



TOWN COUNCIL REGULAR MEETING MINUTES

**TUESDAY, DECEMBER 8, 2020 - 7:00 P.M.
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 call roll.

2. ROLL CALL

PRESENT:

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

Also present were Town Attorney Christian Waugh; Town Planner Mark Karet, Deputy Clerk Carrie Ward as well as Town Foreman Louis Longo and representatives from the Volusia County Sheriff's office.

3. Invocation and pledge of allegiance

Councilmember James Peterson gave the invocation, which was followed by the Pledge of Allegiance.

4. APPROVAL OF MINUTES – Mayor Samuel Bennett

- a. Regular Meeting - November 24, 2020

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

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

5. NEW BUSINESS

- a. **ORDINANCE NO. 2020-09** **First Reading**

AN ORDINANCE AMENDING ARTICLE II - RULES OF INTERPRETATION AND DEFINITIONS, SECTION 2.2 DEFINITIONS OF THE TOWN OF PIERSON UNIFIED LAND DEVELOPMENT REGULATIONS.

Mayor Bennett read the title and stated and he had discussed this matter in depth with the Town Attorney, who is recommending this amendment. Mayor Bennett continued that the P&Z had voted it down on two (2) separate occasions and suggests the Council send the ordinance back before the P&Z and have the Town Attorney and the Town Planner settle any

49 concerns that the P&Z Commissioners may have to be able to make a recommendation of
50 approval.

51 **Vice Mayor Robert Greenlund made the motion to approve table this item and to send**
52 **it back to the P&Z for additional review; seconded by Councilmember James Peterson.**
53 **All agreed; motion carries.**

54 b. Preliminary/ Final Plat Approval – No infrastructure Improvements
55 355 Richardson Lane/ 345 Ricamar Rd/ 205 Ricamar Rd
56 (PID 581200000010;590700000190; 581200000070)
57 Application Number – 20201009 / Applicant: Anthony Lombardy
58 Owner: Lombardy Farms LLC
59 Link to maps: <https://spaces.hightail.com/receive/H3NaTELtUd>
60

61 Mayor Bennett read the title and turned the item over to Town Planner Mark Karet who spoke
62 on the application including its review and recommendation of approval by the P&Z
63 Commission.

64 **Vice Mayor Robert Greenlund made the motion to approve the Preliminary/ Final Plat**
65 **Approval – No infrastructure Improvements at 355 Richardson Lane/ 345 Ricamar Rd/**
66 **205 Ricamar Rd, (PID 581200000010; 590700000190; 581200000070), Application**
67 **Number–20201009/ Applicant: Anthony Lombardy Owner: Lombardy Farms LLC;**
68 **seconded by Councilmember Tom Larrivee. All agreed; motion carries on roll call vote**
69 **5-0.**

70 Mr. Karet elaborated on the next steps following the approval of the application.

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72 c. Florida Recreation Development Assistance Program (FRDAP)
73 Commencement Documentation Requirements and Approval - Mayor Samuel
74 G.S. Bennett
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76 Mayor Bennett read the title and asked Town Clerk Spelorzi to elaborate. Mrs. Spelorzi spoke
77 of the two (2) FRDAP grants that Pierson was awarded and that the Town has one hundred
78 and eighty (180) days to complete and submit the required commencement documents. Mrs.
79 Spelorzi stated that she needs approval to immediately solicit the boundary survey of the
80 project sites and a title search. Mrs. Spelorzi spoke on projected costs and project completion
81 deadline.
82

83 **Councilmember Tom Larrivee made the motion to approve the boundary survey and**
84 **title search to satisfy the Florida Recreation Development Assistance Program (FRDAP)**
85 **Commencement Documentation Requirements; seconded by Vice Mayor Robert**
86 **Greenlund. All agreed; motion carries.**

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88 d. Town Employee Christmas Bonuses - Mayor Samuel G.S. Bennett
89 Mayor Bennett read the title and discussion ensued to give the same bonuses as in 2019 plus
90 10% as recommended by Councilmember Larrivee.
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92 **Councilmember Tom Larrivee made the motion to approve the same Christmas bonuses**
93 **as in 2019 plus an additional 10%; seconded by Vice Mayor Robert Greenlund. All**
94 **agreed; motion carries.**

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e. Council Committees - Mayor Samuel G.S. Bennett

Mayor Bennett recommended leaving the list as is with the exception of replacing the late Councilmember Herbert Bennett’s name with current Councilmember Sergia Cardenas.

f. Public Works - Mayor Samuel G.S. Bennett

Mayor Bennett stated that he would volunteer in the capacity as PW Director.

