

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
JUNE 21, 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 Dewey Destin
Councilmember Terésa Hebert
Councilmember Rodney Braden

Councilmember Johnny King
Councilmember Prebble Ramswell
Councilmember Chatham Morgan

Destin City Staff

City Manager Lance Johnson
City Clerk Rey Bailey
Code Compliance Manager Joey Forgione
Comm. Dev. Director Louis Zunguze
Parks/Recreation Director Lisa Firth
Finance Director Krystal Strickland
City Engineer Donald Smith
Grants/Project Manager Jeffrey Cozadd

Deputy City Manager Webb Warren
Public Information Manager Catherine Card
Public Services Director Michael Burgess
Code Compliance Officer Kris Mercurio
Building Official Noelle Bell
IT Specialist James Lauria
IT Manager Matthew Pace
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

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

AGENDA APPROVAL

Councilmember Hebert moved to add an agenda item *“Emergency asphalt repair for areas on Indian Bayou Drive and Calhoun Avenue”* under the City Manager Reports; seconded by Councilmember King. Motion passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

Motion by Councilmember Destin, seconded by Councilmember Ramswell, to approve the agenda, as amended, passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

1. APPROVAL OF MINUTES

A. Approval of minutes of June 14, 2021 City Council Budget Workshop

Motion by Councilmember Hebert, seconded by Councilmember King, to approve minutes of June 14, 2021 City Council Budget Workshop passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

B. Approval of minutes of June 14, 2021 Special City Council Meeting

Councilmember Ramswell moved for approval of minutes of June 14, 2021 Special City Council Meeting; seconded by Councilmember King. Motion passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

C. Approval of minutes of May 10, 2021 City Council Workshop

Councilmember Hebert moved for approval of minutes of May 10, 2021 Special City Council Meeting; seconded by Councilmember Destin. Motion passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

2. PROCLAMATIONS / RECOGNITIONS / SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Proclamation - Parks and Recreation Month

The mayor read the Proclamation designating the month of July 2021 as *Parks and Recreation Month* in the City of Destin, and then presented it to the Parks & Recreation Director Lisa Firth and the members of the Parks & Recreation Committee.

B. Water Safety Video - Mr. Greg Fisher, CEO, Okaloosa County Watersports Operators Coalition

Mr. Greg Fisher, CEO, Okaloosa County Watersports Operators Coalition presented a 7-minute navigational/water safety video produced by the Coalition and funded by the City of Destin. Mr. Fisher informed the council they expect the final copy of the video to be completed in approximately two weeks. They plan to submit the video to every local travel website, hotel and property manager, as well as to Beach TV which has already expressed interest in using the video for programming content. The Coalition’s goal is to have 100,000 views by next summer.

Councilmember Ramswell stated that it was an excellent video, and one that local residents may be interested in seeing. Since both the city council and county commission broadcast their regular meetings, she recommends showing the video either before or after airing the meetings on television as an informational item.

Councilmember Hebert noted that the City of Destin and the "Leave No Trace" logos will be added to the video; and that she has also suggested adding a "No Jumping off the Pontoon Boat" sign to avoid an incident that happened at Crab Island recently.

Councilmember Braden recommends adding a reminder of the no wake zones towards the end of the video.

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 he watched the council's special meeting last week when the proposed tourist development district bed tax expansion was discussed, and that he believes a lot of valid points were raised at that meeting. He announced that the Chamber currently does not have a position on this matter, and that they want to review the county ordinance before taking that step. He also tends to believe in what the county is saying that Destin will maintain its seat on the TDC, and that the \$41 million currently in the reserved funds will be spent in the district from which they were collected.

Mr. Bobby Wagner, a Destin resident, stated that the city's Leave No Trace initiative has been well received. In the furtherance of this initiative and based on the number of people reaching out to him, they have devised a plan to provide baskets at certain beach locations to encourage beach walkers to participate in this initiative by picking up trash while walking down the beach and enjoying the scenery. He stated that they have already secured donations for the signs, installation, and baskets. There will be a sponsor per station, and that it will be the sponsor's responsibility to help keep the program running, similar to the Adopt-A-Street program. He added that Trees on the Coast is prepared to add the expenses into their budget, together with the sponsorship efforts from other entities. They are asking for the city's permission to go forward with this initiative and to provide the appropriate locations for the baskets.

Councilmember Hebert requests this item be placed under her name on the agenda so she could address this request at that time.

Ms. Victoria McCraw, a Destin resident, informed the Council that that a neighboring home at 355 Gulf Shore Drive was originally a 4-bedroom 4-bathroom, 4500 square foot home built in 2001 on less than 1/5 of an acre parcel. The City of Destin has approved its conversion to a 10-bedroom, 10-bathroom resort without changing the footprint. The city has provided substantial improvement worksheet for the remodeling currently being conducted. She stated there had been a prior project that happened with the prior owner, which the city was reporting as costing \$2,000. When they contacted the prior owner, they were informed that it was a complete exterior remodeling, which was a 6-month project costing over \$300,000. If they add that amount to the amount the new builder/owner is reporting to the city, and using the city's substantial improvement policy based on the valuations during the years these are reported, they are now at 77.5 percent of the assessed value of the home. Under Florida State law, they should be forced to bring the entire home up to code, which is not current being in the AE coastal zone

which is base level plus 2. She also noted that the workers are working day and night, 7 days a week, on this project trying to complete it as soon as possible. She asked the city to put a stop to this project.

