

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
JUNE 7, 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 Chatham Morgan
Councilmember Terésa Hebert
Councilmember Rodney Braden

Councilmember Dewey Destin
Councilmember Johnny King
Councilmember Prebble Ramswell
Councilmember Kevin Schmidt

Destin City Staff

City Manager Lance Johnson
Deputy City Clerk Kim Montgomery
Code Compliance Manager Joey Forgione
Comm. Dev. Director Louis Zunguze
Parks/Recreation Director Lisa Firth
Grants/Project Manager Jeffrey
City Land Use Attorney Kimberly Kopp

Deputy City Manager Webb Warren
Public Information Manager Catherine Card
Public Services Director Michael Burgess
HR Manager Nichole DeVito
IT Specialist James Lauria
Finance Director Krystal Strickland
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 pm. Pastor Steve Farris of First Baptist Church in Destin gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

RECONFIRM APPOINTMENT OF INTERIM CITY COUNCIL MEMBER FOR THE CITY OF DESTIN

Councilmember Hebert moved to reconfirm appointment of Chatham Morgan as Interim City Council member for the City of Destin; seconded by Councilmember Destin. Motion passed 6-0 (Council members Schmidt, King, Hebert, Destin, Ramswell, and Braden voted "yes").

INAUGURATION OF INTERIM CITY COUNCIL MEMBER FOR THE CITY OF DESTIN

The City Attorney sworn in Interim City Councilmember Chatham Morgan.

AGENDA APPROVAL

Motion by Councilmember Destin, seconded by Councilmember Hebert, to approve the agenda passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted “yes”).

1. APPROVAL OF MINUTES

A. Approval of minutes of May 3, 2021 Regular City Council Meeting

Motion by Councilmember Braden, seconded by Councilmember Ramswell, to approve minutes of May 3, 2021 Regular City Council Meeting passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted “yes”).

B. Approval of minutes of April 19, 2021 Regular City Council Meeting

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

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

A. Proclamation - Code Enforcement Officers Appreciation Week

The mayor read the Proclamation declaring June 7 – 11 as Code Enforcement Officers Appreciation Week, and then presented it to the Code Compliance Manager Joey Forgione.

B. Tourist Development Department Update - Jennifer Adams

Okaloosa County Tourist Development Department (TDD) Director Jennifer Adams discussed some of the initiatives they plan to implement this summer. She stated there are 3 main problems - mobility, accessibility to the water, and lack of southern hospitality – which have been identified, and that they have been working very hard on addressing them.

Their first initiative involves an attempt to change the behavior of their visitors that come from Atlanta as they get more people from the Atlanta market than from any of the other markets. They come more frequently but spend less. They have determined through research that Atlanta visitors are spending about \$182 on a weekly basis, which is very low as compared to visitors from Dallas that spend about \$260 on average. They want to change the perception of the biggest group they have to get them to spend more. They will try to connect with them through social media, through robust programs with Cox, and send them messages while they are here to get them to move around and to let them know there are other things they and their children can do besides staying on the beach.

They are going to show them some southern hospitality and be nice to them. One of the things they plan to do is give out popsicles in the Crystal Beach area. Popsicle sticks will have prizes written in them such as free tickets to different adventures in the community at no charge. They plan to have golf carts at Crystal Beach that can assist them in hauling their belongings to the beach. They will show how to get to different waterways and move around in the community.

Another initiative called Destination Stewardship is all about making experience better, not only for visitors but also for Destin residents and other people that work in Destin. She stated she is allowed to spend TDD tax dollars in market and has worked very hard with legal counsel and county administration to make sure this is appropriate uses of funds, and that they are following all the rules. They will work with local experts and pay them to conduct promotional classes. They are going to hire and train local scouts and place them in strategic locations on the beach so they could converse with visitors and residents along the beach telling them about the different programs that are available.

Also, according to Ms. Adams, they have come up with a concept called "The Little Red Shed"; which is a place where people could gather and obtain information. It will also be a place where mothers can hang out while the kids are playing in the water throwing a cast net. They are called "Outposts." She stated that they held a meeting with the Deputy City Manager and other members of city staff about putting the first outpost down at the Crystal Shores property that was recently cleared. They feel it is a perfect location with high visibility. This outpost will be in compliance with city code as well as turtle nesting policy. The size will be approximately 10x16. This and other pilot programs they plan to implement this summer will serve as a learning curve, and they hope to improve and do more for the following season.

Councilmember Ramswell asked how they plan to work the shift from having a large number of visitors that spend less to perhaps having fewer visitors to spend more.

According to Ms. Adams, they are currently looking at rates as the current average daily rate is just phenomenal. There are properties on Okaloosa Island that are charging over \$600 per night. They track people in the market and know where they go as soon as they come over the county line through their mobile devices and other social and digital media platforms. They use this data to communicate with them, send them notifications, and guide them to activities where they could spend more money. They know that a lot of Atlanta visitors stay in Crystal Beach, which is why they are doing takeovers in places like Destin Commons. They also could follow some of their viewing patterns, track them and try to influence their behavior.

Councilmember Ramswell asked how they plan to select the local experts and instructors for different activities and handle those people who feel they have a business that they would like to be considered.

According to Ms. Adams, they are working closely with their task force along with city and county staffs. They plan to stay local and have a long list of people that have been recommended for the different jobs.

