

**MINUTES  
REGULAR MEETING  
DESTIN CITY COUNCIL  
MAY 2, 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	City Planner Hank Woollard
Comm. Dev. Dept. Interim Dir. Steven Schmidt	City Engineer David Campbell
Finance Director Bragg Farmer	HR Manager Karen Jankowski
Parks/Recreation Director Lance Johnson	Library Director Jurate Burns
IT Manager Webb Warren	City Attorney Jerry Miller
Land Use Attorney Scott Shirley	

**CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**SPECIAL PRESENTATIONS**

**APPROVAL OF MINUTES**

1. Request approval of minutes of the April 4, 2016 regular city council meeting

**Motion by Councilmember Marler, seconded by Councilmember Braden, to approve the minutes of the April 4, 2016 regular city council meeting passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").**

**PUBLIC HEARINGS**

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

The City Attorney read proposed Ordinance 16-11-CN by title; and then presented it to the City Council on second 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.

The City Manager noted that the Florida Department of Transportation (FDOT) is acquiring easements and license agreements for the purpose of widening US Hwy 98 from the County line to Airport Road. Airport Road is a City right-of-way and therefore they need a perpetual easement from the City.

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

**Motion by Councilmember Braden, seconded by Councilmember Ramswell, to approve Ordinance 16-11-CN on second reading, and authorize the Mayor to execute the ordinance and donation letter passed 7-0 (Council members Destin, Morgan, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").**

#### **PUBLIC OPPORTUNITY TO SPEAK ON COUNCIL PROPOSITIONS CONSENT AGENDA\***

3. Special event permit for Buck's Smokehouse 1<sup>st</sup> Annual Charity Fundraiser in the Marler Street Parking Lot on May 20, 2016

The City Manager states that Buck's Smokehouse is requesting permission to hold a charity fundraiser in the Marler Street Parking Lot on May 20, 2016; and that proceeds from the event will benefit the Okaloosa County Sheriff's Office charity and the Destin Fire Control District's charity. The organizer is requesting Council's permission to hold the event in the southwest corner of the lot and allow for the sale and consumption of beer on the site during the event. The City Manager also notes that at this point they do not have the applicable state license/permit for dispensing alcohol nor the insurance binder naming the city of Destin as additionally insured to mitigate the risk. However, the organizer has reassured the City these documents are forthcoming. He added if the required documents are not provided to the City by May 16<sup>th</sup>, this item will be put back on the Council meeting agenda for Council's review and consideration.

Mr. Mike Buckingham, a Destin resident and owner of Buck's Smokehouse, told Council they applied for the permit today, and that the permit for beer-only will be delivered on-line tomorrow.

Councilmember Braden wants to know the reason this item was placed on tonight's agenda rather than the May 16<sup>th</sup> meeting agenda since the City has not received all the required documents.

The City Manager explained that the organizer would need to post the flyers announcing the event. He continued that Council's approval is contingent upon the City receiving all the required documentation; and that if they do not receive the alcohol license/permit in time, they will still hold the event but not serve alcohol.

**Councilmember Dixon moved to approve the special event permit for the Buck's Smokehouse 1<sup>st</sup> Annual Charity Fundraiser to include the sale and consumption of beer in a portion of the Marler Street Parking Lot. Approval is contingent upon meeting all applicable local, state and federal requirements and providing the appropriate state alcohol license/permit and required insurance certificate to the City. Councilmember Ramswell provided a second to the motion, which passes 7-0 (Council members Destin, Morgan, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").**

At this time, the Mayor inquires if any member of the public wishes to speak on any of the remaining items on the agenda.

Ms. Tracey Strom, representing the Emerald Coast Fitness Foundation of Fort Walton Beach, came forward to address agenda item #7A: *Discussion on former Destin YMCA Facility*. She stated that the Foundation is willing to take the lead in revitalizing the center or supporting anyone willing to do so because they believe the Destin community needs an aquatic center for the safety and health of its citizens. She invites everyone to see what they have accomplished with the facility at Fort Walton Beach; adding that although the communities and facilities are different, they have a plan that would also work in Destin.

Next to speak was Mr. Brad Kale, a Destin resident and head coach of Coast Aquatics, also addresses item #7A. He first explains that Coast Aquatics is a competitive swimming and a learn-to-swim organization based in Okaloosa County with groups in Niceville, Fort Walton Beach and Destin. He then tells Council Ms. Strom and the organization she represents have done an amazing job raising a large sum of money in a short period of time, and that they have pledged some of the money for the Destin facility in the event they are allowed to spearhead the effort of revitalizing the center. He also states the renovations that were done to the Fort Walton Beach facility are significantly greater than the renovations that would have to be done for the Destin facility; adding that the individual that maintained the pool at the Destin facility believes it would only take a minimal amount of money to have all the equipment in the facility operating again. He continues once the facility is renovated, they could invite people and teams from out of town to train there. He also states it would be a great investment for Destin rather than a financial burden as it has been presented in the past. People will not be coming to Destin just to swim; but also to stay, eat, enjoy the beaches and spend money in the community.

Ms. Mary Ann Windes, representing the Destin Fishing Fleet, comes up next to address agenda item #7B - *Motion to call a workshop to amend Comprehensive Plan: 2020*. She then reads the following written statement into the record:

*"Parker Destin has put the Comp Plan back on the agenda tonight calling for a workshop. At the last meeting in his comments, he threatened to either repeal or make massive sweeping changes to the newly adopted Comp Plan.*

*We just spent three years trying to find a compromise that would work for all parties. We meaning the City. After an incredibly lengthy and tedious process, the former council with incredible experience, the support of the LPA, and all the facts succeeded, and not only that, they appear to have succeeded without repercussion.*

*Four of you are fairly novice council members. It seems like it's a little early, not to mention poor form, to attempt to second-guess a previous council especially without a land planner on the staff to assist you. Keep in mind, Ms. Ramswell was only one who voted against the plan, and no one has come publicly to suggest that the plan needs to be changed.*

*He says he can drive a truck through the holes in the Plan, but it's just inexperience that he fails to grasp the importance of the Land Development Code.*

*For any of you to sit up there and think that you know more about writing a Comp Plan than a national urban planning firm is ludicrous. The city paid \$200,000 and had considerable public input. This company was able to strategically weigh the taking away of property rights and creating a balanced plan against the mindset of people who would say to you absolutely no growth. To change that now would be to waste the taxpayer's money and negate the efforts of 100's of people who attended the town hall meetings.*

*The best thing about the Canin Plan was that it was prepared by experts in the field of urban planning and not shaped by local politics.*

*I would encourage you to think long and hard before you get too carried away trying to become a land planner. It begs the question of what ulterior motives lie behind the sudden interest. I believe your best avenue would be to leave the Comp Plan alone."*

Next, Ms. Leigh Moore, representing the Howard Group, also addressed agenda item #7B. She states they support the idea of looking further into the comprehensive plan and giving the new Council members the opportunity to review it and work with the existing Council members and the public in potentially making further changes to it. She asks Council to wait at least a month to schedule the workshop to give the Council as well as those who wish to participate in the discussion ample time to prepare so that the workshop can be as productive as possible. She also asks Council to consider hiring a contractor to act as interim Community Development Director, at least on a short term basis, to assist in the process.

## RESOLUTIONS

### COMMITTEE REPORTS

#### SCHEDULED PRESENTATIONS FROM THE PUBLIC \*\*

4. Employee Climate Survey Presentation – Mr. Henry Burdg and Mr. Jim Percy, Auburn Technical Assistance Center (ATAC)

The City Manager stated that Mr. Henry Burdg and Mr. Jim Percy with Auburn Technical Assistance Center (ATAC) will present the result of the Employee Climate Survey. He explains this survey is conducted every other year since 2007 with internal employees ' to gauge their overall satisfaction with the City and help the City ensure their alignment with its strategic goals.