Councilmember Ramswell requests this item be placed on the agenda under her name so they could address it further and take the appropriate action.

The City Attorney advises the council to be mindful of the fact there is an active code enforcement matters on the property as they discuss this subject.

4. CITY MANAGER REPORTS

A. Capital Project Status

The Finance Director provided a summary of the current capital improvement projects, including year-to-date expenditures and encumbrances.

B. Operations Financial Report

The Finance Director discussed year-to-date versus actuals for the General Fund and the two CRAs.

C. Historical Information on Harbor Master and Harbor Compliance Officer

Code Compliance Department Director Joey Forgione went through the following historical data as outlined in the agenda item report:

- April 24, 2013 – Previous Code Enforcement Manager David Bazylak wrote a staff report to Council with Harbor Master information stating without a mooring field, a Harbor Master has no authority in the harbor waters, and recommended the City not hire a Harbor Master due to the lack of a city marina and/or mooring field.
- July 25, 2016 – The Harbor CRA Advisory Committee recommended raising livery fees to hire more Code Enforcement Officers to conduct enforcement on the harbor.
- August 1, 2016 – Council approved the Harbor CRA Advisory Committee's recommendations
- September 8, 2016 – Florida Fish and Wildlife Commission (FWC) officers confirmed that without a mooring field, a Harbor Master or code enforcement officer has no authority in the harbor waters, stating that it would have to be a sworn law enforcement officer. Council approved the hiring of an additional code enforcement officer.
- February 21, 2017 – Staff recommend, and council approved, a first-year registration fee of \$75.00 per vessel.

- June 18, 2018 - Council inquired whether livery registration fees have been used to hire the additional Code Enforcement Officer. The City Manager announced that a Code Enforcement Officer has been assigned to the Harbor.
- August 18, 2018 – During a budget workshop, it was discussed hiring more Code Enforcement Officers to handle the number of service calls to the city.
- February 19, 2019 – Staff recommended, and council approved, the hiring of a Harbor Compliance Officer permanently assigned to the harbor.
- August 19, 2019 – Staff recommended, and council approved, raising the livery vessel registration fees from \$75.00 to \$100.00. The fee increase will support the review/inspection efforts conducted by different department, as follows:
 - ❖ Code Compliance Department
 - Review
 - Inspection
 - Stickers
 - ❖ Community Development Department
 - Planning
 - Review
 - Engineering
 - Review
 - Building
 - Review

Councilmember Braden expressed the need for a full time Code Compliance Officer who is totally dedicated to the harbor and focusing on issues related to the harbor, such as those involving livery vessels; adding he does not believe one is currently in place.

Councilmember Morgan stated that he was involved in the discussion about the possibility of hiring a harbor master back in 2017 when the city only had a limited number of code enforcement officers. He continued that even though they still do not have a harbor master, he believes code enforcement in the harbor now is far better than it was then.

The City Manager stated that they have hired all the code compliance officers they have budgeted for, and that the additional money gained from increased livery vessel fees is not nearly enough to hire a harbor master or another code compliance officer.

Mr. Forgione noted they have a full-time code compliance officer assigned to the harbor; but it has been necessary to pull him from time to time to attend to other issues that arise along Joe's Bayou and Norriego Point.

Councilmember Ramswell noted that this issue has come up repeatedly over the past few years, and that staff should have notified the council that additional funding is necessary. She

recommends authorizing staff to budget for the position if there is not enough money coming from increased livery vessel fees.

Councilmember Destin recommends putting in a budget request for the position for FY 2022, and for staff to provide the council a job description with a clear definition of Harbor Master or Harbor Compliance Officer responsibilities.

The City Manager requested, and Council approved, to authorize Councilmember Braden to work with staff in drafting the job description for the position.

D. Potential implementation of a countywide Tourism Development Taxing District

The City Attorney noted that at their June 15, 2021 meeting, the Okaloosa County Board of Commissioners (BOCC) adopted a resolution directing the Supervisor of Elections to hold a mail-in ballot only special referendum election on October 5, 2021, for the public to consider implementing the Tourism Development Taxing District on a countywide basis. He stated that he and the Land Use Attorney have conducted extensive research and analysis of Attorney General's Opinions and other laws related to this matter. Before they proceed any further, they would like formal directions from the council if they wanted to take any action at all on this matter.

Councilmember Destin noted that he and other members of the city council and staff attended the meeting and requested a 30-day extension so that they could have all the attorneys and stakeholders together and work on a compromise necessary to move forward with the county's plan to expand the district; and that the county subsequently denied that request. However, the county did say they fully intend to address some of the city's concerns within the county's proposed ordinance that would implement the proposed district expansion.