Councilmember Destin asked if they market to a family income, and if so, what is the target income.

Ms. Adams stated that their target market are the older millennial moms and their families, with annual household incomes between \$150,000 to \$175,000. They place a lot of importance on their family and their children's' future. They are willing to spend more money because for them it is not just about the expenditures, but what they could give their children in terms of experience and memories.

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

Ms. Maya Shulders, a livery operator, stated that the city's livery application process has not been easy. She has been waiting for code enforcement staff to clarify the equipment swap policy, but it has not happened. The ability to swap out equipment has been one of the biggest concerns by livery operators. She stated that when she submitted her application the week of April 19th, which was before the deadline date of April 30th, she placed a handwritten statement on the application that the city was aware that they could swap out equipment as needed for maintenance purposes, which Councilmember Ramswell has recommended during discussions relating to this issue. When she submitted her application, code enforcement staff promised to work with her. She received an email on April 26th stating the application is moving forward in the process. However, she received another email on April 29th stating she would have to resign the signature page of the application because she has altered the document due to the handwritten note and it cannot be accepted as such. After sending an email to city staff, council, and attorneys explaining the situation, she received another email from staff on the night of April 30th, stating she has been granted an extension to May 31st, and that the signature page is fine, and processing of the application is moving forward. Then, on May 28th, which is a Memorial Day weekend, she received a deficiency letter from the city and was given until June 7th to rectify some problems with the application. She felt this was unreasonable because she was only given 4 business days to rectify problems with the site plan and getting their landlord to have the document notarized. The city had at least 30 days to process the application but waited until the last minute to notify her of the problems and given only a few days to fix them.

Ms. Shulders also reported seeing a security footage of an individual walking around her property at 12:30 AM on May 30th. She found out it was a code enforcement officer in plain clothes which she finds quite intimidating. A few hours later she received a citation for not having her equipment properly marked even though she was supposed to have been given an extension to May 31st to comply with all standards.

Councilmember Ramswell inquired as to the normal hours for code inspections.

Code Compliance Manager Joey Forgione explained they have officers on duty between 5:00 AM to 2:00 AM daily, and that inspections are conducted at random during those times. He also stated he came on as back-up to one of his officers and conducted an inspection during the morning in question. He forgot his uniform, but he wore his code enforcement badge, was accompanied by one of his officers in uniform, and they were in a marked unit. He introduced

himself and his officer to the employees that were on site, and they were perfectly fine with them being there. He added that they walked the docks and conducted a normal inspection.

The mayor noted they have had issues in the past with people swapping out equipment illegally. For this reason, he has previously suggested to Mr. Forgione to possibly conducting inspections early in the morning once or twice a week and taking inventory of vessels while they are still tied down in the docks to get an accurate count.

Councilmember Ramswell asked whether there is grace period given to this company while their application is under review.

According to Mr. Forgione, they were given extra 30 days on top of the 60 days the council had already authorized, and they have a period from November 2020 to Memorial Day this year to submit their application. He also noted they were not issued a monetary citation but simply a warning citation to let them know they needed to mark their vehicles as required by code.

Councilmember Schmidt stated they are aware that the current application process is not perfect, which is why city staff is continuing to provide grace periods and extensions and trying to work with people the best way possible. He also stated that a lot of the issues the previous speaker spoke of, as well as actions that need to be undertaken, have been under discussion since November of last year, and it is not fair to say they were only given 4 business days to take certain actions to comply with the code. He also stated that many livery companies have already been approved. They cannot put all the blames on city staff as there are some faults on both sides.

Councilmember Hebert noted that the warning citation that was issued gave the livery operator 14 days to mark their vessels. She also stated that the application process should not be as tedious next year when most of the information will already be in the system.

Mr. Greg Fisher, a livery operator, stated that he has consulted with other local municipalities and not one endorses code enforcement inspections being conducted in the middle of the night or early morning. He also stated that a representative from the Florida Association of Code Enforcement Officers told him they do not train code enforcement officers to conduct inspections during those hours. He added that it undermines the trust of the industry.

According to Councilmember Braden, not everyone in the industry abides by the rules, and this has been a problem over the years. Vessels are moved during the day, and so random inspections need to be conducted any time there is a code enforcement officer on duty.

The mayor stated that the city's code enforcement officers operate under the guise of the Destin City Council. He continued that people are always complaining about lack of code enforcement. Now they are complaining when code enforcement officers as just doing their job.

Councilmember Ramswell stated they should at least inform people that code enforcement officers could conduct an inspection anytime during the day or night. She also

stated she can understand the concern express by the previous speaker after seeing someone walking around her property very early in the morning as some people do not have the best intentions in mind.

Ms. Lucille Rogers, a Destin resident, noted that a coffee manufacturing plant located in Wildcat Plaza behind 36 Goldsby Way on Mountain Drive is in violation of their Business Tax Receipt (BTR). She stated that the original BTR lists the business under Commercial Trades & Services (CTS) for Office Management and Companies Enterprises, not as a coffee manufacturing plant. She also mentioned that she has been diagnosed with stage 4 cancer. She could no longer sit in her own back yard because the plant constantly emits odors and particles from the roasting process. She is seriously affected by the fumes which exacerbates her condition. She recommends having the business relocate where industrial zoning would be more appropriate.

