



# TOWN COUNCIL REGULAR MEETING MINUTES

**TUESDAY, APRIL 9, 2024 – 6:30 PM  
PIERSON TOWN HALL**

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## **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 Deputy Clerk Ryan Smith, Utility Clerk Marci Nichols, Town Attorney Christian Waugh, Town Planner Mark Karet, and a deputy from Volusia Sheriff's Office.

## **3. Invocation and pledge of allegiance**

Mayor Bennett invited Pastor Stan Wickett from Ebenezer Lutheran Church to give the invocation, which was followed by the Pledge of Allegiance.

## **4. Approval of Minutes – Mayor Samuel G.S. Bennett**

- a. Regular Meeting March 26, 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.

Vice Mayor Robert Greenlund said he wanted to again voice his disagreement with the sale price of the building at 106 N. Center St from the previous meeting.

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

## **5. NEW BUSINESS**

- a. Richard Gentry for State House District 27

47 Mr. Richard Gentry spoke to the Council regarding his candidacy for Florida House District  
48 27. Mr. Gentry said he was born in Volusia County and was a lawyer by training, working  
49 in Tallahassee as a lobbyist. Mr. Gentry noted that he had lived in Astor for 12 years and  
50 had been endorsed by the Sheriffs of Marion, Volusia, and Lake Counties. Mr. Gentry said  
51 he was concerned about homeowners' insurance rates and the ongoing efforts to keep Silver  
52 Glen open to boaters. Mr. Gentry said his pledge was to ensure that local residents knew the  
53 name of their State Representative. Vice Mayor Greenlund thanked Mr. Gentry for traveling  
54 to Pierson to speak at the Council Meeting.

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56 b. Trespassing – Town Attorney Christian Waugh

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58 Town Attorney Christian Waugh said he had drafted a trespassing ordinance based on the  
59 County's ordinance which would satisfy Volusia Sheriff's Office requirements and allow  
60 them to trespass people from Town property. Councilwoman Linnie Richardson asked who  
61 in Town would be able to make the warning. Mr. Waugh said his concern is that the designated  
62 reporters should not be Council members because it could appear political in nature. Mr.  
63 Waugh said that one key component of the ordinance is that individuals who are trespassed  
64 must have the right to appeal for a review of the trespass order. Mr. Waugh stated that the  
65 Council would have to determine who would hear the appeals, and suggested that the Town  
66 could potentially enter into an interlocal agreement with the Volusia County Code  
67 Enforcement Board. Mr. Waugh said he had reached out to the County and was awaiting a  
68 response. Vice Mayor Greenlund suggested the matter should be tabled until the next Council  
69 Meeting while waiting on a response from the County.

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71 **Regular meeting in recess**

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73 **Public Hearing called to order**

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75 c. ORDINANCE 2024-01 Public Hearing Second Reading  
76 AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA ANNEXING  
77 BY VOLUNTARY PETITION CERTAIN REAL PROPERTY OWNED BY  
78 LISL AND TODD ANGEL WITH PARCEL IDS: 581200000470 AND  
79 581200000473 LOCATED 225± SOUTH OF THE INTERSECTION OF  
80 LAMAR ROAD AND SOUTH VOLUSIA AVENUE/CR-3 WITH THE  
81 ADDRESSES OF 211 AND 245 LAMAR ROAD AND LOCATED  
82 CONTIGUOUS TO THE TOWN OF PIERSON IN ACCORDANCE WITH  
83 THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044,  
84 FLORIDA STATUTES, AND OTHER CONTROLLING LAW;  
85 REDEFINING THE BOUNDARIES OF THE TOWN OF PIERSON TO  
86 INCLUDE SAID PROPERTY; PROVIDING FINDINGS; PROVIDING FOR  
87 CONDITIONS; PROVIDING DIRECTION TO THE TOWN CLERK TO  
88 RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT  
89 COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA  
90 COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING A  
91 LEGAL DESCRIPTION AND A MAP; REPEALING ALL ORDINANCES  
92 IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY;  
93 PROVIDING FOR NON-CODIFICATION AND THE TAKING OF

ADMINISTRATIVE ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

There was no public discussion.

**Public Hearing adjourned**

**Call regular meeting to order**

Town Planner Mark Karet said the annexation was straightforward and would add 15 acres to the Town.

**Councilmember Brandy Peterson made the motion to approve the second reading of Ordinance 2024-01; seconded by Councilmember Linnie Richardson. Motion carries on a roll call vote 5-0.**

d. Ball Park Maintenance Agreement – Town Attorney Christian Waugh

Mr. Waugh said the original agreement between the Town and Volusia County regarding the maintenance of the ball fields at Chipper Jones Park had expired several years ago. After speaking with the County, Mr. Waugh said they would be open to discussions regarding a new contract. Mayor Bennett spoke with the County and they requested a postponement of 30 to 45 days for discussions regarding the contract.

