures in mind when they start asking for the additional 10 percent funding from the TDC for the Sheriff's Office next year.

Councilmember Menchel requested that the contact phone number for the Code Compliance Officer on night shift duty be advertised on the City's website.

Councilmember Menchel announced that the City Manager is looking into expediting the re-painting of the center line on Dolphin Street and replacing raise pavement markers on Scenic Hwy 98. He stated that Dolphin Street is widely used, and it has a very narrow street and the lines at the center of the street are virtually non-existent. Also, many of the raise pavement markers on Scenic Hwy 98 are missing.

Councilmember Menchel noted that earlier in the meeting, the Mayor mentioned something about having a meeting with the Eglin AFB commander. He asked if the information gathered from this meeting are shared with the City Council.

The Mayor explained that the Base Commander requested this meeting to find out how his people are being perceived in the community, how they live and to inform him on upcoming troop movements. He plans to discuss different issues with the Base Commander, and if there are issues that come out of the meeting that require Council's attention or approval, he fully intends to bring them before the Council.

Councilmember Menchel asked the Mayor to make a courtesy announcement when he plans to meet with any public officials in the event any member of the Council has a discussion point they could bring to the Mayor's attention to discuss at the meeting.

D. Councilmember Overdier

E. Councilmember Marler

F. Councilmember Destin

**Councilmember Destin moved to amend the RFP that solicits services for the undergrounding design and engineering work to also include the services for the streetscape redesign component of the project at least from Airport Road to the Marler Bridge; seconded by Councilmember Braden. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").**

Councilmember Destin stated that with the absence of a City Engineer, he would not want several projects being delayed, such as the continued pursuit of right-of-way vacation or simple redesign of the crosstown connector. He would like to see projects such as this to continue moving forward.

**Councilmember Destin moved to direct staff, City Attorney and Land Use Attorney to obtain an hourly rate quote within a week from one of the City's continuing services contractor for the right-of-way vacation and simple redesign of the crosstown connector to keep these processes moving forward. Councilmember Marler provided a second to the motion. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").**

Councilmember Destin requested an update on a firehouse potentially being located at the Clement Taylor Park.

According to the City Manager, the Destin Fire District's last discussion with the City Council was to wait until the City gets final approval from the Treasury Department and the funding is ready to be distributed before making an additional move on the property.

G. Councilmember Morgan

H. Mayor Gary Jarvis

I. Land Use Attorney

1) Request to call executive session pursuant to section 286.011(8), Florida Statutes, in the cases of Pointe Mezzanine, LLC v. City of Destin, Okaloosa County Court Case No. 2019-CA004010 F, and Pointe Mezzanine, LLC v. City of Destin, Okaloosa County Court Case No. 2019CA003733 F.

**Councilmember Overdier moved to schedule the executive session pursuant to the above litigation; seconded by Councilmember Braden.**

Councilmember Marler announced he would abstain from voting as he is employed by an entity involved in the litigation.

**Motion passed 6-0 (Council members Morgan, Destin, Overdier, Menchel, Ramswell and Braden voted "yes"; Councilmember Marler abstained from voting).**

The Land Use Attorney announced the executive session will be held on Monday, March 2<sup>nd</sup>, at 5:30 PM.

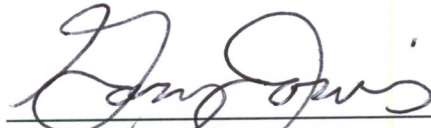
J. City Attorney

The City Attorney announced that the East Pass is ready to be dredged starting the end of this month.

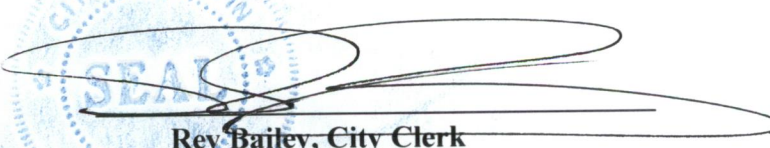
## **8. PUBLIC COMMENTS**

### **ADJOURNMENT:**

Having no further business at this time, the meeting was adjourned at 8:35 PM.

  
\_\_\_\_\_  
Gary Jarvis, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Rey Bailey, City Clerk