



TOWN COUNCIL REGULAR MEETING MINUTES

TUESDAY, APRIL 13, 2021 - 7:00 P.M.
PIERSON TOWN HALL

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8

1. CALL MEETING TO ORDER

9

10 Mayor Samuel G.S. Bennett called the meeting to order at 7:02 PM and asked Town Clerk
11 Carmen Spelorzi to call roll.

12

13

2. ROLL CALL

14

15

PRESENT:

16

Mayor Samuel G.S. Bennett

17

Vice Mayor Robert Greenlund

18

Councilmember Thomas R. Larrivee

19

Councilmember Sergia Cardenas

20

21

Also present were Town Attorney Christian Waugh and Interim Deputy Clerk Marci Nichols.
22 Councilmember James Peterson and Town Planner Mark Karet were excused absent.

23

24

3. Invocation and pledge of allegiance

25

26

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

27

28

4. APPROVAL OF MINUTES – Mayor Samuel Bennett

29

30

a. Regular Meeting March 09, 2021

31

b. Meeting Canceled March 23, 2021- no minutes

32

33

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

34

35

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

37

38

5. NEW BUSINESS

39

40

a. **ORDINANCE NO. 2021-02 Public Hearing Second Reading**

41

AN ORDINANCE AMENDING THE TOWN OF PIERSON'S UNIFIED
42 LAND DEVELOPMENT REGULATIONS TO FACILITATE
43 ADMINISTRATION OF THE REGULATIONS; AMENDING ARTICLE II -
44 RULES OF INTERPRETATION AND DEFINITIONS, SECTION 2.2
45 DEFINITIONS; AMENDING ARTICLE III – ADMINISTRATION,
46 ENFORCEMENT AND REVIEW, SECTION 3.2.10.A. COMPLAINTS
47 REGARDING VIOLATIONS. (Re-Advertised 4/8/2021)

48

Mayor Bennett asked Town Attorney Waugh to read the title into record.

49 Mayor Bennett opened the floor to the Public.

50 Mrs. Deanne Bennett, 615 Braddock Rd, felt that a suggestion she had made about selecting
51 a Development Regulations Administrator (DRA) was not considered and that the way it is
52 now written does not address the reason folks were opposed to this ordinance amendment.
53 She had suggested that the DRA receives all complaints and presents them to the Council for
54 decision making. Instead it appears that the DRA can now independently decide how to
55 enforce complaints which she is not in favor of.

56 Mrs. Linnie Richardson, Richardson Lane, shares Mrs. Bennett's concern and is in favor of
57 having the DRA bring all complaints he/she receives to the Council prior to acting on them.

58 Mr. Paul Martel, 506 Pine Street, concurs with the prior two residents and is strongly against
59 giving the DRA the power to be the sole decision maker on how to proceed with complaints.
60 Mr. Martel stated that the DRA needs to present all complaints to the Council.

61 Hearing no comments, the Mayor closed Public Participation.

62

63 **Vice Mayor Robert Greenlund made the motion to close the Public hearing participation**
64 **for ordinance 2021-02; seconded by Councilmember Sergia Cardenas. All agreed;**
65 **motion carries.**

66

67 Town Attorney Christian Waugh explained that in Section 2 on page 31 the old verbiage
68 allowed for absolutely no oversight over how complaints were handled. The amended
69 ordinance requires the DRA to inform the respondent and the Council in writing when a
70 complaint has been received and also requires the DRA to send a letter to the respondent and
71 the Council of the findings. This new verbiage ensures that the DRA is not acting on his or
72 her own and removes any misperception.

73

74 Mr. Waugh continued that code enforcement activities are not a function of the Council and
75 the P&Z. The Council however can convert the DRA to a code enforcement officer position
76 and create a Code Enforcement Board.

77

78 Discussion ensued to send the draft ordinance back to the P&Z because there are still concerns
79 about the DRA having too much control.