Councilmember Destin moved to direct the City's legal staff to continue working with the county attorneys and other stakeholders in finding an acceptable compromise necessary to move ahead with the County's plan to expand the taxing district; and to authorize the city's hiring of Attorney Jeff Burns of the Burns Law Firm as special counsel (at \$225 per hour with a cap of \$5,000 for the next two weeks) to provide an analysis of the City's options moving forward. Councilmember Hebert provided a second to the motion.

Councilmember Braden stated that he has a lot of questions regarding this issue including the reason current district members cannot vote on the proposed expansion.

Councilmember Hebert noted that as the council's representative to the TDC, she will be participating in the TDC meeting on June 22nd. She asked for members of this council to identify issues they would like her to bring before the TDC.

Councilmember Morgan asked Councilmember Hebert to request iron clad legal assurances from the county that the bed tax money will be distributed equitably in areas in which it was generated, which could be achieved through the ballot language or require a super majority vote to amend the ordinance.

Councilmember Morgan requests the city's legal team:

- Research and seek a legal opinion about the County preventing current taxing district citizens from voting in the special election.
- Research and render an opinion on how Walton County created their sub-districts.
- Determine whether the current bed tax rate of 5 cents will remain for Okaloosa County if the taxing district is expanded, or whether the north end of the County will start at 2 cents the same way Walton County has done; and provide advise on how to proceed.
- Provide a legal opinion on what options current taxing district municipalities have in withdrawing from the taxing district, if necessary.

Councilmember Ramswell asked the City's legal team to research and determine the process involved with the city seceding from the county and creating a sub-district or even creating a county. She stated that they need to protect the bed tax money coming in and provide for their infrastructure, roads, accesses and beaches. A significant amount of that money is coming from Destin. They vary from 62 percent to 75 percent of the total amount based on the monthly report the county used to publish.

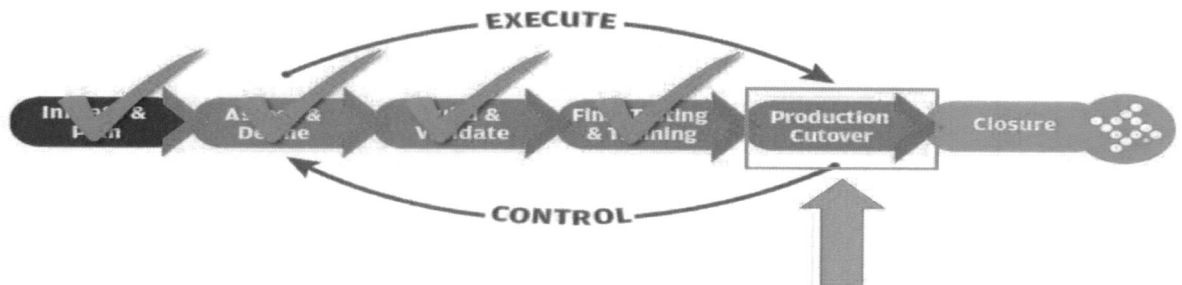
The mayor noted that during the BOCC meeting, the county's tax collector stated on record that he has the ability to go back to the former way of self-collection of bed tax money, which, if memorialize in the ordinance, would solve most of the issues that have been expressed by every member of this council.

The mayor called for a vote on the motion, which passes 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted "yes"; Councilmember Schmidt was absent from the meeting).

E. COMPASS System/EnerGov Update

IT Manager Matthew Pace provided a COMPASS/EnerGov System implementation update; announcing that June 22nd is the Go Live Day internally for city staff and customer portal goes live on June 23rd.