Ms. Virginia McGary, a Destin resident, noted a similar complaint as the previous speaker against the coffee manufacturer on Mountain Drive.

The Land Use Attorney noted that the business owner has always been willing to work with the city to try to address issues. After a noise complaint, they put in equipment to reduce it. In terms of the land use component, she and the Community Development Director can revisit this issue with the property owner, and the Code Compliance Department can verify the complaint.

It was the consensus of the council to allow the Community Development Director and Land Use Attorney to investigate the use of the property and discuss matters with the business owner; and the Code Compliance Department to check for any code violations, and report back to Council.

Next, Mr. Claude Perry, a Destin resident and business owner, addressed the earlier statement from the TDD Director about the city's alleged lack of southern hospitality. He stated that a lot of this problem centers around the inability of people to find a place to park in the city, especially on Scenic Hwy 98 and the harbor district. He stated that during the TDD Director's presentation, she did not mention anything about money being allocated for infrastructure. The county has transient vehicles available that are just parked somewhere in the county. He continued that since the city has shown no intention of building parking garages, they could at least consider establishing a shuttle system in the city; and perhaps the county could provide some funding to implement it and help ease the parking crisis.

After a brief discussion, the council asked city staff to invite Mr. Greg Darden, Director of Business Development for Structured Parking Solutions, LLC, a continuing services contractor for the City, to attend a Council meeting to provide a brief presentation on establishing a shuttle system in Destin.

Mr. Trey McCraw, a Destin resident, noted that his wife informed the Council at the previous meeting 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 has

provided substantial improvement worksheet for the remodeling currently being conducted. There had also been a prior project that happened with the prior owner of the property. Under the city's substantial improvement policy and Under Florida State law, they should be forced to bring the entire home up to code. He also stated they have not received any response from anyone from the city regarding this issue.

Councilmember Hebert noted they are continuing to build, and that a large portion of the remodeling project is almost completed. She asked staff to address this issue.

According to Mr. Forgione, a Stop-Work Order has been issued to the property owner. He will confirm with his staff whether they have moved forward with the Notice of Violation. He will also coordinate matters with the city's Building Official and discuss her findings.

Councilmember King stated it is probably more advantageous for the property owner to ignore the Stop-Work Order, resume construction, and pay the fine afterwards.

The Land Use Attorney noted it could be more than just simply paying a fine. If a Stop-Work Order and a Notice of Violations are issued, the property would be taken to the city's Special Magistrate. At that point, they would not only pay the fine for violating the Stop-Work Order, but there could also be a daily fine levied against the property until such time it is brought into compliance with the code. They could also end up placing a lien on the property. In addition, they could get an order from the Special Magistrate to have them take down the structure, and the city's Building Official can require things not permitted to be removed.

Community Development Director Louis Zunguze stated that the Certificate of Occupancy will be withheld until the violations are addressed.

Councilmember Destin noted that before they instituted the Code Enforcement Board and the Special Magistrate system, they had the option of taking this kind of issues to civil court; and they still have that option. They obtain an order from the judge, and law enforcement personnel gets involved when that order is violated.

According to the Land Use Attorney, she will meet with Mr. Zunguze and Mr. Forgione to discuss the proper courses of action to take against the short-term rental facility located at 355 Gulf Shore Drive for its alleged violation of stop-work order, and report back to Council. Options available include issuing a citation, using the Special Magistrate process, taking the case in civil court, or proceeding with more than one options simultaneously.

Ms. Carrie Harbarger, a Destin resident, stated that it is of utmost importance that they receive a feedback concerning the government land located at the foot of the Marler Bridge, and what the military intends to do with that land. The Eglin Base Commander has issued an order to place a fence around that property blocking the public's access to the water. She recommends having a serious discussion with the base commander about it, and possibly involving Representative Matt Gaetz, who is a member of the Ways and Means Committee, in that discussion.

Ms. Marcie Bell, a Destin resident, stated that there are people who own properties but do not live in the city that are claiming homestead exemptions. These people are cheating the taxpayers of the city. She is aware of at least 3 properties on Holiday Isle alone. She recommends addressing this issue with the state, so that the state can contact the county appraiser.

Ms. Bell also reported driving through the entire Crystal Beach neighborhood recently during the day when there should not be any trash cans on the streets. However, 22 properties, all short-term rentals, had their trash cans on the street.

Finally, Ms. Bell addressed some issues involving two code enforcement officers. She stated that one officer was provided some information in 2019 regarding a property that had been non-compliant with the code for several reasons. At the time, the property was privately owned and not a short-term rental. She found out after filing a public records request to the city that this particular issue was never documented. Then, on May 1st of this year, the same officer received a similar call regarding a property nearby, and he promptly took care of that issue. She also called the Code Compliance Department recently and reported 4 other violations. She found out recently that not one of the reported violations has been documented.

Mr. John Stephens, a livery operator, reported that they just finished production of a safety video, and that they plan to show the video at the next council meeting.