Mr. Henry Burdg and Mr. Jim Percy with Auburn Technical Assistance Center (ATAC) discussed the result of the Employee Climate Survey:

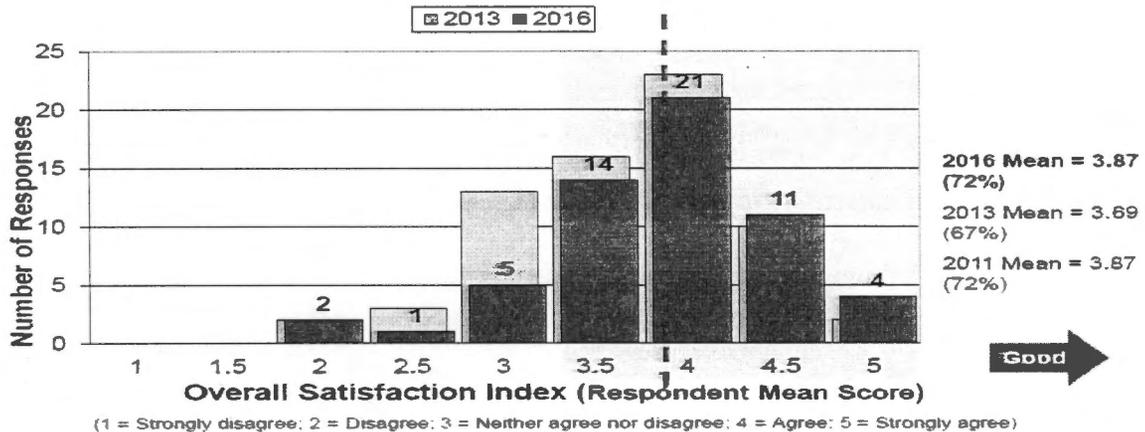
- City of Destin Vision 2030
  - ❖ Destin is a World-Class Beach and Fishing Family-Friendly Resort
  - ❖ Destin is a Quality Residential Community with an Authentic Historic Harbor and Easy Mobility
  - ❖ Residents take Pride in Destin
- Strategic Focus 2020
  - ❖ Financially Sound City Providing Service Value
- Aim
  - ❖ Communicate 2016 employee climate survey results and implications in a way that:
    - enhances understanding,
    - compares with previous results, and
    - supports a systematic improvement process and other positive actions
  - So that the City of Destin can increase its rate of improvement in ways that benefit all key stakeholders
- Proposed Ground Rules
  - ❖ Survey results represent reality as respondents see it
  - ❖ Be open to the message
  - ❖ Listen for differences from your expectations
  - ❖ Ask questions anytime
- The Overall Process
  - ❖ Plan
  - ❖ Do
  - ❖ Check: Get Feedback
  - ❖ Act: Improve
- Survey Response
  - ❖ Overall usable response:

- 58/78 = 74% (90% 2013)
- ❖ Response by group
  - Leadership = 90% (vs 92% in 2013)
  - Full time employees = 74% (vs 96%)
  - Part time employees = 67% (vs 67%)
- ❖ Uncertainty
  - Sampling = +/- 7%



## Overall Satisfaction Increased

An overall satisfaction index was obtained by averaging the responses to all questions.



7 Overview Report

Auburn Technical Assistance Center - James Percy 05/2/16

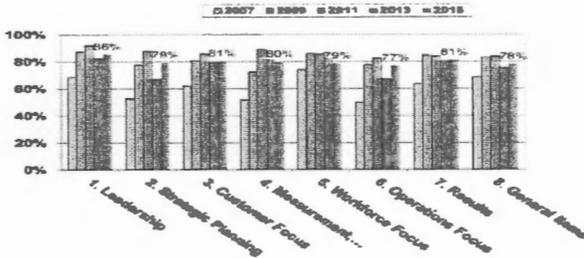
### ➤ Survey Categories

- ❖ Questions were grouped into 8 categories:
  - Leadership (6 Q's)
  - Strategic Planning (5)
  - Customer & Market Focus (5)
  - Measurement, Analysis, and Knowledge Management (5)
  - Human Resources Focus (6)
  - Process Management (4)
  - Business Results (9)
  - General (12)

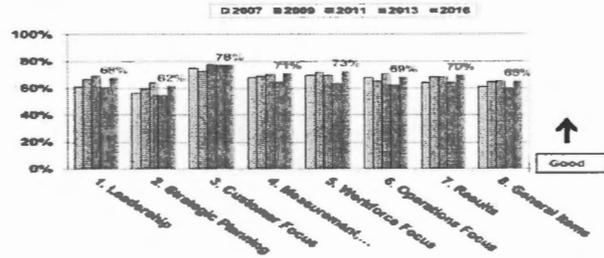


## 2007 – 2016 Category Trends

### Senior Leaders

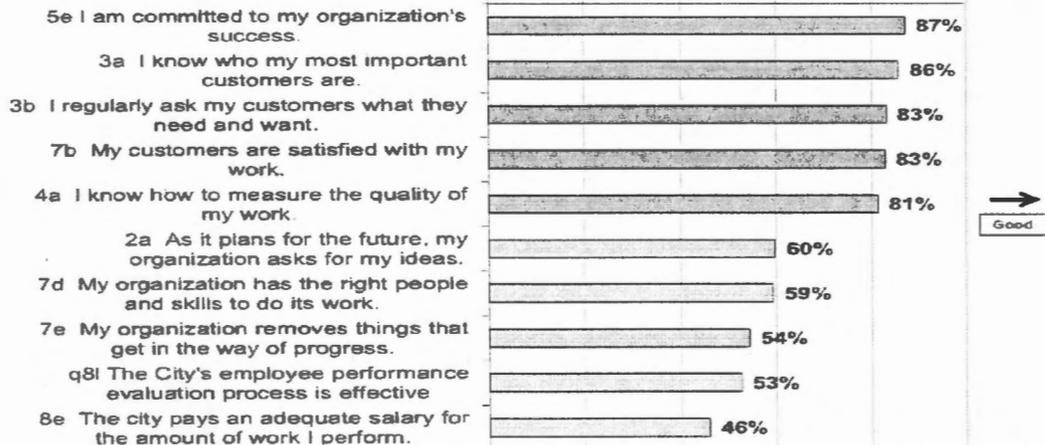


### Full Time Staff



## Top/Bottom Rated Items – Full Time Staff

Mean Score (0 = Strongly disagree, 100% = Strongly agree)



