



# TOWN COUNCIL REGULAR MEETING MINUTES

TUESDAY, FEBRUARY 22, 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 7:00 PM and asked Town Clerk Carmen Spelorzi to take the roll call.

**2. Roll call**

PRESENT:

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

Also present were Town Attorney Christian Waugh; Town Planner Mark Karet and representatives from the VCISO. Councilmember Sergia Cardenas is excused absent.

**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 Council meeting – February 8, 2022

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

**Councilmember Tom Larrivee made the motion to approve the above listed minutes as written; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries.**

**5. NEW BUSINESS**

- a. ORDINANCE 2022-01 (PUBLIC HEARING) Second Reading

AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA AMENDING ARTICLE III OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE TOWN PIERSON AMENDING SECTION 3.3.3 ADDING DESIGN REVIEW TO THE POWERS AND DUTIES OF THE PLANNING COMMISSION; AMENDING ARTICLE V ADDING A NEW SUBSECTION 5.6.I. ESTABLISHING APPEARANCE STANDARDS FOR SINGLE

4a

47 FAMILY HOMES, MODULAR HOMES AND DUPLEXES; PROVIDING  
48 FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND  
49 PROVIDING FOR AN EFFECTIVE DATE.  
50 (Recommendation for approval from the Planning Commission)  
51

52 Town Attorney Christian Waugh read the title into record and Town Planner Mike Karet  
53 recapped the purpose for this amendment.  
54

55 Mayor Bennett opened the Public Hearing portion of the meeting.  
56

57 Resident Dale Barnhart, 633 Western Ave., inquired about abandoned mobile homes if they  
58 could be updated or removed. Mr. Karet stated that this would fall under nuisance standards  
59 and that the amendment applies only to new construction.  
60

61 Hearing no further comments or questions Mayor Bennett closed the Public Hearing portion  
62 of the meeting.

63 **Vice Mayor Greenlund made the motion to Ordinance 2022-01 on second reading;**  
64 **seconded by Councilmember Gray Leonhard. All agreed; motion carries on roll call vote**  
65 **4-0.**

66 b. Drug Paraphernalia on right of ways (Tabled from 02/08/2022) – Resident  
67 William McClanahan  
68

69 Mr. McClanahan was not present.  
70

71 **Councilmember Gray Leonhard made the motion to remove this item from the agenda**  
72 **until it is requested again; seconded by Councilmember Tom Larrivee. All agreed;**  
73 **motion carries.**

74 c. Volusia Sheriff's Office "Year in Review" Presentation – Captain Benjamin  
75 Yisrael  
76

77 Mayor Bennett introduced Captain Yisrael who spoke on year review 2021

- 78 • Vision statement
  - 79 • Part 1 crime numbers in comparison with 2020 numbers
  - 80 • Increased patrols in (un)incorporated areas
  - 81 • Participating with Farm workers
  - 82 • More Narcotic officers presence
- 83

84 Resident Paul Martel spoke on paraphernalia and trash in the park when the High school is  
85 out and asked what is being done. Captain Yisrael explained that they caught two vandals and  
86 also spoke on arson incidents.  
87

88 Mayor Bennett spoke on Vandalism and mentioned speeding after school especially on 2<sup>nd</sup>  
89 Ave. as well as non-observance of the stop sign on Frederick. Captain Yisrael stated that there  
90 will be more warnings and citations issued.

91 d. Discussion and approval to contract out mowing needs of the town (Tabled  
92 from 02/08/2022) - Vice Mayor Robert F. Greenlund

93  
94 Vice Mayor Greenlund spoke on the cost of \$200 per hour and discussion ensued about using  
95 the company on an as needed basis and that Public Works can do the majority of the work.

96  
97 **Councilmember Tom Larrivee made the motion to hire Bates Land Clearing at the rate**  
98 **of \$200 to do work within the Town of Pierson and that there is no minimum amount of**  
99 **purchase needed and not to exceed an annual amount of \$35,000. This is not a contract**  
100 **but an as-needed agreement; seconded by Councilmember Gray Leonhard. All agreed;**  
101 **motion carries.**

102 Councilmember Leonhard voiced a concern about the Council authorizing Mr. Bates at the  
103 last Council meeting to prepare an estimate for work around the retention pond and then  
104 having Public Works crew take care of it. Mayor Bennett clarified that the estimate the  
105 Council authorized Mr. Bates to do was for removing and spreading the muck from the pond  
106 and that was not the work the Public Work crews performed. Councilmember Leonhard stated  
107 that Public Works did excellent work, but felt that the Town should have waited to do any  
108 work until after receiving Mr. Bates' quote.

