

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
SEPTEMBER 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 Parker Destin
Councilmember Cyron Marler
Councilmember Chatham Morgan

Councilmember Prebble Ramswell
Councilmember Rodney Braden
Councilmember Steven Menchel (Virtual)
Councilmember Skip Overdier (Virtual)

Destin City Staff

City Manager Lance Johnson (Virtual)
Deputy City Manager Webb Warren (Virtual)
Public Info Manager Catherine Card (Virtual)
HR Manager Karen Jankowski (Virtual)
Parks/Recreation Director Lisa Firth (Virtual)
Community Dev. Director Louis Zunguze
City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
Public Services Director Michael Burgess
IT Technician James Lauria
Finance Director Krystal Strickland
Grants/Project Manager Jeffrey Cozadd
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 p.m.; which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Marler requested that "*Reconfiguration of 1st and 4th Street*" be added to the agenda as agenda item 7E.

Councilmember Menchel asked that Consent Agenda item 6D be pulled for discussion under City Manager Reports item 7I.

Councilmember Morgan asked that Consent Agenda item 6C be pulled for discussion under City Manager Reports item 7J.

Motion by Councilmember Ramswell, seconded by Councilmember Marler, 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 July 13, 2020 City Council Budget Workshop

Councilmember Destin moved for approval of minutes of July 13, 2020 City Council Budget Workshop; seconded by Councilmember Marler. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

B. Approval of minutes of June 29, 2020 City Council Workshop

Councilmember Marler moved for approval of minutes of June 29, 2020 City Council Workshop; seconded by Councilmember Destin. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

2. PROCLAMATIONS / RECOGNITIONS / SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Stahlman Ave/US98 Intersection Assessment Project Update, Volkert Engineering, Inc.

Mr. Manuel Richardson and Mr. Arthur Hooks of Volkert, Engineering, Inc. presented the following information to the City Council:

Stahlman Avenue Intersection Assessment Scope of Services

- Existing Conditions Assessment
 - Data Collection
 - Existing Traffic Analysis
 - Safety (Crash Data) Review
- Alternatives Analysis
- Alternatives Meeting Presentation
- Local Concerns Meeting (Virtual)
- Final Technical Memorandum

VOLKERT



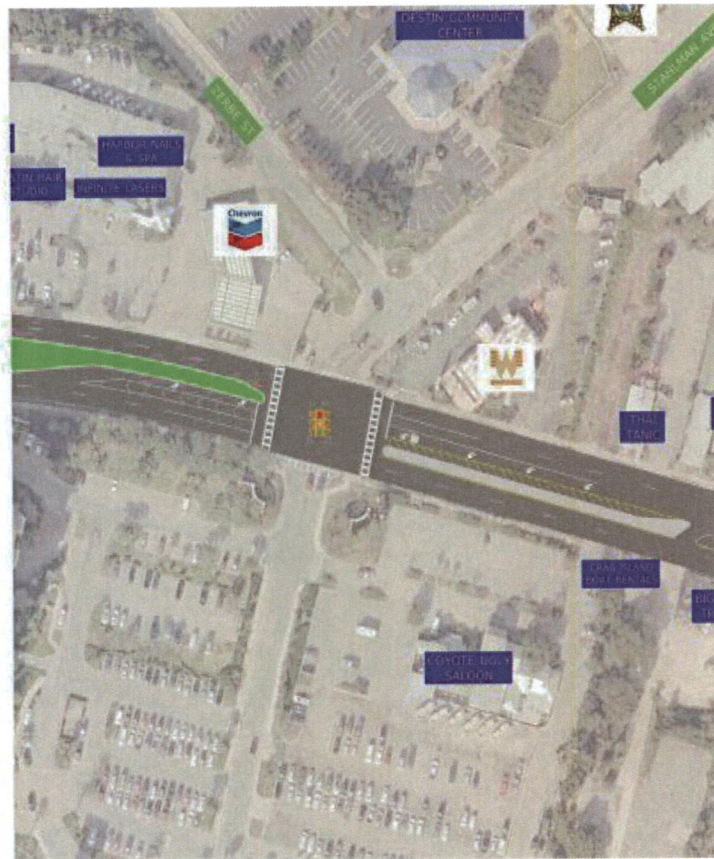
Stahlman Avenue Intersection Assessment Timing Modification Alternative

Modifications include

- Timing adjustments to accommodate pedestrians within coordination timings

Improvements include

- Reduction in time signal is adjusting back into coordination



Stahlman Avenue Intersection Assessment Build Alternative

Recommendations include

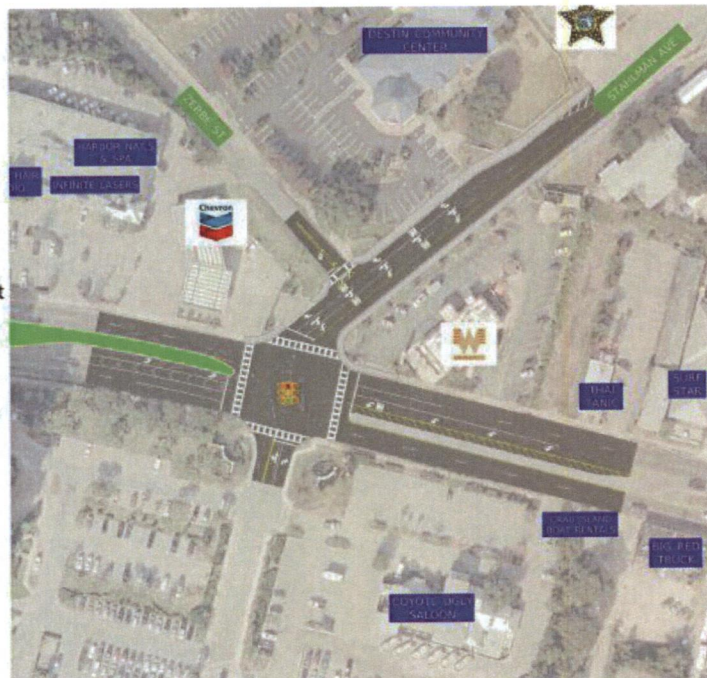
- Right turn in/right turn out for Zerbe Street
- Removal of ped crossing north of Zerbe Street
- Southbound Left turn, Shared Left-Thru, and Right turn movements at US 98 and Stahlman Ave
- \$350k +/- Construction cost

