



TOWN COUNCIL REGULAR MEETING MINUTES

**TUESDAY, JUNE 22, 2021 - 7:00 P.M.
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
46
47
48

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 call roll.

2. ROLL CALL

PRESENT:

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

Also present were Town Attorney Christian Waugh and Town Planner Mark Karet. Councilmember Gray Leonhard was sworn in during the meeting and took his seat on the Council.

3. Invocation and pledge of allegiance

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

4. APPROVAL OF MINUTES – Mayor Samuel Bennett

a. Regular Meeting June 8, 2021

Mayor Samuel Bennett entertained a motion for approval if there are no deletions or additions.

Councilmember Tom Larrivee made the motion to approve the minutes as written; seconded by Councilmember Sergia Cardenas. All agreed; motion carries.

5. NEW BUSINESS

a. ORDINANCE NO. 2021-02 First Reading

AN ORDINANCE AMENDING THE TOWN OF PIERSON’S UNIFIED LAND DEVELOPMENT REGULATIONS TO FACILITATE ADMINISTRATION OF THE REGULATIONS; AMENDING ARTICLE II - RULES OF INTERPRETATION AND DEFINITIONS, SECTION 2.2 DEFINITIONS; AMENDING ARTICLE III – ADMINISTRATION, ENFORCEMENT AND REVIEW, SECTION 3.2.10.A. COMPLAINTS REGARDING VIOLATIONS.

49 (Recommendation for approval from the Planning Commission on third review)

50

51 Mayor Bennett asked Town Planner Mark Karet to give an overview of the ordinance. Mr.
52 Karet elaborated that this ordinance has been before the P&Z multiple times and that their last
53 recommendations are to

- 54 • Strike the wording *Synonymous with the Chief Building Official*
- 55 • Have the Council select one of the five town employees to be the DRA
- 56 • DRA has to report any violation to Town Council every regular Council Meeting and
57 any emergency violation immediately.

58

59 Discussion ensued what the DRAs responsibilities will be and that this change will clean up
60 the code to firm up the Town's position, should a code enforcement action be challenged in
61 court.

62

63 Mayor Bennett read the title into record and stated that this item was recommended for
64 approval by the P&Z Commission.

65

66 **Vice Mayor Robert Greenlund made the motion to approve Ordinance 2021-02 on first**
67 **reading; seconded by Councilmember Tom Larrivee. All agreed; motion carries on roll**
68 **call vote 4-0.**

69

- 70 b. Appointment of a new council member (TABLED from 06/08/2021)
71 - Mayor Samuel G.S. Bennett

72

73 Mayor Bennett noted that Residents Paul Martel, Gray Leonhard and Jimmy Anderson
74 submitted letters of interest for the appointment as a new Town Council member. Mayor
75 Bennett opened the floor for discussion.

76

77 Audience members asked questions

- 78 • can applicants serve on more than one (1) Board – no, would have to resign
- 79 • can selection be made in private – no, due to Sunshine law has to be public

80 Mr. Waugh read a section of the Chapter that states that the Mayor, with the majority of the
81 Council may appoint a person to fill an unexpired term.

82

83 **Vice Mayor Robert Greenlund made the motion to select Paul Martel to the Town**
84 **Council. Motion fails for a lack of second.**

85

86 Mayor Bennett opened the floor.

87

88 **Councilmember Sergia Cardenas made the motion to select Gray Leonhard to the Town**
89 **Council; seconded by Councilmember Tom Larrivee. All agreed; motion carries.**

90

91 Mr. Waugh stated that it is now the Mayor's responsibility to appoint Mr. Leonard to the
92 Town Council. If this is to happen at this meeting, Mr. Leonhard would have to resign as
93 Chair of the P&Z effective tonight.

94

95 Mr. Gray Leonhard verbally submitted his resignation as Chair of the Planning and Zoning
96 Commission. The Council accepted.

97

98 Town Clerk Spelorzi performed the Oath of Office ceremony and Mr. Gray Leonhard took
99 his seat on the Town Council.

100

101 c. Volusia County School Board Agreement - Mayor Samuel G.S. Bennett

102

103 Mayor Bennett informed the Council that a draft agreement to extend sewer services was
104 provided by the School Board's Attorney, which will run through September 19, 2024. The
105 agreement contains a request of periodic Sewer plant project updates to be given to the School
106 Board.

