

**MINUTES
SPECIAL WORKSHOP
DESTIN CITY COUNCIL
SEPTEMBER 28, 2020
ANNEX COUNCIL CHAMBERS
6:00 PM**

The Council of the City of Destin met in special session with the following members and staff present:

Destin City Council

Mayor Gary Jarvis
Councilmember Chatham Morgan
Councilmember Cyron Marler
Councilmember Parker Destin

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

Destin City Staff

City Manager Lance Johnson
Deputy Public Works Director John Hart
Public Services Director Michael Burgess
Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
IT Manager Matthew Pace
City Attorney Kyle Bauman

CALL TO ORDER

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

WORKSHOP

A. Destin Fire Control District Lease – Clement Taylor Park

Destin Fire Control District (DFCD) Commissioner Mike Buckingham discussed the nature of the Fire District's proposal to lease a portion of Clement Taylor Park to serve as a new location for a fire station on the west side of Destin. The proposed location of the fire station is depicted in the map shown below. He stated that there had been some concern that a lot of trees would be cut down if this lease is approved. But there is only one old Magnolia Tree in front of the park. An Arborist has determined that the tree is diseased and can be cutdown. He continued that part of DFCD's plan is to provide 5 12-inch Oak Trees if the lease is approved by Council. The exact locations of these trees will be based on the Parks and Recreation Committee's recommendations and approval from the City Council. He also noted that DFCD has no problem leasing just the building footprint and not the entire location as shown in the map. They are also suggesting moving the proposed building further upfront and creating two additional parking spaces in the back.

Councilmember Braden asked if there was an original drawing showing the number of parking spaces available at the park.

The City Manager noted that the original drawing used when they first applied for the ORAC Grant showed approximately 17 available parking spaces in the southern area of the parking lot.

Parks and Recreation Chair Teresa Hebert expressed there was a total of 30 parking spaces when the original drawing was submitted to ORAC.

Capt. Jim Green, Vice-Chair of the Harbor CRA Advisory Committee, explained that when this proposal was submitted to the committee, the drawings included the proposed fire station footprint with the parking lot moving to the west with the same number of parking spaces.

Councilmember Braden pointed out that the proposal to move the building all the way up to the sidewalk would not meet the required 25-foot setback.

The Land Use Attorney stated that if it does not meet the setback requirement, it would have to go before the Board of Adjustment for a variance.

Councilmember Ramswell asked whether DFCD has applied for grants to obtain land for a new fire station.

According to Mr. Buckingham, the taxpayers have already turned down DFCD's request for a millage increase 3 times within the last few years, and that they do not feel it is appropriate to request more money or apply for a grant at this time. He continued they have located a piece of property nearby, but the asking price was \$2.2 million just for the land.

Councilmember Ramswell inquired as to the plan for getting down to the water when a call comes in that requires the use of the boat. Whether the firefighters or emergency responders would sprint down to the water's edge and through the park crowd.

Mr. Buckingham noted that along the fence line is a drainage easement where DFCD is willing to build an elevated walkway which the first responders could use and not have to go through the park to respond to the emergency.

Councilmember Ramswell asked what DFCD plans to do to alleviate noise.

Mr. Buckingham stated that the siren will not be on when the truck pulls out of the fire station. It will only be turned on when the truck is on the road.

Councilmember Ramswell stated that a typical fire station has a flashing signal light to warn traffic of the fire station. She asked if the light would be installed.

According to Mr. Buckingham, it would be the City's decision as to the placement of this warning light.

The City Manager stated this issue has not been discussed. They are waiting to see the result of the lease proposal.

Councilmember Ramswell asked why the space next to the Sheriff's Department location on Stahlman Avenue would not be feasible for the fire station.

Mr. Buckingham noted that particular location was not big enough for a fire station based on the assessment by an architect and a structural engineer. In addition, the Sheriff's Department's lease with the City allows them to place outside parking for their boats and Jet skis.