Improvements include

- Potential 50% reduction in crashes at intersection of Stahlman Ave and Zerbe St
- Reduction in delays
- Improvements in LOS

Impacts include

- Impact stormwater Pond for Community Center
- Parking at Whataburger (\$50k +/-)
- Replacement of Mast-arms in NW and NE quadrants
- Right of way west of Stahlman Avenue



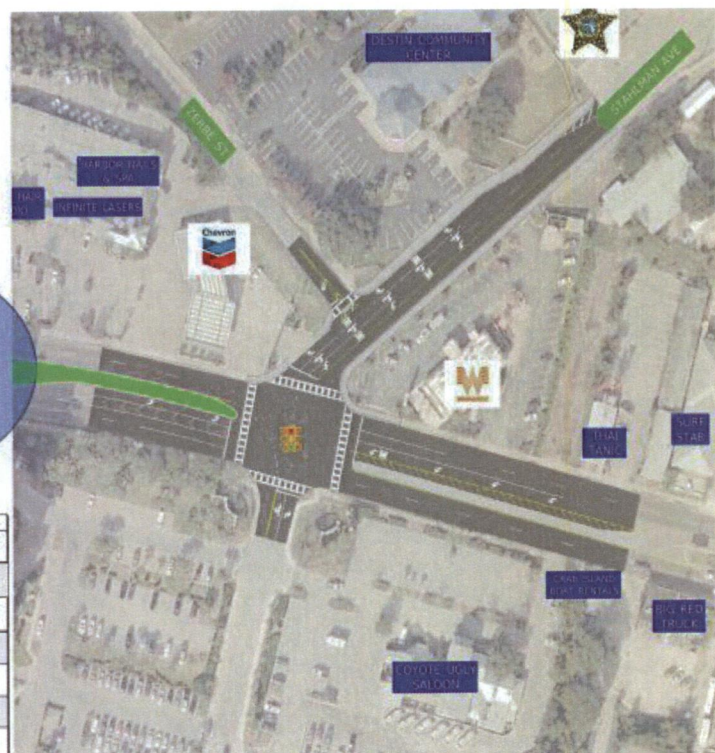


Stahlman Avenue Intersection Assessment Build Alternative

Crash Type	# of Collisions
Angle	1
Left Turn	5
Other	1
Rear End	2
Right Turn	1
Sideswipe	3
Unknown	1
Total	14

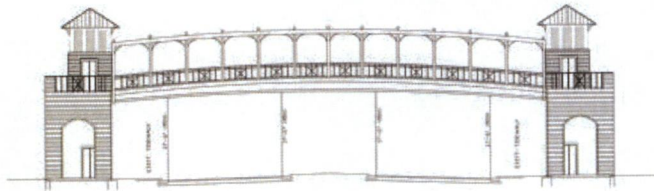
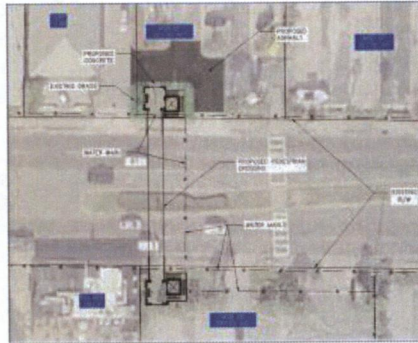
Right-in/Right-out at
Zerbe Street could
have resulted in a
50% reduction of
crashes between
2015-2018

Intersection	Analysis Period	AM Peak Hour		PM Peak Hour		Weekend Peak	
		LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)
US 98 & Stahlman Ave	Existing	D	45.7	D	38.7	D	39.5
	Existing - Build	D	35.1	D	34.9	D	37.3
	YR 2025 - No Build	E	55.6	D	42.4	D	42.9
	YR 2025 - Build	D	39.7	D	38.3	D	39.7
	YR 2045 - No Build	F	117.3	F	101.3	F	85.3
	YR 2045 - Build	D	39.3	F	82.1	E	76.2



Pedestrian Overpass Alternative

- 11 vehicle/pedestrian accidents (6/16 to 7/20) in immediate US 98 corridor
- 10 accidents were in vicinity of Stahlman Ave. Intersection (2 fatalities)
- \$1.5M-\$2M Construction Cost (w/o ROW)



Other Recommendations

- FDOT recommendations for turn lane addition (dedicated right, through and left turn on North and South Leg of intersection)
- Intersection reconstruction with realignment (Requires Whataburger acquisition and relocation of HarborWalk Village Drive Development Order Modification)
- Advanced Traffic Management System – Corridor Wide



Councilmember Ramswell inquired as to the height necessity for the overpass to accommodate vehicles such as 18-wheelers that come through Destin.