Mr. Ken Wampler, a Destin resident, addressed some of the comments Ms. Adams made earlier. He stated that in terms of mobility, there is a county operated tran service which is financed by the county. They just need to figure out how to better utilize it. As far as accessibility, the TDC funds generated from the bed tax had bought land for beach access and contributed money for the crosstown connector. He stated that stewardship is very important for the community as well as for the tourism industry. The TDC is not trying to compete with the ice cream vendors or to give away fishing charters. They are trying to show southern hospitality in a more obvious way. Also, if they inform the visitors of all the things that are available in this county and get them off the common areas, they should be able to spread the money throughout the county.

4. CITY MANAGER REPORTS

A. US98 Westbound to Airport Road, turn lane update

Public Services Director Michael Burgess stated that they have contacted the safety office district 3 at Chipley for some additional signage to be placed in advance of the dedicated right hand turn lane onto Airport Road from westbound US Hwy 98. The FDOT staff has responded to the city's request for the additional signage with a work order to attach 3 signs on the mast arm next to The Track. Additions will include two "thru-only" signs and one "right turn only" sign.

B. Proposed City of Destin Planning Areas

Community Development Director Louis Zunguze announces that the City is in the process of updating its Land Development Code (LDC). The LDC is designed to implement the City's Comprehensive Plan Policies. Map 1-1a of the Comprehensive Plan provides the Planning areas which guide the implementation of the Comprehensive Plan Policies. Mr. Zunguze presented the following information:

- Goal of the Planning Areas:
 - ❖ To organize the City into community content areas to establish an effective mechanism for guiding and implementing the Comprehensive Plan Policies and Land Development Code provisions.
- Current Situation:
 - ❖ Current Comprehensive Plan Map 1-1a illustrates the current planning and sub-areas. However, it is incomplete.
 - ❖ For the Comprehensive Plan Policies and new Land Development Code to be effective, Planning Areas that cover the whole City is needed
- Criteria to Establish New Planning Areas:
 - ❖ The Criteria is laid out in the Future Land Use Element of the Comprehensive Plan.
 - Land Use (Future Land Use)
 - Urban Form
 - Consolidate & Simplify Areas
- New Planning Areas: Using the above noted criteria, they will have the following Planning Areas:
 - ❖ Harbor Planning Area
 - Include-Harbor Residential Sub-Area
 - Include -East Harbor Planning Area
 - Only shown on Map 1-1a
 - No policies
 - Allow Future Land Use and Zoning to provide development parameters.
 - Implement the Harbor Community Redevelopment Agency (CRA) Plan
 - ❖ Town Center Planning Area
 - Add the Residential, Office and Institutional (ROI) Future Land Use Areas north of Airport Road

- Allow Future Land Use and Zoning to provide development parameters.
 - Implement the Town Center CRA Plan
- ❖ Holiday Isle Planning Area
- Include Height Overlay Sub-area
 - Only shown on Map 1-1a
 - No policies
 - Allow Future Land Use and Zoning to provide development parameters.
- ❖ Crystal Beach Planning Area
- No change in boundary
 - Establish framework to address balance between long-term residential and short-term rentals.
 - Transition between Commercial and Residential
 - Landscape buffering
 - Height set back requirement from Residential.
- ❖ Village Planning Area
- Extend boundary east to include residential north of Country Club Drive
- ❖ Commons Planning Area (new)
- Area east of Airport Road, south of Village Planning Area and north of Highway 98.
 - Mix of City and Okaloosa County areas where a joint planning effort is needed
- ❖ Henderson Beach Planning Area (new)
- Henderson Beach State Park
- ❖ Airport Planning Area (new)
- Airport Future Land Use

Councilmember Braden moved to approve the proposed planning areas and amend the City's Comprehensive Plan accordingly, seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted "yes").

C. Consultant Selection for Zerbe/Calhoun Pedestrian Improvements Phase II

According to the City Manager, the council previously directed staff to obtain proposals from all three continuing services consultants – Dewberry, Baskerville-Donovan, and Volkert for Zerbe/Calhoun Pedestrian Improvements Phase II project. He stated that Baskerville-Donovan and Volkert are both qualified and available for the project.

Councilmember Destin moved to approve Baskerville-Donovan for the Zerbe/Calhoun Pedestrian Improvements Phase II, seconded by Councilmember Ramswell.

Councilmember Schmidt asked if either of the firms is involved in phase 1 of the project.

City Engineer Donald Smith replied that neither firm is involved in phase 1.

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

Councilmember Braden inquired as to the status of phase 1 of the project.

According to Mr. Burgess, he met with the contractor a week ago and he informed him that they were having some trouble getting one utility pole removed. This pole is undergrounded at the Calhoun/Zerbe intersection. However, it will be a relatively smooth process to complete the southern section of the project as soon as the pole is removed.

D. Cross Town Connector Multimodal Design Update

The City Engineer Donald Smith gave the following presentation:

BACKGROUND

- At its June 1, 2021 meeting, the City Council approved the redesign of the crosstown connector from a 4-lane to a 2-lane roadway
- On April 5, 2021, council directed
 - ❖ The City Manager to schedule a workshop within the next 30 days
 - To discuss issues relating to the crosstown connector
 - To discuss multimodal alternatives
 - Delay design until after the workshop
- On May 10, 2021, council convened a public work session to discuss the crosstown connector

DISCUSSION: The purpose of tonight's discussion is to:

- Confirm key point discussed at the May 10, 2021 workshop
- Select right-of-way width
- Select multimodal concept and elements

KEY POINTS DISCUSSED AT MAY 10, 2021 WORKSHOP

- Optimize Park/green space
- Incorporate a multi-modal pathway similar to 30A
- Look at removing bike lanes
- Speed control on the entire corridor (staff will return to council with options)
- Provide buffer along property boundary (will be part of park design)
- Low Speed Vehicles (will drive in lane per state law)

RIGHT-OF-WAY WIDTH (OPTIONS)

- 30' right-of-way without median, or
- 40' right-of-way with median

MULTIMODAL ELEMENTS (OPTIONS)

- Option No. 1 (without median) or
- Option No. 2 (with median)

Mr. Smith requests the council selects a right-of-way width and the multimodal elements.