### ➤ Comparison with 2013 Survey

#### ❖ Senior Leaders

- Items Improved: 31
- Items Declined: 19

#### ❖ Full-Time Staff

- Items Improved: 46
- Items Declined: 3

❖ Part-Time Staff

- Items Improved: 8
- Items Declined: 39

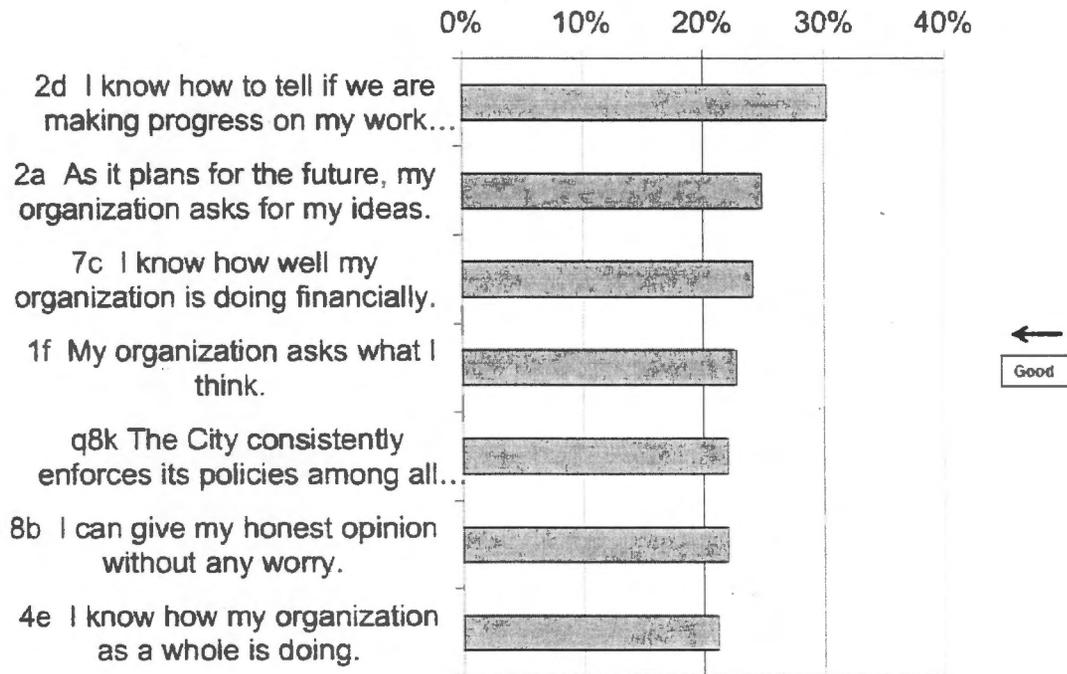
❖ Most Significant Full-Time Staff Changes from 2013

- 8c – I receive high quality support from other departments – +18%
- 5c – I am recognized for my work – +16%
- 8h – My supervisor has excellent leadership/mgt/supvy skills – +16%
- 4d – I get all the important info that I need to do my work – +14%



## Leadership vs. FT Staff Views

DIFFERENCES Between Leadership & Full-Time Staff Means



Comment Overview

➤ Highlights of Issues Raised

- ❖ Operations: Understaffed (9), slow change rate (6), lack of/obsolete resources
- ❖ HR Systems: Need more training/education (8), performance evaluation (6), Succession (3)
- ❖ Council/ Policymakers: Personal/special interest agendas (6), lack common vision/team approach (5), disrespectful to staff (4)
- ❖ Communications: Not enough (6), opinions not sought/valued (4)
- ❖ Compensation: Pay too low (8)
- ❖ Senior Leaders/Management: Inflexibility; not open to ideas (4)

➤ Employee Comments – Pro

- ❖ *“I love working for the City of Destin.”*
- ❖ *I enjoy working for the Parks and Recreation Department. I think Lance and Lisa Firth do a great job.”*
- ❖ *The City is a great place to work. The employees are the most ethical group of folks I have ever worked with. Citizens would be proud if they knew how much this staff does with so little.”*
- ❖ *“The managers/senior leaders of this organization are certainly not perfect, but they are the most ethical leaders I have ever experienced in my career...”*
- ❖ *“I feel able to talk openly to supervisor and upper leaders.”*

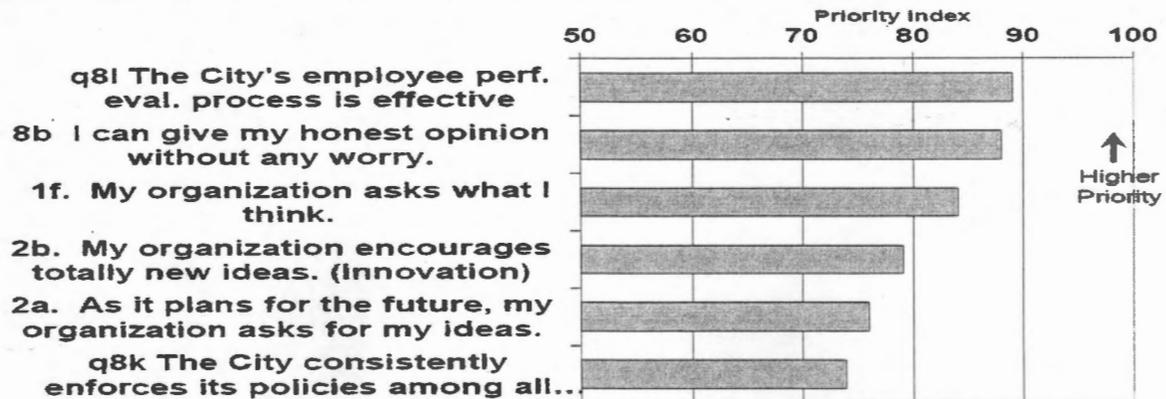
➤ Employee Comments – Con

- ❖ *“Many of the best players can be overtasked; many departments are understaffed when compared to other cities with similar services. Top employee ‘rewards’ are usually more work, responsibilities and more stress...The organization reaps the financial reward and does not incentivize employees for the significant changes to their jobs.”*
- ❖ *“If you do not get the proper training to do your job or to keep up with things that are changing, it is difficult to be excellent...”*
- ❖ *“Council seems to flounder when it comes to a true vision and direction the City should be going.”*
- ❖ *“Our City Manager and senior leaders do a good job in spite of a City Council (at least some council members) that promotes negativity in the organization.”*
- ❖ *“I rarely get any information regarding the organization and have never ever been asked what I think.”*
- ❖ *“I feel it is unfair to pay full-time employees less than it realistically costs to support...a household of one within City limits.”*



## Top Priority Items – Full Time Staff

The Priority Index ID's High Importance – Low Performance items.



16 Overview Report

Auburn Technical Assistance Center – James Percy 05/2/16

- General recovery in employee satisfaction/engagement
  - ❖ Significant improvement in perceived leadership
- Sterling Categories
  - ❖ Highest rating: Customer Focus
  - ❖ Lowest rating: Strategic Planning (but Sign. Impt.)
- Core Issues (Sterling references):
  - ❖ Performance management – reward, recognition (5.2a(4))
  - ❖ Governance system – protection and balancing of stakeholder interests (including employees) (1.2a(1), 2.1b(2))
  - ❖ Organizational culture – open communication (5.2a(1))
- Path Forward: Actions to Consider
  - ❖ Use the upcoming planning session to establish clear priorities, including those for organizational improvement
  - ❖ Address workforce structural issues (staffing, resources, pay, etc.) where they are limiting engagement and performance
  - ❖ Consider some Council attendance at the 2016 Florida Sterling conference for learning and benchmarking

### 5. Spring Break After Action Report – Capt. Ted Pecot, Okaloosa County Sheriff's Office

Capt. Ted Pecot, Okaloosa County Sheriff's Office, gave the following spring break 2016 after action report:

#### Spring Break 2016

- Visitor numbers between 15-20% higher than last year
- Spring break criminal activity kept to a minimum

- ❖ Thanks to proactive cooperation between the Sheriff's Office, County Commission and Destin City officials
- No major incidents reported; zero sexual battery, assaults, or batteries involving spring breakers
- Heavily publicized approach lead to more responsible visitors
- Officer complaints related to enforcement zero
- Zero tolerance approach lead to a safer environment for our locals and visitors
- Areas of Coverage
  - ❖ Beat "24" Okaloosa Island
  - ❖ Beat "25" & "27" Destin
- Arrests by zone
  - ❖ Zone 24/26: 125
  - ❖ Zone 25: 49
  - ❖ Zone 27: 227
- Arrests by state
 

❖ Alabama	-	34
❖ Arkansas	-	6
❖ California	-	1
❖ Florida	-	14
❖ Georgia	-	63
❖ Illinois	-	4
❖ Indiana	-	21
❖ Kansas	-	3
❖ Kentucky	-	42
❖ Louisiana	-	58
❖ Michigan	-	2
❖ Minnesota	-	1
❖ Missouri	-	8
❖ Mississippi	-	26
❖ N. Carolina	-	7
❖ New York	-	3
❖ Ohio	-	11
❖ Oklahoma	-	19
❖ S. Carolina	-	11
❖ Tennessee	-	23
❖ Texas	-	22
❖ Virginia	-	1
❖ Wisconsin	-	2
- 320 Arrests Underage Possession of Alcohol: +18
- 73 Notices Underage Possession of Alcohol: -18
- 8 Narcotics Arrests
- 29 Driving Under the Influence of Alcohol Arrests
- 2015 there was a total of 282 arrests/NTA
- 42% increase from 2015 to 2016

