



TOWN COUNCIL REGULAR MEETING MINUTES

**TUESDAY, JANUARY 11, 2022 – 7:00 PM
PIERSON TOWN HALL**

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1. Call meeting to order

Mayor Samuel G.S. Bennett called the meeting to order at 7:04 PM and asked Town Clerk Carmen Spelozzi to take the roll call.

2. Roll call

PRESENT:

- Mayor Samuel G.S. Bennett
- Vice Mayor Robert Greenlund
- Councilmember Thomas R. Larrivee
- Councilmember Sergia Cardenas
- Councilmember Gray Leonhard

Also present were Town Attorney Christian Waugh; Town Planner Mark Karet 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 December 14, 2021

Mayor Bennett asked if there are any additions and deletions and if not he would entertain a motion.

Councilmember Tom Larrivee made the motion to approve the above listed minutes as written; seconded by Councilmember Gray Leonhard. All agreed; motion carries.

5. NEW BUSINESS

a. **ORDINANCE 2021-10 PUBLIC HEARING Second Reading**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PIERSON, FLORIDA, PROPOSING AMENDMENTS TO THE PIERSON ORDINANCE REGARDING THE EMISSION OF HARMFUL NOISE WITHIN THE TOWN; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

4a

47 Mayor opened the floor to Public. Town Attorney Christian Waugh read the title into record.

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49 Hearing no public comments, motion was made to close the Public Participation

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51 **Vice Mayor Robert Greenlund made the motion to close the public participation of the**
52 **public hearing; seconded by Councilmember Gray Leonhard. All agreed; motion**
53 **carries.**

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55 Discussion ensued that the decibels have been changed as instructed during the first reading.

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57 **Vice Mayor Robert Greenlund made the motion to approve Ordinance 2021-10 on**
58 **second reading; seconded by Councilmember Gray Leonhard. All agreed; motion**
59 **carries on roll call vote 5-0.**

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61 b. ARPA Proposal for Revenue Replacement Calculation by James Moore CPA –
62 Zach Chalifour, CPA

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64 Mayor Bennett spoke on the background for this proposal and informed the Council why
65 James More CPA was selected to provide a proposal which is not needed at this time. Mrs.
66 Spelorzi updated the Council that Mr. Chalifour advised of the new ARPA rule allowing non-
67 entitled municipalities to use the funds allotted as they see fit for the municipality. Mrs.
68 Spelorzi also indicated he offered to assist the Town with funds that have and will be received.

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70 c. Water Billing Adjustment Request: 350 Richardson Lane, ZSZ Investment LLC
71 - Water Committee Chairman/ Vice Mayor Robert F. Greenlund

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73 Vice Mayor Greenlund spoke on the situation and Mrs. Spelorzi informed the Council on the
74 accrued charges and the adjustment amount that could be awarded.

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76 Discussion ensued.

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78 **Vice Mayor Robert Greenlund made the motion to have ZSZ Investment, LLC pay**
79 **\$2,767.62 within two weeks and waive the difference and if it is not paid within that time,**
80 **the agreement is null and void; seconded by Councilmember Gray Leonhard. All**
81 **agreed; motion carries.**

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83 Resident Paul Martel, 506 N. Pine Street, recommended sending out letters to water bill
84 recipient(s) if the bill is late by a few months and to not waive late fees.

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86 d. Discussion on Tree Trimming and Street Maintenance – Councilman Gray
87 Leonhard

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89 Councilmember Gray Leonhard spoke about tree trimming as well as road maintenance for
90 the following locations

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92 • Town Hall parking lot – directly in front of the door, large dead limb needs to be
addressed ASAP for safety

- 93 • South East corner of 2nd Ave and Hwy 17 – large Oak tree limbs obstruction view
94 looking south of Hwy 17
95 • West Third Ave between HWY 17 and RR tracks, Third Ave is 50% covered with
96 dirt intruding on pavement, rain water will pool on road for several days, need to
97 clean dirt off road to protect road bed. Public Works to handle

98 Discussion ensued that the Town is under contract with M&B Tree Company but that this
99 contract would need to be renewed. Make an agenda item to address renewal.

