



TOWN COUNCIL REGULAR MEETING MINUTES

**TUESDAY, FEBRUARY 13, 2024 – 6:30 PM
PIERSON TOWN HALL**

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

1. Call meeting to order

Mayor Samuel G.S. Bennett called the meeting to order at 6:30 PM and asked Town Clerk Yvonne Braddock to take the roll call.

2. Roll call

PRESENT:

Mayor Samuel G.S. Bennett
Vice Mayor Robert Greenlund
Councilmember Sergia Cardenas
Councilmember Linnie Richardson
Councilmember Brandy Peterson

Also present were Town Attorney Christian Waugh, Town Planner Mark Karet, Deputy Clerk Ryan Smith, Utility Clerk Marci Nichols, as well as representatives from the Volusia County Sheriff's office.

3. Invocation and pledge of allegiance

Mayor Bennett gave the invocation, which was followed by the Pledge of Allegiance.

4. Approval of Minutes – Mayor Samuel Bennett

- a. Regular Meeting January 23, 2024

Mayor Bennett read the title and asked if there were any additions and/or deletions, if not he would entertain a motion for approval.

Councilmember Brandy Peterson made the motion to approve the above listed minutes as written; seconded by Councilmember Linnie Richardson. All agreed; motion carries.

5. NEW BUSINESS

- a. Ancient Order of Hibernians – Mayor Samuel G.S. Bennett

Mayor Bennett issued a proclamation recognizing the Ancient Order of Hibernians and asked Attorney Christian Waugh to read the text of the proclamation.

46 b. Quote for fire ant treatment at 3 locations by Hunter Pest Control – Mayor
47 Samuel G.S. Bennett

48
49 A quote was obtained for fire ant treatment after complaints from the public regarding fire
50 ants at parks and ball fields. Hunter Pest Control quoted 2 treatments per year at 3 locations
51 for a total of \$2,400.00. Purcor was contracted for ant treatment in the past and council asked
52 for an updated quote from Purcor.

53
54 **Councilmember Linnie Richardson made the motion to table this item until the next**
55 **regular Council meeting; seconded by Vice Mayor Robert Greenlund. All agreed;**
56 **motion carries.**

57
58 **** See 5f for further discussion and motion ****

59
60 c. Beth Harper rental at New Town Center – Vice Mayor Robert Greenlund

61
62 **Vice Mayor Robert Greenlund made the motion to table this item until Beth Harper**
63 **could be present at the meeting; seconded by Councilmember Linnie Richardson. All**
64 **agreed; motion carries.**

65
66 d. Easter Festival March 30, 2024 and Earth Day Town Clean-up April 20, 2024
67 – Pierson Community Association

68
69 Ms. Robin Green of Pierson Community Association stated that the Association in
70 conjunction with Seville association would like to host an Easter Festival on March 30, 2024
71 featuring an Easter egg hunt, food trucks, and a petting zoo. Ms. Green requested the use of
72 the ball fields and playground area and asked if the Town would allow the use of the park
73 restrooms, trash cans, and the tables and chairs from the Community Center. The festival
74 would take place from 9:00AM to 2:00PM.

75
76 Ms. Green also stated that the Community Association would like to host an Earth Day clean-
77 up event on April 20, 2024 and requested the use of the Town’s dumpster to dispose of
78 collected trash. The time would be weather-dependent but tentatively would start at 8:00AM.

79
80 Discussion ensues regarding scheduling. Utility Clerk Marci Nichols verifies that no ball
81 games are scheduled for March 30, 2024 and that the park and ball fields should be available
82 on that date.

83
84 **Vice Mayor Robert Greenlund made the motion to approve the use of the Town facilities**
85 **for both events; seconded by Councilmember Sergia Cardenas. All agreed; motion**
86 **carries.**

87
88 e. Ethics Training March 8, 2024 – Brandy Peterson - Councilwoman

89
90 Councilmember Brandy Peterson brings to the attention of the Council that annual Ethics
91 continuing education is available from Volusia League of Cities at the Daytona State College
92 campus on March 8, 2024. Councilmembers attending must register in advance.

