

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
MARCH 1, 2021
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 Skip Overdier
Councilmember Terésa Hebert
Councilmember Johnny King (Virtual)

Councilmember Rodney Braden
Councilmember Prebble Ramswell
Councilmember Kevin Schmidt
Councilmember Dewey Destin

Destin City Staff

City Manager Lance Johnson
Deputy City Manager Webb Warren
Public Information Manager Catherine Card
Grants/Project Manager Jeffrey Cozadd
Community Dev. Director Louis Zunguze
Deputy Public Works Director John T. Hart
Code Compliance Manager Joey Forgione
City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
City Planner Daniel Butler
Building Official Noelle Bell
IT Specialist James Lauria
HR Manager Nichole DeVito
Finance Director Krystal Strickland
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

The Mayor called the meeting to order at 6:00 PM. Pastor David J. Butler of the Faith Assembly Christian Church in Destin gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Braden requested that the topic "*Harbor Blvd Stormwater Runoff*" be added under his name on the agenda.

Councilmember Hebert requested that the topic "*Main Street Bamboo Growth*" be placed under his name on the agenda.

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

1. APPROVAL OF MINUTES

A. Approval of minutes of January 19, 2021 Regular City Council Meeting

Motion by Councilmember Braden, seconded by Councilmember Ramswell, to approve minutes of January 19, 2021 Regular City Council Meeting passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted “yes”).

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

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

Mr. Shane Moody, President and CEO of the Destin Chamber of Commerce, stated that the Chamber has been in favor of the Multi-Modal Transportation District, which is in tonight’s meeting agenda, since the beginning, and they are willing to do whatever is necessary to make sure it stays in place. With regards to spring break preparations, which is also listed on the agenda, the Chamber sent out a survey today to their accommodation members to find out what they were expecting over the next 6 months. They have been hearing that things are going to be very busy beginning in about 2 weeks. He will share the result of the survey with the survey as soon as they receive it.

Ms. Janet Malloy, a Destin resident, stated that she is an avid pickleball player. She researched all the parks in the City of Destin and found out they have everything but pickleball courts. The Destin Community Center has 3 indoor pickleball courts, but it is not the place where senior citizens want to go to play pickleball during this pandemic. She is urging the Council to build more permanent pickleball courts in Destin.

4. CITY MANAGER REPORTS

A FY 2020 Annual Audit and Financial Statement

Mr. Tom Smith, Audit Engagement Director for the City of Destin’s financial audit, provided a brief overview of the audit results. He stated they will be issuing a clean and unmodified reports, and that he is pleased to announce there is nothing in the report that is considered a weakness on the part of the City. They received everything they needed in a timely fashion. Specific highlights include the following:

- Revenues exceed expenses by \$7.4 million for FY 2020; mainly due to

revenues being up from the prior year made up of \$2.1 million donation for the Capt. Leonard Destin Park and \$1.4 million for Cares Act funding

- The General Fund funded nearly all the City's operating expenses. There is an increase in fund balance from the prior year of \$5.1 million. There was an increase in real property tax. Assessed values of the City have been going up the past years
- The City's expenses increased from the prior year by \$1.4 million, which is almost exactly the amount of Cares Act funding
- The City is in a very healthy financial state

Motion by Councilmember Ramswell, seconded by Councilmember Hebert, to accept the 2020 Annual Audit and Financial Statements passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted "yes").

B. EFPR Group Engagement Letter for FY2021 Audit

Finance Director Krystal Strickland noted that the EFPR Group, LLC, was procured to complete audits for the 5 fiscal years through the period ending September 30, 2020. They have completed the fifth audit. Due to the tremendous amount of change in the Finance Department over the past year, staff would prefer to retain EFPR Group for one more fiscal year. Staff will draft a Request for Qualifications (RFQ) to complete proper procurement procedures for a new 5-year contract and will present it to Council before solicitation. Solicitation will be tentatively set for Fall 2021 to engage an audit firm to audit the City's financial statement and internal controls for the fiscal years 2022 – 2026.

