

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
APRIL 16, 2018
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 Tuffy Dixon
Councilmember Chatham Morgan	Councilmember Rodney Braden
Councilmember Parker Destin	Councilmember Prebble Ramswell
Councilmember Cyron Marler	Councilmember Skip Overdier

Destin City Staff

City Manager Carisse LeJeune	City Clerk Rey Bailey
Public Information Manager Doug Rainer	City Engineer David Campbell
Community Dev Director Jennifer Bryla	IT Manager Webb Warren
Development Manager Steve Schmidt	Finance Director Bragg Farmer
Deputy Director Parks & Rec. Dept Lisa Firth	City Attorney Jeffrey Burns
Land Use Attorney Kimberly Kopp	

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 PM. Assistant Pastor Jess McCurnin of Coastline Calvary Chapel gave the invocation; which was then followed by the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Morgan requested that agenda item #8G (1) be pulled from the agenda.

The City Attorney noted that he sent an email to the Council earlier today informing them that if Gulf Power Company agreed to the draft resolution to exercise purchase option contained in franchise with Gulf Power, then agenda item #4D can be pulled from consideration tonight.

Councilmember Destin requested that agenda item #4D be pulled from the agenda.

Motion by Councilmember Morgan, seconded by Councilmember Ramswell, to approve the agenda, as amended, passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Dixon, Ramswell and Braden votes “yes”).

1. APPROVAL OF MINUTES

A) Approval of minutes of January 16, 2018 regular city council meeting

Motion by Councilmember Marler, seconded by Councilmember Ramswell, to approve minutes of January 16, 2018 regular city council meeting passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Dixon, Ramswell and Braden votes “yes”).

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS (NO PUBLIC COMMENTS)

A) Proclamation – Arbor Day 2018

The Mayor read the proclamation designating Friday, April 27, 2018, as Arbor Day in the City of Destin, and then presented it to Parks and Recreation Deputy Directory Lisa Firth and members of the Parks and Recreation Committee.

B) EDC Update – Nathan Sparks, EDC Executive Director

Mr. Nathan Sparks, EDC Executive Director, provided the following update:

- The EDC’s new website – www.florida-edc.org – was recognized with a Silver ADDY award by the American Advertising Federation. New website features including an interactive county map with zooming capabilities for industrial parks have been unveiled
- EDC Annual Report (copies handed out during the meeting)
 - ❖ 33 site visits the last two years
 - ❖ 9 projects landed throughout Okaloosa County
 - ❖ Fishing Industry FAM Tour event. The EDC co-hosted with the Destin Chamber of Commerce, City of Destin and Gulf Power
 - Brought in industry executives
 - Experience the best Destin has to offer during the Destin Fishing Rodeo
 - Opportunity to interface with local college presidents
 - Learn about the City’s workforce
 - Learn about best places to live in Destin
 - Learn about best places in Destin to locate their facilities
- The EDC was pleased to share in the February 13th announcement made by Governor Rick Scott and Allegiant Air regarding Allegiant’s decision to make the Destin-Fort Walton Beach Airport a permanent base, which will result in the location of at least two new Airbus aircraft at VPS and the creation of 66 high wage jobs
- The EDC continues to experience strong project activity, with 18 active projects currently in the pipeline. Of these, 3 are expansions of existing Okaloosa County operations. Nine of these opportunities were locally generated as opposed to projects that come by way of Enterprise Florida and other state and regional partners
- Participated in the annual Northwest Florida Defense Coalition’s Washington D.C. Fly-In February 6-7. Meetings held with Pentagon officials and Congressional leaders focused on preservation of the Military Mission Line against growing threats from oil exploration/drilling and enhancement of the Gulf Range

Councilmember Ramswell stated that Destin is facing a problem of underemployment, with a lot of people with college degree that are unable to find work in their field and are forced to take low paying jobs to make ends meet. She asked if this issue is being addressed.

Mr. Sparks stated he has worked in other coastal communities facing similar challenge. When they have a coastal economy they have a lot of service industry. A lot of people are willing to locate to a beautiful area and take lower wage. Underemployment is a common challenge in a beautiful community such as Destin. At this time, they are looking at putting forward a proposal for grant funding through Triumph Gulf Coast in a regional way. This challenge is obviously not specific to Okaloosa County and to Destin. It involves Northwest Florida. A component of the study would dig in to the underemployment to get a true sense of the percentage and what pay scale people would be willing to take in order to change jobs. This type of information will help the EDC to considerably deeper when they answer questions about the workforce and where they would come from.

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS

Mr. Allan French, representing Trees on the Coast, stated they are working very hard for two years to come up with a plan for Airport Road, which will be presented tonight. He stated it is a great plan and urged Council to approve it.