93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139

Councilmember Sergia Cardenas states that Florida League of Cities should have an online Zoom training session in March or April. Mayor Samuel G.S. Bennett advises that each councilmember can choose their own individual preferred method of annual Ethics education.

f. Little League – Brandy Peterson - Councilwoman

Councilmember Brandy Peterson has had numerous conversations with the public regarding the condition of the ball fields at Chipper Jones Park. Councilmember Peterson received an email from Volusia County Parks & Recreation stating that new clay would be ordered and the lip on the current clay which is causing issues would be fixed after the upcoming baseball season ended. Councilmember Peterson suggests that the Town should contact Volusia County Parks & Recreation to request the issues are resolved prior to the season beginning on March 1, 2024.

Resident Katie Ruth states that the current clay lip is at least six inches high and there are fire ants on the baseball fields. Ms. Ruth asks for clarification regarding which entities are responsible for maintaining the fields throughout the year.

Councilmember Brandy Peterson explains that historically there is cooperation between Volusia County, Town of Pierson, and Northwest Volusia Little League to keep the fields and grounds in good condition. Northwest Volusia Little League participates in annual fundraising events and a portion of those proceeds are used to prepare the ball fields, dugouts, and surrounding areas for the baseball season.

Council requests a review of the contract with Volusia County Parks & Recreation to determine their responsibilities at the ball fields. Councilmember Linnie Richardson asks Town Attorney Christian Waugh to locate and review the existing contract.

Vice Mayor Robert Greenlund states that the estate of Bernon Abbott donated \$25,000.00 to Northwest Volusia Little League for the construction of covered batting cages. The construction was previously approved by Council, but the construction has never commenced.

Vice Mayor Robert Greenlund made the motion to re-consider agenda item 5b for fire ant treatment; seconded by Councilmember Linnie Richardson. All agreed; motion carries

Councilmember Brandy Peterson made the motion to approve the Hunter pest control proposal for fire ant treatment; seconded by Linnie Richardson. All agreed; motion carries

g. Request to rent space at New Town Center for a beauty salon – Mya Martinez

Resident Mya Martinez addressed the council regarding renting a space at the Town Center for a beauty salon. She also suggested using her childcare license to establish an area for children while their parents were attending the salon. Ms. Martinez received her cosmetology license in 2019. Councilwoman Brandy Peterson explained that the Town is still in the

140 planning stages of renting space at the Town Center and that we will contact Ms. Martinez
141 when we are closer to accepting tenants.

142

143 h. Updates by Mayor Samuel G.S. Bennett

144

145 Mayor Bennett gives an update regarding Hough Electric who will order parts and install
146 lighting in the center row of the auditorium as well as fix existing lights.

147

148 i. Updates on Town Projects from Town Attorney Christian Waugh

149

150 Mr. Waugh gives an update regarding ongoing issues with the Family Dollar/Dollar Tree store
151 and their compliance with the building code as addressed by Volusia County Fire Marshal.
152 Mr. Waugh spoke with the attorney for the store owners and advised the attorney that Family
153 Dollar/Dollar Tree had no viable claims against the Town of Pierson for their permitting and
154 inspection deficiencies.

155

156 j. Updates on Town Projects from Town Planner Mark Karet

157

158 Mr. Karet expands on the Family Dollar/Dollar Tree issue and explains that Volusia County
159 Fire Marshal raised concerns about the adequacy of the fire flow for the building. The store
160 is ultimately responsible for meeting code requirements. Mr. Karet expects a resolution in 1
161 – 2 days.

162

163 Mr. Karet states that he will be available at the Town on February 15, 2024 and March 7,
164 2024 but will be unavailable for the regular Council meeting on February 27, 2024 and may
165 have a scheduling conflict on March 12, 2024 (to be determined).

