

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
APRIL 18, 2016
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 Scott Fischer	Councilmember Jim Foreman
Councilmember Chatham Morgan	Councilmember Tuffy Dixon
Councilmember Parker Destin	Councilmember Prebble Ramswell
Councilmember Cyron Marler	Councilmember Rodney Braden

Destin City Staff

City Manager Greg Kisela	City Clerk Rey Bailey
Public Information Manager Doug Rainer	Planner Hank Woollard
Code Enforcement Officer Joey Forgione	City Engineer David Campbell
Finance Director Bragg Farmer	HR Manager Karen Jankowski
Code Enforcement Manager David Bazylak	IT Manager Webb Warren
Parks/Recreation Director Lance Johnson	Library Director Jurate Burns
Comm. Dev. Dept. Interim Dir. Steven Schmidt	Parks/Rec Dep. Director Lisa Firth
Land Use Attorney Scott Shirley	City Attorney Jerry Miller

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Scott Fischer called the meeting to order at 6:00 PM. Councilmember Marler delivered the invocation; which was followed by the Pledge of Allegiance.

SPECIAL PRESENTATIONS

1. Proclamation – Arbor Day

The Mayor read the proclamation designating April 29, 2016 as Arbor Day in the City of Destin and then presented it to Ms. Lisa Firth, Deputy Director of Parks and Rec Department, and Ms. Aubrey Santucci, Chairman of the Environmental, Parks and Rec Committee/Tree Board.

APPROVAL OF MINUTES

2. Request approval of minutes of the April 4, 2016 council executive session
3. Request approval of minutes of the March 7, 2016 regular city council meeting

Motion by Councilmember Marler, seconded by Councilmember Foreman, to approve minutes of the April 4, 2016 council executive session and March 7, 2016 regular council

meeting passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

PUBLIC HEARINGS

4. Second reading of Ordinance 16-02-CN, providing for abandonment of the northeast 0.08 acre segment of Tarpon Street right-of-way

The City Attorney read Ordinance 16-02-CN by title, and then presented it to the City Council for their consideration on second reading:

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR ABANDONMENT OF THE NORTHEAST **0.08 ACRE** SEGMENT OF TARPON STREET RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

According to the City Manager, this item and the next involve vacation of a portion of Tarpon Street as it dead ends into the Gulf Power right-of-way easement. The abutting property owner reclaims a portion of the right-of-way, and the City reserves a 15-foot right-of-way in the middle so that if they ever built a pathway at the Gulf Power easement, they would have the ability to access it.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Hearing none, the Mayor closed the public hearing portion and turned the matter over to the City Council for their consideration.

Councilmember Morgan moved to adopt Ordinance 16-02-CN on second reading and authorize the Mayor to execute the ordinance; seconded by Councilmember Marler. Motion passed 6-1 (Council members Morgan, Destin, Marler, Foreman, Dixon, and Ramswell voted “yes”; Councilmember Braden voted “no”).

5. Second reading of Ordinance 16-03-CN, providing for abandonment of the northwest 0.08 acre segment of Tarpon Street right-of-way

The City Attorney read Ordinance 16-03-CN by title, and then presented it to the City Council for their consideration on second reading:

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR ABANDONMENT OF THE NORTHWEST **0.08 ACRE** SEGMENT OF TARPON STREET RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Hearing none, the Mayor closed the public hearing portion and turned the matter over to the City Council for their consideration.

Councilmember Morgan moved to adopt Ordinance 16-03-CN on second reading and authorize the Mayor to execute the ordinance; seconded by Councilmember Marler. Motion passed 6-1 (Council members Morgan, Destin, Marler, Foreman, Dixon, and Ramswell voted “yes”; Councilmember Braden voted “no”).

6. First reading of Ordinance 16-05-PC, which amends Comprehensive Plan: 2020 by amending the Future Land Use Map (FLUM) designation of the east 150’ of 802 Cross Street, from Bay Estates (BE) to Low Density Residential (LDR)

The City Attorney explained that this item has a pending motion; and that it has been postponed from the previous meeting. He continued the applicant has requested further postponement until the second meeting in May.

Councilmember Foreman moved to postpone first reading of Ordinance 16-05-PC to May 16, 2016; seconded by Councilmember Dixon.

Councilmember Braden asked how many times this item could be postponed by the applicant.

The City Manager noted the first postponement was requested by the City Council; adding there is no limit as to the number of times an item can be postponed as long as the City agrees with it.

Councilmember Ramswell inquired as to the reason for the first postponement.

The City Manager replied it was for staff to receive more information from the applicant. He continued he has already met with the individual who spoke on this subject at the last meeting, and the City Attorney has also met with the applicant and his attorney on this particular issue.

Having no further comments from the Council members, the Mayor called for a vote on the motion on the floor, which passes 5-2 (Council members Morgan, Destin, Marler, Foreman, and Dixon, voted “yes”; Council members Ramswell and Braden voted “no”).

At this time Councilmember Marler moved that agenda item #17A - *City Manager’s retirement/City Manager Search and Recruitment Process* be discussed following PUBLIC OPPORTUNITY TO SPEAK ON COUNCIL PROPOSITIONS portion of the agenda; seconded by Councilmember Foreman. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

PUBLIC OPPORTUNITY TO SPEAK ON COUNCIL PROPOSITIONS

Mr. Jim Bagby, a Destin resident and former Council member, spoke on agenda item #7. He asked Council to reconsider their action from the previous meeting of establishing a moment of silence in lieu of having the opening invocation at Council meetings. He mentioned that Walton County conducts the invocation and the Pledge of Allegiance prior to calling their meeting to order. They do not have to worry about being out of order by following this format since the meeting had

not been called to order. He suggests having the City's attorney conduct a legal review of this format and then for the Council to consider this alternative.

According to the City Attorney, they have addressed the issue Mr. Bagby has raised in the formatting both in Resolution 16-07 which he previously prepared and Resolution 16-08 that is before Council tonight.

The next person to speak was Mr. Dino Russell, a Destin resident. He urged Council not to take away prayers since there are already so many things being taken away from the people. He suggests keeping the opening prayer even if it had to be done prior to calling the meeting to order.

Mr. Ken Beaird, a Destin resident and former Destin Mayor, spoke next. He stated that as the Destin Mayor from 1996 to 2002, he presided over many Council meetings and heard many prayers, and never had anybody object to prayers. He also stated the City as well as this Nation was founded on Christian background, and he urged the Council not to take prayers away from Council meetings.