Ms. Patti Brown, a Destin resident, noted that she is a member of the Short Term Rental Task Force. She stated that the task force had come up with a lot of great ideas. These recommendations are scheduled to be presented to the Council on the date which she will not be able to attend. She asked that the presentation date be changed to the first week of June so she could attend the meeting.

4. CITY MANAGER REPORTS

A. Airport Road landscaping

According to the City Manager, they recently secured a landscape plan for Airport Road medians, from Main Street to U.S. Hwy 98, and met with volunteer stakeholders from both Trees on the Coast and the Man Street Betterment Alliance, who expressed an interest in partnering in the landscape project.

The City Engineer David Campbell spoke of the components of the landscape plan. He explained that due to the constraints of the City's Land Development Code and the relatively narrow width of the medians, trees cannot be placed in portions of the medians unprotected with concrete curb and gutter. There are also segments of median with drainage exfiltration piping, which precludes tree planting in those areas. Staff, together with the volunteer stakeholders recently revised the plan to accommodate 13 Sand Live Oak trees up to 6" caliber in wider sections of the existing medians with curb and gutter, together with up to 39 Sand Live Oak trees approximately 1/2" caliber clustered in threes at the bullnose ends of the narrower medians.

B. Gulf Power negotiations update

Councilmember Destin reported that they recently met with Gulf Power, and that they have taken care of a lot of the easy items. They have narrowed most of the issues down to just basically discussions relating to undergrounding some portions of the City; which would require more negotiations. He continued that they should preserve their purchase options, and not exercise it at this point. The City and Gulf Power have negotiated an extension which they should all find

agreeable; adding it is to the City's best interest to extend the franchise agreement with Gulf Power and to give them the opportunity to further negotiate the undergrounding of the portion of the City.

C. Temporary franchise extension – Gulf Power

The City Attorney noted he has spoken to the Gulf Power's attorney today and he indicated that Gulf Power is amenable to the proposed extension of the franchise agreement. They only made some cosmetic changes to the agreement, and that he recommends moving forward with the agreement.

Mr. Bernard Johnson from Gulf Power came forward and expressed Gulf Power's concurrence with the extension agreement.

Councilmember Ramswell moved to approve the second agreement to extend the franchise term to September 21, 2018; seconded by Councilmember Braden. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Dixon, Ramswell and Braden votes "yes").

D. Draft Resolution to Exercise Purchase Option contained in Franchise with Gulf Power

Item pulled from the agenda.

E. Announcements

The City Manager made the following announcements:

- Earth Day Clean-up on Saturday, April 21st, 8-10 a.m., at the Joe's Bayou recreation area
- National Arbor Day Celebration, Friday, April 27th, 10 a.m., at the Destin Elementary School
- Holiday Isle emergency dredge of the East Pass – BOCC will discuss bids received from dredge companies at their regular meeting on April 17th

Motion to recommend to BOCC to select the company that can perform dredging on September 1, 2018 passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Dixon, Ramswell and Braden votes "yes").

5. FIRST READING OF ORDINANCES NOT REQUIRING PUBLIC HEARINGS

6. PUBLIC HEARINGS

- A) First reading of Ordinance 18-01-CN, abandonment of the northerly 0.10 acre segment of Calhoun Avenue right-of-way

The City Attorney read Ordinance 18-01-CN by title, and then presented it to the City Council on first reading:

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR

ABANDONMENT OF THE A NORTHERLY 0.10 ACRE SEGMENT OF CALHOUN AVENUE RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney sworn in the following individuals for testimonies:

Jennifer Bryla, Community Development Director
David Campbell, City Engineer
Brad Shoots, property owner

City Engineer David Campbell discussed the proposed vacation. He stated that according to Article 8, Section 8.01.00, sub-section D (1)(2)(3) & (4) of the LDC, the Local Planning Agency (LPA) is required to make a specific list of findings in order to approve a vacation request. The LPA, in order to make a positive recommendation to City Council, must find that the following four conditions have been met.

1. The requested vacation is consistent with the comprehensive plan.

Mr. Campbell stated that the Transportation Element provides the framework for achieving the optimum, cost-effective transportation system to balance the needs of the City of Destin's residents, workers, tourist, and through traffic. This vacation will create a consistent, optimum right-of-way width where Beach Drive and Calhoun Street merge.

2. The right-of-way does not provide the sole access to any property. Remaining access shall not be by easement.

Mr. Campbell stated that the proposed vacation will not affect access to any property. No easement is required for ingress and egress.

3. The vacation would not jeopardize the current or future location of any utility.

Mr. Campbell stated that all of the utility agencies have submitted clearance letters identifying no significant impact as a result of this vacation.