PROGRESS



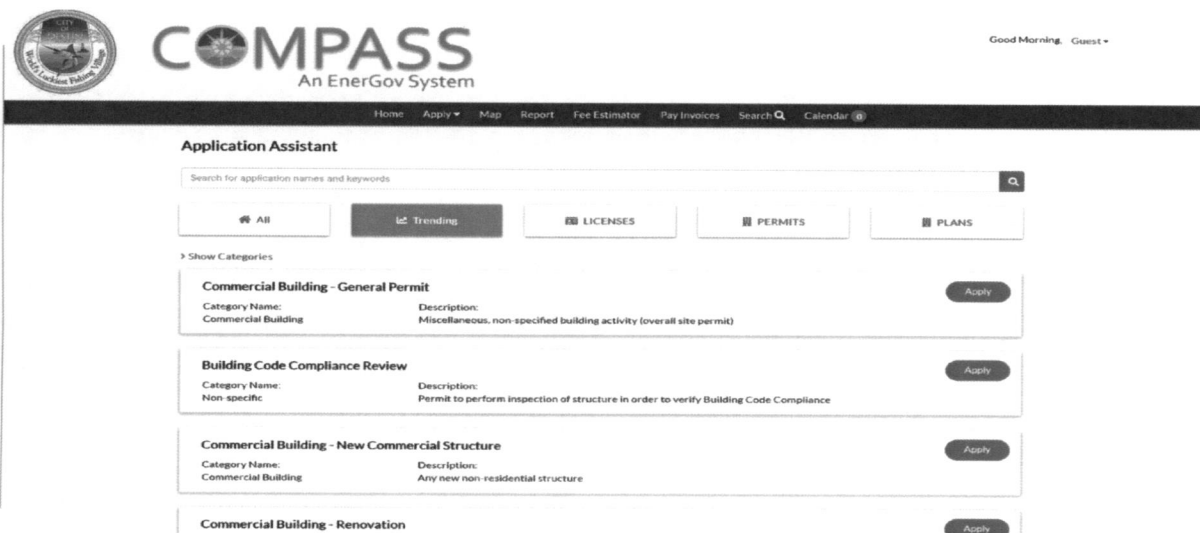
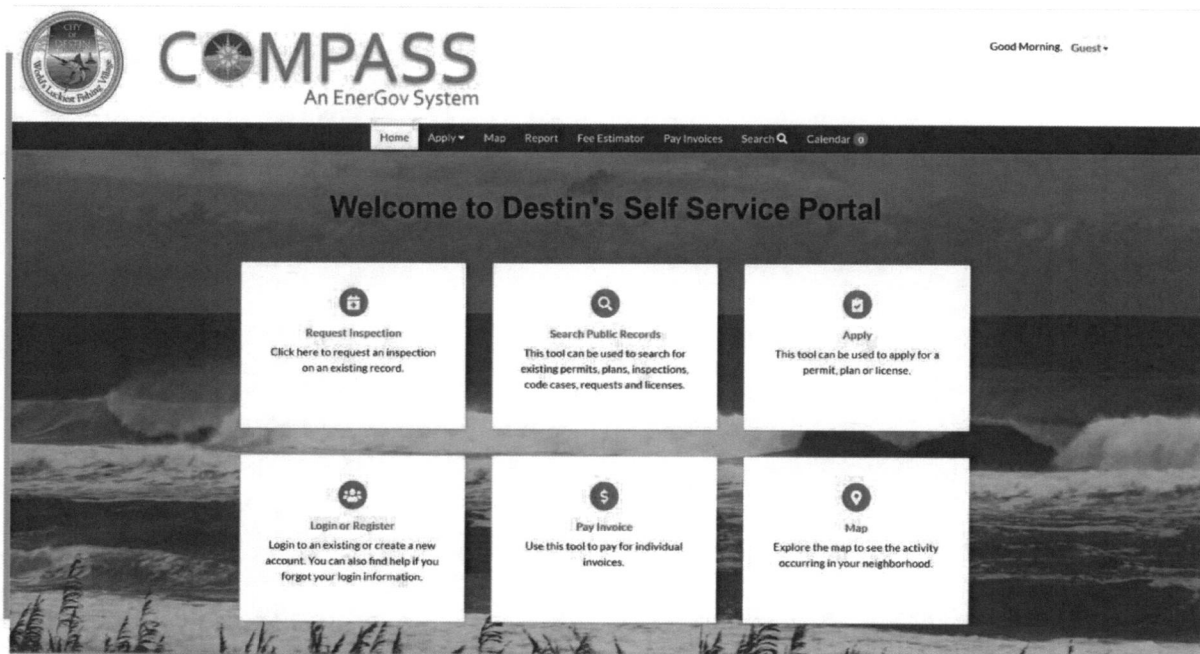
GIS MAPPING

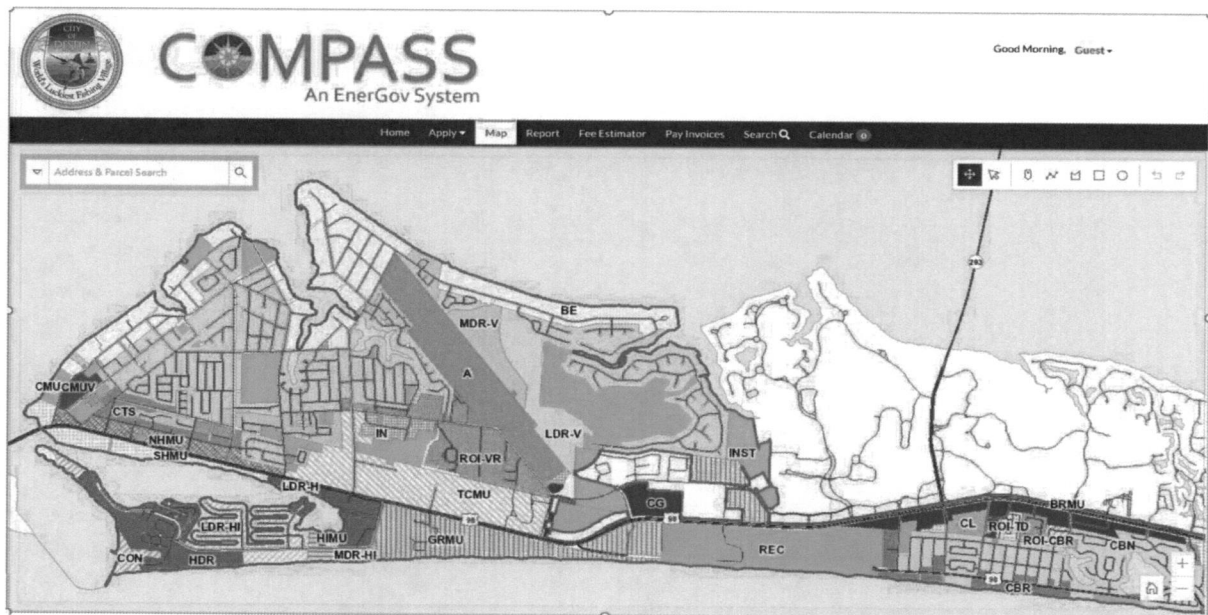
➤ GIS Features

- ❖ GeoRules Configured – Allows staff to setup automatic parcel information when a new permit, plan, or code case is created.
- ❖ Online Maps Configured – For use by the public and staff to enter parcel and property information.