166

167 **Meeting adjourned**

168

169 **Public Hearing called to order**

170

171 k. ORDINANCE No. 2023-06 Public Hearing Second Reading

172

173 AN ORDINANCE OF TOWN OF PIERSON, FLORIDA AMENDING THE
174 TOWN OF PIERSON COMPREHENSIVE PLAN, AS PREVIOUSLY
175 AMENDED; PROVIDING FOR AN AMENDMENT TO THE FUTURE
176 LAND USE MAP IN THE FUTURE LAND USE ELEMENT RELATIVE TO
177 CERTAIN REAL PROPERTY CONTAINING 4.9± ACRES, OWNED BY
178 FIDEL VELAZQUEZ, BEARING PARCEL ID: 482101000191, LOCATED
179 AT THE NORTHEAST CORNER OF THE INTERSECTION OF WEST
180 PALMETTO AVENUE AND NORTH VOLUSIA AVENUE/CR-3 FROM
181 THE “AGRICULTURAL AND RURAL RESIDENTIAL USE” TO THE
182 “MEDIUM DENSITY MOBILE HOME USE” FUTURE LAND USE
183 DESIGNATION; PROVIDING FOR THE LEGISLATIVE FINDINGS AND
184 INTENT; PROVIDING FOR THE ASSIGNMENT OF THE FUTURE LAND
185 USE DESIGNATION TO THE PROPERTY; PROVIDING FOR THE
IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR

186 SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR
187 NON-CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.
188

189 1. ORDINANCE No. 2023-07 Public Hearing Second Reading

190 AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA PROVIDING
191 FOR THE REZONING OF REAL PROPERTY TOTALING 4.9± ACRES,
192 OWNED BY FIDEL VELAZQUEZ BEARING PARCEL ID: 482101000191,
193 LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF
194 WEST PALMETTO AVENUE AND NORTH VOLUSIA AVENUE/CR-3
195 FROM THE “A-1, AGRICULTURAL” DISTRICT TO THE “PD-R,
196 PLANNED DEVELOPMENT RESIDENTIAL” DISTRICT; AUTHORIZING
197 THE MAYOR AND TOWN CLERK TO EXECUTE A PLANNED
198 DEVELOPMENT AGREEMENTL PROVIDING FOR THE TAKING OF
199 IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE
200 ADOPTION OF MAPS BY REFERENCE; PROVIDING FOR
201 IMPLEMENTING ADMINISTRATIVE ACTIONS; REPEALING ALL
202 CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY;
203 PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN
204 EFFECTIVE DATE.
205

206 No discussion.

207
208 **Vice Mayor Robert Greenlund made the motion to end Public Hearing; seconded by**
209 **Councilmember Linnie Richardson. All agreed; motion carries.**

210 **Call regular meeting to order**

211
212
213 **Vice Mayor Robert Greenlund made the motion to approve Ordinance No. 2023-06 in**
214 **its second reading; seconded by Councilmember Sergia Cardenas. Motion carries on a**
215 **roll call vote 5-0.**

216
217 **Councilmember Brandy Peterson made the motion to approve Ordinance No. 2023-07**
218 **in its second reading; seconded by Vice Mayor Robert Greenlund. Motion carries on a**
219 **roll call vote 5-0.**

220
221 **Meeting adjourned**

222
223 **Public Hearing called to order**

224
225 m. ORDINANCE No. 2023-03 Public Hearing Second Reading

226 AN ORDINANCE OF TOWN OF PIERSON, FLORIDA AMENDING THE
227 TOWN OF PIERSON COMPREHENSIVE PLAN, AS PREVIOUSLY
228 AMENDED; PROVIDING FOR AN AMENDMENT TO THE FUTURE
229 LAND USE MAP IN THE FUTURE LAND USE ELEMENT RELATIVE TO
230 CERTAIN REAL PROPERTY CONTAINING 3.4± ACRES, OWNED BY
231 WILLIAM F. MULLER, BEARING PARCEL ID: 580200000302, LOCATED
232 ON THE EAST SIDE OF WESTERN AVENUE, APPROXIMATELY 1,390

233 FEET SOUTH OF HARPER ROAD FROM THE “AGRICULTURAL AND
234 RURAL RESIDENTIAL USE” TO THE “MEDIUM DENSITY MOBILE
235 HOME USE” FUTURE LAND USE DESIGNATION; PROVIDING FOR
236 THE LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE
237 ASSIGNMENT OF THE FUTURE LAND USE DESIGNATION TO THE
238 PROPERTY; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE
239 ACTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR
240 CONFLICTS; PROVIDING FOR NON-CODIFICATION; AND
241 PTOVIDING FOR AN EFFECTIVE DATE.