Mr. Hooks stated that for State road they would go with the standard vertical clearance of approximately 17 feet; adding it would be designed to meet State standards which would allow for all road traffic.

Councilmember Ramswell asked if they have considered building an underpass on this road.

Mr. Hooks stated they have considered installing the underpass; however, according to many of the geotechnical engineers that have done business for some of the developers in the area around Stahlman Avenue, the water table is too high to allow for an underpass in that area. He added they have site distance issues in this type of area and so an underpass is not a preferred or viable alternative.

Councilmember Ramswell also noted they have previously discussed the option of closing down Zerbe Street or making it a one-way road. She asked if either of these two options would facilitate traffic movement.

According to Mr. Richardson, they looked at both options and thought it would be more beneficial to provide some access on Zerbe Street rather than completely closing it down or turning it into a single direction corridor and overloading US Hwy 98 and Stahlman Avenue intersection. They want to maintain continuing access to the neighboring west rather than having motorists travel through US Hwy 98 to get there.

Councilmember Marler asked who would be responsible for maintaining the elevator for the overpass if they decide to go that route.

Mr. Richardson replied that maintenance would be the responsibility of the operating entity which is the City unless they are able to make some arrangements with a business entity that would have the most benefit from the overpass.

Councilmember Braden wondered why water table would be an issue with the underpass when the Emerald Grande has two stories of parking below ground.

Councilmember Menchel inquired as to the date of the traffic count conducted at the location.

Mr. Richardson responded that the traffic count was collected on June 25th to 27th.

Councilmember Menchel asked what could be done to prevent pedestrians from continuing to cross the highway if they were to put in a pedestrian overpass.

Mr. Hooks stated they cannot force people to use the overpass but there are steps they could take to deter people from crossing the street; such as removing the mid-block crossings from the AJ's parking area and replacing it with some heavy landscaping.

Councilmember Destin recommends looking at an underpass option more thoroughly and finding out whether the water table is truly an issue as it appears there is no better place in Destin than at that location to put in an underpass.

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

Ms. Marcie Bell, a Destin resident, asked if there was any way for the City to control the sightseers following a major storm because one of the problems they encountered at Holiday Isle following Hurricane Sally was having a lot of standing water. There were many vehicles, mostly driven by out of town guests, speeding through the neighborhood and pushing water into properties. She recommends establishing some sort of a “no wake zone” following a storm on areas where flooding is an issue.

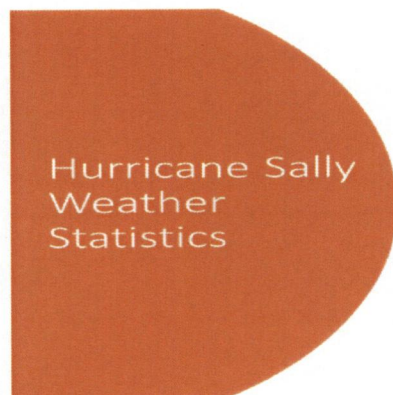
Ms. Bell noted that the City passed a resolution in January 2018 providing some funding for phase 2 of the Stormwater Master Plan. She stated that Holiday Isle ought to be included in the mapping of the Stormwater Master Plan as they definitely have a stormwater problem.

Ms. Teresa Hebert, a Destin resident and the Chairperson of the Parks and Recreation Committee, addressed the Clement Taylor Park workshop scheduled for September 28th. She stated that the committee fully supports the workshop and asks that it be fully publicized encouraging people to attend as many people have a keen interest on this issue. She wants to ensure her committee is a full participant in that workshop.

4. CITY MANAGER REPORTS

A. Hurricane Sally Update

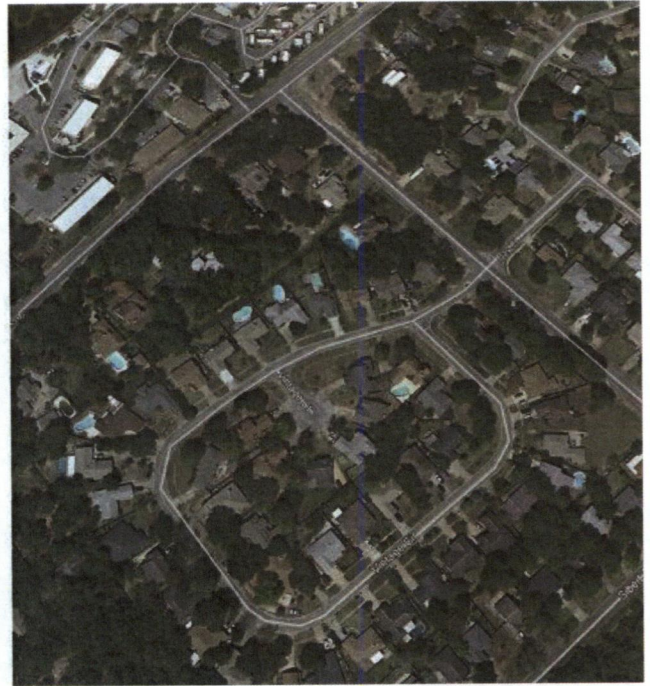
Public Services Director and Emergency Manager Michael Burgess provided the following post Hurricane Sally update:



- **Rainfall Total – 15.6”**
(Valparaiso Airport Gauge)
- **Destin Airport Gauge went offline on the 16th**
- **Maximum Wind Speed**
 - 48 mph sustained
 - Gust at 59 mph

Flooded Areas

- Heritage Run (Vintage Circle)
 - The Heritage Run subdivision saw an accumulation of water late Tuesday night and into Wednesday. The pumps (2-5000gpm and 1-500gpm) were all functioning in the "On" position but were experiencing issues when set into the "Auto" position.
- City Response
 - Staff manned this system periodically during the event running it in the "On" mode all night and into Wednesday.
- After-Action: Gilbert Pumps was on-site today addressing the "Auto" operations issues.



