



MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, APRIL 7, 2025, 6:00 P.M.
NEPTUNE BEACH CITY HALL
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266

Pursuant to proper notice, a Regular City Council Meeting of the City Council of the City of Neptune Beach was held on Monday, April 7, 2025, at 6:00 p.m., at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266

IN ATTENDANCE:

Mayor Cori Bylund
 Vice Mayor Nia Livingston
 Councilor Tim Horvath
 Councilor Josh Messinger
 Councilor Brent Rogers

STAFF:

City Manager Richard Pike
 City Attorney Paul Waters
 Chief of Police Michael Key
 Chief Financial Officer Jaime Hernandez
 Senior Center Director Leslie Lyne
 Public Works Director Deryle Calhoun
 Community Development Director Heather Whitmore
 Parks and Sustainability Director Colin Moore
 City Clerk Catherine Ponson

Call to Order/Roll
 Call/Pledge

Mayor Bylund called the meeting to order at 6:00 p.m. and Councilor Rogers led the Pledge of Allegiance.

NBPD Officer of
 the Year

Chief of Police Michael J. Key presented the 2024 Officer of the Year Award to Sergeant Dustin J. Kampi. Sergeant Kampi has been with the Neptune Beach Police Department since 2002. He was recognized for his dedication, leadership, and service to the department and the community.

APPROVAL OF MINUTES

Minutes

Made by Livingston, seconded by Messinger.

MOTION: TO APPROVE THE FOLLOWING, AS AMENDED:

March 3, 2025, Regular Council Meeting
March 17, 2025, Special City Council Meeting
March 17, 2025, Workshop City Council Meeting
March 17, 2025, Town Hall Council Meeting

Roll Call Vote:

Ayes: 5 - Horvath, Messinger, Rogers, Livingston and Bylund
 Noes: 0

MOTION CARRIED

CITY MANAGER REPORTCity Manager
Report

City Manager Richard Pike reported on the following:

- Mid-year budget reviews for FY24-25 have been held with department heads.
- Preparation for FY25-26 will begin and he will update Council.
- The FY25-26 millage rate will be considered and discussed soon.
- An Eagle Scout has helped with renovations at the Jarboe Park baseball field for his project and will address Council at a future meeting.
- On Saturday, April 19, 2025, Beaches Go Green Earth Day will be held at the Beaches Town Center from 9:30 a.m. to 11:30 a.m.
- On Friday, April 11, 2025, Movies with the Mayor, will be held at Jarboe Park. Food trucks open at 6:00 a.m. An Eco-egg Hunt will be at 6:30 p.m. followed by the movie, Peter Rabbit, which will start at 8:00 p.m.
- The ribbon-cutting for the Neptune Beach Elementary School newly renovated track will be held on Thursday, May 1, 2025, at 6:30 p.m.

The monthly City Manager Reports can be found on the City website at: <https://www.nbfl.gov/city-manager/pages/city-manager-reports>.

Senior Center

Mr. Pike explained the Council had requested information on a reimbursement agreement between the City and the Senior Center. The reimbursement had been discussed several times but there was no formal agreement reached. Staff is recommending the City Attorney draft an agreement. Leasing the building was also discussed but an agreement was never reached on that as well. Staff is also recommending a lease agreement be drafted. Mr. Pike also stated that Senior Center Director Leslie Lyne has been utilizing a Waiver of Liability, however that also needs to be requested by Council.

Mayor Bylund reported that the letter written to the original manufacturer of the building, BOXX Modular, to see what they would do in regards to the repairs has been received. BOXX Modular stated they took the matter seriously and would be scheduling a visit Neptune Beach.

City Attorney Paul Waters stated that in addition to the reimbursement and lease agreements, the City should learn more about the nonprofit itself. He is recommending the director, just as any other department director would do, give an update of the status of the Neptune Beach Senior Activity Foundation, LLC. He expressed the importance of knowing what the nonprofit organization is and this is the way to start heading in the right direction of the Senior Center becoming self-sufficient.

Made by Livingston, seconded by Messinger.

Reimbursement
Agreement

MOTION: TO ENTER INTO A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF NEPTUNE BEACH AND THE NEPTUNE BEACH SENIOR ACTIVITY CENTER FOUNDATION, INC., INCLUDING REIMBURSEMENT OF ALL PRIOR, CURRENT AND FUTURE EXPENDITURES

Roll Call Vote:

Ayes: 5-Messinger, Rogers, Horvath, Livingston and Bylund

Noes: 0

MOTION CARRIED

Lease Agreement Made by Messinger, seconded by Horvath.