109 e. Review and Approval for Tree Trimming Contracts (Tabled from 02/08//22)  
110 - Vice Mayor Robert F. Greenlund

111  
112 Vice Mayor Greenlund contacted Charles Gay and was advised that the contractor could  
113 submit a simple contract like in the past or possibly model it after one from another  
114 Municipality, which has set pricing per tree diameter.

115  
116 Discussion ensued to have multiple companies to choose from and to also include C&B on  
117 the list of contractors.

118  
119 Mr. Waugh stated that the Town can approve companies as vendors subject to the  
120 procurement limits.

121  
122 Mayor Bennett suggested approving the old contract and amend it to possibly include a  
123 contract price.

124  
125 Vice Mayor Greenlund felt that this item should be voted on when the Contractor can be  
126 present.

127  
128 Councilmember Leonhard stated that an equal contract should be drawn up for both  
129 contractors.

130  
131 Mr. Waugh is in favor of standardizing the prices in the agreement to avoid open billing and  
132 suggested asking for proposals with pricing that is acceptable to the Town. Discussion ensued  
133 about the existing agreement and that it is from 2006.

134  
135 **Councilmember Gray Leonhard made the motion to approve Fidel Velazquez and**  
136 **Charles Gay as tree removal contractors and that both companies may submit price-**

137 **based bids and that in an emergency the first Contractor that responds would do the**  
138 **work; seconded by Councilmember Tom Larrivee. All agreed; motion carries.**

139 f. Discussion and Action needed to use ARPA funds to complete CDBG Funds  
140 Shortfall – Mayor Samuel G.S. Bennett  
141

142 Mayor Bennett spoke on a meeting with Town Staff as well as Brad Blais and David Hanna,  
143 regarding the CDBG grant. Mayor Bennett summarized that the \$650,000 grant would not  
144 suffice to complete the project and that a change or amendment from the State is not possible.  
145 Another option discussed was using the funds from ARPA to cover the shortfall. Mayor  
146 Bennett asked the Town Attorney to draft a letter to the State that the Town is within their  
147 rights to use the funds from the ARPA.  
148

149 Mr. Karet stated that the goal of that meeting, referenced by the Mayor, was to find out if the  
150 State had emergency dollars to help cover that shortfall, but none were available. Mr. Karet  
151 commented on all of the bids that were received and that the dollar amounts they came in at  
152 all exceeded the amount of the CDBG grant. Mr. Karet stated that after all deductions roughly  
153 \$523,000 of the CDBG funds are left for construction and that \$349,674 would be needed to  
154 cover the shortfall, even after the contractor submitting the lowest bid agreed to a reduction.  
155 The Town could use their ARPA funds to cover that shortfall.  
156

157 Mr. Karet spoke on a letter from Braid Blais, our engineer on the CDBG project who is  
158 recommending the lowest bidder SGS Contracting Services, Inc of High Springs, FL be  
159 awarded the contract. I was originally in the amount of \$938,700.00 with a change order, #1,  
160 reducing the total bid amount by \$63,026.00 resulting in a total contract amount of  
161 \$876,674.00 as indicated by Mr. Blais in his letter to the town.  
162

163 Discussion ensued about bid bonds and the Council agreed to move forward.  
164

165 **Councilmember Gray Leonhard made the motion to award the bid to SGS Contracting**  
166 **Services in the amount of \$876,674.00 as well as proceed as discussed with the available**  
167 **CDBG funds and to supplement with the ARPA funds with a letter from the Town**  
168 **Attorney authorizing this specific use of the ARPA funds; seconded by Councilmember**  
169 **Tom Larrivee. All agreed; motion carries on roll call vote 4-0.**

170 g. Surety Bank Renewal of Lease - Mayor Samuel G.S. Bennett  
171

172 Mayor Bennett gave a brief history and Mr. Waugh stated that this is an amendment extending  
173 the lease to October 31, 2022 at the same price.  
174

175 Discussion ensued.  
176

177 **Vice Mayor Greenlund made the motion to approve the amendment as presented;**  
178 **seconded by Councilmember Tom Larrivee. All agreed; motion carries.**

179 h. Letter of Authority from Volusia County Mosquito Control to continue from  
180 Year 2022 through June 1<sup>st</sup>, 2024 - Mayor Samuel G.S. Bennett  
181