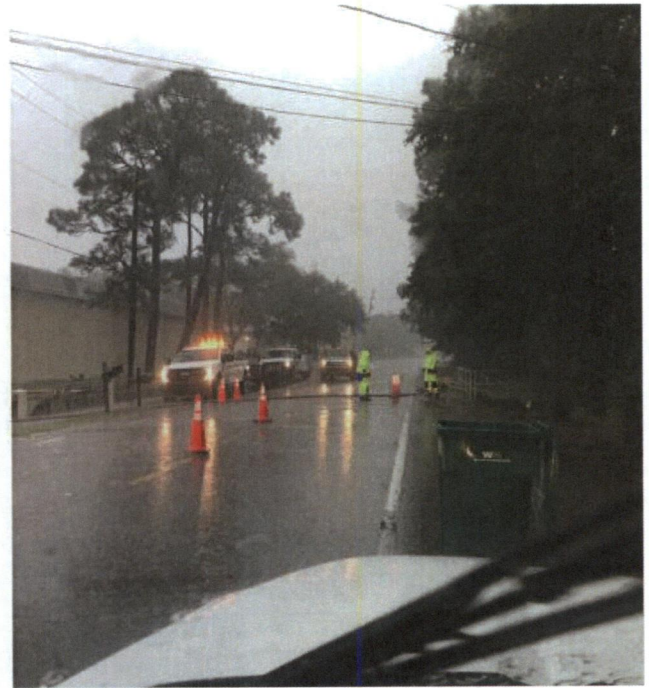
Flooded Areas

- Quail Court
 - Quail Ct. is a private development comprised of a mix of townhomes and duplexes within a closed basin, meaning that it has no way of draining to lower properties. No homes were flooded but the streets within the development saw accumulation of 4-6".
- City Response
 - City staff set up a 4" pump to drain the cul-de-sac and adjacent yards. Pumping lasted only a few hours.
- After-Action: None



Flooded Areas

- Calhoun Drive (Across from Ft. Benning MWR site)
 - This system drains several lots between Calhoun Ave and areas on the northwest side of Bay Court. This area historically floods in heavy events as it discharges to the Bay. When the Bay rises, a sluice gate is lowered preventing the Bay from encroaching into the neighborhood.
- City Response
 - Four pumps were set up and run for 30+ continuous hours running pipes over Calhoun Avenue and into the retention area at the MWR site.



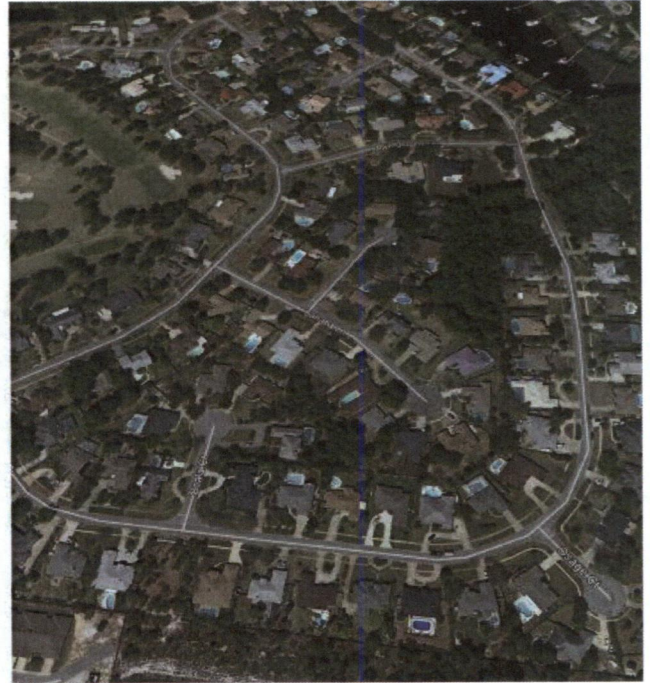
Flooded Areas

- Joe's Bayou, 1st and 2nd Streets
 - Caused by the Bay encroaching into the Park and over Beach Drive, creating flooding on 1st and 2nd streets and adjacent areas.
- City Response
 - Joe's Bayou Parking Lot was closed
 - Street Sweeper will remove debris from the parking lot and area streets this week



Flooded Areas

- Indian Bayou
 - Indian Bayou saw several streets get flooded to depths of 6-8" in places and water did get into a few homes.
- City Response
 - During the event, the outfall became partially blocked with pine straw and other yard debris that kept the system from performing optimally. The debris was removed by staff and the neighborhood drained in a matter of hours. No pumping was necessary though Staff did prepare a pump station.
 - After-Action: Staff will research easements and will work with the HOA to determine a more permanent solution.