**Vice Mayor Robert Greenlund made the motion to table this item to give the County additional time; seconded by Councilmember Linnie Richardson. All agreed; motion carries.**

e. 4<sup>th</sup> Ave and County Road 3 Discussion and Action – Mayor Samuel G.S. Bennett

Resident Jeremy Steadman asked Mayor Bennett to add an item to the agenda regarding 4<sup>th</sup> Ave. Mr. Steadman was not present at the meeting; Mayor Bennett suggested tabling discussion until Mr. Steadman could be present.

**Councilmember Linnie Richardson made the motion to table the 4<sup>th</sup> Ave discussion until a later meeting when Jeremy Steadman could be present; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries.**

f. Grant Status, Updates, and Amendment – Linnie R. Richardson - Councilwoman

Councilwoman Linnie Richardson read an email from Brad Blais at Mead & Hunt regarding the ongoing wastewater treatment plant design grant. Mr. Blais stated in his email that an extension was needed because the Volusia County School Board had rejected the original plan and the design was being changed to plan a new treatment site on Pierson's airport property. Councilwoman Richardson asked if this deviation should have been presented to Council

141 because it altered the original plans, and she wanted to know who had authorized the new  
142 location. Mayor Bennett stated that he thought all Council members knew that the School  
143 Board had rejected the original plan.

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145 Town Planner Mark Karet said he and Mead & Hunt were exploring a new sewer treatment  
146 site on the north side of the airport runway and that the current treatment plant on the school  
147 property would be decommissioned. Mr. Karet stated that the system design would not change  
148 from the original plan, only the location of the plant. He explained that the plan was always  
149 to construct a new plant and decommission the old one, but the School now wants the plant  
150 moved offsite so it is no longer on School property.

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152 Councilmember Linnie Richardson noted that the original site plans and estimates were drawn  
153 in 2019 and asked if the cost would be significantly higher now. Vice Mayor Greenlund asked  
154 if there would be state money available in the form of grants to pay for the system if the cost  
155 had increased. Mr. Karet confirmed that grant funds should be available to cover eighty  
156 percent of the construction phase. Mr. Karet explained the State Revolving Fund process to  
157 the Council and stated that construction of Phase 1 would take approximately two years once  
158 grant funding is approved and construction commences.

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160 Councilwoman Richardson voiced her concerns over the costs of the project, as well as the  
161 current water well project which is in its final stages. Councilwoman Richardson said the  
162 Water Fund would be depleted due to the \$200,000.00 shortfall on the water well project and  
163 asked if the approval of the mixing and vent system in 2023 for approximately \$70,000.00  
164 could be postponed.

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166 Resident Robin Green asked what the Town's strategy or back-up plan entailed in the event  
167 that the wastewater treatment plant project is not approved. Ms. Green asked if it would still  
168 be 15 to 20 years before all five phases of the wastewater treatment plant were completed.  
169 Mr, Karet suggested that a backup plan would be more difficult because a smaller plant would  
170 need to be constructed.

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172 Mayor Bennett asked Mark Karet to bring a full plan presentation back to the Council once  
173 the School had reached an agreement.

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175 g. Mark Karet Office Visit Non-Refundable Charge – Linnie R. Richardson -  
176 Councilwoman

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178 Councilwoman Linnie Richardson informed the Council that multiple residents had been “no-  
179 shows” at their scheduled appointments with Town Planner Mark Karet. Councilwoman  
180 Richardson suggested a non-refundable fee to cover the amount billed by Mr. Karet to the  
181 Town for his time. Councilwoman Richardson suggested \$60.00 for a half-hour appointment  
182 paid upon scheduling because Mr. Karet's time is billed at \$120.00 per hour. Mr. Karet stated  
183 that other towns such as Ponce Inlet charge fees for these appointments.

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185 Residents expressed their dissatisfaction with paying for the services and asked if the \$60.00  
186 could be applied to an application fee if the meeting resulted in an application being made  
187 with Mr. Karet.

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**Councilwoman Linnie Richardson made the motion to charge a \$60.00 appointment fee with Town Planner Mark Karet, paid at the time of scheduling, with a credit being applied to a resulting application; seconded by Brandy Peterson. All agreed; motion carries.**

h. Pickleball Court discussion and action – Mayor Samuel G.S. Bennett

Mayor Bennett said several residents had requested the addition of a pickleball court. Vice Mayor Robert Greenlund stated that residents had asked for the court to be located at Chipper Jones Park. Mayor Bennett and Vice Mayor Greenlund agreed that quotes could be obtained to determine feasibility.

i. Use of Chipper Jones Park for Parking on May 24, 2024 – Kimberly Hutcherson (email)

Pierson Elementary School Principal Kimberly Hutcherson sent an email to the Town requesting the use of Chipper Jones Park for overflow parking during the May Day event on May 24, 2024. The use of the park has been allowed in past years.