182 Mayor Bennett spoke on the letter.

183

184 Discussion ensued.

185

186 **Vice Mayor Greenlund made the motion to approve the letter of authority from 2022**  
187 **through 2024; seconded by Councilmember Gray Leonhard. All agreed; motion carries.**

188 i. Updates by Mayor - Mayor Samuel G.S. Bennett

189

190 Mayor spoke on:

- 191 • Eric Nelson working on the stairwells in the auditorium area at the New Town Center  
192 • Received siding order over one year ago  
193 • Meeting with Asset Works (Part of PRIA) to do an audit of the Towns properties  
194 • Duke Energy contractor doing trimming and cleaning through Pierson.  
195 Councilmember Gray Leonhard thanked Mrs. Spelorzi for putting him in contact with  
196 Duke to discuss the tree issues and the pole issue on Western Avenue.

197 j. Update of Town projects from Town Attorney – Town Attorney Christian  
198 Waugh

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200 No new report at this time.

201

202 k. Update of Town projects from Town Planner – Town Planner Mark Karet, Zev  
203 Cohen & Associates

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205 Mr. Karet spoke on:

- 206 • Water project  
207 • Wastewater project for design work, waiting on release of funds  
208 • Met with individuals on 2/7/22, back on 3/3/22 at 9 am  
209 • Reached out to camera vendor and will report back

210

## 211 **6. OLD BUSINESS**

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213 Mayor Bennett inquired about pricing for putting in phone lines at the New Town Center.  
214 Mrs. Spelorzi stated that she would look into it. Discussion ensued about a color for the  
215 administrative offices. Mrs. Sue Elliott stated that it might be best to know where to place  
216 desks before running any phone lines. Mrs. Spelorzi would feel more comfortable being able  
217 to have a floorplan created to include desk placement, phone jacks and color for interior wall  
218 paint and carpets that the Council could approve, she will however, select just a paint color as  
219 directed by Mayor Bennett.

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## 221 **7. OTHER BUSINESS**

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223 a. Council and staff reports

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225 No additional comments from Vice Mayor Greenlund, Mrs. Spelorzi as well as Mr. Waugh.

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Councilmembers Larrivee felt that this was a successful meeting.  
Councilmember Gray Leonhard asked to have keys for the Town Center be kept with the Town Clerk, so that Councilmembers have access when needed. Mayor Bennett stated that he would have other keys made should he not be able to locate the spares.

Councilmember Gray Leonhard inquired who can go onto a property if there has been a report of illegal activities such as somebody living in a travel trailer. Mr. Waugh spoke that this would be the function of a DRA which the Town does not have selected yet and that there is no mechanism in place yet for code enforcement.

Councilmember Gray Leonhard asked how Mr. O'Quinn is allowed to use his property being zoned Agriculture to run his businesses. Mr. Waugh stated that he will draft a letter notifying the resident of any violations.

Councilmember Gray Leonhard spoke on several other issues around town including the Community Center bathrooms and kitchen needing TLC. Discussion ensued. Conversation ensued that the security glass at town hall could be moved to the new town center.

Town Clerk Spelorzi advised of VLOC dinner on March 24, 2022 and that she needs RSVP by 3/10/22.

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

Mrs. Sue Elliott inquired if anybody else got a letter informing of a stop for News Journal home delivery and that the Post office was not aware. Discussion ensued.

Resident Jimmy Anderson thanked Councilmember Leonhard and Mrs. Spelorzi for work done in regard to the telephone pole at his property one Western Ave that was destroyed and Duke said it was not theirs.

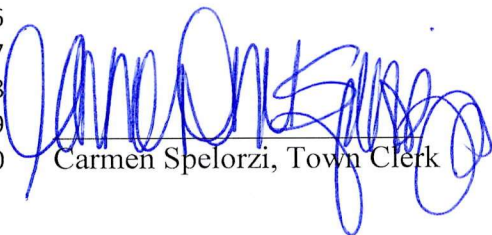
**9. ADJOURNED**

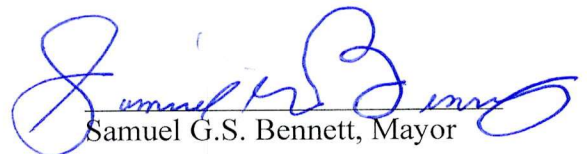
Mayor Bennett thanked all in attendance.

**Hearing no further business, meeting adjourned at 9:08 PM.**

Minutes prepared by:

Minutes approved by:

  
Carmen Spelorzi, Town Clerk

  
Samuel G.S. Bennett, Mayor