Dr. Barry Carpenter, a Destin resident, stated that leaving in Destin is one of the best things that ever happened to him. He asked Council not to lead with fear of challenge but lead with faith, courage and gratitude. He urged Council to continue the prayer because it is what the people want and need; adding he would rather listen to prayers that are not Christian than to have the moment of silence that is meaningless.

Reverend Mike Hesse, speaking on behalf of the Church of Destin Ministerial Association, remarked that Destin was built largely on the foundation of deeply believing men and women, and City leaders from day one have embraced the necessity of prayer. They offer up prayers each year for the protection of this community in which many local citizens participate. He also mentioned that a Supreme Court decision in the Town of Greece vs. Galloway, finds that prayers are compatible with the establishment clause which must be interpreted by reference to historical practices and understanding. The content of the prayer is not of concern to judges, which means it is not inappropriate for prayers to be invoked in the name of Jesus. As long as the public is not forced to pray, the fact that someone may be offended by the words, does not constitute coercion. He further stated that there is no more important part of any legislative meeting than praying for divine guidance. He urged Council not to bow to political correctness and replace prayers with a moment of silence, and to allow religious leaders from the community lead the opening prayer; and that if a leader from another religion wants to pray, then they should honor that person's faithfully uttered prayer even if they do not as individuals join them in the prayer.

Ms. Marcia Hull, a Destin resident and representing the Mattie Kelly Arts Foundation, stated that Destin is a Christian community; and that the late Mattie Kelly was a Destin matriarch and it is known that her spiritual, cultural and education beliefs are what founded the Mattie Kelly Arts Foundation. And that it is probably true of most of the founding families of this community. She added they have fallen on prayer during hard times and it would be very sad to abandon prayer at City Council meetings.

Mr. John Horton, a Destin resident, noted that Florida Constitution states, *“We the people of the State of Florida, grateful to Almighty God for constitutional liberty, in order to secure its blessing and to form a more perfect government, ensuring domestic tranquility, maintaining public order and guaranteeing equal and political rights to all ...”* He continued that every state constitution contains this language. He also stated that Christianity is being forced out of the public forum. He encouraged Council to re-consider their decision and not surrender to political correctness but to meet it head on.

At this time, Councilmember Marler suggests they move forward with the resolution followed by discussion on agenda item #17A.

CONSENT AGENDA*
RESOLUTIONS

7. Resolution 16-08 – Opening moment of silence at city council meetings

The City Manager noted there are two proposed resolutions that are before the City Council tonight; one that Council directed staff at their last meeting to prepare (Resolution 16-08) and one that staff presented to Council at their last meeting (Resolution 16-07). Resolution 16-07 involves the continuation of the opening invocation, with different congregations giving the prayer on a rotational basis; and Resolution 16-08 establishes the moment of silence. He continued that Council could consider either of these resolutions.

According to the City Attorney, no prior motion was taken and Council could consider either one of the two proposed resolutions.

Councilmember Destin stated that Council thought the moment of silence was the better option; however, it is clear they have miscalculated the interest of the public.

Councilmember Destin moved to adopt Resolution 16-07, adopting a policy of non-exclusion for selection of volunteer invocation speakers and a diversity of viewpoints; seconded by Councilmember Dixon.

The City Attorney read Resolution 16-07 by title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA AMENDING THE CITY COUNCIL RULES OF PROCEDURE, RESOLUTION 13-15, CONCERNING AMENDING ORDER OF BUSINESS AND CEREMONIAL, OPENING INVOCATIONS AT COUNCIL MEETINGS PRIOR TO WHEN OFFICIAL POLICYMAKING OR LEGISLATIVE FUNCTIONS ARE PERFORMED; ADOPTING A POLICY OF NON-EXCLUSION FOR SELECTION OF VOLUNTEER INVOCATION SPEAKERS AND A DIVERSITY OF VIEWPOINTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

Councilmember Braden wanted to make sure everyone understood that the rumor being circulated around that the new Mayor and this Council were responsible for trying to abolish the opening prayer at Council meeting is false. He stated that Mr. Kisela brought this to his attention more than a year ago and Mr. Miller wrote the resolution more than a year ago; adding that the

Supreme Court set this requirement in motion almost two years ago. He then pledged his support for Resolution 16-07.

Councilmember Ramswell concurs, and noted that her concern was subjecting the community to the possibility of an opening prayer being led by a group many might find offensive. Clearly the community would rather risk that chance in order to keep prayer. She thanked the clergy for offering to step in and lead the scheduling.

Councilmember Dixon wants everyone to know there was no intent to remove Christ from these meetings and that the problem was the prayer coming from the dais. He agrees with having clergy set up a rotation.

Councilmember Morgan noted he and Councilmember Destin “sort of inherited this mess” and that the previous decision was a general consensus; and that the invocation was often the high point of these meetings. He also noted that the big concern was not being able to regulate content and thanks Councilmember Marler for delivering the invocations for the past four years.

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

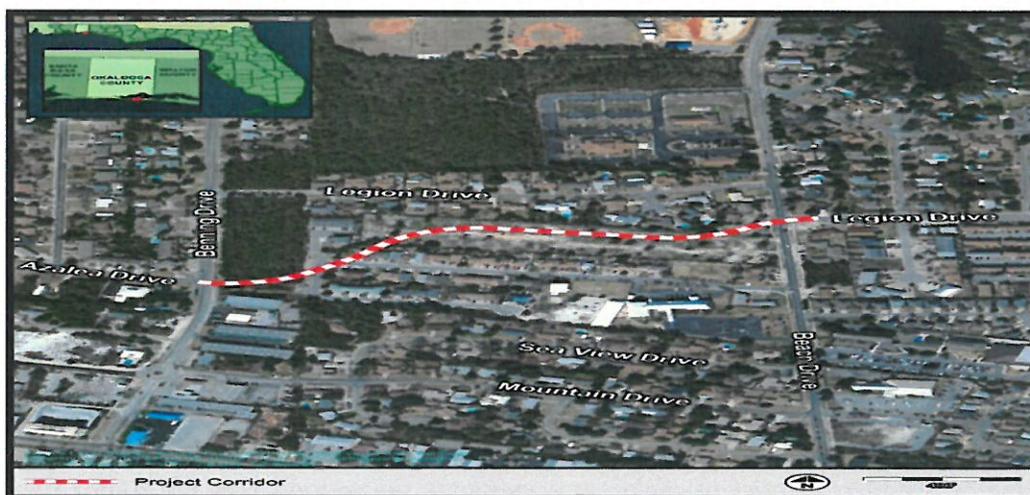
Following this item, Council moved on to agenda item #17A