MOTION: **TO DIRECT THE CITY ATTORNEY TO PREPARE A WRITTEN LEASE AGREEMENT BETWEEN THE CITY OF NEPTUNE BEACH AND THE NEPTUNE BEACH SENIOR ACTIVITY CENTER, INC., FOR THE USE OF THE SENIOR CENTER**

Roll Call Vote:

Ayes: 5 - Rogers, Horvath, Messinger, Livingston and Bylund

Noes: 0

MOTION CARRIED

Waiver of Liability Made by Messinger, seconded by Horvath.

MOTION: **TO DIRECT THE CITY ATTORNEY TO PREPARE A WRITTEN WAIVER OF LIABILITY TO BE SIGNED BY ALL USERS OF THE SENIOR CENTER**

Roll Call Vote:

Ayes: 5 - Horvath, Messinger, Rogers, Livingston and Bylund

Noes: 0

MOTION CARRIED

Status of 501(c)(3) Made by Horvath, seconded by Livingston.

MOTION: **TO DIRECT LESLIE LYNE, EXECUTIVE DIRECTOR OF THE SENIOR CENTER, TO MAKE A DETAILED PRESENTATION AND PROVIDE SUPPORTING DOCUMENTATION AS OUTLINED WITHIN THE NEXT 30 DAYS**

Roll Call Vote:

Ayes: 5-Messinger, Rogers, Horvath, Livingston and Bylund

Noes: 0

MOTION CARRIED

ORDINANCES

Ord. No. 2025-05, Historical Review Board Ordinance No. 2025-05, First Read and Public Hearing, An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 2, Administration, Article VII, Boards and Commissions, By Creating Division 5, Historical Review Board, Providing Codification, Conflicts, Severability, and Providing an Effective Date.

Public Hearing Mayor Bylund opened the public hearing.

Peter Maloney, 1916 Oceanfront, Neptune Beach, stated he does not believe houses built before a certain date are exempt from problems for houses built after that date. His preference is a rule where everyone is the same.

Alison Ronzon, 221 South Street, Neptune Beach, stated that since 2003, 44 historical homes have been demolished. They represent the character and history of Neptune Beach. Sometimes the reason the houses are demolished is the nonconforming they sit on, will not for a modest renovation. The proposed ordinance will help homeowners be able to renovate and preserve their older home.

There being no further comments from the public, Mayor Bylund closed the public hearing.

Discussion/
Questions Community Development Director Heather Whitmore, explained that Ordinance No. 2025-05 establishes Chapter 2, Article VII, Division 5, which creates a Historical Review Board. She stated that this provides a means for property owners to obtain an exception to certain requirements found in Chapter 27, the Land Development Code. She clarified that this does not establish any type of variance provision. It is an exceptionality, which is different.

Ms. Whitmore expressed that the ordinance establishes the Historical Review Board. The Board then approves requests for historical significance designation made by property owners. The Board would then have the ability to review and approve Certificates of Appropriateness for any proposed exterior improvements to the property that have the historical designation. The Board consists of five (5) members, at least three (3) of whom shall be residents of the City of Neptune Beach. All members of the Board shall be appointed by the Mayor and confirmed by the City Council.

Council discussion included standards for historic designation, lot size, negative impact on neighbors, appeal process, number of applications, and board criteria.

The ordinance failed at First Read due to lack of a motion.

Ord. No. 2025-06,
E-bikes Ordinance No. 2025-06, First Read and Public Hearing. An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 7. Beaches and Waterways, Article II, Beach Regulations, By Amending Section 7-29, Beach Personal Vehicle Regulations by Repealing the Ban of Electric Bicycles on the Beach; Providing Codification, Conflicts, Severability, and Providing an Effective Date,

Public Hearing Mayor Bylund opened the public hearing. There being no comments from the public, Mayor Bylund closed the public hearing.