Councilmember Destin stated that he supports Option No. 2; however, placing a bicycle paths adjacent to roadways to comingle with other vehicles is never a good idea. There have been many fatal accidents on Airport Road and US Hwy 98 already. He also noted that the roadway photo on 30A that were shown did not include a single bicycle paths on the road. He recommends placing the bicycle path on the multimodal 10-foot sidewalk.

Councilmember Morgan stated that he agrees with Councilmember Destin about getting bicycles off the road; adding that this is not a bicycle friendly community. He also favors Option No. 2.

Councilmember Hebert stated that she echoes the sentiments of Council members Destin and Morgan, and that she supports Option No. 2.

Councilmember King stated that Option No. 2 would look even nicer if they have enough greenspace and a small catch and release pond.

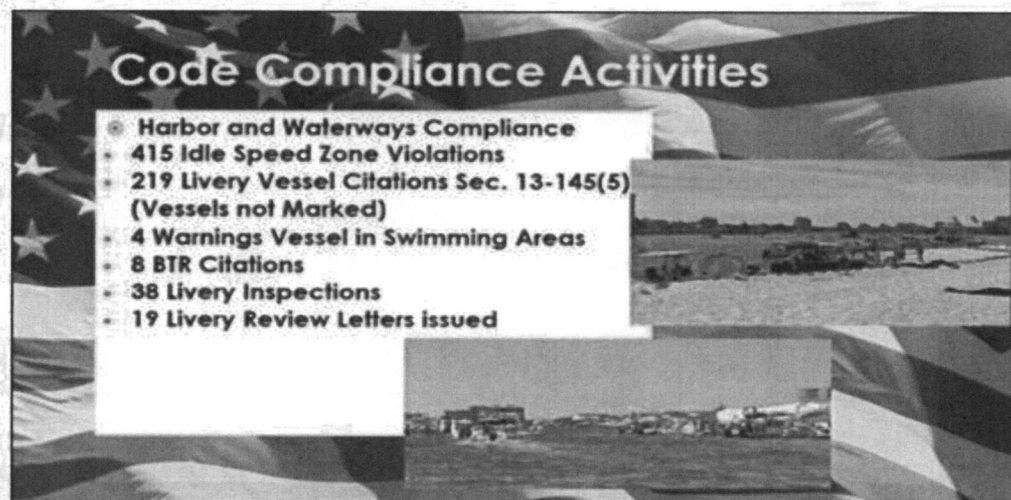
According to Councilmember Schmidt, not having the median should provide more greenspace and park space; and it could also result in less speeding. He also stated that having the medians means more irrigation and more trees and bushes.

Mr. Smith noted that the original design has the median; and so they may need to start over if the median is removed.

Councilmember Schmidt moved to direct the City Manager to implement right-of-way Option No. 2 and multimodal elements Option No. 2, with 40' right-of-way with median, into the project design; seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted "yes").

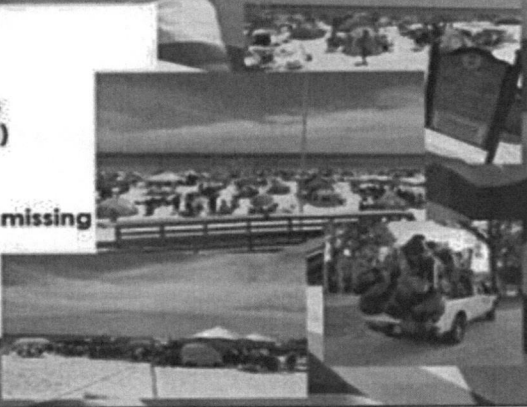
E. Memorial Day Weekend - After Action Report

The Deputy City Manager presented the following list of activities over the Memorial Day weekend.



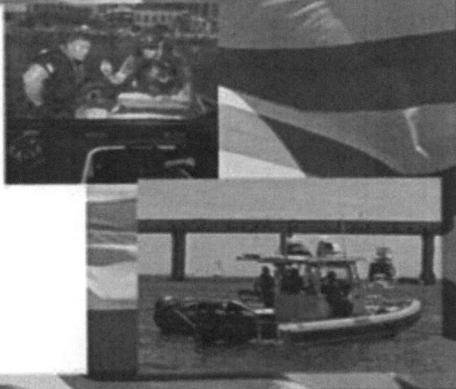
Code Compliance Activities

- Beach Compliance
- 4 Beach Vendor Violations
- 10 Glass on Beach Violations
- 9 Animals on Beach Violations
- 1 Fire on Beach Violation (Grill)
- 2 Wedding on Beach (STR)
- 6 Noise Violations
- 9 Beach Citizen Assist (2 were missing children)