- Approximately \$79,135 in overtime costs
- Spring Break 2016 Bay and Walton Counties
  - ❖ Bay County
    - 2016
      - ✓ Arrests – 63 / NTA – 125
    - 2015 Arrests – 290 / NTA – 328
    - Arrests: -78% / NTA: -61%
  - ❖ Walton County
    - 2016
      - ✓ Arrests – 172 / NTA – 166
    - 2015 Arrests – 367 / NTA – 258
    - Arrests: -53% / NTA: -35%
- Spring Break 2016 – Orange Beach, Alabama
  - ❖ 631 Arrest Underage Possession of Alcohol: +18
  - ❖ 97 Notices Underage Possession of Alcohol: -18
  - ❖ 35 Driving Under the Influence of Alcohol Arrest
  - ❖ Total number of arrests in 2015: 168
  - ❖ 333% increase from 2015 to 2016

Following the presentation, several members of Council thanked the Okaloosa County Sheriff's Department for doing a great job keeping people in order during spring break and maintaining a safe environment for the citizens.

Councilmember Ramswell asked if the funds set aside for this year's spring break was enough; and whether it is an amount they could possibly carry on for subsequent years.

According to Capt. Pecot, they plan to submit a funding request to Okaloosa County Tourist Development Council (TDC) for next year's spring break; adding there was a bill passed this year that allows for law enforcement to be funded through that avenue.

**PROJECT REPORTS AND COMMENTS FROM MAYOR AND COUNCIL**

6. Councilmember Morgan

Councilmember Morgan stated that he attended the Arbor Day Ceremony recently and thanked the City Manager, City staff, and everyone involved in making Main Street Park a whole lot nicer; adding it is truly a tremendous asset to the City. He also noted receiving a lot of positive feedback from citizens about the proposed purchase of the old cement plant property and turning it into another benefit for the City of Destin.

7. Councilmember Destin

a. Discussion on former Destin YMCA Facility

Councilmember Destin states that swimming has always been an important part of his life and he has always used the Destin YMCA facility; and that it is quite disappointing to know the facility is now closed and languishing. He suggests seeking a solution to revitalize that facility with the City getting involved in the process. It could be quite an expensive undertaking; but, if there is a third party organization that is willing to take on the responsibility from an operation standpoint, they should take advantage of that opportunity. He also suggests the City of Destin, the fitness foundation, and the Mattie Kelly Arts Foundation getting together soon to discuss the possibility of reopening the pool.

Councilmember Ramswell stated that she fully supports the idea; adding she was the Council's appointee to the YMCA Board when this situation unfolded. She also stated she has been in touch with the Emerald Coast Fitness Foundation and the swimming groups and has a copy of the October 20, 2014 meeting minutes when they came in and spoke to Council about this issue. She continued they discussed their business plan, provided some estimates of the cost to manage the facility as well as the kind of revenue this facility can generate. She also noted the Foundation has done a great job renovating a similar facility at Fort Walton Beach. The process was handled tremendously well, the community rallied around it, several donors emerged and they turned the facility into a highlight of the area. She added that the swimming community, the beach rescue team and a large group of people are definitely behind the idea of reopening this pool.

According to Councilmember Foreman, the swimming pool was included in the first comprehensive plan ever created for the City of Destin; and that it was one of the amenities the City was willing to support. He also stated there was a question at the time as to whether or not the City should have its own swimming pool. It was then determined it was not in the best interest of the City to operate a swimming pool; but, they would support the YMCA taking that initiative with some funding from the City. He further stated that the City has a vested interest in revitalizing this facility.

Councilmember Morgan noted that Harbor Docks gave \$90,000 for the YMCA back in the 1980s and was disappointed that it closed. He also stated he is about to start a family, and that he would like a pool where his children and go and learn how to swim. He added that having a municipal swimming pool will help achieve their goal of making Destin a nicer place to live.

Councilmember Braden also expressed his support in revitalizing the previous YMCA facility. He also stated that his daughter goes to the Emerald Coast Fitness Foundation facility to practice volleyball and he is very much aware of the excellent job the Foundation has done in renovating that facility.

Councilmember Ramswell stated that one of the main concerns was the condition of the facility; whether or not the equipment is operable, and the cost to renovate the facility. She mentioned that Mr. Brad Kale has reached out to the individual who used to maintain that facility and received an estimate of \$25,000 to reopen the facility and have all the equipment in the facility operating again. She added that the Emerald Coast Fitness Foundation has pledged some money for the facility.

The Mayor stated that they need somebody to take the leadership role in reopening this facility; adding the City may not be the one to do it but would certainly be supportive of it.

According to Councilmember Destin, he had spoken to the counsel for the Mattie Kelly Arts Foundation and was told the Foundation wants the pool to reopen. He continued they have not been getting much response out of the Foundation over the past year mainly because the Foundation was in litigation with the beach bank as to who gets the land after the foreclosure. But, the issue has been settled and the Foundation is in charge of the land; and that this would be the best time for all interested parties to get together and discuss renovating this facility.

**Councilmember Destin moved to direct the City Manager or a member of his staff to contact representatives of the Emerald Coast Fitness Foundation and Mattie Kelly Arts Foundation and discuss the possibility of reopening the former Destin YMCA pool; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Destin, Morgan, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").**

b. Motion to call a workshop to amend Comprehensive Plan: 2020

Councilmember Destin noted he originally requested staff to place a motion to reconsider Comprehensive Plan: 2020 on tonight's agenda. However, he decided that rather than repealing or reconsidering the entire plan that they all gather together in a workshop session and discuss amending only specific sections of the plan. He also stated he stands by his original criticisms of the comprehensive plan as well as his previous statement that there is a "skeleton of a good plan" there. He also stated he agrees with the Howard Group's recommendation to give everyone involved enough time to prepare for the workshop; and so he would like to ask the Mayor to call for a workshop session sometime during the first week of June.

**Councilmember Destin moved to have the Mayor schedule a workshop session during the first week of June; seconded by Councilmember Marler.**

Councilmember Foreman expressed concern that with the impending retirement of the City Manager and the absence of a Community Development Director, they will be without two key personnel from the City participating in the workshop. He suggests waiting until the time frame for permanent hiring of these two positions are known before scheduling a workshop.

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

Councilmember Destin notes the City Manager's Weekly Report lists an application for approval of a new construction phasing plan for a previously approved Phase 2 of the Harborwalk Village. He wants to know which version of the comprehensive plan applies to this application. He expresses his concern that if they wait too long to schedule this workshop, they will end up with a lot more development order applications. He recommends bringing in a consultant or a third party

to act in a Community Development Director capacity and assist in this process, as Ms. Moore has suggested, rather than waiting for City staff's major positions to be filled. He asks if June 2<sup>nd</sup> at 6:00 PM for the workshop is conducive to everyone's schedule.

Councilmember Foreman stated that he would be out of town on June 2<sup>nd</sup>.

Councilmember Destin stated he would agree on a date that is closed to the first week of June and that would be glad to amend his motion if necessary once they settle on the date.

The Mayor calls for a workshop session on June 9<sup>th</sup> at 6:00 PM and receives no objection from the Council members.

Councilmember Ramswell inquired as to the average number of development orders the City receives in a week.

According to the City Manager, the City receives 3 to 5 development orders in a week; adding they have been mostly smaller projects because of the economy. He also stated all the other projects are pretty well been operating under Comprehensive Plan: 2010.

Councilmember Ramswell asked how they would classify a small project.

The City Manager explained it is basically a renovation of a structure from start to finish.

Councilmember Ramswell stated she is not recommending imposing a development moratorium but would like to know if they could establish some sort of threshold for large projects to be reviewed by Council until they have a procedure in place to avoid an influx of development order applications.