80

81 **Councilmember Tom Larrivee made the motion to send draft ordinance 2021-02 back**
82 **to the Planning Commission for consideration of changes; seconded by Vice Mayor**
83 **Robert Greenlund. All agreed; motion carries on roll call vote 4-0.**

84

85 b. **ORDINANCE NO. 2021-03 First Reading**

86 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
87 PIERSON, FLORIDA PROPOSING AMENDMENTS TO THE UNIFIED
88 LAND DEVELOPMENT REGULATIONS OF THE TOWN OF PIERSON
89 CREATING STANDARDS FOR THE ESTABLISHMENT OF ACCESSORY
90 DWELLING UNITS IN ALL ZONING CLASSIFICATIONS THAT PERMIT
91 SINGLE FAMILY HOMES; PROVIDING FOR SEVERABILITY;
92 PROVIDING FOR CODIFICATION AND PROVIDING FOR AN
93 EFFECTIVE DATE.

94 (Recommendation for approval from the Planning Commission)

95 Mayor Bennett asked Town Attorney Waugh to read the title into record.

96 **Vice Mayor Robert Greenlund made the motion to approve ordinance 2021-03 on First**
97 **Reading; seconded by Councilmember Sergia Cardenas. All agreed; motion carries on**
98 **roll call vote 4-0.**

99

100 c. **ORDINANCE NO. 2021-04 First Reading**

101 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
102 PIERSON, FLORIDA, PROPOSING AMENDMENTS TO THE PIERSON
103 ORDINANCE REGARDING THE EMISSION OF HARMFUL NOISE
104 WITHIN THE TOWN; PROVIDING FOR CERTAIN EXCEPTIONS;
105 PROHIBITING THE MAKING, CAUSING, OR ALLOWING OF
106 HARMFUL NOISE WHICH CAUSES NOISE DISTURBANCES OR
107 EXCEEDS CERTAIN SOUND LEVELS; PROVIDING FOR THE
108 MEASUREMENT OF LEVELS OF HARMFUL NOISE; PROVIDING FOR
109 PENALTIES, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE
110 DATE.

111 (Recommendation for approval from the Planning Commission)

112

113 Mayor Bennett asked Town Attorney Waugh to read the title into record and explained the
114 purpose of this ordinance.

115 **Councilmember Tom Larrivee made the motion to approve ordinance 2021-04 on First**
116 **Reading; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries on roll**
117 **call vote 4-0.**

118

119 d. **PROCLAMATION**

120 Jim Cameron - Retirement from Daytona Halifax Chamber of Commerce

121

122 Mayor Bennett read the proclamation into record.

123

124 e. Request to build a permanent cover/ structure over the batting cages at Chipper
125 Jones Baseball Complex – Kristen Hagstrom-Rodriguez, North West Little
126 League

127

128 Mayor Bennett invited Kristen Hagstrom-Rodriguez to speak on the construction. Discussion
129 ensued about maintenance of the cover and questions were raised about liability and the
130 contractor.

131

132 **Councilmember Tom Larrivee made the motion to approve the construction over the**
133 **batting cage at Chipper Jones Park and the Little League will be responsible for its**
134 **maintenance; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries.**

135

136 f. County Wide Pet Licensing Program – Adam Leath MCVFS Director of Animal
137 Services Division, Volusia County via White Paper

138

139 Major Bennett asked Mrs. Spelorzi to explain as Mr. Adam Leath was not able to be present.
140 Mrs. Spelorzi spoke on a “white paper” which addresses the key points that are also in the
141 PowerPoint Mr. Leath submitted about the pet licensing system, which included some bullet
142 points for discussion:

- 143 • Number of animals taken to the shelter
- 144 • Cost associated with animal control
- 145 • One central system containing all licensed pets in Volusia County to facility return to
- 146 owner
- 147 • Saving municipalities monies

148

149 Discussion ensued about needing community participation and that the Council would like to
150 hear from Mr. Leath.

151

152 **Councilmember Tom Larrivee made the motion to table this item until Mr. Leath was**
153 **able to be present; seconded by Vice Mayor Robert Greenlund. All agreed; motion**
154 **carries.**

155

156 g. Advertisement Approval for a Utility/ Deputy Clerk – Councilman Thomas
157 Larrivee

158

159 Mayor Bennett asked Councilmember Tom Larrivee to speak on this matter and he stated that
160 he cannot see doing without this fulltime position. Not having a person in this capacity has
161 put burden on other staff.