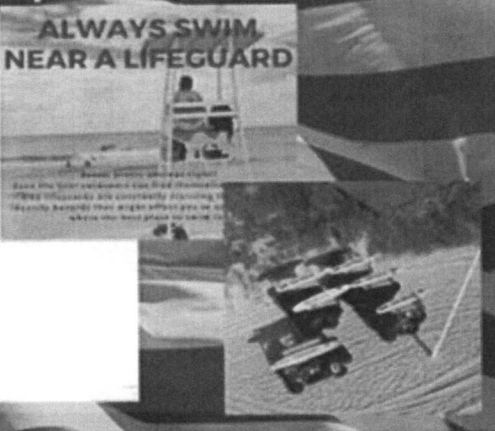
Okaloosa County Sheriff's Office Activities

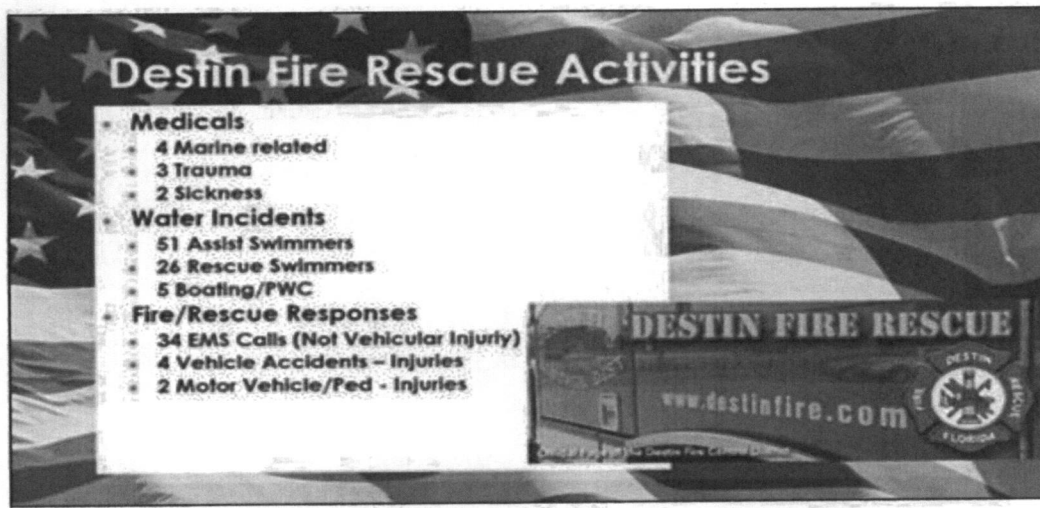
- OCSO
- 701 Total Calls for Service
 - 407 Day Shift
 - 294 Night Shift
- 105 Priority 1 Calls
- 8 Property Crimes
- 35 Traffic Violations – Stops
- 6 Marine Violations
- 13 Traffic Crashes



Destin Beach Safety Activities

- Beach Safety Division
- 98,050 Attendees
- 7 Minor 1st Aid
- 2 Major 1st Aid
- 20,784 Public Contacts
- 5,775 Preventative Measures
- 3 Missing Persons
- 6 Lost Persons
- 5 Persons Rescued
- 3 Assists
- 53 Boat Infractions
- 42 PWC Infractions
- 137 Education Pamphlets





F. Captain Royal Melvin Heritage Park Update

The City Manager reported that after repeated requests by staff, the subcontractor has not been as responsive as they should be in fulfilling the water main installation portion of the project. They did not have the materials necessary to complete the work. He has sent a letter to the general contractor asking them to complete this portion of their contract with the city so they could then work with the Destin Water Users in installing the 12" water main and fulfill the requirements for their grant to pay for the installation.

G. Transfer of ERU Water and Sewer Credits to Destin High School, Inc.

The City Attorney announced that the Destin High School is requesting that the City of Destin transfers 14 water Equivalent Residential Unit (ERU) and 14 sewer ERU to the high school. Due to the city's purchases of real property serviced by the Destin Water Users resulting in less intensive water and sewer needs, the city currently possesses enough water ERU and sewer ERU credits. The City's recent purchases of beach-front property in Crystal Beach will likely result in additional credits. The city does not appear to have any immediate project resulting in the need to use a significant number of credits. The City Council can elect to transfer the water and sewer credit to Destin High School upon execution of an agreement to do so. If the council decides to approve the transfer, there are two changes that need to be made to the agreement. The following language will need to be added to paragraph 2, "*The credit transfers are subject to final approval by the Destin Water Users.*" In addition, the 79 ERU water credits and 73 ERU sewer credits will need to be changed to 63 and 59.4 respectively.

Councilmember Schmidt moved to authorize and direct the mayor to execute the agreement, as amended, transferring City of Destin Equivalent Residential Unit Credits to Destin High School, Inc.; seconded by Councilmember Destin.

Councilmember Ramswell announced she will abstain from voting as she is the Chairman of the Board for the Destin High School.

Motion passed 6-0 (Council members Schmidt, King, Hebert, Morgan, Destin, and Braden voted “yes”; Councilmember Ramswell abstained from voting).