242

243 No discussion.

244

245 **Call regular meeting to order**

246

247 **Vice Mayor Robert Greenlund made the motion to approve Ordinance No. 2023-03 in**
248 **its second reading; seconded by Councilmember Brandy Peterson. Motion carries on a**
249 **roll call vote 5-0.**

250

251 **6. OLD BUSINESS**

252

253 a. Fence around Town Center (Tabled 1/23/2024) – Brandy Peterson –
254 Councilwoman

255

256 Discussion regarding the chain-link fence around the Town Center resumed from the prior
257 regular Council meeting. Councilmember Brandy Peterson asked if the Council had a chance
258 to look at the fence and make a determination regarding its removal. Councilmember Linnie
259 Richardson states that the fence is an eyesore and also obstructs the view of Highway 17 when
260 trying to leave the Town Center. Mayor Samuel G.S. Bennett and Vice Mayor Robert
261 Greenlund spoke in favor of keeping the fence for security purposes. Multiple residents spoke
262 in support of the removal.

263

264 **Councilmember Brandy Peterson made the motion to remove the fence around Town**
265 **Hall; seconded by Councilmember Linnie Richardson. All agreed; motion carries.**

266

267 b. Surety Bank lease (Tabled 1/23/2024) – Mayor Samuel G.S. Bennett

268

269 Councilmember Linnie Richardson read the expenditures for the Surety Bank building and
270 noted that the current lease amount does not cover the monthly operating costs of the property;
271 Monthly operating expenditures are roughly \$1,605.00 and Surety Bank is currently paying
272 \$1,600.00 in rent. Attorney Christian Waugh spoke to a bank contact who was non-committal
273 about Surety’s plans for the building.

274

275 Discussion ensued about revisiting the terms of the lease and determining whether an increase
276 should be considered. Residents in attendance noted that the town needs a bank. Christian
277 Waugh confirms that the current bank lease expires October 31, 2024. A future workshop to
278 discuss the issue was suggested.

279

280 c. Septic Tank at Town Center (Tabled 1/23/2024) – Brandy Peterson –
281 Councilwoman

282 Christian Waugh states that he has started discussions with Volusia County regarding an
283 extension of the date in which the Town must disconnect from the Volusia County School’s
284 sewer system.
285

286 **7. OTHER BUSINESS (Council and Staff Reports)**

287
288 Councilmember Linnie Richardson has two items:

- 289 • A quote was received to repair the Town’s tractor which needs a front drive shaft,
290 hoses, and a complete service. Council advised that it must be an agenda item and will
291 be added to the agenda for the next regular meeting.
- 292 • Town Attorney Christian Waugh was asked to provide records retention guidelines to
293 determine how the Town records room should be organized. Mr. Waugh stated that he
294 had the information and would supply it to the Town.

295
296 Councilmember Brandy Peterson voiced her concern regarding the condition of Hagstrom
297 Road.

298
299 **8. GOOD AND WELFARE (Public Participation)**

300
301 Resident Reynolds Richardson spoke on his concerns about the condition of roads in the
302 Town, particularly Hagstrom Road where he lives. Mr. Reynolds recalled that the Town had
303 a meeting with Volusia County regarding the road approximately 8 to 10 years ago but it still
304 has not been addressed. Mayor Samuel G.S. Bennett suggested that it be added to a future
305 regular Council meeting agenda and that Volusia County Road & Bridge division should be
306 contacted. Mr. Richardson suggested that the road would not be fixed until the drainage issue
307 was resolved.

308
309 Resident Kelly Green asked about grants which could help the Town repair or install roads.
310 Town Planner Mark Karet stated that grants are not often used for general maintenance or
311 repairs.

312
313 **9. ADJOURNED**

314
315 **Hearing no further business, meeting adjourned at 8:30 PM.**

316
317 Minutes prepared by:

Minutes approved by:

318
319
320
321 _____
322 Ryan Smith, Deputy Town Clerk

Samuel G.S. Bennett, Mayor