Chief of Police Chief of Police Michael Key stated this is about balance. E-bikes are an emerging technology and many state laws have not caught up. Denying or rejecting new technology is not always a solution. The goal is to seek legal consequences for the reckless operation of e-bikes not the operation of them, which is what is in place. The problem of reckless operation has not been solved as it is not just a police department issue to solve. It is going to take the entire community to do that. He has seen the influence of the Police Department's efforts in changing some behaviors. He suggested parents help if an e-bike is purchased. Banning e-bikes from the beach is entirely too restrictive.

Made by Messinger, seconded by Livingston.

MOTION: **TO APPROVE ORDINANCE NO. 2025-06, REPEALING THE BAN OF ELECTRIC BICYCLES ON THE BEACH, AT FIRST READ**

Roll Call Vote:

Ayes: 5 – Rogers, Horvath, Messinger, Livingston and Bylund

Noes: 0

MOTION CARRIED

Ord. No. 2025-07,
Amending FY2025
Budget Ordinance No. 2025-07, First Read and Public Hearing. An Ordinance Amending the Operating Budget for Fiscal Year 2025, Beginning October 1, 2024, and ending September 30, 2025.

Public Hearing Mayor Bylund opened the public hearing. There being no comments from the public, Mayor Bylund closed the public hearing

Made by Livingston, seconded by Horvath.

MOTION: **TO APPROVE ORDINANCE NO. 2025-07, AMENDING FY2024-2025 BUDGET AT FIRST READ**

Roll Call Vote:

Ayes: 5 - Horvath, Messinger, Rogers, Livingston and Bylund

Noes: 0

MOTION CARRIED

NEW BUSINESS

MOU Between
CONB and US
ICE Agency

Consideration of Approval of Memorandum of Understanding (MOU) between the City of Neptune Beach and the United States Immigration and Customs Enforcement Agency. Chief Key explained this MOU allows trained law enforcement personnel, which are Neptune Beach police officers, to perform specific immigration and enforcement tasks under Immigration and Customs Enforcement Agency (ICE) supervision. This documents states Neptune Beach will participate on the national level. It is not unique to Neptune Beach. Failure to comply has the potential to label Neptune Beach as a sanctuary city and as police chief, he would recommend not doing that.

Chief Key clarified Councilor Messinger's that Duval County had recently passed something similar. The mayor did not veto or sign it and it became law.

Made by Messinger, seconded by Rogers.

MOTION: **TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NEPTUNE BEACH AND THE UNITED STATES IMMIGRATION AN CUSTOMS ENFORCEMENT AGENCY**

Roll Call Vote:

Ayes: 4 - Messinger, Rogers, Horvath and Bylund

Noes: 1-Livingston

MOTION CARRIED

Paving/Milling
Roads

Approval of Milling and Paving Various Roads -FY25. Public Works Director Deryle Calhoun reported this request is to mill and pave various roads, which includes Kings Circle South - Florida Blvd to Marsh Point Road; Marsh Point Road - Kings Circle South to Bartolome Road; Bartolome Road, excluding the cul-de-sac; Rosewood Drive – Marsh Point Road to dead-end and Seawood Drive – Florida Blvd to dead-end. Mr. Calhoun stated staff had identified a paving continuing services contract between Duval County School Board and Shifting Gears, LLC., approved by the City Attorney.

Councilor Rogers questioned if the company that was the primary for the bid award, Eco Premier Coating, had been contacted as it looked like they had a better offer.

Made by Horvath, seconded by Messinger.

MOTION: **TO PROVISIONALLY AWARD TO SHIFTING GEARS, LLC., IN THE AMOUNT OF \$228,883.15, UNLESS ECO PREMIER COATING, LLC., OFFERS A BETTER RATE WITH A COMPARABLE TIMELINE**

Roll Call Vote:

Ayes: 5 - Rogers, Horvath, Messinger, Livingston and Bylund

Noes: 0

MOTION CARRIED

3rd Street Gravity
Sewer Emergency
Repair

Emergency Repairs to 3rd Street Gravity Sewer. Mr. Calhoun explained this was for the repair of the sanitary sewer pipe crossing 3rd Street that had recently failed. Gruhn May, Inc., the city's continuing services utility contractor, was contacted and subsequently brought Jax Utilities Management, Inc. on as a subcontractor. Jax Utilities provided labor and equipment for repairs over the course of February 19 through March 3. The pipe was subsequently cleaned, video inspected and returned to service.

Made by Horvath, seconded by Livingston.