CUSTOMER SELF-SERVICE

➤ Online Customer Portal





MyGovPay

POWERED BY
TOLAR TECHNOLOGIES

THIS SITE IS CURRENTLY IN DEMO MODE

Destin, FL

Order Number: 26

Monday, November 23, 2020

Invoice #	Item Description	Quantity	Unit Price	Total Price
INV-00000005	NONE	1	\$270.00	\$270.00
Item Total:				\$270.00
Order Total:				\$270.00

Payment Details

*all fields are required

Cardholder Name	Billing Street	Billing Zip Code
Card Type	Card Number	Expiration Date
Select one...		Month... Year...
CVV Code	Email Address	
Pay Now - \$270.00		

GOING LIVE

➤ Internal Processes

- ❖ As COMPASS is in live production, staff will continue to monitor applications, processes, and data.

➤ External Use

- ❖ Citizens will have access to online applications and data. Community Development Department and Code Compliance Department staff are ready to assist customers with support.

F. Emergency asphalt repair for areas on Indian Bayou Drive and Calhoun Avenue

The City Manager noted they have had some erosions underneath the asphalts causing some holes to form in the asphalts.

Public Services Director Michael Burgess presented the following information:

➤ Indian Bayou Drive

- ❖ Hole has opened in the pavement in the driving lane
- ❖ Storm culvert extends under the roadway
- ❖ Public Works has placed a steel plate over the hole
- ❖ Quote from H&T Contracting, the city's Asphalt and Stormwater Maintenance Contractor to repair - \$28,162.50
- ❖ Funding is available in Public Works – Repairs and Maintenance

➤ Calhoun Avenue

- ❖ Close to Clement Taylor Park
- ❖ Public Works has backfilled the hole as a stop-gap measure
- ❖ Quote from H&T Contracting, the city's Asphalt and Stormwater Maintenance Contractor to repair - \$10,220.00.
- ❖ Funding is available in Public Works – Repairs and Maintenance

Motion by Councilmember Hebert, seconded by Councilmember Destin, to approve emergency repairs for storm piping under roadways on Indian Bayou Drive and Calhoun Avenue and accept repair quotes of \$28,162.50 and \$10,220 respectively from H&T Contracting, the city's asphalt and stormwater maintenance contractor, passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted "yes"; Councilmember Schmidt was absent from the meeting).

G. ANNOUNCEMENTS

- Independence Day Fireworks: July 4th, 9:00pm, East Pass
- City facilities will be closed in observance of Independence Day on Monday July 5th, 2021.
- The next City Council meeting will be held on Tuesday July 6th, 2021 at 6:00pm, City Hall Annex.
- FY 2022 Capital Projects budget workshop will be held on Monday July 12th, 2021, at 5:30 PM
- There were some very minor damages around the city from Tropical Storm Claudette
- The city will begin looking for some normalcy with regards to the dais, starting with obtaining Council's permission to take down the plexiglass and

try to get the dais back to the way it used to be for the next Council meeting. It was the consensus of the Council to remove the plexiglass.

- The city is waiting to hear back from Mr. Greg Darden, Director of Business Development for Structured Parking Solutions, LLC, a continuing services contractor for the City, to attend a Council meeting, as requested by Council, to provide a brief presentation on establishing a shuttle system in Destin.
- Staff has looked into the mayor's ideas on portable toilets for future big special events on the harbor. There are other ideas staff may be able to come up with and some nicer units now available if they could obtain cooperation with some of their businesses on the harbor district.

5. PUBLIC HEARINGS

6. CONSENT AGENDA

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

A) Councilmember Braden

1) Low Speed Vehicles (LSV)

Councilmember Braden noted that the Council previously voted to table this item indefinitely. He would like to bring this item back for discussion as the Sheriff's Office is asking for an ordinance regulating LSVs to be in place on Airport Road.

Motion by Councilmember Braden, seconded by Councilmember Hebert, to take the item off the table and place it on the next meeting agenda for discussion passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted "yes"; Councilmember Schmidt was absent from the meeting).

The City Attorney stated they will also bring in some discussion items on the next meeting relating to Councilmember Braden's previous request to formulate a city ordinance prohibiting electric bicycles, scooters, skateboards, and other motorized vehicles from operating on sidewalks.

Councilmember Destin noted that with regards to LSVs, they are trying to be more restrictive than the state law; and that state law currently prohibits motorized vehicles from operating on the sidewalk.

2) City Manager's Annual Evaluation Review

Councilmember Braden stated that it seems it has been almost two years since the City Manager had his last evaluation. He asked when the next evaluation is due.