The City Manager stated they cannot discriminate against large projects.

According to the Land Use Attorney, there are different methods available. They could go with an announcement of a zoning in progress to delay the processing of applications or use a moratorium. For an announcement of a zoning in progress, they would actually need to have a draft ordinance in order to delay those applications for a short period of time while they have a chance to adopt that ordinance. The moratoriums must be temporary and well justified, and are best if they are as narrow as they could possibly draw them; adding it would take at least a workshop to initially identify the area of concern and narrowly define it and then come back and draft an ordinance for the moratorium.

The City Manager stated they need to be cautious getting involved in a situation where someone having just put in a piece of property under contract, having engaged in engineers and land planners and in the process of arranging financing when all of a sudden either of the aforementioned methods putting a stop to all of it. He also stated that he does not anticipate a big project coming in over the next 30 to 45 days; but, he cannot guarantee it will remain that way. He added there have been property owners in the Crystal Beach and Calhoun Mixed Use areas, and with bigger

structures within the harbor and Town Center districts, patiently waiting for the new comprehensive plan that went into effect two weeks ago and ready to submit an application which could get impacted by either of the aforementioned methods.

8. Councilmember Marler

a. City Manager concerns/citizens reaction

Councilmember Marler stated several citizens talked to him following their Council meeting two weeks ago asking how two new members of Council could give a vote of no confidence for the City Manager after only three meetings since the City election. He advised them to discuss the matter directly with the elected officials for he feels it would be inappropriate for him to address this issue because he was not on the prevailing side. He further stated the citizens felt Council made a mistake in allowing Mr. Kisela to retire without first trying to resolve some of the issues Councilmember Ramswell brought forward that night. And even though he agrees with Councilmember Ramswell that these issues are part of the City Manager's job to accomplish, he believes the level of significance is low and some are beyond the City's control. Councilmember Marler proceeded to address each item:

- Cell Towers: He stated there was a loophole within the system that allowed the cell towers to be erected on Crystal Beach. The towers were subsequently removed after the company received permission from the Destin Water Users (DWU) to place the towers on their property. Some members of Council felt the towers were not removed in a timely manner; but, the company that put in the towers wanted to know exactly where to move them and save money by not having to move them twice.
- Delinquent Waste Management Accounts: According to Councilmember Marler, Council adopted a mandatory garbage ordinance for the City. Mr. Kisela left the City in 2010 and a different City Manager negotiated the garbage collection contract with Waste Management. The City had only 3 Code Enforcement personnel and could not spend all their time on garbage related issues. Mr. Kisela had done what he could to take care of this issue.
- Gulf Power Streetlight Inventory: Councilmember Marler stated that getting an inventory of street lights from Gulf Power for Destin to determine possible over-billing took a while. He agreed that the City Manager, Mr. Kisela is responsible for getting things done in a timely manner; however, the City has had outstanding issues with Gulf Power for years. They were not always prompt in providing information the City asked for.
- "Dip" area. According to Councilmember Marler, the "dip" area on Hwy 98 in front of Big Kahuna's has been there for over 20 years. This particular area seems to sink every time they rebuild Hwy 98. The City has no control over FDOT if they do not feel a dip sign is warranted. The FDOT will resurface Hwy 98 from the Marler Bridge to Airport Road, which could hopefully fix this problem.
- Missing and incorrect street signage. Councilmember Marler noted that he as well as Councilmember Sandy Trammell and the Public Works Department have been

working on this issue for many years. The Matthew Blvd sign is misspelled and it had been that way for years; and FDOT had previously indicated they would not replace the sign just for one letter. He also stated the citizens that are being credited for having the signage replaced were both running for office and vying for few extra votes out of it. The signs were replaced as a result of a team effort by a lot of people.

- Inadequate parking at Emerald Grande. Councilmember Marler noted that the Emerald Grande was permitted prior to the existence of the tiering system, and it was actually the reason they came up with the tiering system because of its size. He was not employed by Emerald Grande at the time; but, as a member of Council he tried to limit the building to 10 stories. He also tried to keep an old building – a small grocery store and a hotel – that was built back in the 1940s as a landmark; but was unsuccessful on both counts. The tiering system apparently did not work and so they now have a new comprehensive plan which he hopes is a much better plan.
- A City employee illegally signing an affidavit. Councilmember Marler noted that this particular employee no longer works for the City because the City Manager felt this employee's action was improper. He does not believe it is subject they should still be discussing. He also stated the lawyer involved in this case is very crafty, as most other lawyers, and was able to convince the employee to sign that affidavit.

Councilmember Marler also noted there are some members of Council who cannot get along with Mr. Kisela for unknown reasons. They may have other agendas, but they need to keep in mind when they were elected to Council their only agenda is to serve the public. He continued they are letting a good person leave at the time they really need him. Although he is not happy with Council's decision in this case, he will abide by it.

Councilmember Marler noted that in December 2015, Councilmember Dixon suggested that both Councilmember Ramswell and Mr. Kisela enter mediation. Former Mayor Ponder, who resigned in January 2016, agreed to mediate, and both parties expressed their willingness to participate. However, Mayor Ponder decided to back down after he left office because he felt he was too close to the issue. Several members of clergy also came forward offering to mediate, but Councilmember Ramswell apparently declined.

Also according to Councilmember Marler, the reason the City has a City Council/City Manager form of government is so that no one person can have an absolute power in running the City; but, at times the Council wants to micro-manage staff. He noted some City employees stated in the employee survey presented earlier in the meeting that things would work fine if the City Council leaves the City Manager and staff alone to do their job.

b. City credit cards

According to Councilmember Marler, two elected officials and two City employees, including the City Manager, made personal purchases using the City's credit card last year. This matter went before the State Attorney's Office which later ruled there were no criminal intentions. Their report also revealed the City did not have a policy or a check and balance system for use of the City's credit card by elected officials. There were only verbal understanding on what they can and cannot charge with the City credit card. He continued there were personal charges from Mayor Ponder and Councilmember Ramswell. Councilmember Ramswell later explained that some of her charges were the same as the City Employees' charges, and that they happened because the vendors used the wrong card on file. Councilmember Marler also stated that even though the ruling states there were no criminal intent, elected officials are responsible for watching the taxpayers' money; and that they are not doing a good job watching the taxpayers' money by their personal usage of the City credit card. Though he understands the need to use the credit card for certain things because of the duties they put on the Council members requiring them to travel, they already have a process in place that they can utilize. Receipts are submitted to the City Clerk for reimbursement requests, who then forwards them to Council for approval. The City Clerk can also use the City credit card to make hotel accommodations and for everything else a Council member needs for the travel. The Council member can also request advance payment for the travel. He added they created a policy after the fact in February 2016; and he would like for Council to rescind that policy and not allow any elected officials to have a City credit card to prevent accidental use of the credit cards.

**Councilmember Marler moved that Council rescinds the policy they adopted in February 2016 and not allow any member of the City Council to have a City credit card. Motion dies for lack of a second.**

9. Councilmember Foreman
10. Councilmember Dixon

Councilmember Dixon stated though they have a lot of strong positions in the City Council, but, he would like everyone to stop the back and forth arguing and start concentrating on what lies ahead for them in the future. They have to hire a new City Manager and they have comprehensive plan and heritage park issues to resolve. He continued they need to do the best they can to resolve these issues in a unified manner. Though they may not agree on everything all the time, they should be able to discuss these issues openly and honestly and still be able to shake each other's hand after the meeting.

11. Councilmember Ramswell

Councilmember Ramswell reminded everyone about the Week of Blessings – the Blessing of the Marketplace and Blessings of the Fleet. She stated she has been very excited to be a part of it since she moved in Destin. She encourages everyone to come out and be a part of it as well and participate any way they can; adding it is one of those things that really unifies the City and makes them who they are. She also stated she looks forward to getting on to the positive things; and that she believes they are right on the cusp of accomplishing some great things for the City starting with the purchase of the concrete plant.