Councilmember Schmidt moved to engage EFPR Group, LLC to audit the City's financial statements for the period ending September 30, 2021; seconded by Councilmember Hebert.

Councilmember Destin noted that according to the report, the total amount of \$27,500 to cover these fees will be part of the FY 2022 Budget Cycle, which will be adopted in September 2021. He stated that to spend money contingent upon future budget is not the way they should proceed. He would prefer to spend part of the reserve fund in place to pay for fees that would not become due till 2022.

Ms. Strickland noted that the timing of the auditors work will happen after the City has already adopted the FY 2022 Budget; however, she agrees with Councilmember Destin that it is better practice to spend money from the current budget rather than future budget and so she will make a small internal budget adjustment to encumber the funds under this year's budget to cover fees for the audit.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted "yes")

C. Debt Financing Update

Ms. Strickland noted that in order for the City to use the Okaloosa Half Penny Local Discretionary Infrastructure Surtax proceed, Council adopted a Resolution of Intent for Reimbursement last fall. This allows the City to use the cash fund they currently have on hand to purchase beach access properties and later to issue debts that will reimburse the City for all the cash outlay. She stated that the City is getting ready to close on the third and final property in May 2021. Now is the time to do a bank request for proposals. The City would be issuing \$4.7 million in new debt. It will have approximately a 10-year time frame. They also have two other outstanding debts – \$3.9 million and \$3.7 million notes – both maturing in 2029. Since they will also have approximately a 10-year time frame, now is a good time to go out to the market to potentially refinance those two debts as well. Staff will be bringing a Request for Proposals before the Council at the next meeting for banks to bid on \$12.3 million. Based on initial estimate, this could save the City between \$100,000 to \$300,000 in interest expenses over the next 10 years.

D. Multi-Modal Transportation District (MMTD)

Community Development Director Louis Zunguze provided the following presentation on the on the Multi-Modal Transportation District (MMTD):

History of the MMTD

- The MMTD has been a State-mandated policy requirement that transportation facilities be available concurrent with the impacts of development
- The MMTD concurrency is based on the development of a multimodal environment, rather than the traditional approach of addressing automobile capacity through road widening. As such, this encourages communities to reinforce development design elements that support walking, bicycling and transit use
- The City adopted the MMTD through Comprehensive Plan amendment in 2005 to address the capacity constraints on US Hwy 98. Since then, it has been implemented through Land Development Code. Many municipalities throughout Florida have also adopted MMTD
- In 2011, the State has made transportation concurrency optional

Where in the City is the MMTD Applied and how?

- Applies to areas of the City conducive to development and redevelopment to support multimodal transportation and options when adding automobile capacity is limited
 - ❖ Old Destin – generally south of Kelly Street and west of

Airport Road

- ❖ Crystal Beach – generally south County Club Drive within the City limits east of Airport Road

What are the obligations of the private sector under the MMTD?

- Comply with requirements designed to promote pedestrian, bicycle, and transit use, including:
 - ❖ Pedestrian-oriented building design
 - ❖ Diverse and complementary land uses
 - ❖ Shorter block lengths for easier access and better-quality pedestrian environment
 - ❖ Pedestrian amenities
 - ❖ Transit stops
 - ❖ Bicycle parking
- Provide on-site and off-site (adjacent) multimodal facilities identified in the Pathways Master Plan and Transportation Corridor Management Plan, including:
 - ❖ Right-of-way dedication
 - ❖ Roadway improvements
 - ❖ External and internal sidewalks
 - ❖ Bicycle lanes
 - ❖ Multiuse trails
 - ❖ Transit stops

What are the obligations of the local government under the MMTD?