162

163 Mayor Bennett agrees with Councilmember Larrivee to have a Utility/ Deputy Clerk in the
164 near future but feels that a fulltime position would put extra burden on the Town at this point
165 as revenue has been affected by COVID. Mayor Bennett does not want to advertise for this
166 position at the moment.

167

168 Mrs. Spelorzi elaborated on the many duties of the Utility Clerk and that this position should
169 not be minimized in its importance. Mrs. Spelorzi feels that a Deputy Clerk can be considered
170 as being responsible for different aspects of the office, so both duties are very important to
171 the effective operations of the office and service to the public.

172

173 Commissioner Cardenas inquired when would be a good time to hire somebody for this
174 position and feels that the Town should start opening back up and move forward.

175

176 Vice Mayor Greenlund stated that he concurs with the Mayor that a Utility Clerk is necessary
177 and that this position should be cross-trained. He commented on the Town having to go into
178 the water fund reserve to cover general costs.

179

180 Councilmember Larrivee spoke in favor of getting the position now, because on top of all her
181 regular Clerk duties, all new construction goes to the Town Clerk for her to review and asked
182 Mrs. Spelorzi to estimate her involvement in just this aspect.

183

184 Several residents spoke on the matter and discussion ensued about the position's salary,
185 creating a drop box for water bills, paying online with a credit card, but fees are high. Council
186 was in consensus on waiting for the audit to make a decision on the fulltime Utility/Deputy
187 Clerk position.

188

189 h. Request to represent and be appointed to the River of Lakes Heritage Corridor-
190 Councilwoman Sergia Cardenas

191

192 Mayor Bennett spoke on the request and Councilmember Cardenas elaborated on her interest.
193 Discussion ensued.

194

195 **Councilmember Tom Larrivee made the motion to appoint Councilmember Cardenas**
196 **to represent the Town of Pierson at the River of Lakes Heritage Corridor; seconded by**
197 **Vice Mayor Robert Greenlund. All agreed; motion carries.**

198

199 i. Renewal request for contribution as a Heron sponsor for \$500 to the River of
200 Lakes organization for the promoting of the corridor – Mayor Samuel G.S.
201 Bennett

202

203 Mayor spoke on changing the amount to \$100 – Otter level due to current financial situations.
204 Discussion ensued.

205

206 **Vice Mayor Robert Greenlund made the motion to renew the River of Lakes**
207 **contribution in the amount of \$100 – Otter level; seconded by Councilmember Tom**
208 **Larrivee. All agreed; motion carries.**

209

210 j. Bid Opening for Sale of Parcel ID#482800000204 - Mayor Samuel G.S. Bennett

211

212 Mayor Bennett spoke on the item and Mrs. Spelorzi elaborated on the parcel and the sealed
213 proposal that was received on Monday April 12, 2021 by 2:00 PM. Discussion ensued about
214 the County appraised value; the Town Attorney IS to draft up the deed and for the Town to
215 execute it. The person awarded the bid will pay recording fees.

216

217 **Councilmember Tom Larrivee made the motion to accept the proposal received from**
218 **Marcos Torres in the amount of \$3,000; seconded by Vice Mayor Robert Greenlund. All**
219 **agreed; motion carries.**

220

221 k. Recommendation for a new Planning Commissioner - Mayor Samuel G.S.
222 Bennett

223

224 Mayor spoke on the resignation on Michael Burnsed from the Planning and Zoning
225 Commission and stated that resident Blair Davis has expressed interest to be appointed.