## 12. Councilmember Braden

Councilmember Braden inquired as to the status of hiring a replacement for Mr. Ken Gallander as Community Development Director.

According to the City Manager, they have started the recruitment process receiving 25 to 30 resumes; however, in anticipation of his transition he feels it would be best for Council to delegate that matter with the Interim City Manager.

Councilmember Braden also inquired on the status of amendments to the Land Development Code (LDC).

The City Manager stated they have a consultant that is going through the LDC, removing any references to the tiering component that has now been abolished; adding he does not believe the June 9<sup>th</sup> workshop will include discussions on bringing back the tiering system. He continued that once this portion is completed, it will be presented to the Local Planning Agency and subsequently to the City Council. The other issues relating to setback requirements, landscaping plans will be discussed during the workshop on June 9<sup>th</sup>. He added that without some clarity in the comprehensive plan, any work they do in the LDC will just be wasted.

Councilmember Braden stated there are some nails protruding from the board on the boardwalk; adding that a young boy has already cut his foot open and another one has injured his knees on these nails. He asked if the City could do something about this dangerous situation.

According to the City Manager, the City will investigate the situation first thing tomorrow from the risk management standpoint; adding he will need the specific locations to give to the City crews so they could go out there and fix the problem.

## 13. Mayor Fischer

### a. Heritage Park Letter of Understanding

The Mayor stated that when the Council asked him to follow the progress of the Heritage Park project, he began reading and studying 200 to 300 pages of legal documents and avoided involving staff in the process. He took all the formal and technical language out of these documents because he wanted to have a document that he and the Council could easily understand, and then presented a letter of understanding to Council for Council to review and provide some feedback. He believed this letter of understanding pretty much summarizes the events to date; however, he found out later on there were some misinterpretations in it. He explained that when he read through the documents Mr. Destin previously presented to Council, he felt as if they have "drawn a line in the sand" and their arguing positions are pretty much "sketched in stone." However, he now believes B.I., Inc. is much more interested in offering flexibility more so than the documents indicate. He asked Council to set his letter of understanding aside for the moment and allow him to continue his negotiations with interested parties over the next two to three weeks and try to come up with a solid document that accurately reflects their needs and positions and for Council to approve

before they proceed into the negotiations in Tallahassee in August this year. He stated the two land owners have their own interest and they would want to represent their positions clearly and understandably; but, he also wants to make sure the taxpayers get the biggest advantage out of it. He continued the three sides may not completely agree, but he believes there is a possibility of coming closer together on some of the points he expressed in his letter to Council. He will ask the fleet if they are willing to negotiate. Mr. Destin has already expressed interest in representing B.I., Inc. and moving closer together to some of his positions. He also believes they put the fleet in a worst light than they should; adding some of the positions should have been taken and held firm by the City rather than asking the fleet to do it. He continued his interest is to avoid any litigation that might stop this process. He is not positive on the legalities of all the issues involved and is asking the Land Use Attorney to take the leadership role in this process. He added they are in danger of losing a substantial amount of money if either or both of these grant are loss because they could not come together and reach a decision; however, he believes all the parties involved want to reach an amiable position so they could actually build a park they would all be proud of and soon.

Councilmember Foreman mentioned that when a second attorney offered a legal opinion that B.I., Inc. has no entitlement easement on the property, he subsequently made a motion to proceed with construction of the park. However, Councilmember Dixon offered another alternative for all the parties involved enter into a third mediation; which had already taken place. He expressed his concern this issue will never get resolved unless it goes to court. He also stated that the City has the title to this property which has now become a parking lot; adding nobody should be allowed to park on that property for any reason while they are trying to resolve this issue. He also added they need to consider the taxpayers' interest in this matter and avoid losing millions of dollars for not willing to take the final step of going to court.

Councilmember Marler stated he agrees with Councilmember Foreman that they need to come to some sort of conclusion on this issue one way or another; adding whether or not all the affected parties can come to an agreement, when this issue goes to the State, the State's decision should be final and they should consider this matter closed. He also stated people will probably stop parking on the property once the crosswalk in front of the Marler Parking Lot is constructed. He added that when the harbor boardwalk was built, the City had an obligation to come up with adequate parking and they are failing in that area.

At this time, the Mayor opened the floor for public comments.

Mr. Dewey Destin of B.I., Inc. stated they welcome the opportunity to address any issues the fleet has on the public dock they are trying to provide for the City; adding they requested to be on the agenda for their last board meeting but they declined the offer. He also stated there had been a lot of misinformation about their offer, and they feel they could straighten things out at the meeting the Mayor is proposing. They should be able to address any issues the fleet has over the setback, the length or the use of the dock. They are trying to provide public access and public docking for the boardwalk, and this will probably be the City's last chance to secure that offer as they may not get the opportunity to provide that kind of dock with that kind of access to the public again. He continued if they are able to build the dock for as long as they suggested, it would

provide 7 slips for public use at the appraised price of \$200,000 per slip, which is what the City used when they appraised the grant purchase. He also noted they already lost a great deal of their beach access over the years. They could also lose a bunch of their boating access when they finished hardening Norriego Point because boats will not be able to pull up to the point anymore. He added they are looking forward to sitting down with their neighbors and addressing whatever issues they may have.

Ms. Lisa Minshew, speaking on behalf of Mr. Dewey Destin and B.I., Inc. was next to address the issue. She stated that the Council unanimously voted at their last meeting to approve bringing forward B.I., Inc.'s proposal before the Community Land Trust for approval. However, the Mayor's letter contained some comments that would suggest he is opposed to it when he was supposed to be directing the Council's recommendation. She continued that some of the language contained in the document that was handed out at the fleet's annual board meeting was very similar to some of the language in the Mayor's letter, which suggests the plan is questionable and infringes on property rights. She stated that she is very happy to hear the Mayor is trying to work on that letter again, and that they will be happy to work with him in that process.

Ms. Minshew also noted that the City's Land Use Attorney Scott Shirley presented her a draft document dated March 25, 2016. The document had a few blank spaces in it where they would be able to add in the square footages of the different exchanges. This is the document they will be presenting to the Trust. They have planned to end the presentation to the Trust with an affirmation that the proposal provides benefits to the City and meets all the State standards. She would like to have the opportunity to meet with Mr. Shirley so they could at least start having communications with the Trust on the proper procedure to move forward and have the Trust review their proposal. She added that in reading the fleet's documents, they learned their issue was with the four transient slips and the dock; and so as much as they do not want to do it, they could withdraw the offer if the fleet does not want the City to have this benefit.

The Mayor stated he would also like to move forward with the presentation to the Trust as quickly as possible. However, he would prefer not to involve the State too much at this point until they have some kind of understanding or resolution to some of the discussion points; adding the State would want to see a proposal and not to get involved with their dispute. He also stated that he is representing the tax payers. He has some ethical issues with some of the items in the document and there are some things he is not willing to do. He also stated when Council sent him to negotiate he was under the impression he was supposed to do just that and not to take the document as presented because Council felt there was some flexibility in the proposal. He further stated he is not sure if the fleet is willing to participate in the meeting but the legal counsels are welcome to attend this meeting.

Councilmember Braden asks who will be responsible for paying the submerged land lease for the 7 slips Mr. Destin spoke about.

According to Mr. Destin, B.I., Inc. would pay a portion of it, and the City will pay the other portion if they intend to give an easement, or whatever legal instrument that has to be put in place in

order for the City to take possession of these slips. He also noted the 7 slips are only possible if the dock length is 200 feet; otherwise, there will be fewer slips. He added the submerged land lease for that side of the dock will be legally conveyed to the City

Councilmember Braden asked if they would have a 99-year lease similar to the fleet's lease agreement.

Mr. Destin stated they would need to figure out the legal details; but, he believes leases are 5 years at a time.