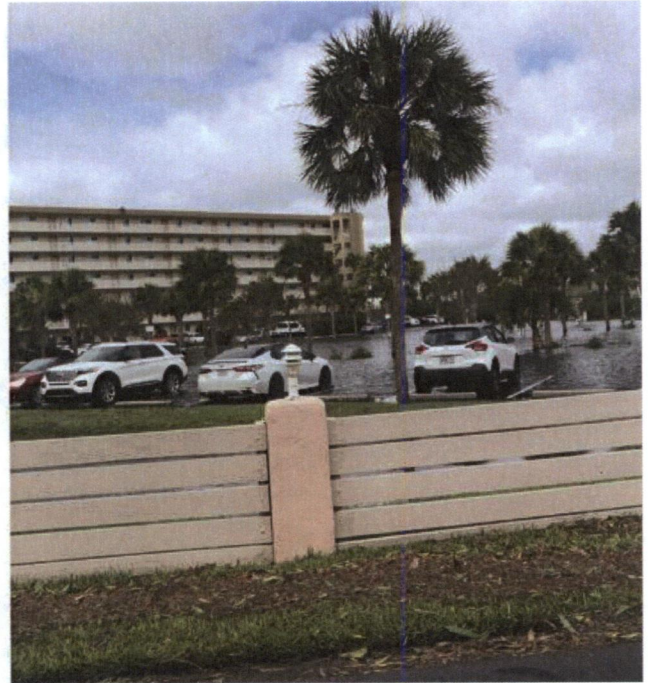
Destiny, Four Prong Lake

- Closed Basin
- Lake rose several feet during the storm event and flooded interior streets
- Water got very close to homes
- City Response
 - Set up a 6" pump at Crab Trap (~1000 gpm)
 - 2nd Pump set up on Saturday, a loner from Jacksonville Utilities.
 - Will take several days to draw the lake down 1'.



Flooded Areas

- Gulf Shore Drive (various areas)
- City Response
 - Set out cones to block off flooded travel lanes
 - Set up Pump on Gulf Breeze Court (x2)
- After-Action: Follow-Up on drainage system layouts



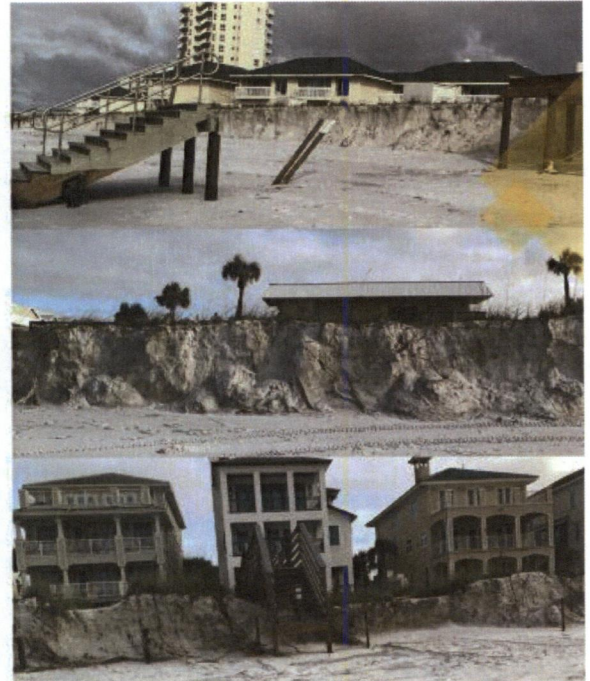
Other Damage to City Facilities

- Old Post Office at Fishing Museum
- Joe's Bayou Docks
- Leonard Destin Beach Area
- Morgan's Sports Center
- Mattie Kelly Pier
- Norriego Point
- Traffic Signals



Beach Erosion

- Hurricane Sally scoured our beaches and affected both public and private structures.
- City Response: City crews have collected debris and sections of wooden structures from our Beach Parks.
- After-Action: Coordination with the County for beach raking, reconstruction of damaged public amenities and pickup of damaged beach vendor structures. Volunteer groups have already begun cleaning the beaches along with City Staff.



Beach Clean-Up Efforts

Shoreline Church worked yesterday to clean up our beaches along with City Staff.

shoreline
church.net



Intergovernmental Support

- Destin Water Users
- Destin Fire Control District
- Okaloosa County/State Emergency Management
- Jacksonville Utility Authority/ State EOC
- Okaloosa County Public Works
- OCSO Support to the City of Destin
- City Support to OCSO



Councilmember Menchel pointed out that the water level at Sunset Lake is as high as Four Prong Lake. He asked staff to investigate the need to pump Sunset Lake as well as storm water runs into that lake.

Councilmember Ramswell pointed out there are lots of hazardous debris on the beach following the storm and the lack of available information hampered the beach cleanup efforts. She asked staff to work with the County and other appropriate entities to create a plan that would help facilitate information to the public to improve the debris cleanup efforts on the beach.

Councilmember Ramswell also noted there had been a lot of issues with collection of yard debris. She asked if there was anything the Council could do to facilitate pickup.

The Deputy City Manager Webb Warren reported that staff had been in constant contact with Waste Management before and immediately following the storm. Due to the obvious volume of yard debris, Waste Management sent out 6 trucks on Friday, 9 trucks on Saturday, and additional trucks on Sunday to try to keep up with the yard debris. They were not able to pick up all the yard debris, but they ensured the City they are keeping up with the contract standard. Code Compliance and Public Services staff will be working with Waste Management this week to monitor how much debris is still accumulating in the City. If City staff or Waste Management does not believe they have the resources necessary to keep up with the amount of storm debris, staff would like to examine a third-party option to assist, which could come from the City's storm debris removal contract which is usually designed for larger scale operations.

Councilmember Ramswell wants to make sure the existing contract with Waste Management allow for emergency pickup following a major storm with no extra charges to residents.

B. Feline Friends/Feral Cat Services

According to the Deputy City Manager, Feline Friends has demonstrated concern of being able to fulfill obligations associated with a Fiscal Year 2021 contract due to COVID-19 and limitations of volunteers. Staff would like to further discuss the issue with Feline Friends as well as look at any other potential options for feral cat control and bring them back to Council for consideration.