Councilmember Ramswell asked Mr. Buckingham to address future expansions and DFCD's needs moving forward.

Mr. Buckingham stated they feel quite confident having this substation at this location would enable them to cover the entire west side of the City, and that DFCD is willing to sign an agreement stating they would not ask for additional space.

Councilmember Ramswell asked whether the City has done any type of public usage study on the park to determine usage of the park.

The City Manager replied there have not been any official counts on people coming in and out of the park for quite a long time.

Ms. Hebert presented the following photos of suggested alternative locations (Sibert Avenue parcel) for the substation.





Mr. Matthew Sweetser, member of the Parks and Recreation Committee, stated that the citizens have made it clear that though they believe they need a fire stations on the west side of Destin, but not on Clement Taylor Park or any City park because it involves their heritage. Generations of people have been going to Clement Taylor Park for over a century. There are many other viable locations for the fire station. He also stated he has submitted a petition with over 450 signatures to the City opposing the placement of a fire station at Clement Taylor Park.

Councilmember Marler noted that a millage rate increase would be necessary to allow DFCD to purchase a property to build a fire station, and that their request to do so has been turned down by the taxpayers 3 times over the past few years.

Mr. Sweetser argues that DFCD's current budget would allow them to purchase the property.

The Mayor announced he will allow public comments at this time.

Ms. Nikki Johnson, member of the Parks and Recreation Committee, pointed out that Section 12.02 of the Land Development Code reads, "*Passive recreation areas include open spaces, wilderness, and wetland preserves, scenic vistas, and Clement Taylor Park. Uses allowed in these areas shall be strictly passive in nature.*" She stated that allowing a fire station at Clement Taylor Park is not a passive usage of the park, and it should be up to the citizens to decide.

Ms. Jan Ruffert, a Destin resident, stated that Clement Taylor Park is a historical park to a lot of people; and though they need a fire station on the west side of Destin, the park is not the right place to put it.

Ms. Keri Harbarger, a Destin resident, stated that it seems like double taxation when the citizens are paying taxes for the park and the fire department, and then allowing the fire department to occupy a portion of the park and take that land away from the citizens. She continued that a lot of people would not mind paying extra taxes a year to prevent that from happening. She suggests sending this issue to a referendum, if necessary.

Ms. Danielle Piper, a Destin resident, stated that she totally agrees to all the comments from members of the Parks and Recreation Committee. Clement Taylor Park is a beautiful and quiet park with a lot of children playing. A lot of citizens do not want a fire station on this park. She urged the Council to entertain other options.

Ms. Marcie Bell, a Destin resident, stated that it is important for the City Council to pay close attention to the goals and objectives of Comprehensive Plan 2020 to protect natural resources and natural conservation and vegetation. She continued that not one time in a public meeting, most notably in strategic planning workshops since May 2017, did the fire department, City staff, City Council or Mayor, or any member of the public expressed the need for a fire department on the west end of Destin, much less, at Clement Taylor Park until the first reading of the ordinance on June 1, 2020. Just recently, the Council passed a charter amendment for a referendum on the upcoming General Election ballot to prohibit vacation of City waterfront rights-of-way as well as a charter amendment to provide maximum building height. Had this issue been brought up earlier, there could have been another charter amendment prohibiting leasing and conveyance of any portion of City parks. She suggests DFCD should apply for the same Restore Act funds through the County to fund a west end fire station.

Ms. Aubrey Santucci, a Destin resident and certified arborist, wants to know the impact of the proposed infrastructure to the trees that would be lost due to that facility. She stated that the citizens deserve to have a place to go and enjoy, and when infrastructures starts impacting trees, they are impacting much more than just the aesthetics of it. They are also impacting erosion control, water filtration, air quality, and a lot of other factors.

Councilmember Braden noted that according to Mr. Buckingham, there is only one Magnolia Tree to be taken down. It is located in front of the proposed fire station facility, and that it is a diseased tree.

Ms. Santucci stated she has not examined that tree and she does not know anything about it being removed.