- Require development to comply with requirements designed to promote pedestrian, bicycle, and transit use
- Develop an interconnected multimodal transportation network through implementation of the:
 - ❖ Pathways Master Plan
 - ❖ Transportation Corridor Management Plan
- Collect multimodal impact fees to fund the transportation improvements necessary to accommodate new development
- Prioritize community parking over on-site parking
- Monitor the MMTD – Annual Transportation Concurrency Report (ATCA) and Biennial MMTD Monitoring Report

What has been the impact of MMTD?

- Benefit of the MMTD

- ❖ Multi-modal level of service scores since 2005 have improved for bicyclist and pedestrians
 - ❖ Multimodal facility constructed between 2005-2017
 - Sidewalks – 11.6 miles
 - Bicycle lanes – 6.36 miles
 - Multi-use trails – 16.4 miles
 - ❖ Multimodal improvements programmed in the Capital Improvement Program for expenditures from 2009 to 2015 totaled \$13,199,770
 - ❖ Transportation Corridor Management Plan
 - Mattie Kelly Blvd
 - North extension complete
 - South extension – ROW dedicated and partial construction underway with The Charles development
 - 98 Palms Blvd
 - Portion of the ROW dedicated with the Vintage Destin development
 - Sunchase Blvd (future road north of the Airport)
 - Alignment through the Indian Bayou West DO currently under review
 - Four mid-block signalized pedestrian crosswalks were constructed on US Hwy 98 in 2016
 - ❖ Community Parking Status
 - Marler Street Parking Lot completed in 2013
 - Zerbe Street Parking Lot improvements needed
 - Regulations for ion-lieu parking fees established in the LDC but have not been taken advantage of yet
- Challenges of the MMTD. Many of the on-site requirements designed to promote pedestrian, bicycle, and transit use were not implemented due to:
- ❖ Multimodal Transportation Currency Evaluation Certificate flexible point scoring system based on the project location, size, and traffic impact allows developers to pick and choose what design elements would be provided (up to 2018)
 - ❖ De minimis thresholds that exempt many expansion/redevelopment projects from providing any MMTD design requirements
 - ❖ Multimodal impact fee was adopted at roughly 30% of amount required to fund projects to offset impacts from new development
 - ❖ Impact and mitigation fees collected from development projects completed from 2009 to 2015 totaled \$225,828.99 – only 2% of programmed improvements
 - ❖ Transit ridership on routes serving Destin decreased by 41%

from 2007-2017

What are the options available to the City?

- Continue with the current transportation concurrency framework
 - ❖ All projects pay multimodal impact fee (last updated in 2008)
 - ❖ Projects within the MMTD must also meet design standards as well as provide on-site and adjacent off-site multimodal improvements
 - ❖ Projects outside the MMTD are subject to proportionate fair-share which only requires mitigation if the project impacts a facility outside the MMTD where a capacity issue is created by the development
- Remove transportation concurrency and require no impact fees (Revised MMTD)
 - ❖ No mitigation required for new development
 - ❖ City still responsible for ensuring acceptable LOS is maintained on the transportation network
 - ❖ Design standards and on-site improvements could still be required
- Replace transportation concurrency (MMTD) with a mobility fee-based plan (Staff recommends)
 - ❖ Fees are shared by all developments creating the need for transportation system investments
 - ❖ City defines the network and implementation schedule
 - ❖ Design standards and on-site improvements will be required
- Staff recommends that the City Council replace the MMTD with a Mobility Fee-Based Plan for the following reasons:
 - ❖ Allows greater flexibility in the collection and use of funds
 - ❖ Promotes desired development patterns. For example, density and where to locate infrastructure facilities, such as, parking structures
 - ❖ Mobility fees are shared by all developments creating the need for transportation system investments
 - ❖ Florida Statutes 163.3180(5) encourages a mobility fee-based plan with six tools and techniques to complete the fee

Councilmember Schmidt asked how replacing MMTD with a mobility fee-based plan will affect the goal of minimizing vehicular trips and encouraging and providing people options for travel such as walking and bicycling.

Mr. Zunguze stated that it should enhance it because this approach would involve a lot more pre-planning efforts. They will not be driven by development in planning for the community. They will do everything they are currently doing in a more proactive approach.