Mr. Mike Chesser, attorney representing the Destin Fishing Fleet, noted that he sent Council a letter that provides the historical truth about this issue and gives information about the development of the fleet. The letter states the fishermen in the Destin Fishing Fleet had to mortgage their homes or borrowed money to give their share of the down payment to purchase the fleet property and provide expensive parking spaces on the property as required by the City. He stated there were important matters for the fleet when the City bought the adjacent property. One was to build the park because it could only add to the benefit of the property the Destin Fishing Fleet already owned. They also wanted the City to build restroom on the property so that they do not put considerable amount of pressure on their neighbors. He further stated they do not want to get into litigation. It is illegal for the City to provide City financing to benefit a private property owner; but, it is exactly what is happening in this particular situation. They also want the City to handle the whole parking issue; and the fleet is willing to help. He stated they have offered space for the landing spots for walkover if it can be done. If there is a way they can address the problem either by modifying the City's plans they will do what they can to help the City. They want the City to build a park and fulfill their agreement with the fleet and what the State law requires them to do.

Councilmember Braden referred to a statement on Mr. Chesser's letter that reads, "Today's patrons of Dewey Destin Harbor Side Restaurant property parked two to three cars deep on the City park property and the City while the City has not built the park". He asked if there was any type of study done for Mr. Chesser to come up with this statement.

Mr. Chesser replied he had been in the parking lot several times and personally observed the situation; with people parking on the property and walking to the direction of the restaurant as well as people coming out of the restaurant and into the parking lot.

Ms. Carrie Harbarger, a Destin resident, stated there are more than just two parties at stake in this case. They may not be harbor front property owners but they are also special and are invested in the City. She stated that through the years she had watched the City waste opportunities to have things such as a City marina and fishing pier. There have not been a bill fish tournament in Destin since 1995. She also stated that the people of Destin need and want transient boat slips. They now have the opportunity to have transient boat slips and they should take advantage of this opportunity. They are constantly fighting for access to the waterways and they deserve access to the waterways. She mentioned that her husband just retired from the US Army after more than 20 years of duties and 3 combat tours. They do the Wounded Warriors here and she personally volunteers her time for the Chris Kyle Foundation. She noted there have been an offer to put in wheelchair lifts on boats.

This is a wonderful gesture not just to the military people and Wounded Warriors, but also to all handicapped people. She added the harbor walk is not as ADA compliant as it could be, and so this is something to be taken into consideration.

Councilmember Dixon suggests the Mayor schedules a workshop to discuss this issue once he feels he is ready so they could try to come up with a document to present to the State.

According to Councilmember Morgan, he finds himself in an uncomfortable situation as he knows both sides of this issue very well; and that he cannot remain neutral because of the position he is in. He also has some issues with the general tone of the Mayor's letter. He explained that the City purchased the property back in 2010 and eliminated 15 parking spots. They retained 3 boat slips. He asked what prevented the City from turning the other 3 boat slips they gave to the fleet into transient boat slips and have all 6 slips as transient slips.

The City Manager stated that this issue was discussed back then. The intent of the fleet marina was to have slips for the charter fishing boat and were not excited about converting all 6 slips to transient slips and have 6 charter boat slips.

Councilmember Morgan noted the taxpayers paid \$4.6 million for the property. He asked if they received any compensation for the 3 slips they gave to the fleet.

The City Manager replied the City received no compensation for the 3 slips.

Referencing paragraph 2 of the Mayor's letter of understanding that reads, "The City gave up curb cuts on highway 98 at entrance to the park to the B.I., Inc. property. The City was not compensated and park property was devalued; Councilmember Morgan stated that park property was devalued because they have no riparian rights to the waterfront property that they purchased. Even though waterfront accesses are important and harbor view is great, he would not pay full value for a waterfront property if he cannot retain access to the water. He stated they do not have any municipal dockage on the harbor and this is an opportunity for the City to have one. The dock Mr. Destin is proposing to build on the eastern side of the property is something most waterfront cities have and it would increase the value of the property and greatly benefit the City and the park in general. He continued with regards to a statement in the Mayor's letter that the City is not receiving compensation while giving up some concessions; the City gave up 3 slips with appraised value of \$6,000 to the fishing fleet without compensation. He also believes the municipal dockage being offered increases the value of the property far more than conceding the 2000 square feet of access road that has been in operation for 50 years to Mr. Destin. It would also reclaim some of the access to the waterfront property that they paid for. Councilmember Morgan further stated he understands it would cost money to redesign the park; but, to spend the money to incorporate the road into the park would be money well spent because they would be getting municipal dock slips in return. He added that he personally does not like the design of the park and the idea of shaving the bluff.

The Mayor explained that the letter was meant to be a little provocative in the hopes he would get feedback from Council.

Councilmember Ramswell stated that Mr. Chesser noted on page 6 of his letter that the "City of Destin must fulfill the written promises to the Destin Fishing Fleet which the fleet relied upon when it gave up the right of first refusal and amended the 99-year submerged land lease agreement to benefit the City." She asked how entering into a lease benefit the City.

According to Mr. Chesser, the City now owned the property; adding the City sought in the amendment to the agreement the right to own the property and build a park.

Councilmember Ramswell maintains the City obtained the property through the purchase of the property not through a lease agreement with the fleet.

Mr. Chesser stated the City purchased the property subject to the rights the fleet had and still has in the property.

Councilmember Ramswell asked what benefit the City gained at the time the lease agreement was amended in 2010.

Mr. Chesser reiterated that the City received the right to own the property so they could build the park; adding they did not have this right before the lease agreement was amended. He also stated the fleet did not set the price the City had agreed to pay. The State grant would not permit the City to park on the property. The 15 parking spaces the fleet owned had to be removed.

Councilmember Ramswell noted that the City already had the right to build before the lease amendment was filed in 2010.

Mr. Chesser explained the City had the right to build, but they did not have the right to the 15 parking spaces and all of the riparian rights to the property.

Councilmember Ramswell stated they are giving things away with the 2010 passage of the lease amendment. She also stated that many people think she is trying to take things away from the fishermen, which is absolutely not the case. She and the entire Council support the fishermen a thousand percent. She added that they bought the property to build the park to benefit the public, and she is just trying to make sure the public is getting their fair share.

Mr. Chesser noted that the whole purpose of his letter was to say the City paid a lot of money on a property which is currently being used as a parking lot.

Councilmember Ramswell noted that Mr. Chesser seemed to be framing this as a parking issue. She asked how they can be sure people that are parking on the property are visiting the fleet or the restaurant.

According to Mr. Chesser, it is the nearest open parking space to a restaurant that does not have enough parking and which violates most of the parking codes.

Councilmember Ramswell stated she would view this as a supposition and not factual; adding they have the Marler Parking Lot across the street for anybody to use.

Councilmember Ramswell noted Mr. Chesser's letter also discusses the 99-year submerged land lease. She stated the submerged land lease is only a 5-year contract.

Mr. Chesser explained it is a renewable contract; which is the way the State issues their submerged land lease.

At this time, Councilmember Marler calls for a point of order. He stated they have asked the Mayor to get involved in the negotiation; and that they should stop this conversation and allow him to do what he feels is necessary.

Councilmember Ramswell stated that Councilmember Marler was allowed to speak for 20 minutes with multiple errors in fact; and that she should be allowed to speak as well.

Councilmember Ramswell noted that on page 5 of the letter there was a reference to Mr. Destin saying he would provide one parking space and one handicapped parking space. She asked if this was included in the plan.

Mr. Chesser stated it was his understanding it was one of the offers made. He also stated he does not know what offers are being made or what are the most recent offers; but, this is what he heard at the time he wrote his letter.

Councilmember Ramswell noted that the conceptual drawing of the park already showed one parking space and one handicapped parking space on the east side of the property between the City park and the fleet's property. She asked why Mr. Destin still needs to provide an additional parking space and handicapped parking space.

Mr. Chesser stated he is not sure how the two parking spots would have gotten to that location.