4. The proposed vacation is not detrimental to the public interest.

Mr. Campbell stated that a non-uniform right-of-way was created with the merger of two plats. The proposed vacation will clear-up the no-uniformity will not be detrimental to the public interest.

The City Attorney noted that he had reviewed the title of the property and found no problems with it.

Attorney Robert McGill, representing the applicant, stated that he agrees with City staff and the information given in the staff report that the application meets all the requirements of the LDC.

Councilmember Dixon moved to approve Ordinance 18-01-CN on first reading and schedule it for second reading; seconded by Councilmember Destin.

The City Attorney asked if any member of the public wishes to provide a testimony relating to the application. Having none, the City Attorney turned the matter over to the City Council for their consideration.

The Mayor called for a vote on the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Dixon, Ramswell and Braden voted “yes”).

7. *CONSENT AGENDA

- A) Request approval for use of City streets for the Destin Chamber of Commerce Bayou, Bay, & Beach 5k & 10k Race
- B) Request approval of Sibert roadside parking – parallel

Councilmember Morgan moved to pull Consent Agenda item #7A for further discussion and approve Consent Agenda item #7B, as printed above. Councilmember Destin provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Dixon, Ramswell and Braden votes “yes”).

The City Attorney noted that the Certificate of Liability Insurance has not been provided for item 7A; and so approval has to be contingent upon the City receiving the certificate of insurance, with the City of Destin as an additional insured party prior to the date of the event.

Councilmember Morgan moved to approve the request for use of City streets for the Destin Chamber of Commerce annual 5/10k race, contingent upon the City receiving the Certificate of Liability Insurance with the City of Destin as additional insured and the endorsement to the policy prior to the event on May 5, 2018. Councilmember Destin provided a second to the motion. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Dixon, Ramswell and Braden votes “yes”).

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

A. Councilmember Braden

- (1) Nomination of Mr. Guy Tadlock for membership to the Local Planning Agency

Item pulled from the agenda.

- (2) Crab Island Discussion

After some discussion, the Council reached a consensus to direct the Land Use Attorney to craft a resolution to present to the County that would speak to the issue relating to Crab Island. The resolution would come back at the next Council meeting for Council to review and vote on and then presented to the Okaloosa County Board of Commissioners. The resolution language would include phasing out all commercial activity on Crab Island over the next 3 to 5 years and possibly prohibiting overnight mooring after one year.

B. Councilmember Ramswell

Councilmember Ramswell stated that her appointee to the Short Term Rental Task Force, Ms. Patti Brown who spoke earlier, requested a change of date for the short term rental workshop so

she could attend it. She stated that Ms. Brown has been very vocal about this issue and she attended all the meetings of the Task Force. She asked if Council is willing to accommodate her.

Councilmember Dixon stated that he would like all members of the Task Force to be able to attend the workshop, but he does not feel it is appropriate to reschedule it just because one person cannot make it. He added it would be difficult to try to accommodate everybody.

The Mayor suggests allowing Ms. Brown to participate by phone or to send a list of her thoughts and ideas on specific items that still need to be addressed and have someone else present it for her if they are unable to change the date of the meeting.

Councilmember Ramswell moved to reschedule the City Council Short Term Rental workshop to the first week of June 2018; seconded by Councilmember Braden. Motion passed 4-3 (Council members Overdier, Dixon, Ramswell and Braden voted "yes"; Council members Morgan, Destin and Marler voted "no").

- C. Councilmember Dixon
- D. Councilmember Overdier
- E. Councilmember Marler
- F. Councilmember Destin
- G. Councilmember Morgan
- (1) Discussion of a Destin Fire Substation on the west end of Destin

Item pulled from the agenda

- H. Mayor Jarvis
- I. Land Use Attorney
- (1) Executive Session announcement

B.I. Inc, Dewey Destin Harborside LLC, Plaintiff, vs. CITY OF DESTIN, FLORIDA, Defendant, in the Circuit/County Court of the First Judicial Circuit, in and for Okaloosa County, Florida, Case No. 2016-CA-003672F

The Land Use Attorney announced a Council Executive Session to be held on May 7, 2018, beginning at 6:00 PM.

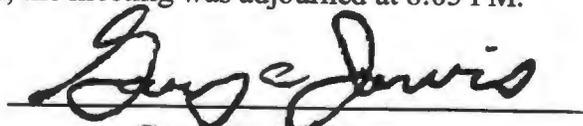
- J. City Attorney

9. COMMENTS/CONCERNS FROM THE AUDIENCE/PUBLIC ON ANY MATTERS CONSIDERED AT MEETING, OR ON ANY MATTERS NOT ON THE AGENDA

Having no further business at this time, the meeting was adjourned at 8:05 PM.

ATTEST:


Rey Bailey, City Clerk


Gary Jarvis, Mayor