Councilmember Ramswell asked what affect staff's recommended plan would have on projects such as the linear trail.

According to Mr. Zunguze, it would be part of the overall planning efforts. Everything, including the Pathway Master Plan and Corridor Management Plan, will be factored in to a mobility plan.

Councilmember Ramswell asked whether an improvement to the multi-modal system occurs only in the area of a particular development or whether it could occur anywhere throughout the City.

Mr. Zunguze explained that development pays for their impact. The calculated fee is shared by everyone depending on where the need is the greatest. For example, if someone wants to build a \$10 million structure in the Harbor CRA, staff will determine whether the road system will need to be improved by the anticipated development. If it is a high density, then they would need sidewalks and all other associated amenities, and that the fee shall be commensurate to the cost of making those necessary improvements. Part of the financial cost could be shared by other development.

Councilmember Overdier asked if this concept would generate more discussions about future parking garages.

Mr. Zunguze replied affirmatively, stating that everything will be on the table for discussion.

Councilmember Braden moved to replace transportation concurrency (MMTD) with a mobility fee-based plan; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted “yes”).

E. Beach Cleaning - Status Update

Deputy City Manager Webb Warren noted that City staff is continuing to work with vendors and first responders in the County on the beach cleaning issue which is helping them provide the best information possible. Staff plans to bring back information from Okaloosa County on their standard of service for beach cleaning in Destin for the 2021 season at the March 15th City Council meeting.

Councilmember Braden asked how much funding the TDC provides for Destin beach cleaning service.

Mr. Warren stated that this information will also be available at the next meeting, but they believe it is in the \$200,000 to 300,000 range.

F. Announcements

The City Manager made the following announcements:

- The Harbor Capacity Study is currently underway. The Harbor Capacity Study Steering Committee has held their initial meeting on February 24th
- The Governor's Executive Order broadened the list of people eligible for the first phase of vaccine administration. Any person, 16 years and older, who is deemed extremely vulnerable to COVID-19 by their physician may receive the vaccine

5. PUBLIC HEARINGS

- A. First reading of Ordinance 21-01-LC - Amending Article 7, zoning and regulatory controls of the Land Development Code, permitting residential uses in the South Harbor Mixed Use zoning district in structures pre-dating incorporation of the City of Destin (1984)

The City Attorney read proposed Ordinance 21-01-LC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING ARTICLE 7, ZONING AND REGULATORY CONTROLS OF THE LAND DEVELOPMENT CODE; PERMITTING RESIDENTIAL USES IN THE SOUTH HARBOR MIXED USE ZONING DISTRICT IN STRUCTURES PRE-DATING INCORPORATION OF THE CITY OF DESTIN (1984); PROVIDING FOR AUTHORITY; 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 of this item and turned the matter over to the City Council for discussion and consideration.

Councilmember Hebert moved to approve Ordinance 20-01-LC on first reading; seconded by Councilmember Ramswell.

The Land Use Attorney explained that a member of the public requested a code amendment, and the Council previously directed staff to come back with this ordinance. In the South Harbor Mixed Used zoning district, the requirement for the commercial component will no longer be imposed upon structures existing before the City's incorporation in 1984. However, any changes made to the interior of the structure has to go through the permitting process.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted “yes”).

6. *CONSENT AGENDA

- A. Passport Contract Amendment
- B. Proposed Bert Harris Settlement Agreement for 627 Gulf Shore Drive
- C. Draft Minutes of Standing Committee/Board Meetings

Councilmember Destin requests Consent Agenda 6A be pulled for further discussion.

Councilmember Schmidt requests Consent Agenda 6B be pulled for further discussion.