107

108 **Councilmember Tom Larrivee made the motion to approve the draft agreement**
109 **provided by the School Board; seconded by Councilmember Sergia Cardenas. All**
110 **agreed; motion carries on roll call vote 5-0.**

111

112 d. Request for Approval for an appraisal by Heffington & Associates - Mayor

113 Samuel G.S. Bennett

114

114 Mayor Bennett read the title and explained the need for an appraisal of the current Town Hall.

115

116 **Vice Mayor Robert Greenlund made the motion to approve an appraisal of the current**
117 **Town Hall to be performed by Heffington and Associates in the amount of 1,900.00;**
118 **seconded by Councilmember Sergia Cardenas. All agreed; motion carries.**

119

120 e. River to Sea TPO FY 2021/22 Funding Agreement and Invoice- Mayor Samuel

121 G.S. Bennett

122

123

124 **Vice Mayor Robert Greenlund made the motion to approve the annual agreement and**
125 **invoice in the amount of \$176.00; seconded by Councilmember Sergia Cardenas. All**
126 **agreed; motion carries.**

127

128

129 f. State of Emergency Florida / Town of Pierson - Mayor Samuel G.S. Bennett
130 Mr. Waugh stated that Florida is still under a State of Emergency based on the Governor's
executive order(s).

131

132

133

134 **Councilmember Tom Larrivee made the motion to extend the State of Emergency for**
135 **the Town of Pierson for an additional seven (7) days; seconded by Vice Mayor Robert**
136 **Greenlund. All agreed; motion carries.**

137

138

139

139

139

139

139

139

139

139

139

140 h. Update of Town projects from Town Attorney – Town Attorney Christian
141 Waugh

142

143 Mr. Waugh stated that he does not have any new reports but made the Council aware that an
144 agenda item will need to be placed on the next Council Agenda to replace the P&Z Chair.

145

146 Mayor Bennett stated that the Council is welcoming name suggestions.

147

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

150

151 Mr. Karet spoke on

152

- P&Z meeting from 6/15/21

153

- Review of Ordinance 2021-02

154

- Comp Plan IX and new changes

155

- On track for inclusion to SRF for design of the Wastewater plant

156

- Available for on-site meeting July 1st, 2021 9 am – 11:30

157

- Out of office July 2 through 6th.

158

159 **6. OLD BUSINESS**

160 None

161 **7. OTHER BUSINESS**

162

163 Vice Mayor Robert Greenlund thanked all those that have submitted their names to serve on
164 the Council and welcomed Mr. Leonhard to the Council

165

166 Councilmember Tom Larrivee asked about the 2nd reading of Ordinance 2021-03 and was
167 informed that it is on the next Council agenda due to the time it takes to properly advertise.

168

169 Councilmember Sergia Cardenas

170

- thanked the mayor for his involvement in getting a sewer extension agreement from the VCSB and touched again on creating a committee to oversee the beautification of the new town center. Mayor Bennett stated that once the School Board finalizes the agreement they would revisit the item.

171

172

173

174

- Spoke on an incident with squatters and asked if staff can check on the property periodically

175

176

177

Newly appointed Councilmember Gray Leonhard thanked the Council for their confidence.

178

179

180

8. GOOD AND WELFARE (public participation)

181

182

Mr. Paul Martel inquired about the status of the new pole for Chipper Jones Park and was told that it is on order.

183

184

185

Ms. Jaime Davies asked if there will be any costs to the Town to be on their sewer and was informed that there will be no cost to the Town per the draft agreement.

186

- 187 Mrs. Linnie Richardson spoke on
188 • bringing back the noise ordinance to the P&Z due to continued noise problems.
189 • Checking with the VCSO on their apparent lack of presence in Pierson. Discussion
190 ensued that a meeting should be called with the Sheriff, Captain and the Mayor.
191

192 **9. ADJOURNED**

193 **Hearing no further business, meeting adjourned at 8:01 PM.**

194 Minutes prepared by:

Minutes approved by:

195

196

197

198

199

200

201

202

203 _____
Carmen Spelorzi, Town Clerk

Mayor Samuel G.S. Bennett