**Councilwoman Linnie Richardson made the motion to approve Principal Hutcherson’s request to use Chipper Jones Park for parking; seconded by Councilwoman Sergia Cardenas. All agreed; motion carries.**

j. West Palmetto Avenue Speed Limit discussion and action – Mayor Samuel G.S. Bennett

Mayor Bennett stated that the speed limit on West Palmetto Avenue had been reduced at the request of a family with an autistic child, but the family has since moved. Mayor Bennett suggested the speed limit be returned to its original 30-miles-per-hour limit.

**Vice Mayor Robert Greenlund made the motion to return the speed limit on West Palmetto Avenue to the original 30-miles-per-hour; seconded by Councilwoman Linnie Richardson. All agreed; motion carries.**

k. Auditorium discussion and action – Mayor Samuel G.S. Bennett

Mayor Bennett expressed his concern that the Volusia County Fire Marshal reduced the occupancy of the auditorium from approximately 245 to 145. The seats were counted and there are approximately 234 seats. Town Attorney Christian Waugh and Town Clerk Yvonne Braddock said they would discuss this matter with the Fire Marshal who potentially wrote an incorrect number on the documentation.

l. Updates by Mayor Samuel G.S. Bennett

Mayor Bennett said that he met with Efird Surveying on Hagstrom Road to discuss getting a survey for a drainage canal easement.

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m. Updates on Town Projects from Town Attorney Christian Waugh

Mr. Waugh has no updates at this time.

n. Updates on Town Projects from Town Planner Mark Karet

Mr. Karet said a final plan was forthcoming from the Velazquez property project and gave his upcoming availability dates for meetings with residents at Town Hall.

## 6. OLD BUSINESS

a. 162 W. 2<sup>nd</sup> Ave Sidewalks Quote (tabled from March 12, 2024) – Jeremy Steadman

Councilmember Linnie Richardson is awaiting a quote from Billy Schmidt regarding the sidewalks but has not received it as of this Council Meeting.

**Councilmember Linnie Richardson made the motion to table this item until a quote is received; seconded by Councilmember Sergia Cardenas. All agreed; motion carries.**

## 7. OTHER BUSINESS (Council and Staff Reports)

Vice Mayor Robert Greenlund asked for an update regarding the flow meter installation that was required by the health department. Town Clerk Yvonne Braddock stated that foreman Louis Longo spoke with Biometrics and the Town is awaiting a quote from them.

Councilmember Linnie Richardson had two items of discussion:

- Councilmember Richardson asked about the abandoned planes and parts at the east end of the airport runway and what could be done to identify the owners or remove the debris. Town Attorney Christian Waugh said he could assist with this issue.
- Councilmember Richardson stated that the school has complained about the condition of Hagstrom Road which is on the school bus route.

Councilmember Brandy Peterson had two items of discussion:

- Councilmember Peterson requested another workshop regarding the 4<sup>th</sup> of July event, as well as employee responsibilities and updates. The Council agreed to set a workshop for Thursday, April 18, 2024 at 4:00 PM.
- Councilmember Peterson asked that all correspondence by the Town Attorney and Town Planner related to Town business be carbon-copied to the Town Clerk's email so that the Clerk's office is kept informed of Town business.

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Town Clerk Yvonne Braddock contacted Volusia County Emergency Management to inquire about emergency weather radios and was provided with two radios by EMS.

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

Kristine Wake with Save Our Boating Rights provided updates regarding Silver Glen.

Resident Gray Leonhard inquired about the cars parked close to the road on 2<sup>nd</sup> Avenue near the intersection with County Road 3. Mr. Leonhard stated that it “looked like a junkyard.” Vice Mayor Greenlund said that the cars were not parked on a Town sidewalk because the sidewalk ends prior to that property, and that the cars are being parked on an area that was paved by the building owner. The Sheriff Deputy present at the meeting stated that it could potentially be red-tagged and removed.

Mr. Leonhard said that he felt Town Planner Mark Karet was dishonest regarding the wastewater treatment plans with the School Board.

Kristine Wake asked the Council about renting the auditorium at Pierson Town Center to host meetings.

**9. ADJOURNED**

**Hearing no further business, meeting adjourned at 8:47 PM.**

Minutes prepared by:

Minutes approved by:

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Ryan Smith, Deputy Town Clerk

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Samuel G.S. Bennett, Mayor