MOTION: TO APPROVE THE GRUHN-MAY INVOICE IN THE AMOUNT OF \$325,500.00

Roll Call Vote:

Ayes: 5 -Messinger, Horvath, Rogers, Livingston and Bylund

Noes: 0

MOTION CARRIED

Public Works Roof
Project Award

Award for Public Works Roofs and Related Replacement Project. Mr. Calhoun pointed out that the public works roofs are approximately 20 years old. This project was approved by Council and two bids were received from the advertised project. TC Metal Roofing LLC - \$439,000.00 and Inland Construction & Engineering, Inc. - \$784,000.00.

Mr. Calhoun stated that he is proposing to accept the Alternate Bid items for 22 gauge standing seam as opposed to the base bid of 24 gauge which would be required for any future solar panel installation.

Made by Messinger, seconded by Livingston.

MOTION: TO AWARD TO TC METAL ROOFING, LLC., IN THE AMOUNT OF \$553,964, WHICH INCLUDES ALTERNATIVE BID ITEMS 1 AND 2, AND A BUYER'S CONTINGENCY ALLOWANCE OF \$50,000.00

Roll Call Vote:

Ayes: 2 – Messinger and Livingston

Noes: 3 – Rogers, Horvath and Bylund

MOTION FAILED

Made by Rogers, seconded by Messinger.

MOTION: TO APPROVE THE BID FROM TC METAL ROOFING, LLC., AND ISSUE A CONTRACT WITH THE EXCEPTION OF BID ALTERNATE ITEM #2

Roll Call Vote:

Ayes: 3 – Rogers, Messinger and Livingston

Noes: 2- Horvath and Bylund

MOTION CARRIED

Res. No. 2025-07,
Penman Road

Resolution No. 2025-07, A Resolution by the City of Neptune Beach, Florida, Supporting the City of Jacksonville's Proposed Conceptual Design for Improvements to the Penman

Road Corridor; Providing for Adoption of Recitals, Repeal of Prior Inconsistent Resolutions and Council Decisions, Severability, and an Effective Date.

Mr. Pike reminded everyone that Neptune Beach held an Open House on February 18, 2025, where COJ and engineers for the Penman Road Project, Peters and Yaffee, presented updated concepts for the project. There was also an Open House held on January 16, 2024, also with updates and public input.

Mr. Pike advised that COJ is ready to move forward and is seeking additional response from Neptune Beach regarding the project and will proceed with plans as designed unless they hear any additional feedback.

Mayor Bylund stated the current plans include the roundabout at the five way intersection,

Made by Horvath, seconded by Messinger.

MOTION: **TO APPROVE RESOLUTION NO. 2025-07. A RESOLUTION BY THE CITY OF NEPTUNE BEACH, FLORIDA, SUPPORTING THE CITY OF JACKSONVILLE'S PROPOSED CONCEPTUAL DESIGN FOR IMPROVEMENTS TO THE PENMAN ROAD CORRIDOR; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE**

Roll Call Vote:

Ayes: 5 - Horvath, Messinger, Rogers, Livingston and Bylund

Noes: 0

MOTION CARRIED

COUNCIL COMMENTS

City Manager
Comments

Mr. Pike praised Public Works employees for their efforts in repairing the damage at 3rd Street and Florida Boulevard.

Historical Review
Board Ordinance

Mr. Waters asked if Council wanted to set a date to workshop the Historical Review Board Ordinance. He added Council can contact staff on specific issues and make adjustments and tweaks.

Made by Rogers, seconded by Messinger.

MOTION: **TO BRING BACK ORDINANCE NO. 2025-05 TO THE APRIL 21, 2025, COUNCIL WORKSHOP**

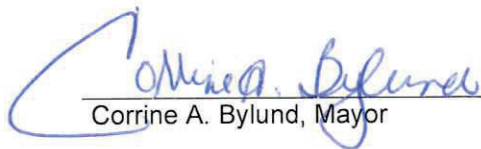
Roll Call Vote:

Ayes: 5 - Rogers, Horvath, Messinger, Livingston and Bylund.

Noes: 0

Adjournment

There being no further business, Mayor Bylund adjourned the meeting at 8:23 p.m.


Corrine A. Bylund, Mayor

ATTEST:



Catherine Ponson, CMC
City Clerk



Approved: _____



****These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, please go to, <https://www.nbfl.gov/minutes-and-agendas> and click on the video for the meeting in question.***