Ms. Muri Kersanac, a Destin resident and former Parks and Recreation Director for the City of Destin, stated that the Cemex Plant is a better option for the new fire station location. It has plenty of parking spaces and has waterfront access.

Councilmember Ramswell inquired as to the proportions of calls DFCD receives on Joe's Bayou side versus the harbor side.

According to DFCD Chief Sasser, Joe's Bayou has a lower percentage of calls. The bulk of the calls were in East Pass, in the harbor, and in the Gulf. However, they respond to all calls around their district whether they be in the gulf, in the bay, in the harbor, Joe's Bayou and any of the other waterways.

Ms. Beth Marler, a Destin resident, stated that Clement Taylor Park is their last piece of historical property and many of their memories there are personal. She continued she would not feel comfortable taking her grandchildren down to the water if the fire boat was in the water because a former firefighter had told her there are chemicals in the water from the boat. She urged the Council to find another location for the fire station and place this type of issue in the ballot at some point.

Mr. Corey Andrew, a Destin resident and former firefighter, stated that he definitely supports having a fire station at the west end of Destin, but not at Clement Taylor Park. He is also an engineer, and so when he reviewed the park plans, the building, and the surrounding trees, he determined there is no way they could put a structure which is that close to a tree without harming the tree. He also stated that firefighters always wash their trucks and so the water runoff needs to be handled correctly or it would be harmful to people's health. He continued that in terms of safety in general, a child could wander off into the fire station or into a fireboat at the end of the dock and gets hurt. In addition, if a very expensive piece of equipment gets stolen from the fire station, a big chain link fence could be erected around the building, similar to what happened in Niceville, and the citizens could then lose even more land at the park.

Ms. Lori Andrew, a Destin resident, expressed concerns over the safety of children while swimming in the water near the fireboat.

Mr. Rick Moore, a Destin resident and DFCD Chairman of the Board, stated that he is aware of the sentimental value of the park to many citizens including himself, as he grew up near the park himself. He stated that the DFCD only has the public's safety in mind with their proposal to lease a portion of the park to build a fire station. The western district has the fastest growing amount of calls each year the past several years. The fire station being in the park would drastically reduce the response time to an emergency need on and off the water as time is of the essence. Allowing DFCD to lease a portion of the park would be a small sacrifice for a large gain for the citizens. Also, a security camera will be installed for the fire station, which could help lower if not eliminate criminal activities in or near the park. In addition, the cost to purchase water property in Destin especially near the water is quite high, and it would not make sense to spend taxpayers' money when there is land available.

Ms. Myra Williams, a Destin resident and member of the Parks and Recreation Committee, asked that during a water rescue whether the fire department personnel bring the victim back to the fire station.

According to Mr. Buckingham, patients are transported to the Coastguard station. At no time would they be brought back to the fire station.

Ms. Williams stated that safety of the citizens utilizing the park is of utmost important; and if the Council is contemplating on allowing the lease of the park regardless of its historical nature and against the desire of many of the citizens, the Council needs to have a guarantee emergency vehicles would not jeopardize the safety of the people swimming in the water and those of the children playing in the park.

Capt. Jim Green, a Destin resident and member of the Harbor CRA Advisory Committee, noted that the committee's prior recommendation was to construct a longer dock on the southside of Clement Taylor Park. The dock will be long enough and placed in such a position that would not impact the swimming area. Another recommendation was to construct an elevated boardwalk down the spillway for the emergency responders. They would not have to run through the park to get to the fire boat. He also stated that having the fire station being at the park protects people at that park. It will also result in faster response time to the beaches, to East Pass, harbor, and to the citizens on the west side of Destin. He added there is great benefit to be gained by giving up that small piece of land, while no element of the park is being taken out.

Mr. Michael Chambliss, a Destin resident, noted that that most of the water on the bay going towards East Pass or the harbor is no wake zone, and so they cannot just rush out from there while responding to a water emergency. He also stated that Clement Taylor Park is part of their heritage and so they should not place a fire department in that park.