Councilmember Destin moved to examine options for feral cat control for Destin and bring back to Council for consideration; seconded by Councilmember Marler.

Councilmember Menchel asked if they still have feeding stations in Destin and whether Feline Friends have been emptying them as they promised the City last year.

According to the Deputy City Manager, Feline Friends still have feeding stations in Destin and they are emptying them; but, he is not sure to what degree their service level is during this pandemic and the recent storm as well as the problems they are having with volunteers.

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

C. Panhandle Animal Welfare Animal Control Services Update

The Deputy City Manager noted that staff has been analyzing the service levels and measurements of the current PAWS contract. Staff met with Ms. Traci Williams, the new PAWS Director to discuss concerns over past and existing service levels from PAWS for the City of Destin. Staff also expressed concerns of the quality of performance metrics received from PAWS. Ms. Williams took great time to explain some past systematic issues as well as recent corrections and additional proposed solutions to these concerns. He continued that staff would like to continue to work with the new PAWS Director, Okaloosa County, as well as Code Compliance staff to evaluate service levels and to create improved performance metrics for Council and staff. Staff would also like to bring back a first quarter report for FY 2021 for discussion at a February 2021 Council meeting.

Councilmember Destin moved to provide a FY 2021 First Quarter Report to Council on the PAWS contract no later than the last meeting in February 2021; seconded by Councilmember Ramswell.

Councilmember Menchel noted there is a possibility that PAWS could be under investigation by the State Attorney's Office, and that staff should investigate this matter with the State Attorney to determine any impact it may have on the City's contract with PAWS.

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

D. Cares Act Subrecipient Agreement

Grants/Project Manager Jeffrey Cozadd explained that the sub-recipient agreement between the County and the City of Destin is required for the distribution of the Cares Act Fund. Fund will be used only for COVID-19 related expenses. These funds will be given to the City in a lump sum payment soon after the agreement is completed. The remainder of the funds would be through reimbursements only.

Motion by Councilmember Overdier, seconded by Councilmember Menchel, to authorize and direct the City Manager, or his designee, to execute the CARES Act Subrecipient Agreement with Okaloosa County passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

E. COVID-19 Grant Program Update

Mr. Cozadd noted that the City partnered with Okaloosa County in their Small Business COVID-19 Grant Program as administered by the Small Business Development Center (SBDC) at UWF for the total amount of \$103,000. After processing the applications, the SBDC reported to the City that approximately \$40,000 was expended to grant applications, which leaves approximately \$60,000 in grant funds that were not utilized. The SBDC is willing to administer another application period if the City decides that it would like another round of grant application. Okaloosa County has approved 6 new COVID-19 related grant opportunities at this time. There is also a range of different programs being offered to address a wide variety of needs demonstrated by the impact of COVID-19 in the community. At this time, the City could choose to discontinue their grant program and request the obligated grant funds held by SBDC be returned and encourage individual interested in COVID-19 related assistance to apply for grants being offered by the County. The City could also approve SBDC recommendation to raise the grant award to \$5,000, remove the storefront requirement, and remove the cap on employees.

The Mayor recommends raising the grant amount to \$5,000 which would be more impactful to small businesses in Destin and changing one criteria in the grant program which is well intended, but also did not take into account businesses that operate and pay taxes within the City but reside outside the City.

Councilmember Ramswell pointed out that one of the suggestions for modification to expend the remaining funds was reducing a sales requirement but to increase the level of employees cap from 20 to 50, which seems sort of counter-intuitive since a lot of the business in the City are much smaller.

The Mayor noted that an average restaurant could employ 50 to 60 people, but he does not know who else outside of the restaurant industry in Destin would employ as many people.

Councilmember Morgan stated that the tourism season has been great and the restaurant businesses in Destin did very well despite the pandemic.

Councilmember Destin moved to discontinue Small Business COVID-19 Recovery Grant Program expenditures and request the unobligated portion of the grant funds be returned to the City. Councilmember Morgan provided a second to the motion. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

F. Adopt-A-Street Program Update

Mr. Burgess addressed the following actions City staff has completed since the previous Council meeting.

- Staff has actively researched similar program in other Florida communities.
- The post-cleanup reporting process has been re-imagined providing greater ease-of-use
- New safety vests have been ordered to distribute to volunteers
- The Adopt-A-Street application process is being streamlined utilizing a “fill-able” and “submit-table” electronic form that will be posted on City’s webpage
- The Adopt-A-Street program has been re-advertised via the City’s website and social media platforms
- Staff is discussing the possibilities of expanding the program to more site-specific location (traditional parks, beach parks, boardwalk, etc.)
- Discussions are underway to script, film, and publish a new Adopt-A-Street/Park/Spot safety video (rather than using an FDOT video)

Councilmember Ramswell asked whether City staff plans to reassign cleanup locations since some of the volunteers may no longer interested in continuing or have moved out of the City.

Mr. Burgess stated they plan to reach out to known volunteer groups to determine how many are still interested and want to continue.

Councilmember Menchel requests they consider having a regular Adopt-A-Street volunteers group cleanup day as they have done in the past and had a lot of success.

G. Complaint Policy Status & Updates

The Deputy City Manager noted that the City’s Human Resources Manager has been working with legal counsel in drafting this policy and has a draft proposal currently under review by all the parties involved.