The City Attorney will work with the city's Human Resources Manager to determine the timelines in place for the City Manager's Annual Evaluation and will bring that forward to council.

B) Councilmember Ramswell
1) 355 Gulf Shore Drive

Councilmember Ramswell requests a status update on 355 Gulf Shore Drive. She stated that a previous speaker has discussed it for the second time earlier tonight, and that she has been receiving email correspondence from other citizens commenting and offering their advice regarding this property.

The City Attorney noted there is at least one active code enforcement case and a possible Special Magistrate hearing involving this property. It would be a quasi-judicial process and so they must be careful not to prejudice the case as they discuss this matter tonight.

Mr. Forgione stated that a Notice of Violation has been issued and a possible Notice of Hearing will be issued on the property. A second Notice of Violation has also been issued and the matter was turned over to the Building Official for review and to schedule a possible Special Magistrate hearing.

Councilmember Ramswell noted that work is reportedly continuing on the property despite of the issuance of the Stop Work Order.

According to the Building Official, the Stop Work Order has been lifted as it has been determined that an interior renovation permit has been issued for this property. They previously stopped the whole job to review some of the items that have been reported including the possibility of substantial improvement based on the cost estimate provided to the city by the applicant. She continued that they followed the guidelines of the city's itemized list from the FEMA guidelines. They have evaluated the costs list against comparable permit for similar permit renovation project and reviewed it based on the square footage of the house. Their calculation came out approximately \$200,000. Based on that amount and using the property appraisal's current value of the structure, it came out to be a 32 percent improvement to the home. They have lifted the Stop Work Order for the overall project to allow them to resume the home renovations. They currently have the cease-and-desist order for the roof top deck for which an application has been submitted. Staff has completed a preliminary review of the application and found it to be incomplete. Staff has requested additional information for the application so that staff can determine whether it is permissible. He added they can proceed with the work if it is permissible; otherwise, it would have to be removed.

Councilmember Ramswell stated that it has been reported that work on the roof top deck has been continuing despite the cease-and-desist order.

According to the Building Official, when it was brought to the city's attention that work is continuing on the roof top deck despite of the issuance of the Stop Work Order, a Code Compliance Officer visited the property and issued a cease-and-desist order.

Councilmember Ramswell pointed that a significant amount of work was done on the property in 2019 by a remediation company called Cahaba Disaster Recovery. She asked how this project factors into the work currently being done on the property in terms of cumulative pricing.

The Building Official noted they have no record of any permits being issued in 2019 for this particular company. There was a permit obtained in February 2019 for a cost value of \$2,000 for stucco repairs. She added they would not be able to investigate further due to lack of documentation.

Councilmember Ramswell asked whether it is incumbent upon the city to look further into this issue to try to determine whether the total amount of work done on this property within the last few years has not surpassed the 50 percent threshold. She also inquired as to the staff's position if a work is done illegally without a permit.

The City Attorney advises staff not to opine on this particular question and bind themselves to a position on this matter at this time as it could potentially damage the city's position in the future. He continued that if the city is unsatisfied with the result after the Special Magistrate hearing, there are other potential legal avenues the city could take. Taking a position at this time could negatively affect potential litigations on this matter. He added there are certain due process considerations they have to take into account when they engage in any matter that is potentially infringing on property rights.

Mr. Trey McCraw, one of the complainants, commented that it is hard to believe how the city could have missed the obvious work being done at the house. It was a 6-month project that was performed on the property in 2019. There were several maintenance vehicles parked in front of the property on a daily basis, and the construction work was visible from the outside of the house. The house was even repainted following the construction. He added that a follow up action should have been conducted rather than allowing an illegal work to occur without any consequences.

Councilmember Ramswell advises the complainants to keep in touch with the city's Land Use Attorney so they could be kept apprised of what is happening with 355 Gulf Shore Drive.

2) Submerged Land Lease follow-up direction

The City Attorney reported that on June 16th, the City Attorney, City Manager, Deputy City Manager, Parks and Recreation Director, and Councilmember Ramswell attended a pre-application meeting with FDEP for the potential submerged land lease application related to submerged lands adjacent to Norriego Point. Several issues arose at the pre-application meeting. First, FDEP expressed some concern over the lack of concrete plans for the submerged lands. Typically, FDEP will only lease land to entities if that entity has a specific purpose in mind. Consequently, the application would have a much higher likelihood of success if the council were to elect to include specific projects (e.g., swim ropes, swim platforms, buoys, etc.). Second, FDEP informed the city that the existing embayments should be removed from the proposed lease location. FDEP's position is that the previous compromise reached between the City and

FDEP relating to the four embayments will likely constitute the necessary authorized use for certain specific activities in the three embayments designated for swimming purposes. This could potentially anything that will further the intent of the previous compromise such as swim ropes, buoys, signage, and swim platforms. FDEP was quite clear they could not simply submit an application for open water lease around Norriego Point. It is not typically a practice they would engage as they want a control of the waterways at their jurisdiction. They would be more amenable to the city seeking placement of certain physical structures in the embayments. Third, the current Management Plan in effect between FDEP and the City may have some overlap in authorization. As a result, the Management Plan may need to be amended to accommodate certain requests. Regardless of whether this is necessary, it may be advisable to direct City staff, the City Attorney, and Land Use Attorney, to review the Management Plan and potentially seek amendment to it given the vastly changed conditions since it was first entered into. Finally, with the removal of the embayments from the application, the remaining area is almost entirely the harbor side of Norriego Point. If the Council desires, City staff can apply for certain specific projects in this area (swim ropes, buoys, signage, swim platforms, etc.). However, there are certain restrictive covenants in the Management Plan, funding agreements, and deed relating to ensuring this area remains open to boaters. These restrictive covenants would have to be reviewed to ensure the proposed projects comply with the restrictions contained therein.