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 21-09-LC - Providing for amendments to Article 7 of the Land Development Code "Land Use, Type, Density, Intensity, Zoning and Regulatory Controls"; amending Table 7-2 "Table of Allowable Uses" relating to breweries, micro-breweries, brewpubs, distilleries, craft distilleries, and restaurants.

The City Attorney read proposed Ordinance 21-09-LC by title, and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES” RELATING TO BREWERIES, MICROBREWERIES, BREWPUBS, DISTILLERIES, CRAFT DISTILLERIES, AND RESTAURANTS; PROVIDING FOR CONSISTENCY WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

The mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the mayor closed the public hearing portion and turned the matter over to the city council for their discussion and consideration.

Councilmember Ramswell moved for approval of Ordinance 21-09-LC on second reading, seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted “yes”).

- B. Second reading of Ordinance 21-04-PC - Amending Comprehensive Plan: 2020, Chapter 1 - Future Land Use Element related to building heights to provide for consistency with the City Charter

The City Attorney read proposed Ordinance 21-04-PC by title, and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN: 2020; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TITLE; PROVIDING FOR JURISDICTION; PROVIDING FOR INTENT; AMENDING CHAPTER 1 - FUTURE LAND USE ELEMENT RELATED TO BUILDING HEIGHTS TO PROVIDE FOR CONSISTENCY WITH THE CITY CHARTER; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the mayor closed the public hearing portion and turned the matter over to the city council for their discussion and consideration.

Councilmember Hebert moved for approval of Ordinance 21-04-PC on second reading and direct staff to submit it to the State Department of Economic Opportunity for final approval; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted "yes").

- C. Second reading of Ordinance 21-05-PC - Amending Comprehensive Plan: 2020 Chapter 1 - Future Land Use Element, Policy 1-2.1.4 relating to roofing and roof pitch

The City Attorney read proposed Ordinance 21-05-PC by title, and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN: 2020; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TITLE; PROVIDING FOR JURISDICTION; PROVIDING FOR INTENT; AMENDING CHAPTER 1 - FUTURE LAND USE ELEMENT, POLICY 1-2.1.4 RELATING TO ROOFING AND ROOF PITCH; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the mayor closed the public hearing portion and turned the matter over to the city council for their discussion and consideration.

Councilmember Hebert moved for approval of Ordinance 21-05-PC on second reading and direct staff to submit it to the State Department of Economic Opportunity for final approval; seconded by Councilmember Destin. Motion passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted "yes").

6. CONSENT AGENDA

- A. Draft minutes of Board & Committee Meetings
- B. Proposed Bert Harris Settlement Agreement for 4478 Ocean View Drive

Motion by Councilmember Hebert, seconded by Councilmember Destin, to approve Consent Agenda items 6A and 6B, as printed above, passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted "yes").

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

A. Councilmember Braden

1) Livery Vessel Fees

Councilmember Braden noted a motion previously approved by Council to increase livery vessel fees, with proceeds to be used to hire either a Harbor Master or a Harbor Ranger that can issue citations, and whose main area of responsibility will be the North Harbor District. He recommends hiring a Harbor Master/Ranger within the next 90 days or reducing the livery vessel fees back to the amount prior to the increase.

Councilmember Destin wants to make sure funds have been segregated to be used for that specific purpose before taking any action.

City Attorney will coordinate matters with the Finance Director to make sure said funds are set aside, and that they are segregated by a specific resolution to be used as prescribed by Council.

Councilmember Braden requests this item be placed on the next agenda, and to include the City Attorney's findings as well as copy of the meeting minutes when this issue was discussed and acted upon by the Council in the agenda report.

Next, Councilmember Braden asked staff to contact the Eglin Base Commander and inquire about their plans for the property located on the west end of the Destin Bridge. Fencing is currently being placed around this property.

After a brief discussion, the council agreed to allow the mayor to reach out to Commissioner Mel Ponder, and together discuss this matter with the Eglin Base Commander. The mayor will report findings back to Council, and Commissioner Ponder to BOCC.

Councilmember Braden recommends the city formulates an ordinance prohibiting electric vehicles, such as bicycles, scooters, and skateboards, from operating on sidewalks. He stated that the sidewalk is not designed to accommodate electric vehicles.

It was the consensus of the Council to allow the City Attorney, Land Use Attorney and City staff to review State Statutes that specifically address motorized vehicles as described by Councilmember Braden and provide recommendations to Council.

Councilmember Braden would also like to see Low Speed Vehicles (LSV) back on the table for discussion in the near future. He stated that the Sheriff's Office has expressed great concern about LSVs operating on Airport Road.

Councilmember Braden asked staff to determine the average income for Destin and Okaloosa County and provide that information to council.

B. Councilmember Ramswell

Councilmember Ramswell asked staff to find out who is responsible for maintaining a certain section of the road at Silver Shells. She stated that the condition there is so bad people are unable to see the restaurant signage at that location. The perception is that it is the city's responsibility, and that the city has not been fulfilling its obligation.

1) Maintenance of rights-of-way along Commons Drive - Report

The Deputy City Manager stated that the goal is to find a sustainable schedule for the maintenance of the rights-of-way and medians along Commons Drive, which is owned by the county. There are challenges which include shopping carts being left there, maintenance of the grass, as well as the general aesthetics of medians and rights-of-way. He continued that city staff has been in contact with county staff, and that they have a meeting scheduled this week. They have also been working with some civic organizations through their Leave No Trace program to help cleanup and beautify those right-of-way areas. He added that he will continue to monitor and provide updates on the county's progress in maintaining that section of the road.