H. Announcements

- I. Resolution 20-21 – FY 21 Law Enforcement Agreement (pulled from Consent Agenda)

Councilmember Menchel recommends they continue to push for the additional 10% bed tax money from the TDC for the next fiscal year; adding that tourism season has been great and so bed tax money is available. He reiterated that approximately 80% of the calls for service at the Sheriff's Office involves tourists and residents only receive 20% of the service.

Councilmember Menchel moved to adopt Resolution 20-21 accepting the FY 21 Law Enforcement Service Agreement to provide law enforcement services to the City of Destin by the Okaloosa County Sheriff's Office from October 1, 2020 to September 30, 2021. Councilmember Ramswell provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

- J. Council ratification of the Declaration of Civil Emergency (pulled from Consent Agenda)

The City Manager asked the Council to ratify his issuance of the Declaration of State of Emergency and approve extensions in the event they have to go after State and federal funding.

Motion by Councilmember Destin, seconded by Councilmember Ramswell, to approve and adopt Resolution 20-24, ratifying the issuance of the Declaration of State of Emergency for Hurricane Sally, and approve extensions to the Declaration as promulgated by the City Manager passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 20-25-CN – Adopting the Fiscal Year 2021 Millage Rate

The City Attorney read proposed Ordinance 20-25-CN by title, and then presented it to the City Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN OF OKALOOSA COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF DESTIN FOR FISCAL YEAR 2021; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney announced the proposed Fiscal Year 2021 operating millage rate for the City of Destin is 1.6150 mills, which is more than the roll back rate of 1.5491 mills by 4.25%.

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

Councilmember Menchel moved to approve Ordinance 20-25-CN on second reading, adopting the FY 2021 millage rate of 1.6150 mills, which is more than the rollback rate of 1.5491 mills by 4.25%. Councilmember Ramswell provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

B. Second reading of Ordinance 20-26-CN – Adopting the Fiscal Year 2021 Budget

The City Attorney read proposed Ordinance 20-26-CN by title, and then presented it to the City Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN MAKING APPROPRIATIONS FOR CERTAIN EXPENDITURES, EXPENSES, CAPITAL IMPROVEMENTS AND CERTAIN INDEBTEDNESS OF THE CITY OF DESTIN, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; 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 and sent the matter over to the City Council for their discussion and consideration.

Councilmember Overdier moved for the adoption of Ordinance 20-26-CN on second reading to provide for a balanced budget for FY 2021; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

C. First reading of Ordinance 20-14-LC – Relating to right-of-way protection, providing for the amendment to Article 8, Transportation of the Land Development Code by creating Section 8.01.00G, Right-of-way protection, trenchless technologies

The City Attorney read proposed Ordinance 20-14-LC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO RIGHT OF WAY PROTECTION; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE AMENDMENT TO ARTICLE 8, TRANSPORTATION, OF THE LAND DEVELOPMENT CODE BY CREATING SECTION 8.01.00.G., RIGHT-OF-WAY (ROW) PROTECTION, TRENCHLESS TECHNOLOGIES; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City’s Engineering Assistant Joe Bodi explained that the proposed ordinance would provide additional protection to the City’s infrastructure by providing for guided or controlled boring technology, ensuring protection and repairing of City’s existing infrastructure, and requiring registration and insurance of the boring companies working in the City.

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

Motion by Councilmember Marler, seconded by Councilmember Destin, to approve Ordinance 20-14-LC, Right-of-Way Protection, Trenchless Technologies with incorporated changes recommended by the Local Planning Agency passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

- D. First reading of Ordinance 20-24-LC – Regulating Low Speed Vehicles (LSV). Amending Article VIII "Transportation" and creating a new section 8.09.04 entitled "Alternative Modes of Transportation." Defining "Low Speed Vehicles." Providing for limited operation of low speed vehicles on certain City streets. Prohibiting Low Speed Vehicles on specified streets.

The City Attorney read proposed Ordinance 20-24-LC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, REGULATING LOW SPEED VEHICLES; AMENDING ARTICLE VIII "TRANSPORTATION" AND CREATING A NEW SECTION 8.09.04 ENTITLED "ALTERNATIVE MODES OF TRANSPORTATION"; DEFINING "LOW SPEED VEHICLES"; PROVIDING FOR LIMITED OPERATION OF LOW SPEED VEHICLES ON CERTAIN CITY STREETS; PROHIBITING LOW SPEED VEHICLES ON SPECIFIED STREETS; 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.

Ms. Marcie Bell expressed concern over allowing LSVs at the intersection of Gulf Shore Drive and US Hwy 98, stating it is one of the most dangerous intersection in Destin. She added it is a road to nowhere as across the street is private property, and that it is not safe for LSVs to be crossing that intersection. She also reported seeing LSVs being driven on sidewalks and bike lanes, having underage drivers, carrying too many passengers, including infant in a baby carrier.

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

Councilmember Marler objects to allowing LSVs on Airport Road for safety reason. He also agrees that a lot of LSVs are being driven by underage drivers.

Councilmember Morgan noted that Airport Road is not safe for vehicles, let alone LSVs; adding he cannot support encouraging more traffic on Airport Road.

Councilmember Ramswell alluded to a previous plan to open up the right-of-way that goes east and west from Airport Road to The Palms Shopping Center, which would be a much safer path.

Councilmember Morgan noted it is a Gulf Power easement, which is something previously discussed as a linear trail, which would be a great asset and solve a lot of problems with golf carts and pedestrians.

Councilmember Morgan moved to approve proposed Ordinance 20-24-LC, Low Speed Vehicle (LSV), with the exception of the following roadway additions for LSVs: Airport Road, Main Street, Indian Bayou Trail, and Gulf Shore Drive intersection; seconded by Councilmember Destin.