Councilmember Ramswell stated she was under the impression the motion they previously made was the selection of a plan, and that they were directing the Mayor to go forward to present that plan to the State.

According to the Mayor, Councilmember Ramswell was probably correct; however, he does not feel comfortable with the plan at this time and would like to be afforded some flexibility.

#### **STAFF REPORTS AND RECOMMENDATIONS**

14. City Attorney comments
15. City Land Use Attorney comments
16. Renewal of Joint Use Agreement – Destin Elementary School athletic fields

According to the City Manager, the Okaloosa County School Board has leased to the City of Destin for a number of years a portion of the Destin Elementary School campus for the purpose of construction, development and operation of joint use educational and recreation facilities. This renewal is for a period of 20 years beginning May 1, 2016 and terminating on April 30, 2036. The Okaloosa County School Board approved the renewal of the Joint Use Agreement during their April 2016 board meeting. He also stated they included a provision that requires individuals wanting to use the improvements to jog on the trail around the field to schedule this through the school principal so that when the school is in session, the principal knows who is on campus for security standpoint.

**Councilmember Dixon moved to approve the Joint Use Agreement between the School Board of Okaloosa County, Florida and the City of Destin, Florida and authorize the Mayor to execute the agreement on behalf of the City. Councilmember Marler provided a second to the motion, which passes 7-0. (Council members Destin, Morgan, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").**

#### 17. City Manager Search and Recruitment Process

The HR Manager Karen Jankowski discussed the interim security manager recruitment process. She stated she had provided the Council the names and resume of the 5 candidates for this position. She had worked with the Florida City/County Manager Association (FCCMA). All of these individuals have shown interest and provided resume. They have done background checks on these individuals. Most of these individuals are from South Florida, and that they are all available for interviews via skype on May 4<sup>th</sup>, 5<sup>th</sup> or 9<sup>th</sup>. She also stated she is in the process of securing housing for individual that is selected for the position.

Councilmember Dixon stated they would need to discuss whether or not these candidates for the interim position would be allowed to apply for the full time position.

After a brief discussion, Council agreed to schedule the interview on May 9<sup>th</sup> beginning at 8:00 a.m. and setting aside an hour for each interview.

Ms. Jankowski stated she would provide a standard list of questions as a foundation for Council.

The Mayor stated each Council member can also come up with their own individual questions.

Councilmember Ramswell noted there was a firm called Management Partner that reached out to her relating to the recruitment issue and she had asked the City Clerk to pass out some information about this firm. The name of the person she spoke with was Jerry Newfarmer, and he may be someone they would want to reach out to if and when they decide to move forward with the recruitment process for the full time City Manager position.

Councilmember Braden asked if the candidates are all retired city managers.

According to Ms. Jankowski, some are in transition and some are looking for another position. A couple of the candidates have shown interest in applying for the full time city manager position.

Councilmember Ramswell asked how many of the candidates are credential.

Ms. Jankowski stated she does not have this information at this time; adding most of the candidates are either with the ICMA or FCCMA; however, they could be a member of these organizations without being credentialed.

Councilmember Ramswell asked Mr. Jankowski to research this information about all the candidates.

The Mayor called for a special meeting of Council on May 9<sup>th</sup> beginning at 8:00 AM to interview all 5 candidates for Interim City Manager position.

With regards to the recruitment process, Ms. Jankowski explained the following options, including the advantages and disadvantages of each option, as outlined in the staff report:

- Internal Recruitment
- Search Committees
- Search Consultant Firms
- Senior Advisor Program FCMA/ICMA

**Councilmember Dixon moved to direct the City Manager to provide Council with an RFP for professional search firm services; seconded by Councilmember Marler. Motion passed 7-0 (Council members Destin, Morgan, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).**

18. Approval of TRIP Grant application for the Crosstown Connector – Beach Drive to Benning Drive

**Motion by Councilmember Ramswell, seconded by Councilmember Dixon, to authorize the Mayor to sign the TRIP Grant application for the Crosstown Connector – Beach Drive to Benning Drive that would commit the City to \$1,162,500 in matching funds should the grant application be approved for the full amount requested.**

19. RFP 16-08-CM – Solid Waste Franchise

The City Manager stated that on October 2015, Council directed the City Manager to notify Waste Management of the City’s intent not to renew the contract and to put the solid waste services out to bid. The evaluation of proposals will be a two-step process – Statement of Qualifications and

then a Rate Proposal. The Statement of Qualifications will be evaluated for completeness and a list of qualified proposers will be submitted to the Council for consideration on June 20<sup>th</sup>. The Rate Proposals from qualified proposers will be evaluated for completeness and will be presented to the Council on July 5<sup>th</sup>. This RFP is designed to ensure any potential Franchisee is wholly responsible for billing and collection for services. This RFP is also designed to maintain their current levels of solid waste services.

**Councilmember Marler moved to approve RFP 16-08-CM and authorize the City Manager to seek competitive proposals for the City's solid waste franchise; seconded by Councilmember Foreman.**

Councilmember Dixon noted he has some discussions with Waste Management representatives and made some recommendations. He stated that he would like elderly residents that lives alone to be allowed to have one day a week pick as opposed to two days a week. He also stated since they have a garbage ordinance requiring all residents to have garbage service, they would still use a lot of staff's time to determine who are in violation of this ordinance and bring them before the Special Magistrate. They would need to determine how much staff time they are really saving by not having to collect garbage bills.

The City Manager stated the code enforcement process will be more straightforward if the waste provider notifies the City when a cart is pulled for non-payment rather than the City trying to figure out the receivables and bringing the people before the Special Magistrate.

Mr. Webb Warren, the City employee who wrote the RFP, noted they actually have a senior discount under their current contract and it is once per week service; adding 429 seniors have registered for this program.

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

#### 20. City Manager comments

##### a. Second Quarter Financial and Investment Report

The City Manager made the following announcements:

- Founder's Day, Saturday, May 7<sup>th</sup>, beginning at 11:30 AM
- Visioning Session, May 2<sup>nd</sup>, at the Destin Library
- Heritage Run Pump Project Groundbreaking Ceremony, May 12<sup>th</sup>, 11:00 AM, at 761 Vintage Circle

#### COMMENTS FROM THE AUDIENCE

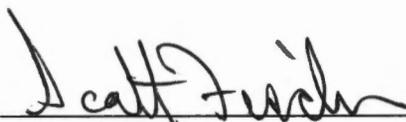
Mr. Steve Menchel, a Destin resident, stated Councilmember Marler's earlier comments that a citizen running for office was involved with the street sign project. He stated he was the

citizen Mr. Marler spoke about. He stated he appeared before the City Council in 2014 and presented a spreadsheet which listed the issues with the missing signs. He also coordinated with the County to obtain the sign at no cost to the City of Destin. He stated he was not a candidate for Council at the time he took this initiative in 2014. He continued in reference to the cell tower issue, the cell towers were removed and reinstalled, and one of those towers was placed in an area where there is no easement, and the association had that tower moved as well. He added that in reference to the Gulf Power comment, it was a project he also started years before he ran for office. He is still working on the Gulf Power project as a citizen and more information would be forthcoming as soon as he completes an analysis of new materials he just received.

Ms. Char Rohr, a Destin resident, stated that Councilmember Marler made some misleading statements during the April 18<sup>th</sup> Council meeting about Mr. Kisela's retirement. She stated Councilmember Ramswell mentioned many more things than Councilmember Marler subsequently addressed and gave the impression Councilmember Ramswell was not relevant to the situation. She urged other citizens to watch the video of the meeting so they can judge for themselves.

Having no further business at this time, the meeting was adjourned at 9:50 PM.

**ADOPTED THIS 6<sup>TH</sup> DAY OF JUNE 2016**  
**By:**

  
\_\_\_\_\_  
**Scott Fischer, Mayor**

**ATTEST:**

  
\_\_\_\_\_  
**Rey Bailey, City Clerk**