Next, Councilmember Ramswell expressed some safety concerns over a white utility box located above ground at the southeast corner of Indian Bayou Trail and Country Club Drive intersection. There are exposed cables, electrical wiring, and associated devices. She asked staff to find out who is responsible for maintaining it.

C. Councilmember Destin

Councilmember Destin noted that Gulf Power has returned the City's proposed franchise and utility undergrounding agreements to the City's special counsel Schef Wright. He will ask Attorney Wright to provide a report at the next meeting so that the council can take appropriate action.

Councilmember Destin commented that the Public Comments portion of this meeting has been quite arduous tonight with lengthy back and forth discussions between the council and the speakers lasting 1½ hours. He would like to see better management of the situation at future meetings. He also recommends Council only giving directions to City Manager, City Attorney or Land Use Attorney, and not directly to other members of city staff.

D. Councilmember Morgan

E. Councilmember Hebert

1) Master Gardener's Cooperative Project

Councilmember Hebert announced that Ms. Janet Hayes, a master gardener, has offered to provide some gardening service and plants free of charge and work with the city to help beautify the Buck Destin Park.

It was the consensus of the Council to allow Ms. Janet Hayes, a master gardener, to assist the city with the beautification process at Buck Destin Park, and to work with people in charge with irrigation and pesticide application.

F. Councilmember King

Councilmember King asked staff to place the topic, "Catch and Release Pond at Crosstown Connector" on the next council meeting agenda, stating that he has a lot of ideas he would like to share with the council.

G. Councilmember Schmidt

1) Charter Review

Councilmember Schmidt moved to direct the City Attorney to bring back recommendations for amending the City Charter with regards to appointment of Interim City Councilmember and the special election process to fill a vacated council position; seconded by Councilmember Hebert.

The mayor commented that the city charter has not been reviewed for quite a long time, and he believes there are some inefficiencies for the charter in the administration of city business.

Councilmember Destin noted that the council can amend the charter at any time, which they have done twice the last few years.

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

2) Harborwalk Boardwalk Replacement

Councilmember Schmidt moved to direct the City Manager to instruct staff to begin the permitting and quotes processes on the boardwalk replacement at the Tailsfin location, and to begin replacement immediately following the completion of the 3 currently permitted sections with the available funds or for the next round of funding. Councilmember Destin provided a second to the motion.

Councilmember Ramswell believes this is what staff is currently doing.

Councilmember Morgan noted that Tailsfin previously requested that their portion of the boardwalk be completed after the season is over.

Councilmember Schmidt explained there seemed to be some confusion about this particular area, and he just wanted to make it very clear what the plan is and what the council wants staff to do.

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

3) Air Tour Operations - Resolution in Support of County's Efforts Related to Helicopter and Air Tour Flight Paths

Councilmember Schmidt stated this has been an ongoing issue for a long time. The City Attorney and staff has put together a resolution of support of county's efforts related to helicopter and air tour flight paths.

Councilmember Schmidt moved to adopt Resolution 21-06 and for the council to allow him to work with the city and county government officials to continue finding a solution to helicopter issues in the community and in their beaches, seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted “yes”).

G. Mayor Gary Jarvis

Mayor Jarvis noted that several individuals have brought up the idea of the city placing some porta potties along the boardwalk during big holiday weekends such as the past Memorial Day weekend. Bathrooms are limited, and this will help take the pressure of the private businesses and make it convenient to the public.

Councilmember Ramswell stated they need to make sure there are no oppositions from businesses to having porta potties placed near their location.

The mayor stated that since they have time before the Labor Day weekend, staff could probably reach out to property owners to see if this is amicable to them and then council can decide how many porta potties to place and at which locations.

It was the consensus of the council to have staff gather the necessary information for the council to discuss and vote on the recommendation to place porta potties at certain locations along the boardwalk during busy holiday weekends such as during Labor Day and July 4th holidays.

I. Land Use Attorney

1) Invocation of pending ordinance doctrine for floodplain ordinance

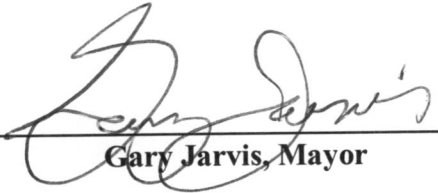
Councilmember Ramswell moved to invoke the pending ordinance doctrine for the floodplain ordinances; seconded by Councilmember Hebert. Motion passed 7-0 (Council members Schmidt, King, Hebert, Morgan, Destin, Ramswell, and Braden voted “yes”).

It was the consensus of the Council to hire Fisher Consultant to review the Bert Harris pre-suit claim filed against the city, from the outside planning perspective, and provide opinions to the city.

J. City Attorney

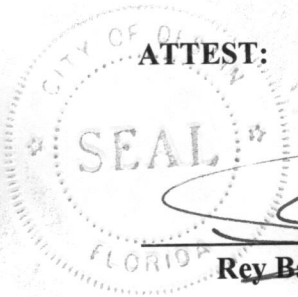
ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 10:25 pm.



Gary Jarvis, Mayor

ATTEST:





Rey Bailey, City Clerk