Motion by Councilmember Ramswell, seconded by Councilmember Hebert, to pull Consent Agenda items 6A and 6B, and approve Consent Agenda item 6C passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted “yes”)

Referencing Consent Agenda item 6A, Councilmember Destin requested that a breakdown of net revenues being generated from each parking lot be provided to Council. He stated that this request stems from former Councilmember Morgan’s previous request of removing the fees from one of the parking lots; and that it would be hard for this Council to make that decision without the information he is requesting.

Mr. Warren stated that staff will bring the information back to Council.

Motion by Councilmember Destin, seconded by Councilmember Braden, to approve Consent Agenda item 6A passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted “yes”).

Councilmember Schmidt noted that with regards to Consent Agenda item 6B, he learned that the proposed Bert Harris Settlement Agreement for 627 Gulf Shore Drive was started by the previous owner of the property, and that there is a new owner of the property. He asked if a Bert Harris Settlement Agreement can legally be transferred from one owner to another.

The Land Use Attorney stated that the settlement agreement can be legally transferred from one owner to another as the agreement goes with the property and not the property owner.

Motion by Councilmember Schmidt, seconded by Councilmember Hebert, to approve Consent Agenda item 6B passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted “yes”).

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

A. Councilmember Braden

Councilmember Braden inquired as to the status of the motion they previously approved directing the City Manager to discuss with the Community Development Director the appropriate increases to the salary amounts being advertised for the specialized positions in his department to be more competitive, and then discuss the feasibility of the salary increases with the City's Finance Director.

The Human Resources Manager noted they went through the budget with the Finance Director for the City planner positions and compare it with other positions both in the local market and other states. They are paying a little bit less than some of the other municipalities. They have re-advertised the positions increasing the salary approximately \$8,000 to \$10,000 and has since received approximately 19 applicants and have already scheduled multiple interviews.

The City Manager stated that they put the salary range in placed so they could act on the applicants' experience and education.

Councilmember Braden reported hearing people hammering on the side of a water tower at 6:00 a.m. on a Sunday morning. He stated there should be an ordinance in place prohibiting it.

Code Compliance Manager Joey Forgione noted receiving a similar complaint from a citizen and that he dispatched a code officer to the site to take care of the situation.

Councilmember Braden asked staff to send a copy of the noise ordinance to members of the Council so they could be more educated on the rules when they receive complaints from citizens.

1) Harbor Blvd Stormwater Runoff

A short video was played showing a black substance included in surface runoff, and concerns were expressed about the potential for possible runoff into the harbor.

Councilmember Braden believes the substance is black paint resulting from livery vessel companies on the harbor pressure washing their pontoon boats and JetSkis, and that this substance could end up in the harbor.

The Mayor recommends inquiring with FDEP on the ramifications of the runoff as shown on video, asking for their recommendations as to the action the City should take, and report back to Council.

The Land Use Attorney advice they do not discuss any specific properties because this is a quasi-judicial code enforcement matter. She continued that the video was edited to take out any information relating to the property involved in the matter.

Councilmember Schmidt stated it is not right to blame anyone without first taking a sample of the substance and studying it. He added he would support having the FDEP conduct a full study of the black substance.

Councilmember Ramswell requests a copy of the unedited video be provided to Council.

The Land Use Attorney noted that City staff is enforcing the City's illicit discharge ordinance when they become aware of the issues and has taken action as applicable.

B. Councilmember Ramswell

Councilmember Ramswell pointed out that in their meeting packet there is an excellent rendering of what Capt. Leonard Destin Park is anticipated to look like when it is completed.

1. Face coverings on maritime vessels

Councilmember Ramswell stated that she was surprise to see implementation of the mask mandate in the maritime transportation system from Governor DeSantis and realizing the number of people that do not wear mask when riding a boat. She asked whether the City needs to take any action in this regard.