According to Councilmember Ramswell, FDEP indicated that the embayment areas would fall under the existing easement in the city's possession that was dated in 2013. There was also the Norriego Point Recreation Area Management Plan that was provided to the council. The 2013 easement appears to be more about building and construction. She requests the city's attorneys further examine the terms of the 2013 easement as to what it actually covers, and report back.

Councilmember Ramswell moved to proceed with any required documentation to establish proper swimming buoys across the embayments; seconded by Councilmember Hebert. Motion passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted "yes"; Councilmember Schmidt was absent from the meeting).

3) Coast Guard Dredge – Status Update

The Deputy City Manager informed the Council that this process is currently on hold as permits have not been achieved from the Army Corps of Engineers. The city will be notified as soon as permits are granted.

4) Airport Road Improvements – Status Update

According to Public Services Director Michael Burgess, a pre-construction meeting is scheduled for July 2nd with construction contractor, FDOT staff and city staff. After the pre-construction meeting and the Notice to Proceed, the contractor will have 20 days to mobilize. Construction will commence towards the end of July. He continued that after the initial maintenance of traffic controls are put up, the contractor will mill and traditionally resurface the curve. Asphalt will have about a 30-day cure time, and then the high surface friction treatment will be applied and all the signage, thermoplastics, and everything else will be put in place.

5) Coffee Manufacturing Plant on Mountain Drive – Status Update

According to Community Development Director Louis Zunguze, staff met and had a very cordial discussion with the owner of the company on June 18th. Staff shared with the owner all the concerns that were raised during the last council meeting. They asked if staff could conduct some inspections to verify some of these concerns. This afternoon, prior to this meeting, the city's Building Official and Code Compliance Director visited the property and will be sharing their reports to the council.

Code Compliance Manager Joey Forgione reported that when they parked in front of the property, exited their vehicle, and stood in front of the property, they could only hear a light humming noise coming from the building but no obvious smell of coffee. The noise got a little louder, similar to the noise of an air conditioning unit, when they entered the property. There was a very small coffee roaster located inside the property. They could smell the odor of coffee beans, but it was not a strong or overbearing. The owner went through all the steps involved in roasting coffee beans. It is a 5-day a week operation, Monday through Friday until 5 PM. They do not roast coffee after 5 PM. They come back on Saturdays only to make deliveries. They have a filter system that catches all the particles before they emit into the air. While the filter was running, they went back outside and walked around the property line. They did not smell coffee or hear the motor running. Based on this inspection, they found no violations of the noise or odor.

Councilmember Ramswell asks staff to follow up with the complainant and inform them of their findings.

6) Norriego Point Project Bidding – Final Phase – Status Update

According to Grants/Project Manager Jeff Cozadd, this project is being managed by FDEP, and that Mr. Pierce Barrett, the FDEP Project Manager, will put this project out to bid. He will follow up with Mr. Barrett to see if he needs any more information from the city.

The City Attorney noted they had a virtual meeting with Mr. Barrett and the FDEP's legal counsel about two months ago. They are going through the permitting process and needed to wait on the permit before they could place the project out to bid. They are also interested in the resolution of the roadway matter. He continued that he expects to receive a proposal from the adjacent landowner related to the roadway soon and will reevaluate the proposal upon receipt. He stated that the roadway is slightly separate matter and will probably be considered separately, although there will be issues overlapping with various applications. The council will ultimately have discretion on all those items as well as how to proceed on that roadway.

7) Calhoun-Zerbe Historical District – Status Update

Mr. Zunguze noted that the historical district has been overlayed, and a map created for it. All city departments have been informed of its existence should there be city projects that might impact those areas.

Councilmember Ramswell asked staff to provide a copy of the historical map to Council.

8) Open Utility Cover on Indian Bayou Trail/Country Club Drive East Intersection – Update

Councilmember Ramswell noted that following the meeting when she brought up her concerns about this utility box, somebody went out at that location and place some small flags around it.

Mr. Burgess stated that he reached out to telecommunication vendors in the area soon after the meeting and found the owner of the utility box who then placed the orange flags around it as safety precaution. They will follow up with the vendor and get the status on the repair.

9) Signage on Dog Park “Hot Pavement – Watch for Pet Paws”

Councilmember Ramswell noted that council received an email asking that signage, such as “Hot Pavement – Watch for Pet Paws” be placed in the dog park and other places to protect pets. She expressed her gratitude to Lisa Firth for immediately creating the signage and showing it to council tonight.