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- e. Verizon Proposed Equipment Modification and review of current lease agreement at 138 W Third St Water Tower – Karina Fournier, Tower Engineering Professionals Inc (Tabled from 12/14/2021) - Mayor Samuel G.S. Bennett

Town Attorney Waugh spoke on equipment updates/replacements and informed the Council that Verizon agreed to a \$750 per month increase with no extension of the lease. The agreement states that the new total payment will be \$43,452 a year.

Councilmember Tom Larrivee made the motion to approve the equipment modification and the \$750 monthly increase; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries.

- f. Quotes for Backhoe Service and Repair - Mayor Samuel G.S. Bennett

Mayor Bennett asked to table the item to give more time to obtain quotes.

Councilmember Tom Larrivee made the motion to table the item; seconded by Councilmember Gray Leonhard. All agreed; motion carries.

- g. Updates by Mayor - Mayor Samuel G.S. Bennett

Mayor Bennett

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- Thanked Zev Cohen for their generosity in paying for the annual Christmas party. Councilmember Larrivee was thankful for the mugs.
- Spoke on appointing a person for the DRA position, will be addressed during next meeting as an agenda item
- Updated that Volusia County wants to move into new Town Center, VC representatives to check out media center/library
- Asked for suggestion for a Contractor to complete remaining work at Town Center; Town Clerk to get quotes from office solution companies

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- h. Update of Town projects from Town Attorney – Town Attorney Christian Waugh

Mr. Waugh updated the Council on the procedure for the Town to be able to avail themselves of the Clerk of Court Services for enforcing noise ordinance violations. Discussion ensued

137 that these would be civil charges and if there are any costs to the Town if a citation is being
138 contested and who would represent the Town if it went to court. Mr. Karet thought that the
139 County Attorney would get involved. Mr. Waugh will check into it.

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141 i. Update of Town projects from Town Planner – Town Planner Mark Karet, Zev
142 Cohen & Associates

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144 Mr. Karet spoke on

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150 **6. OLD BUSINESS**

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No additional comments from Vice Mayor Greenlund and Councilmember Larrivee as well as Mr. Waugh.

Councilmember Cardenas asked if any applications have been received for the posted Utility position and Mrs. Spelorzi explained that a few have been received but that they are considering re-advertising.

Councilmember Cardenas would like to address the hours and rules for the Town dump and asked for the process of making that discussion an agenda item. She stated that a couch was set on fire near at the dump. Councilmember Gray Leonhard stated that a felony charge occurs if you dump item(s) over a certain amount of weight. He feels that VCSO should get involved if violations can be proven. Discussion ensued and the Mayor will get VCSO or the County to assist.

Councilmember Gray Leonhard would like a report of all water accounts for the next meeting to see how much is owed to the Town. Mrs. Spelorzi will produce this list for the Vice Mayor to present at the next meeting.

Mrs. Spelorzi gave a hand-out from Duke Energy about upcoming tree trimmings.

177 **8. GOOD AND WELFARE (public participation)**

179 Mrs. Linnie Richardson is concerned about the Community Center being abused and asked if
180 the Council can look at changing business hours for the Center and also look into raising the
181 rates. Mayor Bennett asked the Council to think about the suggestions and to make this an
182 agenda item for the next meeting.

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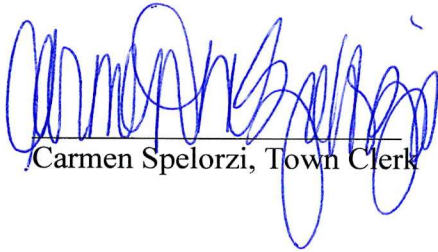
9. ADJOURNED

Mayor Bennett thanked all in attendance.

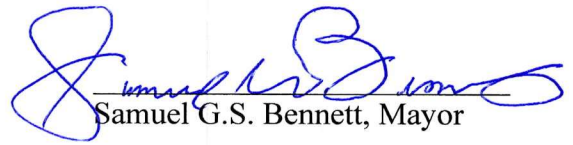
Hearing no further business, meeting adjourned at 8:14 PM.

Minutes prepared by:

Minutes approved by:



Carmen Spelorzi, Town Clerk



Samuel G.S. Bennett, Mayor