Councilmember Menchel pointed out there are many LSVs that cross Matthews Blvd and US Hwy 98 going to Publix Shopping Center; but at least there is a traffic light at that intersection. He continued he would prefer to have intersections with traffic lights where LSVs could go safely across. There are golf carts that cross intersections other than Indian Bayou Trail which need to be addressed.

Councilmember Morgan noted his motion is not taking away roads where LSVs are currently allowed, and that he would prefer to leave it that way for now.

Motion passed 6-1 (Council members Morgan, Destin, Marler, Overdier, Ramswell and Braden voted “yes”; Councilmember Menchel voted “no”).

Councilmember Ramswell asked staff to place “Linear Trail” on the next Council meeting agenda for discussion.

6. CONSENT AGENDA

- A. Resolution 2019 - Emerald Coast Wildlife Refuge Contract
- B. Extensions 22 and 23 to the Amended COVID-19 Declaration of State of Emergency
- C. Council ratification of the Declaration of Civil Emergency
- D. Resolution No. 20-21 – FY 21 Law Enforcement Agreement
- E. Authorization for payment to TerraXplorations, Inc.

Motion by Councilmember Marler, seconded by Councilmember Destin to approve Consent Agenda items 6A, 6B, and 6E 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 asked staff to physically flag/mark, not just the footprint of proposed firehouse location at Clement Taylor park, but all areas the fire department plans to occupy and could potentially be affected by the project at the park site. This would include marking the building, driveway, parking areas (to include personal vehicle parking), swales and any required stormwater directly related to the project.

B. Councilmember Ramswell

C. Councilmember Menchel

Councilmember Menchel asked staff to ensure a live broadcast of the City Council Workshop on Clement Taylor Park.

Councilmember Menchel asked staff to follow up on the submerged land lease application and provide information to the Council.

Councilmember Menchel requested that the City Attorney provides Council a copy of the request for an opinion from the State Attorney General relating to Section 3.09 of the City Charter.

D. Councilmember Overdier

E. Councilmember Marler

1) Reconfiguration of 1st and 4th Street Intersection

Councilmember Marler informed Council that allowing the City's continuing services contractor Baskerville-Donovan to conduct the engineering study for his proposed realignment of the 1st Street and 4th Street intersection would cost less and be done faster than putting the project out for bid.

Councilmember Marler moved to allow the City's continuing services contractor Baskerville-Donovan to conduct the engineering study for the reconfiguration of the 1st Street and 4th Street intersection; seconded by Councilmember Ramswell.

Mr. Burgess explained the details of the engineering study and noted that utilizing the City's normal procurement process could take anywhere from 6 to 10 weeks to conduct the study.

Councilmember Menchel recommends following the normal procurement policy and not circumventing the Bid Committee process in this case.

Councilmember Destin inquired as to the cost of this project and whether it is budgeted.

Councilmember Marler explained it is unbudgeted, however there is a safety issue involved; adding that he has had two near misses at this location.

The City Attorney noted it would cost \$23,025 for Baskerville-Donovan to do the design work for the intersection. He added he has reviewed the process and determined that Florida Statute related to procurement would not impact this particular procurement process and so the Council could either utilize the continuing services contractor or put this project out to bid.

Councilmember Destin stated if it cost \$23,025 just for the design work, it could cost over \$100,000 to do the realignment. He continued they should have had this discussion a few months back during the budget process so they could have reserved some funds for it. They just passed a balanced budget tonight and now they would have to pass an amendment for an unbudgeted expenditure.

Councilmember Ramswell asked if the Sheriff's Office could provide an accident report relating to this particular intersection.

Captain Howell stated he would need to obtain that data and provide it to the Council if they wish.

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

F. Councilmember Destin

G. Councilmember Morgan

H. Mayor Gary Jarvis

I. Land Use Attorney'

1) Workshop Destin Fire Control District Lease Clement Taylor Park

The Land Use Attorney announced that a workshop has been scheduled for Monday, September 28th, at 6:00 PM.

2) Ordinance Status Updates:

A) Roosters

The Land Use Attorney announced that the proposed ordinance to regulate roosters will be presented to Council for two readings in October.

B) Luxury RV Resorts as a Conditional Use in CMUV

The Land Use Attorney informed the Council the proposed ordinance designating Luxury RV Resorts as a Conditional Use in CMUV will be presented to the LPA on October 15th for review and recommendation, and then to the City Council for two reading in November.

C) Drones and Kites

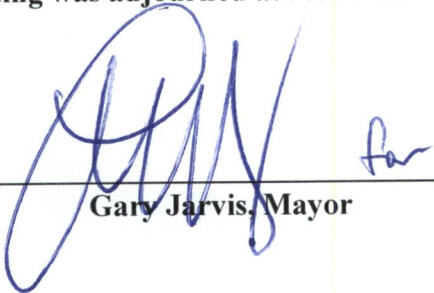
The Land Use Attorney noted that the proposed ordinance to regulate drones and kites is currently being drafted. It should go before the Council by the November timeframe.

J. City Attorney

The City Attorney announced that a Special City Council Meeting on the undergrounding of utilities is scheduled for Tuesday, October 6th, at 6:00 PM. Mr. Schef Wright, the City's special counsel on the undergrounding project will be in attendance. The 3 firms that submitted a proposal will make a presentation to Council.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 9:05 PM.



Gary Jarvis, Mayor

ATTEST:



Rey Bailey, City Clerk