COMMITTEE REPORTS

SCHEDULED PRESENTATIONS FROM THE PUBLIC**

8. Cross-Town Connector – Atkins

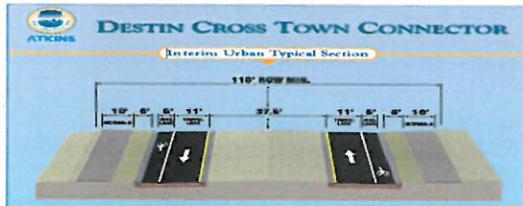
Mr. Jeff Helms, Vice President of Atkins, provided the following Power Point presentation regarding the status of the Destin Cross-Town Connector project:



Task	Status	Date
Advance Notification Process	Completed	July 2015
30% Construction Plans	Completed	September 2015
1 st Public Workshop	Completed	September 2015
"Draft" Environmental Impact Report •Endangered Species Biological Assessment Report •Wetlands Technical Memorandum •Contamination Screening Evaluation Report •Noise Study Report •Air quality Technical Memorandum •Public Involvement Summary Report •Conceptual Stage Relocation Plan	Submitted to FDOT for Review	February 2016
"Draft" Preliminary Engineering Report	Submit to City this month	April 2016
Stormwater Design	Under Design	April/May 2016
Public Hearing	Schedule this Summer	June/July 2016
Finalize PD&E Documentation	After Public Hearing	August/Sept 2016
Finalize Construction Plans/Permitting	After Public Hearing	August/Sept 2016



Typical Sections



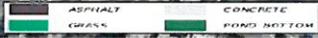
Landscaping/Hardscape





Interim Solution

- Developing Construction Plans based on this Design
- Round-a-bouts will be a safer interim design
- Goal for Ponds – Dry /Create a landscape amenity/ No ugly ponds!



Ultimate 4-Lane Section

- Fits within the Interim R/W requirements
- Just add lanes to the median
- Same stormwater design as Interim (no upgrades)
- Consider adding signal when four-laned



Estimate of Project Costs to Build Interim

Item	Estimated Costs
Right-of-Way	\$2.7 - \$3.4 million
• 9 Residential Relocations	
• 0 Business Relocations	
• 16 Residential Parcels impacted	
• 1 Business Parcels Impacted	
• 2 Vacant Parcels Affected	
Construction Cost	\$4.7 million
Construction Engineering Inspection	\$.50 million
Total Costs	\$7.9 - \$8.6 million



Councilmember Destin inquired as to Atkins' level of involvement with the two internal connectors that will attach to Hwy 98.

Mr. Helms stated that their focus and scope is making the final connection between Azalea and Legion to Hwy 98.

Councilmember Destin asked to what extent they have explored the impact of finishing the cross-town connector, specifically on Stahlman intersection. He stated it is a completely dysfunctional intersection especially during the summer season.

The City Manager stated that FDOT has committed as part of the 3R project to study the intersection at Stahlman and Hwy 98 as it is not functioning very well especially during the 100 days of summer. It was a request by the City Council last year as part of the pedestrian study they performed.

Councilmember Marler asked if they have made plans to purchase the properties they need to have for this project; and if they have an estimate of the cost to purchase these properties.

The City Manager noted they have an estimated cost of \$2.7 - \$3.4 million to acquire the rights-of-way. They are impacting 16 residential properties; and that several of the property owners are homesteaded property owners and would like to have discussions about the acquisitions of their parcels. He added they will make sure property acquisition is consistent with the appropriate state and federal guidelines relating to relocation and appraisal.

Councilmember Morgan moved to authorize staff to move forward with the voluntary acquisitions of properties pursuant to State and federal guidelines for the cross-town connector; seconded by Councilmember Destin. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

9. Lola Circle issues – Mr. Julian Pittman

Mr. Julian Pittman discussed the parking issues at Lola Circle in Destin as well as the possibility of additional parking options in the surrounding neighborhoods. He stated that their driveways could only accommodate one vehicle, and that they will be violating the code by blocking the sidewalk if they park two vehicles. He also stated that in his opinion there had been a lack of consistency in code enforcement within Lola Circle and the surrounding neighborhoods because it has been rather arbitrary and reactionary. He then presented several photographs of vehicles that were illegally parked in the neighborhood. He asked Council to enact some changes in code enforcement regarding parking requirements in their subdivision.

The City Manager stated that code enforcement personnel make routine sweeps through the neighborhoods and issue warning tickets and attempt to get compliance from residents; adding they issue parking tickets as the last resort if they cannot get compliance.

Councilmember Ramswell asked if residents are being ticketed by parking in the rights-of-way.

According to Dr. Pittman, he received two initial warning tickets and then two parking tickets; and that he had to go to court and both were dismissed by the judge.

Councilmember Ramswell stated it has been alleged this particular neighborhood was not built to City code.

According to the City Manager, the subdivision may have been built pursuant the code that were in place at the time it was approved prior to 1984; however, it may not have been in compliance pursuant to the City code after its incorporation in 1984.

Dr. Pittman noted there is a vacant lot in front of Lola Circle where additional parking spaces were developed. He asked if they could do something similar at Lola Circle; adding there are spaces on both sides of Lola Circle they could convert to parking.

Councilmember Ramswell noted that according to the minutes of a Town Center CRA Advisory Committee meeting, one of the committee members mentioned that the church had given permission for their lot to be use as overflow parking.

Dr. Pittman stated that it is not common knowledge, but there are individuals who take advantage of that opportunity. He added that he personally have to work very early and return late and he does not feel safe having to walk that far to the parking lot.

According to the City Engineer, single family residences have a setback requirement which is typically 20 feet, and the parking requirements are two vehicles per single family home. He continued each of the homes meets the code if they have a garage, and the length of their driveway from the house to the sidewalk is at least 20 feet. He added that most residents use their garage for storage which automatically eliminates a parking space.

Councilmember Marler noted that when he lived at Lola Circle, the areas for the washer and dryer and the water heater were in the garage that even a Ford Focus, which is a small car, would not fit in the garage.