Vice Mayor Robert Greenlund made the motion to appoint Mayor Samuel Bennett as PW Director; seconded by Councilmember James Peterson. All agreed; motion carries

g. State of Emergency Florida / Town of Pierson - Mayor Samuel G.S. Bennett

Upon confirmation by Town Attorney Waugh that Florida is still in a State of Emergency, Mayor Bennett recommended continuing the State of Emergency for a period of seven (7) days.

Vice Mayor Robert Greenlund made the motion to extend the State of Emergency for the Town of Pierson for an additional seven (7) days; seconded by Councilmember James Peterson. All agreed; motion carries.

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

Mayor Bennett stated that he will forego his reporting due to weather.

i. Update of Town projects from Town Attorney – Town Attorney Christian Waugh

Town Attorney Christian Waugh had no report.

j. Update of Town projects from Town Planner – Town Planner Mark Karet, Zev Cohen & Associates

Town Planner Mark Karet spoke on

- CDBG is approved, start procurement process by getting Mead Hunt under contract for release of funds
- Was Onsite 12/3 and back 12/17/20

6. OLD BUSINESS

None

7. OTHER BUSINESS

Councilwoman Sergia Cardenas, Town Clerk Spelorzi, the Town Attorney and the VCSO had no additional comments.

Vice Mayor Greenlund recommended the Council approach the Methodist Church to inquire if their offer to give the Town dirt that they had amassed at their cemetery is still on the table.

All agreed to have the PW director follow up with the Church.

Councilmember James Peterson wished everyone a safe and Merry Christmas.

Councilmember Tom Larrivee inquired about the status on Echo Street and Mr. Karet stated that this item is pending due to the delayed decision on the LDR amendment that the Town sent back to the P&Z at this meeting. Mayor Bennett gave a brief update on a recent talk he

143 had with the Town Planner that touched on a special exception for non-conforming use. The
144 Town Attorney explained his reasoning for needing Article II of the LDR amended and that
145 the Echo Street situation is currently at a standstill.

146
147 Mr. Waugh stated that this situation can be resolved in several ways

- 148 • The petitioner withdraws the complaint
- 149 • The Council clarifies who has the authority to do the investigation on behalf of the
150 Town

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152 Mr. Waugh explained that the code does not distinguish between resident and non-resident
153 when a complaint is filed.

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

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157 Mr. Anthony Lombardi thanked Mr. Karet and all Staff involved for their help in completing
158 his application process.

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160 Mrs. Linnie Richardson stated that several non-conforming use issues were handled
161 successfully prior to this requested amendment of the LDR. Mr. Waugh stated that the Town
162 Clerk was sending out compliance notifications for those instances, but that the Development
163 Regulation Administrator is listed as being the Building Official not the Town Clerk. Mr.
164 Waugh continued that the Town currently does not have an employee holding the title of Chief
165 Building official, but is using a vendor to provide building services to its residents. Clarifying
166 the verbiage and assigning specific roles would make certain that there are no weaknesses in
167 the Town's ordinances regarding the code enforcement process.

168 Mr. Jeremy Steadman inquired if a BTR allows a business to operate. Mr. Waugh explained
169 that a BTR is not a use-approval, but just what the name implies - A business tax receipt.

170 Mayor Bennett explained that the BTR used to be called an Occupational License and the
171 Town Clerk spoke on both the BTR and the occupational license.

172 **9. ADJOURNED**

173 Mayor read announcements of upcoming meetings.

174 **Hearing no further business, meeting adjourned at 7:43 PM.**

175 Minutes prepared by:

Minutes approved by:

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Carmen Spelorzi, Town Clerk

Mayor Samuel G.S. Bennett