226

227 **Vice Mayor Robert Greenlund made the motion to appoint Mr. Blair Davis to the**
228 **Pierson Planning and Zoning Commission; seconded by Councilmember Sergia**
229 **Cardenas. All agreed; motion carries on roll call vote 4-0.**

230

231 Vice Mayor Greenlund recommended a letter be sent to Mr. Burnsed for his service. Mayor
232 Bennett will personally take care of it.

233

234 l. Need for Light Poles at Chipper Jones Baseball Complex- Mayor Samuel G.S.
235 Bennett

236

237 Vice Mayor Greenlund gave an update of his conversation with a representative with Duke
238 Energy and that the biggest expense is the cost for reattaching the lights to the new poles. So
239 far Duke has not responded with a price quote. Item tabled.

240

241 m. Discussion on Shell Harbor Water - Mayor Samuel G.S. Bennett

242

243 Mayor Bennett spoke on the interest of Shell harbor to have water maintained by Pierson.
244 Mayor Bennett recommended sending out a survey to all Shell Harbor residents to ascertain
245 their interest in having the Town provide water to them.

246

247 Discussion ensued.

248

249 **Councilmember Tom Larrivee made the motion send out a survey to residents of Shall**
250 **Harbor inquiring if they are interested in receiving potable water from the Town of**
251 **Pierson; seconded by Councilmember Sergia Cardenas. All agreed; motion carries.**

252

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

254

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

258 o. Updates by Mayor - Mayor Samuel G.S. Bennett

259

260 Mayor Bennett stated that the new Director asked Pierson to do a formal request to extend the
261 sewer for the new Town Complex and that the Mayor did so requesting an extension of three
262 (3) years.

263

264 Mayor Bennett elaborated on a few things that need to be accomplished prior to moving there.

265

266 p. Update of Town projects from Town Attorney – Town Attorney Christian
267 Waugh

268

269 Town Attorney Waugh had no additional comments.

270

271 q. Update of Town projects from Town Planner – Town Planner Mark Karet, Zev
272 Cohen & Associates

273

274 Mayor Bennett stated that Mr. Karet had a conflict but will be available on Thursday, April,
275 15, 2021.

276

277 **6. OLD BUSINESS**

278 None

279 **7. OTHER BUSINESS**

280

281 Vice Mayor Robert Greenlund and the Town Attorney had no additional comments.

282

283 Councilmember Tom Larrivee inquired about

284

- 4-way stop at Palmetto and CR3. Town Clerk will do requisition.

285

- Proper documentation for Saddle Club for a recent event

286

- Commissioner James Peterson is allowed to have visitor

287

288 Councilmember Sergia Cardenas spoke on
289 • Attending IEMO on May 7th through a COVID vaccination clinic on May 12, 2021.
290 • Vaccine event that was held on March 12th.

291 **Councilmember Tom Larrivee made the motion to approve Commissioner Cardenas’**
292 **attendance to and expenses for the IEMO conference; seconded by Vice Mayor Robert**
293 **Greenlund. All agreed; motion carries.**

294 Town Clerk Spelorzi spoke on the Ethic Workshop and State of County invitation.

295

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

297

298 Resident Linnie Richardson spoke on the Votran bus route/schedule and that a
299 recommendation will be made to the County Council to use smaller buses and call for an
300 appointment if a ride is needed.

301

302 Resident Paul Martel asked about the water rates and Mayor advised and that a workshop has
303 been scheduled on the subject on April 27th, 2021. Mr. Martel suggested inviting
304 Congressman Waltz to discuss what we plan to do and go after Washington for monies to help
305 our projects.

306 **9. ADJOURNED**

307 Mayor read dates for upcoming meetings and events.

308

309 **Hearing no further business, meeting adjourned at 9:19 PM.**

310 Minutes prepared by:

Minutes approved by:

311

312

313

314

315

316 _____
Carmen Spelorzi, Town Clerk

Mayor Samuel G.S. Bennett