According to Mr. Buckingham, the emergency responders can ignore the no wake zone when responding to an emergency in the water. It is like when law enforcement officers and firemen ignore the speed limit and traffic lights while responding to an emergency on land. He also noted that the Fire District is only leasing about two percent of the entire square footage of the park. He suggests holding a public meeting at the park site. He feels that once people see they are not losing the park but only giving up very little space to the fire department, many may change their mind and feel inclined to support it.

Having no further comments from the public, the Mayor turned the matter back over to the City Council for further discussion.

Councilmember Ramswell asked who determined that the Magnolia Tree in front of the proposed fire station area in the park was a diseased tree.

Mr. Buckingham replied he was informed that it was Ms. Aubrey Santucci who is a local arborist.

Ms. Santucci explained that the Magnolia Tree she examined for the City was a different tree and not the tree in question. She reiterated that she has never examined the tree being referred to by Mr. Buckingham.

Councilmember Menchel stated that if Clement Taylor Park is not a viable option, Joe's Bayou and the Cemex Plant are great alternative locations for the fire department. He also noted that he recently spoke with Mr. Lockwood Wernet, Executive Director of Destin Water Users (DWU), who stated that DWU may consider allowing a fire station to be placed on their property near the water tower; but they would have to review the plans first. In addition, he was contacted by several people, one of which was Mr. Jay Howard, who informed him they would be willing to conduct a fundraiser and get the community behind purchasing a property for the fire department.

According to Councilmember Braden, it does not seem right for the City, who is \$24 million in debt, to try to bail out DFCD, who is debt-free; adding that DFCD should be able to borrow money to purchase property as did the City.

Councilmember Ramswell asked DFCD to provide the City some data showing water emergency calls and responses, and their exact locations, prior to the next Council meeting.

Councilmember Destin stated that they have had a lot of great discussions tonight and they have a lot more to discuss on this issue at future meetings. He continued that he is not prepared to vote on this issue any time soon without getting some answers to a lot of questions. He made the following recommendations for City staff and attorneys to explore based on tonight's discussions:

- Investigate the feasibility of the Cement Plant being the alternative location for the fire department. The Cement Plant may have some issues with regards to location and response times. There may also be some grant issues in terms of what they can and cannot place at that location given that it is being renovated using federal funding
- Investigate the feasibility of the Sibert Avenue parcel (Teresa Hebert's recommendation) as an alternative location for the fire department. Discuss the viability of this location with the fire commissioners because it only solves one part of the issue since that particular parcel is not sitting on water
- Explore Capt. Green's recommendation for a longer dock ("L" shape) on the southside of Clement Taylor Park. The dock will be long enough and placed in such position that would not impact the swimming area. Also, construct an elevated boardwalk down the spillway
- Determine the legality of constructing an elevated boardwalk and dock structure with no building. Since the proposal is to construct the elevated boardwalk over a drainage easement, determine the legal characterization of the drainage ditch to make sure there are no conservation issues. Also, investigate the 25-foot setback issue that could factor into it
- Examine the condition of the Magnolia Tree and determine whether it is actually a sick tree
- Look into the setback question on the LDC with regards to a proposal to move potential building into a different position at Clement Taylor Park

- Determine the legality of holding a public meeting at Clement Taylor Park site and other issues such as live streaming, recording, taking minutes, etc
- With regards to a voter referendum, determine if they have the ability to send this issue to the voters

Councilmember Menchel noted that a lot of the responses to Councilmember Destin's recommendations would have to come from DFCD since they are the one making the proposal to the City; adding they would need to determine which ones are viable for them.

Councilmember Destin stated that he expects City staff to work hand in hand with DFCD in this regard; and that they should give staff about 30 days to come up with some answers.

ADJOURNMENT

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


Gary Jarvis, Mayor

ATTEST:


Rey Bailey, City Clerk