Councilmember Hebert recommends a similar signage be placed on the Harborwalk pier and other places staff feels is appropriate to protect pets.

C) Councilmember Destin

Councilmember Destin announced that Gulf Power has sent back the latest version of the franchise and undergrounding agreements to the city and are being reviewed by the city’s special counsel.

Councilmember Destin moved to direct staff to invite the City’s Franchise Attorney Schef Wright to appear at the next meeting to provide Council an update on the progress on the franchise and undergrounding agreements with Gulf Power. Councilmember Hebert provided a second to the motion, which passes 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

D) Councilmember Morgan

E) Councilmember Hebert

Councilmember Hebert noted that the road on Beach Drive has recently been repaired and resurfaced, and that she has been asked by several residents if the city plans to replace the speed bumps on this road.

Mr. Burgess stated they have been working with their continuing service contractor to add asphalts to the road so they could place the speed humps back at their previous locations. They plan to combine this effort along with the two pipe repair jobs they have to do on this road.

Councilmember Hebert asked when the city plans to convert the property located between the Destin cemetery and McGuire's Restaurant, which they bought a few years back, into a parking lot.

Mr. Burgess noted that the property is temporarily being used as a lay down area for the Zerbe/Calhoun Pedestrian Project Phase 1. According to the project manager, they will go ahead and grate the lot after they get done cleaning it up as a courtesy to the city for letting them use that piece of property, which should facilitate its transformation into a third parking lot. They expect completion of phase 1 within the next two weeks.

Councilmember Hebert wishes to address an earlier statement from a citizen about providing baskets at certain beach locations to encourage beachgoer's participation in the city's Leave no Trace initiative. She asked for a motion authorizing the city to create two signs and to specify the locations of those signs and baskets.

Councilmember Ramswell moved to authorize the city to create two signs for the beach baskets as part of the Leave No Trace initiative, and to place those signs at Crystal Beach and June White Decker Park; seconded by Councilmember Hebert. Motion passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted "yes"; Councilmember Schmidt was absent from the meeting).

F) Councilmember King

1) Catch and Release Pond at Crosstown Connector

Councilmember King stated that as part of the beautification efforts on the crosstown connector which they previously discussed, he feels it would be beneficial to have a small catch and release pond along that road. The Destin High School could also utilize it if they want to add a freshwater course in their school curriculum.

The mayor stated it is a good idea; but since there is no pond in that area now, the city would need to build and maintain one. He would be willing to discuss that idea further when they get into the park development.

G) Councilmember Schmidt

H) Mayor Gary Jarvis

The mayor announced that he and Commissioner Ponder plan to meet with General Caine, Eglin Commander, on June 23rd to discuss the military's plans for the Eglin property located on the west end of the Destin Bridge. He will provide a report to Council at the next meeting.

I) Land Use Attorney

J) City Attorney

The City Attorney announced that the county is forming a negotiating team to discuss a new contract with Timberview Helicopters and requested that the City of Destin appoints a representative.

Motion by Councilmember Hebert, seconded by Councilmember Destin, to appoint the City Land Use Attorney Kim Kopp as the City's representative to the County passed 6-0 (Council members King, Hebert, Morgan, Destin, Ramswell and Braden voted "yes"; Councilmember Schmidt was absent from the meeting).

8. PUBLIC COMMENTS

Mr. Jim Bagby recommends the city seeks some answers to the following questions:

- According to State Statutes, the most populous municipality is guaranteed at least one of the two municipal elected official seats as a voting member of the TDC. Bay County codified that the municipality that generates the most bed tax revenue, which is Panama City Beach, would be guaranteed the other municipal elected official seat. Is the Okaloosa County ordinance codified such that the City of Destin will have a guaranteed seat since it generates the most bed tax revenue for Okaloosa County?
- State statute states that at least 15% of registered voters on a previous election which created a taxing district is required just to file a petition for a special election to dissolve the district. Who gets to vote to expand the district?
- Does the TDC produce the sales tax revenue that is paid by tourists in Okaloosa County?

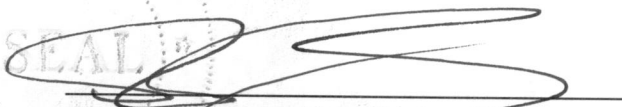
Next, Ms. Sandy Trammell, a Destin resident, noted that dump trucks full of sand have been going through the residential neighborhoods on the east end of Mountain Drive. There is a sign on the east end of the street that states, "No Thru Trucks Over 7 Tons" and that a similar sign on the west end of the street is missing. She requested that the city takes appropriate action and to install another sign on the west end of Mountain Drive.

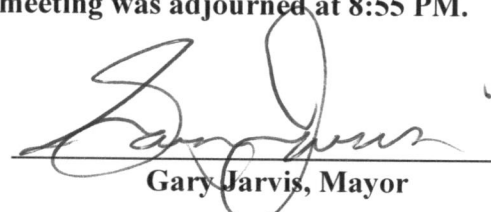
Councilmember Destin asked the City Manager to investigate this matter.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 8:55 PM.

ATTEST:


Rey Bailey, City Clerk


Gary Jarvis, Mayor