According to Mayor Jarvis, he emailed the links to two articles written on this issue to Council. One was an interview with the United States Coast Guard Commander addressing the mask mandate another was the mariners safety document everybody received when the mask mandate was signed by President Biden. As the Executive Director of the Charter Fishermen Association, he has been communicating with Senator Scott and Senator Rubio regarding this issue. But there is not much they could do because of the Executive Order. He stated that the US Coast Guard Commander's response was they will use education and encourage masking aboard vessels but will not be actively trying to enforce this due to the lack of resources and priority of their mission. This is the message they shared with everyone in the charter fishing industry. There are some commonsense issues such as trying to wear a mask in high humidity heat could cause way more distress than the possibility of getting COVID-19 on a boat. There is also the concern that if they force the issue, some people will just decide not to charter a boat. He does not feel the City needs to take any action at this time as the industry feels they have come up with some commonsense solutions.

2. Spring break preparations

Councilmember Ramswell stated that she wants to have a general sense of how ready the City and County are with the spring break. They had their Beach Advisory Committee meeting recently and one of the information that emerged from that meeting from some of the County representatives, Sheriff's Office and fire department was they are anticipating an exceptionally busy spring break and could expect a lot of people coming into the area. She continued that their top priority is the cleaning of the beach to include raking of sand and trash pickup; adding that this issue has to be discussed and resolved sooner rather than later as the spring break will soon begin and they need to have a plan in place as it relates to beach maintenance.

Mr. Warren stated that the County is aware of the increase traffic they are about to witness in the beaches. They are working hard to improve their situation and readiness. They are adding more staff and finding innovative solutions to have more presence on the beaches. He will provide the Council the full information once they receive it from the County.

Councilmember Ramswell maintains that the County should already have a plan in place before an agreement between the City and County ever takes place as spring break happens the same time every year.

According to Mr. Warren, the County has a stepped-up schedule this year – increasing cleaning and personnel – which starts at spring break and continues all the way into summer. This will be part of the information they planned to bring back at the next Council meeting.

Councilmember Ramswell wants to know of any information about short-term rentals, such as occupancy rate, which the City needs to be aware of and prepare for in advance.

Mr. Forgione noted that the occupancy rate is up 38 percent from last year.

According to Capt. Howell of the Sheriff's Office, they are getting conflicting information from different universities. Some are cancelling or shortening spring break because they have been doing so much remote instructions and plan on continuing classes in lieu of the spring break. However, the information they have been getting seems to indicate that they are trending up and can expect to be extremely busy this year. He stated they plan to increase staffing and increase overtime for law enforcement officers. They are also aware of the social media posts about a group of students from Tallahassee planning to come to this area on April 5th and calling it "Crab Island Takeover." He added they are preparing for that group and any information that may come up.

3. Direct staff to amend the code to allow additional time for ATVs to drive on the beach for trash removal

Councilmember Ramswell noted this is an item that emerged from the Beach Advisory Committee meeting. It involved some discussions about trash on the beach during holidays and the middle of summer. Trash needs to be emptied sometimes more than once a day. They were discussing amongst the vendors on how they may be able to assist in the process of removing some of the trash and making the beach look better. A lot of them have long stretches of beach that they have several different setups along the way. They have requested utilizing an ATV, instead of a truck, to go through their different set ups in different locations and emptying the trash periodically during the high points of the season.

According to the Land Use Attorney, they discussed allowing it and at the same time establishing some limitations. For instance, they talked about loosening up the code after 2:00 p.m. as the beach tends to be less crowded by that time. They also talked about limiting it for certain purposes, perhaps for some maintenance. Instead of waiting till after 5:00 p.m. that they wait till after 2:00 p.m. This is also up to the discretion of the City Council.

Councilmember Ramswell noted that another part of the discussion was they would not be crossing public areas of the beach, and that it would be limited to within the private adjacent areas where they had their setups.

Councilmember Destin noted that amending the code would take some time and they need to find a way to implement this process sooner rather than later.

The Land Use Attorney stated that if the Council gives the direction to amend the code, they could utilize the pending ordinance doctrine to be able to apply it immediately.

