MINUTES
REGULAR CITY COUNCIL MEETING
WEDNESDAY, SEPTEMBER 3, 2025, 6:06 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 Wednesday, September 3, 2025, at 6:06 p.m, at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266

IN ATTENDANCE:	STAFF:
Mayor Cori Bylund	City Manager Richard Pike
Vice Mayor Nia Livingston	City Attorney Paul Waters
Councilor Tim Horvath	Chief of Police Michael Key
Councilor Josh Messinger *(absent)*	Chief Financial Officer Jaime Hernandez
Councilor Brent Rogers	Public Works Director Deryle Calhoun
	Community Development Director Heather Whitmore
	Parks and Sustainability Director Colin Moore
	Senior Center Director Leslie Lyne
	City Clerk Catherine Ponson

Call to Order/Roll Call

Mayor Bylund called the meeting to order at 6:06 p.m.

APPROVAL OF MINUTES

Minutes

Made by Horvath, seconded by Livingston.

MOTION: TO APPROVE THE FOLLOWING, AS AMENDED:

August 4, 2025, Budget Workshop
August 4, 2025, Regular City Council Meeting
August 18, 2025, Budget Workshop
August 18, 2025, Special City Council Meeting
August 18, 2025, Workshop City Council Meeting
August 18, 2025, Town Hall Council Meeting

Roll Call Vote:
Ayes: 4 – Rogers, Horvath, Livingston and Bylund
Noes: 0

MOTION CARRIED

CITY MANAGER

City Manager Report

City Manager Richard Pike stated he is requesting guidance from Council on moving forward with raising the rates for the paid parking program. Mr. Pike advised that the parking ordinance is written so that the City Manager has the authority to raise or lower the parking program rates. He would like to raise it a flat $5.00 per hour rate with a maximum payment not to exceed $60.00. He would also like to increase the free parking for residents from three hours to four hours. The $5.00 per hour is consistent with other cities.

Council consensus was in support of raising the fees.

City Manager reports can be located on the City of Neptune Beach website at: https://www.nbfl.gov/city-manager/pages/city-manager-reports.

VARIANCES / SPECIAL EXCEPTIONS / DEVELOPMENT ORDERS

1112 Third Street, LLC

Mayor Bylund explained there are three requests, which include a variance, special exception and a development order. These are all for 1112 Third Street.

V25-05: Application for variance as outlined in Chapter 27, Article III, Division 8 of the Unified Land Development Code of Neptune Beach for 1112 Third Street, LLC for property 1102 and 1112 Third Street, Neptune Beach, Florida (RE: Parcels 172851-0000 and 172852-0000). The applicant requests a variance from Table 27-239 C-1 front yard setback to permit the construction of an office building with a +/- 150-foot front yard maximum setback in lieu of the required 25-foot yard maximum setback. The property is in the C-1 zoning district.

SE25-01: Application for Special Exception as outlined in Chapter 27 Article III Division 9 of the Unified Land Development Code of Neptune Beach for 1112 Third Street, LLC for property 1102 and 1112 Third Street, Neptune Beach, Florida (RE Parcels 172851-0000 and 172852-0000). The applicants are requesting a special exception for off-site parking in accordance with Sec. 27-540 Parking requirements (e) Offsite Parking for an office. The property is in the C-1 zoning district.

DP25-01: Application for Preliminary Development Plan as outlined in Chapter 27 Article III Division 2 of the Unified Land Development Code of Neptune Beach for 1112 Third Street, LLC for the property 1102 and 1112 Third Street, Neptune Beach, Florida (RE Parcels 172851-0000 and 172852-0000). The applicant requests a Development Plan approval to permit a 27,346 SF office building with associated parking and landscaping. The property is in the C-1 zoning district

Quasi-Judicial Proceedings

City Attorney Paul Water explained that this is a quasi-judicial hearing. There would be ex parte communications declared and swearing in of speakers.

Mayor Bylund declared she had met with the applicant a few months earlier regarding the build.

Vice Mayor Livingston stated she met with the applicant.

Councilor Brent Rogers disclosed he had met with the applicant before when the development agreement was on the agenda, but not since then and not concerning these items.

Councilor Horvath stated he had met with Mr. Hassan at the site several months ago and had not met with him since then.

The City Clerk administered the oath to those would be speaking regarding the application.