Councilmember Braden asked if it is possible for the neighborhood to relocate the sidewalk next to the road to give them more space to park their vehicles.

The City Manager stated the neighborhood should either come together in agreement or do some type of special assessment to relocate the sidewalk; adding 50 percent of all property owners have to sign a petition to the Council. He continued they could provide Dr. Pittman a petition and if he could get at least 50 percent of property owners to sign the petition then Council could consider a special assessment to relocate the sidewalk.

According to Councilmember Destin, he cannot support using public funds to fix a problem in a private neighborhood; however, he would be willing to consider other alternatives if at least 50 percent of property owners is willing to sign a petition for a special assessment.

PROJECT REPORTS AND COMMENTS FROM MAYOR AND COUNCIL

10. Councilmember Braden

Councilmember Braden moved to give the City Manager the option to start his retirement at any time he deems appropriate once an interim City Manager is in place; and to compensate the City Manager for the full 60 days' notice he had given the City without requiring him to sign a release of claims. Councilmember Morgan provided a second to the motion, which passes 6-1 (Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted "yes"; Councilmember Foreman voted "no").

11. Councilmember Ramswell

- a. Appointment of Destin City Council representatives to the Okaloosa County League of Cities

Motion by Councilmember Ramswell, seconded by Councilmember Marler, to appoint Mayor Fischer as primary and Mayor Pro Tem Ramswell as alternate representatives to the Okaloosa County League of Cities passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

12. Councilmember Dixon

- a. Nomination of Mr. Corey Ledbetter to the Local Planning Agency

Motion by Councilmember Dixon to appoint Mr. Corey Ledbetter to the Local Planning Agency was seconded by Councilmember Morgan and passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

13. Councilmember Foreman

- a. Appointment of Destin City Council representative to the Tourist Development Council

Councilmember Foreman stated he is the primary representative to the Tourist Development Council, and that he would be willing to stay in that position.

Motion by Councilmember Marler, seconded by Councilmember Ramswell, to re-appoint Councilmember Foreman as the primary Council representative to the Tourist Development Council passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

14. Councilmember Marler

- a. Nomination of Mr. Tom Case to the Harbor CRA Advisory Committee

Councilmember Marler moved to appoint Mr. Tom Case to the Harbor CRA Advisory Committee; seconded by Councilmember Dixon. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

- b. Nomination of Mrs. Connie Troullos to the Environmental, Parks & Recreation Committee/Tree Board

Councilmember Marler moved to appoint Mrs. Connie Troullos to the Environmental, Parks & Recreation Committee/Tree Board; seconded by Councilmember Dixon. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

- c. Nomination of Justin Woodard to the Town Center CRA Advisory Committee

Motion by Councilmember Marler, seconded by Councilmember Ramswell, to appoint Mr. Justin Woodard to the Town Center CRA Advisory Committee passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

15. Councilmember Destin

- a. Nomination of Mrs. Sandy Trammell to the Harbor CRA Advisory Committee

Councilmember Destin moved to appoint Mrs. Sandy Trammell to the Harbor CRA Advisory Committee; seconded by Councilmember Morgan. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

According to Councilmember Destin, he has spent a lot of time reviewing the new comprehensive plan; and that it is not a good plan to have if this Council wants to meaningfully manage the intensity and density of all development, especially in the Harbor District. There are a lot of loopholes in this document. This plan completely removes this Council from development review. Staff conducts the reviews and makes all the decisions on development. As an example, in Policy 1-1.3.1, the compatibility of a proposed development with its neighbor’s activity has been eliminated as a general policy consideration. In Policy 1-2.1.7, the plan attempts to lay out how to calculate density and intensity. Developments that are mixed residential and commercial like the Emerald Grande or for high density residential developments, the number of units would not be constraint by the maximum density but rather by floor area ratio. This is one way of putting a lot of units into a development without regards to cars and infrastructure burden. This policy also states that in the harbor zone, intensity and density shall not be applied in the same acreage; therefore, creating a formula so that intensity and density are separate. This is a great way to abuse the way the formulas are calculated in order to get to a point where developers do not have to worry about the caps that are put in place. Also, in Policy 1-3.3.4(2), the City has mandated itself to enter into public-private partnership to build two to three parking garages on the north side of the harbor.

Developments on the harbor that are already short hundreds of their own parking spaces would benefit from guaranteeing the City pays for part of future parking requirements.

Councilmember Destin also stated that they owe it to the public to go back and reconsider the comprehensive plan; and so he would like staff to place a motion for reconsideration of the comprehensive plan: 2020 on the next Council meeting agenda.

Councilmember Ramswell asked if this was a time sensitive issue.

Councilmember Destin stated it is a time sensitive issue, because once the development community knows they are reconsidering the plan, they would be in a rush to get their permits and development order which could create a problem.

The Land Use Attorney stated that staff has been reviewing everything but tier 3 projects historically up until March 7, 2016, at which time the tier system was repealed in its entirety. It left staff with all the review authority over the projects. The procedural aspect is established in the Land Development Code. The language in the new plan goes into effect after a decision in the State that it is in compliance with State law. Another 30 days has to transpire in which a third party can challenge it under State law. If that happens it goes into the Division of Administrative Hearings.

Also according to the Land Use Attorney, reconsiderations of prior plan amendments is a very complicated issue; and that if Council decides to reconsider the amendments, the whole tier system goes into effect which would allow developments of a scale very much greater than what is in the plan amendments.

Councilmember Destin stated he is not in favor of the tier system, but at least Council gets involved in the process.

The Land Use Attorney stated that in order to revert back to the old comprehensive plan, an amendment that is exactly the reverse of what was adopted would have to be prepared and would have to go through the Local Planning Agency; and then to the City Council for public hearings.

The City Manager asked if it would be a better process to just amend the new comprehensive plan.

The Land Use Attorney stated it would be a better and much easier process to amend the new comprehensive plan because they could keep what they have already accomplished that they think has merit and amend those areas that Council feels need additional work.

Councilmember Destin stated his request stands at this time, but he would conduct more research into this matter.

16. Councilmember Morgan

- a. Nomination of Mr. Kevin Schmidt to the Public Works/Safety Committee

Councilmember Morgan moved to appoint Mr. Kevin Schmidt to the Public Works/Safety Committee; seconded by Councilmember Marler. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

17. Mayor Fischer

a. City Manager’s retirement/City Manager Search and Recruitment Process

The Mayor stated they have received a retirement letter from the City Manager Greg Kisela and he asked for a motion to accept the retirement letter.