Councilmember Ramswell moved to utilize the pending ordinance doctrine during the process of amending the ordinance to allow for looser restrictions after 2:00 p.m. which permits vendors to traverse their own properties for the purpose of trash collecting and addressing maintenance issues. Councilmember Destin provided a second to the motion.

Councilmember Braden asked whether the City would have the ability to quickly revoke loosening restrictions for vendors violating any rules such as setting their chairs up in the wet sand. It is a common complaint from a lot of people.

According to the Land Use Attorney, they could add language in the ordinance that if there is a pending code compliance matter, or if a vendor receives a certain number of citations, that their ATV privileges will be revoked.

Councilmember Schmidt expressed concern that if trash is picked up shortly after 2:00 p.m., the remaining trash will be left on the beach overnight.

Councilmember Ramswell noted that the County would still be doing their trash pickup at the end of the day. They just could not commit to doing an additional trash pickup during the middle of the day. She added this is a way the vendors could assist and avoid the build up of trash through the day and ease the burden on the County.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted “yes”).

C. Councilmember Destin

Councilmember Destin reported that he and City staff recently met with the City’s franchise attorney Schef Wright. Mr. Wright reported that he and NextEra Power Company have been reviewing the new version of the franchise agreement and they have narrowed things down to four issues; and that he anticipates having those issues resolved within the next 60-80 days and bringing the document back to Council for consideration.

Councilmember Destin reported receiving several calls from citizens regarding motorists not slowing down and running the 3-way stop signs at the intersection of Main Street and Kelly Street. He asked the City Manager to contact the Sheriff’s Department and request they monitor that intersection as closely as they did when they first put up the 3-way stop signs.

D. Councilmember Overdier

E. Councilmember Hebert

1. Main Street Bamboo Growth

Councilmember Hebert requests for an aggressive treatment for the removal of the overgrown bamboo trees on Main Street pier. She stated that the trimming is not working. It is just making the trees grow even more.

The City Manager will have staff work with Sheila Dunning, IFAS representative from University of West Florida, to establish what chemical they could safely use next to the water and help come up with the plan to mitigate this issue and report back to Council.

F. Councilmember King

G. Councilmember Schmidt

H. Mayor Gary Jarvis

I. Land Use Attorney

1. Request to call executive session on March 15, 2021, at 5:30 p.m., pursuant to section 286.011(8), Florida Statutes, in the case of *Destin Fishing Fleet, Inc., v. City of Destin*, Okaloosa County Court Case No. 2019-CA-000425-F.

Motion by Councilmember Braden, seconded by Councilmember Overdier, to schedule an executive session on March 15, 2021, at 5:30 PM, passed 7-0 (Council members Schmidt, King, Hebert, Overdier, Destin, Ramswell, and Braden voted "yes").

J. City Attorney

8. PUBLIC COMMENTS

Mr. Shane Moody, President and CEO of the Destin Chamber of Commerce, urges the Council to strongly consider building parking garages as it is the key to mitigating traffic in the harbor district.

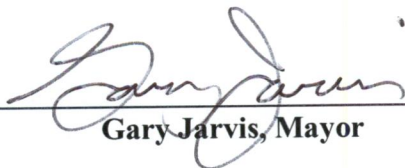
Councilmember Ramswell noted there had been some discussions a few years back about building a parking garage on the Marler Parking Lot. She asked why a parking garage thrive at that location when hardly anyone uses the parking lot now.

Mr. Moody opined that pay to park using an app discourages people from using the parking lot. Installing a parking lot ATM machine allowing people to pay to park using their credit card would be much more effective in attracting people to use the parking lot. Another factor is the lack of signage to indicate location of public parking. One of the reasons there is so much traffic on US Hwy 98 is that people are driving around looking for a place to park. Seeing a parking garage, visitors would obviously know it is available for public parking.

Councilmember Ramswell asked staff to look into the cost and appropriate locations for putting up signage for parking lot sites and bring information back at the next meeting.


ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 8:09 PM.



Gary Jarvis, Mayor

ATTEST:



Rey Bailey, City Clerk