Staff Presentation

Community Development Director Heather Whitmore explained V25-04 is the variance request from Table 27-239 C-1 front yard setback to permit the construction of an office building with a +/- 150 foot front yard maximum setback in lieu of the required 25-foot yard maximum setback. SE25-01 is the special exception request for off-site parking in accordance with Section 27-540 Parking requirements (e) Offsite Parking for an office. DP25-01 is a Development Plan approval to permit a 27,346 square-foot office building with associated parking and landscaping.

The development agreement was approved at the July 21, 2025, Council meeting. Staff recommends approval of the variance, special exception and development order. The Community Development Board unanimously approved all three requests on August 13, 2025.

Applicant

Jason Gabriel, Burr & Forman, introduced the development team, Marc Hassan, the developer/owner, and Tripp Means, Means Engineering. He stated that the justification for the request is a cutting-edge, public-private partnership. This is a wonderful joint venture that mitigates the aesthetic, sound, and lighting issues. They also seek to improve both North Street and Magnolia Street, provide some parking spaces, some refurbished asphalt and pavement, and new curb linings. It will be a nice improvement to the area.

Public Hearing

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

V25-05

Made by Horvath, seconded by Livingston.

MOTION: **TO APPROVE VARIANCE V25-05 FOR THE FRONT YARD SETBACK, AS SUBMITTED**

Roll Call Vote:
Ayes: 4– Rogers, Horvath, Livingston and Bylund
Noes: 0

MOTION CARRIED

SE25-01

Made by Rogers, seconded by Livingston.

MOTION: **TO APPROVE SPECIAL EXCEPTION SE25-01 FOR OFF-SITE PARKING, AS SUBMITTED**

Roll Call Vote:
Ayes: 4 – Horvath, Rogers, Livingston and Bylund
Noes: 0

MOTION CARRIED

DP25-01

Made by Livingston, seconded by Horvath.

MOTION: **TO APPROVE DEVELOPMENT PLAN DP25-01, AS SUBMITTED**

Roll Call Vote:
Ayes: 4–Rogers, Horvath, Livingston and Bylund
Noes: 0

MOTION CARRIED

ORDINANCES

Ord. No. 2025-15, Municipal Non-Profits	Ordinance No. 2025-15, First Read and Public Hearing. An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 2, Administration By Enacting Section 2-256, by Allowing for Creation of Non-Profit Business Entities; 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.

Mr. Waters pointed out that under the Florida Constitution, the City has the Home Rule Power that gives the City the general authority to carry out any lawful purpose as a municipality. This includes creating non-profit entities. The ordinance does not establish any specific non-profit but grants the City the power to do so in the future. The non-profit must adhere to Florida's ethics laws and public record laws.

Made by Livingston, seconded by Rogers.

MOTION: **TO APPROVE ORDINANCE NO. 2025-15 AT FIRST READING**

Roll Call Vote:
Ayes: 4 – Horvath, Rogers, Livingston and Bylund
Noes: 0

MOTION CARRIED

Ord. No. 2025-16, Payment In-Lieu, and Res. No. 2025-17, Fees	Ordinance No. 2025-16, Payment In-Lieu and Resolution No. 2025-17, Fees, were deferred.

NEW BUSINESS

Local 630 Agreement	Approval of Memorandum of Understanding between the City of Neptune Beach and Northeast Florida Public Employees Local 630.

Discussion included responsibility for the negotiations, health insurance provisions and keeping the discussions in mind for future budget meetings.

Made by Horvath, seconded by Livingston.

MOTION: **TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NEPTUNE BEACH AND LOCAL 630**

Roll Call Vote:
Ayes: 4 - Rogers, Horvath, Livingston and Bylund
Noes: 0

MOTION CARRIED

City Clerk Employment Agreement	City Clerk Employment Contract.

Made by Livingston, seconded by Horvath.

MOTION: **TO APPROVE THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NEPTUNE BEACH AND THE CITY CLERK**

Roll Call Vote:
Ayes: 4- Horvath, Rogers, Livingston and Bylund
Noes: 0

MOTION CARRIED

Adjournment There being no further business, Mayor Bylund adjourned the meeting at 6:54 p.m.

Corrine A. Bylund, Mayor

ATTEST:

Catherine Ponson, CMC
City Clerk

Approved: 10-06-2025

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.