Councilmember Marler asked to be given a chance to speak before Council decides whether or not to accept the letter. He stated that Mr. Kisela is a great man. He resigned as Destin City Manager in 2010 to accept a position at Walton County, and the City worked hard to hire him back two years ago. There are members of this Council that dislike Mr. Kisela for what they think he does without actually seeking out the truth. If they have a problem with the City Manager, they should discuss this issue with him either by phone or via e-mail. Council should not berate the City Manager or any of the citizenry of this town especially in a public forum. He stated that he personally does not want to accept Mr. Kisela’s resignation for the following reasons:

- There is tension among members of Council that needs to be remedied and they will not be able to do so without a good person in charge. Mr. Kisela is a good person and a good City Manager. He has knowledge of everything relating to Destin. No one in the Council is qualified to be City Manager
- They have a good staff, but they are already overloaded with work. They will not be able to resolve their problems even if they appoint a staff member as interim City Manager
- He stated that Destin has a Council/City Manager type of government; with Council having the legislative and not the administrative responsibility. Council gives the City Manager the authority to do certain things and he carries them out
- Several Council members have problems with Mr. Kisela. He believes there are ways to solve these problems. He says there are problems with council members past and present trying to run the show
- After receiving Mr. Kisela’s letter of resignation last week, many people have indicated to him it would be a big mistake to allow Mr. Kisela to leave
- Mr. Kisela had indicated he does not want to leave but he just cannot take the abuse from other members of this Council and not have the ability to defend himself

Councilmember Marler moved to not accept the City Manager’s retirement letter and for Council to give the City Manager a vote of confidence; seconded by Councilmember Foreman.

Councilmember Dixon raises a point of order. He wants to know if Mr. Kisela wants to stay as City Manager if the motion passes.

According to Mr. Kisela, Councilmember Marler previously asked him if he would be willing to reconsider his retirement papers. He stated he told Councilmember Marler he would

reconsider his retirement if there is a way to dispel emotional tensions on the Council; otherwise, he would rather step aside from his position as City Manager and do something different.

At this time, the Mayor announced he would allow comments from the public as they related to this issue.

Mr. Lockwood Wernet, speaking on behalf of the Destin Area Chamber of Commerce Board of Directors, walked up to the podium. He stated that Mr. Kisela has always been very effective in completing many of the projects the Council has put forth in the last few years; and that he has been instrumental in securing funds to acquire parks for the City of Destin. He also stated Mr. Kisela has the wealth of knowledge and has been very effective in managing the day-to-day operations of the City and urged Council to give him the vote of confidence. However, should Council decides not to retain Mr. Kisela and goes into a City Manager selection process that they allow the Chamber of Commerce to help with the selection of a new City Manager. He added they have a lot of people in the community that understands recruitment and leadership and Council should use these available resources.

Mr. Ken Wampler, also a Destin Area Chamber of Commerce Board member, spoke next. He stated that Mr. Kisela has done a fine job for the City and its citizenry and asked the Council to give him a vote of confidence. He also stated should Council decides to move forward with a City Manager selection process, that they take advantage of the talent that is in the City as well as the different entities that have a vested interest in the City; adding with a growing population and aging infrastructure, it is critical for the City to hire someone who understands how to get things done not only in the City of Destin, but also in Okaloosa County and State of Florida.

Mrs. Mary Ann Windes, a Destin resident, stated they have had a tough time replacing Mr. Kisela the first time he left Destin; and that there is really no one that can step up and take his spot now while the City tries to hire another City Manager. She urged Council not to accept his resignation and try to work things out with Mr. Kisela. She noted that Council has had some discussions last year with regards to having a conflict-resolution meeting between Mr. Kisela and another Council member, with previous Mayor Mel Ponder volunteering to meet with them; but, the meeting never took place. She added should Council decides to accept his resignation, that they take him up on his offer to stay for 60 days or until such time a new City Manager is hired.

Mr. Jim Bagby, a City resident and former City Council member, stated he had not always seen eye to eye with Mr. Kisela in the eight years that he had served on the Council; but, their disagreements were always professional and not personal. He continued most organizations terminate their CEO or president, and in this case the City Manager, because they violated their contract or they have lost confidence in them. He would like to know what part of Mr. Kisela's contract that he violated; and if Council has lost confidence in Mr. Kisela, how could that be so after only two meetings of the newly seated Council. He noted that they have not even conducted their initial strategic visioning session where Council gives guidance to the City Manager. Even where he disagreed with Mr. Kisela at times, he always knew where the council was. This is very important concept for the council to understand. Mr. Kisela works for wherever there are four votes on the council.

Mr. Bagby also noted that Mr. Kisela did what at least 4 people sitting on the Council wanted him to do. They have had a succession of Council members that were pro-growth and for this reason Mr. Kisela has had to communicate with many top developers. His detractors have accused him of being “in the pocket” of these developers while he was only doing his job; but, he continued to be professional throughout the whole process.

Mr. Bagby advises Council to come together as a team even though not everyone is going to get what they want on a team. He urged Council to support Mr. Kisela, go through the Strategic Visioning Session and give him and his staff the opportunity to execute Council’s priorities and vision for the City of Destin.

At this time, the Mayor turned the matter over to Council for discussion.

Councilmember Foreman remarked that both he and Councilmember Marler have gone through the hiring process for a lot of City Managers over the years; and that there is nothing more painful than having to replace a City Manager for a very busy City like Destin, especially if they do not have a qualified candidate readily available. He stated that Mr. Kisela is a very confident and well respected City Manager. He has never been reprimanded and he has never been given any disciplinary action. Furthermore, he was selected as City Manager of the Year in the State of Florida several years ago. He urged Council to retain his services as City Manager.

Councilmember Braden noted that all members of Council received a similar letter from Mr. Kisela expressing his desire to retire.

According to Councilmember Marler, Council has not helped the City Manager do his job by berating him and other members of his staff in public; and that he has had to defend himself and his staff in the last couple of years. He also stated he interpreted the City Manager’s letter as his way of saying he has had enough, and stepping down is the honorable thing to do if Council cannot give him a vote of confidence.

Councilmember Braden stated he does not appreciate Mr. Bagby’s comments criticizing Council and blaming just them and not the City Manager for everything that happened. He also stated that it aggravates him whenever Council unanimously passes a motion directing the City Manager to do something and he does just the opposite.

Councilmember Morgan stated that he likewise does not appreciate being lectured on his responsibilities as a Council member. He stated that he has had 4 or 5 really productive meetings with Mr. Kisela and was looking forward to working with him; but, Mr. Kisela has submitted his retirement letter which means he no longer wants to be here. He added he finds it hard to believe that he played any part in that decision, or any one councilmember or councilmembers because when someone wants to quit, they want to quit and not be here.

Councilmember Ramswell remarked they were elected to serve the people of Destin and she is doing her best to represent them; adding she responds to every e-mail because she wants people to know she is listening and trying to do the very best for them. She also stated that as Sunshine Law dictates, Council can only discuss issues during public meetings; adding it is for the benefit of the public so they could be a part Council’s decision making process. She continued there were also

times when she asks for updates on several initiatives or picks apart a document; but, it is because this is the only time she could share information with her fellow Council members. It is also about making sure all information is brought forth so they could be sure they are doing all the right things.

Councilmember Ramswell also stated she cannot support the vote of confidence for the City Manager. She continued it began with some issues that she questioned back in October 2015; when suddenly credit card charges were filed against her, but was completely cleared of any wrongdoings. She further stated she has some derogatory information against Mr. Kisela she is prepared to bring forward tonight, including a recording and a transcription of a telephone message; however, she is not sure if she should do it considering Mr. Kisela has already tendered his retirement. She added she would leave it up to the rest of Council if they want her to share the information.

Councilmember Marler raises a point of order. He stated he had made a motion for a vote of confidence for Mr. Kisela and Councilmember Dixon asked whether or not Mr. Kisela was willing to stay; to which Mr. Kisela has provided an answer. He also stated that Councilmember Ramswell is correct in saying Council could only discuss matters at Council meetings; however, she could have also called Mr. Kisela or any member of his staff over the phone to have her questions answered beforehand. He also stated this is not the time for Councilmember Ramswell to bring up accusations against Mr. Kisela. She could have provided this information to Council prior to this meeting. He also remarked "as Jesus said, let he who is without sin cast the first stone. I am not putting up with it anymore. I only have four years left and I am not running again because I will term out, but I am going to give somebody some pure hell for the next four years and I don't care how I do it." He added they either give Mr. Kisela a vote of confidence or go ahead and allow him to retire.

Councilmember Ramswell stated that nothing she is bringing forth is just accusations. They are based on fact. She continued one important piece of evidence she has is a transcription of a voicemail message from an individual.

Mayor notes that the item on the agenda was resignation, not vote of confidence; adding to have a vote of confidence requires a full hearing.

Councilmember Marler stated that Councilmember Ramswell is not acting in the best interest of the entire Council.

Mayor Fischer tells Councilmember Marler to stay off of Councilmember Ramswell.

Councilmember Marler responds that he will not and calls for a point of order.

Councilmember Braden calls for a point of order and notes that the Mayor runs the meeting, not Councilmember Marler.

The Mayor reiterated that the original item on the agenda was only about the City Manager's resignation, and not for a vote of confidence; adding they open the door for discussion

with a motion for a vote of confidence. Every member of Council can speak their mind and bring forth whatever information they have pertinent to this subject.

Councilmember Destin stated that Councilmember Ramswell has the right to bring up any allegations she may have against Mr. Kisela; and that the rest of Council and the public have the right to hear them.

Councilmember Morgan notes that “Kisela quit on Thursday, now he wants to stay. That’s not very professional. He tendered his letter of retirement. If he does want to be here, don’t retire.”

Councilmember Dixon stated he has a tremendous amount of respect for Mr. Kisela and he would be willing to give him a vote of confidence. He continued that Mr. Kisela has done a lot of good things for the City since he was rehired as City Manager such as negotiating the loans for the CRA saving the City a lot of money. He also negotiated with the County to extend the CRAs, making sure they can financially stay afloat. He further stated they could have handled this issue a lot differently, such as having a one-one-one meeting with Mr. Kisela. He added it is not one Council member’s place to tell another Council member how they should do their job; and that they should be allowed to speak on any subject they want during a public forum.

The Mayor stated there seemed to be enough interest among the members of Council for Councilmember Ramswell to bring forth the information she has relating to Mr. Kisela.

According to Councilmember Ramswell, the City Manager’s primary job is to manage the City, to oversee the departments and to supervise his staff to make sure everything is running smoothly. But, over the past year there have been several items that have risen and have caused problems.

- Cell towers were allowed to be erected in the City without the proper permission and permitting. It took several months to get the cell towers removed
- They had a situation where the City’s Code Enforcement Division has been suffering. They had a Code Enforcement Officer that had to do the billing for Waste Management. They had about a \$125-\$150,000 passed due in Waste Management bills. Some are more than a year past due
- They have had issues with the Emerald Grande in terms of making sure that the proper parking has been done; as well as with extra floors that were added with only one entity having to approve it – the Council and no one else
- There was a City employee that was signing legal documents without proper authorization; which created another back and forth discussion between the City Manager and a local attorney
- They had a storm water report that was more than two months late
- There was a Gulf Power audit that was first queried in May of 2015. They soon found out there had been an original request back in 2011 and it was

never followed up on. The City was due back a significant amount of money; but, it took over a year to resolve the situation

- She had been asking for the Festive Market Place boundary to be defined and properly set out in the ordinances for more than a year; dating back in April 2015
- They have discussed the fact that the road on 98 outside of Big Kahuna's is very dangerous the way it is dipping and sinking; and they have been trying to work with FDOT to try and get some kind of solution. This was first brought up in October 2014, and was brought up multiple times in 2015. Ultimately by November 2015, the Mayor demanded that something be done about it
- Missing and incorrect signage. They have had streets with no signs and some had misspelled names. They have had this problem since 2015 and it was just recently resolved by a local citizen working with the County

Councilmember Ramswell also noted that the City Manager's evaluation that was completed in December 2015 reflected an average rating of only 3.5 on strategic goal accomplishments. She further stated that the one thing that has bothered her most and she just became aware of it in September 2015 was polling. She stated that she asked the City Attorney to define polling during a Council meeting; and that a citizen also came up and asked for a definition of polling. She stated that polling is when someone asked each member of Council how they are going to vote on certain matters to get an idea on the outcome of the vote and then share that information with others; and it is not allowed by Florida Statutes. She stated she had been asked by the City Manager if she was going to support certain issues; adding there are different variations to this type of questioning, such as, are you going to support this? Which way are you leaning? Are you comfortable with that? Will you support this?

At this time, Councilmember Ramswell stated that she received a voice mail message from a citizen on January 27, 2016; and that copies of the written transcript of that message as well as the actual applicable statute from the Government in the Sunshine manual, with the exact legal case and precedence, have been distributed to members of Council. She then proceeded to read the transcript and played the tape in its entirety.

Councilmember Marler noted that the person on the tape owns property in Destin but is not a resident of Destin; adding he is a resident of Alabama and he has approached every member of the Council trying to find a legislative sponsor to change the zoning in an area so they could build a Wal-Mart store in Destin. He asks Councilmember Ramswell if that was all she had, and states that the dip sign is FDOT responsibility and Gulf Power does whatever they want. He also states that everything Councilmember Ramswell stated may be true on the surface but could have been handled by talking to the City Manager. At a council meeting all you need is Cliffs notes. He believes there is nothing in Councilmember Ramswell's presentation that is damning.

Councilmember Ramswell disagreed with Councilmember Marler stating that the recording she just played clearly constitutes polling; adding that the person on tape is from

Alabama where Sunshine Law does not exist so he was unaware there was a Sunshine Law violation involved in this case.

Councilmember Foreman explained that in August 2015, a request was made through the Community Development Department to rezone an area for a grocery store, and that former Councilmember Jim Wood agreed to be the legislative sponsor for it; but, it died for lack of a second from other members of Council. He stated the same individual called him later on asking for his support and he agreed to put it back on the agenda. However, when considerable public input against it came in, and with the City elections taking place at the same time, he decided it was not a good time for this kind of subject to come up before the Council and so he removed it from the agenda. He continued the individual contacted him several times afterwards about the same issue. He stated he does not recall having specific conversation with the City Manager about the subject; but, since the previous motion to rezone the area did not even get a second, that by itself told him it probably will not receive a vote of approval from Council.

According to Councilmember Destin, with the written transcript and voice mail recording, and with Councilmember Foreman's explanation, this may just be hearsay evidence. However, hearsay evidence is allowable in court, and if Mr. Kisela was to be deposed, he would have to explain it. He then asked Mr. Kisela for his side of the story.

Mr. Kisela stated that the rezoning request went before the City Council during which former Council member Wood made the motion for approval, which did not get a second. He continued that based on the action of the City Council in an open session, he could only presume there would not be enough votes to approve the rezoning request if they brought it back.

Councilmember Destin stated that since Mr. Kisela knew Councilmember Foreman was going to make the motion, he knew beforehand he was going to withdraw and not place the motion on the agenda. He would have to poll Council in order to know there would not be enough support.

Mr. Kisela stated it is quite offensive to him that Council is alleging polling based on a transcript that he has seen for the first time. He stated that when the issue of polling came up, the City Attorney contacted each of the elected officials and asked them whether or not he had ever polled them.

The City Attorney explained that at the Council meeting when there were questions about what constitutes polling, he declined to respond because he would often presume those questions are very much factually driven; that there is alleged misconduct that is driving the question. He continued it was clear that night that Councilmember Ramswell did have an idea what was factually driving the inquiries. However, he felt he has a responsibility to inquire into the Mayor and Council member regarding whether or not they thought the City Manager who has continuing communications with each of them committed misconduct. He stated he spoke with 7 out of 8 elected officials. Councilmember Ramswell decline to speak with him on the subject.

Councilmember Ramswell stressed she never received a call from the City Attorney about this subject.

The City Manager stated that he believes strongly in the City Manager/City Council form of government; and that the City Manager and the City Council needs to be in sync. He

stated that he understands what polling is all about. He has continuing conversations with each of the elected officials and has a pretty good idea whether or not they will support certain matters; however, he does not communicate this information with any of them. He also stated he does not feel comfortable rebutting every allegation made by Councilmember Ramswell. He has done his part to try to resolve their differences. He stated the referral to the State Attorney's Office was not personal. It was a very difficult decision and it was not done in retaliation. He offered his retirement because he felt the City Council and the City Manager are not in sync; and it will not work if Council does not trust the City Manager. He will respect any decision Council makes on this matter.

The Mayor called for a vote on the motion to not accept the City Manager's retirement letter and for Council to give the City Manager a vote of confidence. Motion failed 3-4 (Council members Marler, Foreman and Dixon voted "yes"; Council members Morgan, Destin, Ramswell and Braden voted "no").

Councilmember Marler moved to accept the City Manager's retirement letter and allow him to stay in office for 90 days instead of 60 days so they can have a better transition with the new City Manager; seconded by Councilmember Foreman.

Councilmember Marler asked if Mr. Kisela is willing to stay for 90 days.

Mr. Kisela stated he would not want to stay for 60 days much less 90 days after their hour long conversation; however, he would honor the 60 days because it is stipulated in his contract. He continued that serious allegations of misconduct had been made and it would be awkward for him to stay longer than necessary.

Councilmember Dixon suggested the Range Rider program through the Florida League of Cities that could help with their search for Interim City Manager.

According to the Human Resources Manager, the Range Rider is now called Senior Advisors through the FCCMNA/ICMA, and that they actually have to be invited by Council or staff.

Councilmember Ramswell noted she had reached out to two members of staff about performing the duties of Interim City Manager; and although they were both interested, one did not feel he had the necessary qualifications and the other felt he was too overtasked to step aside from those duties.

Councilmember Marler moved to accept the City Manager's retirement letter and allow him to stay in office for 60 days from the date of the letter and to have the City's Human Resources Manager extends an invitation to Senior Advisors through FCCMA/ICMA for assignment of an interim Destin City Manager. Councilmember Foreman provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

Following this item, the next item discussed was SCHEDULED PRESENTATION FROM THE PUBLIC

STAFF REPORTS AND RECOMMENDATIONS

18. City Attorney comments
19. City Land Use Attorney comment
20. Membership appointment to the Airport Compatibility Advisory Committee (ACAC)

Motion by Councilmember Marler, seconded by Councilmember Ramswell, to re-appoint Ms. Jan Barr, Ms. Pati Stapleton and Mr. Tony Diez to the Airport Compatibility Advisory Committee passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

21. First reading of Ordinance 16-11-CN, approval of perpetual easement for FDOT US Hwy 98 project

The City Attorney read Ordinance 16-11-CN by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, RELATING TO DONATION AND CONVEYANCE OF A PERPETUAL EASEMENT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDING OF FACT; PROVIDING THE NEED FOR SUCH CONVEYANCE; PROVIDING FOR THE MAILING OF A CERTIFIED COPY OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Dixon moved to approve Ordinance 16-11-CN on first reading and schedule it for second reading on May 2, 2016 Council meeting; seconded by Councilmember Marler. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

22. City Manager comments
 - a. Legal opinion – development potential of Parcels “B” and “C” – Holiday Isle

The City Manager noted he was previously directed by Council to identify a law firm that could provide a legal opinion on the development potential of Parcels B and C in Holiday Isle. Mr. Stearns Weaver is based in Tallahassee and has the expertise in land use, real estate, eminent domain, state and federal permitting, as well as having an individual on staff that has an extensive planning background. A proposed scope of work is provided to Council for their approval. The firm proposes to accomplish this work in two phases. Phase 1 will be an evaluation of the applicable comprehensive plan, zoning and land use development regulations and how the properties were converted from conservation to high density residential. Phase 2 will entail providing the City with an evaluation of the proposal to change the land use and zoning to conservation on the properties and the associated risks based on the conclusions reached in Phase 1.

Councilmember Braden stated they do not have to spend money to hire a special counsel for this purpose because they already have several different documents stating the State has perpetual easement on these parcels and they do not plan to release their easement rights.

Councilmember Ramswell asked why the agreement was dated February 10, 2016 and it is just now being presented to Council.

The City Manager explained they originally received the scope of work in February but he was asked to delay it until after the March election and have the newly seated Council evaluate the scope of work.

Councilmember Ramswell stated she agrees with Councilmember Braden this is unnecessary; adding a representative from the Corps of Engineers even made a presentation to Council on the perpetual easement on these parcels to go along with the different documents they already received. She also expressed concern Stearns Weaver was actually co-council with the Attorney of Record for Parcel B, Matthews and Jones Law Firm last year in the Sandestin lawsuit.

According to the City Manager, that information was not disclosed when they were provided the list of people that may have a potential involvement in Parcel B and C.

Councilmember Dixon stated that he agrees the property is not buildable and there is no reason to spend money to hire a special counsel.

b. Request to close portion of Marler Parking Lot for special event (verbal)

The City Manager informed Council they received a request from Mr. Mike Buckingham, owner of Buck's Smokehouse, to use the southern portion of the Marler Parking Lot for a special event on May 20th for first responders – the Sheriff's Office and Destin Fire Control. And if Council is agreeable, staff will bring this item back on May 2nd. He continued they want to use and dispense alcohol, and they have indicated that they will be able to get the appropriate license as well as the appropriate insurance naming the City as an additional insured party.

Motion by Councilmember Dixon, seconded by Councilmember Marler, to bring this item back on May 2, 2016 meeting agenda for Council's consideration passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

c. Paid parking – Marler Parking Lot

The City Manager noted this item was initiated during the 2015 Visioning Session in May 2015 to "explore pay to park ion appropriate areas of the City." On November 26, 2015, City Council directed staff to investigate various parking payment applications with the goal of incorporating a pay for parking trial system into the existing Marler Street parking lot in time for the 2016 summer season. At the April 4, 2016 Council meeting, Councilmember Ramswell asked for this item to be put on the agenda. The City Manager proceeded to explain the following alternatives as detailed in the staff report:

- Pay and Display
- Pay by Space
- Pay by License
- Pay Station Costs and Related Expenses
- Passport Parking, Inc.

Councilmember Foreman moved to implement a trial program for the Marler Parking lot in 2016, establishing an hourly rate of \$1.00, with utilization of the passport parking system at a nominal cost, to begin June 1, 2016 and continues to November 1, 2016; seconded by Councilmember Marler.

Councilmember Dixon stated the Marler Parking Lot is under-utilized now and he cannot comprehend how adding a parking meter would enhance parking.

Councilmember Ramswell stated her original thought was doing this along Crystal Beach where people are parking alongside the street and in the rights-of-way.

Motion failed 1-6; (Councilmember Foreman voted “yes”; Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted “no”).

The City Manager noted that at a previous meeting Council voted unanimously to have the Land Use Attorney and City Manager to present to the Florida Community Trust the concept B.I., Inc has suggested. He asked to be excused from that assignment since he is in the transition stage, and that he has some ethical issues with it as he believes what is being suggested infringes with the fishing fleet’s riparian.

Councilmember Braden moved to excuse the City Manager from the assignment of presenting to the Florida Community Trust the concept suggested by B.I., Inc.; seconded by Councilmember Ramswell. Motion passed 6-0 (Council members Morgan, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”; Councilmember Destin abstained from voting).

There was a brief discussion on whether or not Mayor Fischer can accompany the Land Use Attorney in lieu of the City Manager.

According to the City Manager, it is appropriate for Mayor Fischer to go since it is more fact finding; and that Council is not delegating the authority to the Mayor besides determining whether or not the proposed swap would be acceptable to the State.

The Land Use Attorney stated he would discuss this matter with the Mayor and see if he would be agreeable to accompany him to the meeting.

COMMENTS FROM THE AUDIENCE

Mr. Dooley Conventson, a Destin resident, spoke against having another Wal-Mart Store at Gulf Shore Drive in Destin, stating it is one of the busiest intersections in Destin.

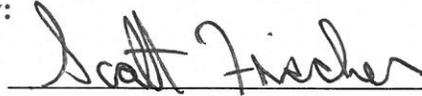
Ms. Maryann Windes, a Destin resident, stated she was tagged on a photograph on Facebook by a Senor Alexander and Council members Ramswell, Destin and Morgan were copied on it. She stated she assumed she was tagged because of her husband being a County Commissioner. She stated she passed this information along to Jason Autrey in Okaloosa County to look into this issue.

The Mayor stated that he does not understand the issue Mrs. Windes just discussed. Councilmember Morgan explained that the issue was about beach cleanup and failure of the County to pick up trash during the busy week of spring break.

Having no further business at this time, the meeting was adjourned at 10:50 PM.

ADOPTED THIS 16TH DAY OF MAY 2016

By:

A handwritten signature in black ink, appearing to read "Scott Fischer", written over a horizontal line.

Scott Fischer, Mayor

ATTEST:

A large, stylized handwritten signature in black ink, written over a horizontal line.

Rey Bailey, City Clerk

