**TOWN COUNCIL REGULAR MEETING**

**MINUTES**

**TUESDAY, JANUARY 21, 2025 – 6:30 P.M.**

**PIERSON TOWN CENTER**

1. **Call meeting to order**

Mayor Gray Leonhard called the meeting to order at 6:30 P.M. and asked Town Clerk Yvonne Braddock to take the roll call.

1. **Roll call**

PRESENT:

 Mayor Gray Leonhard

 Vice Mayor Robert Greenlund

 Councilmember Jimmy Anderson

 Councilmember Linnie Richardson

 Councilmember Brandy Peterson

Also present were Deputy Clerk Ryan Smith, Town Attorney Scott Simpson, Town Planner Mark Karet, and Volusia Sheriff’s Office.

1. **Invocation and Pledge of Allegiance**

Councilmember Linnie Richardson gave the invocation, which was followed by the Pledge of Allegiance.

1. **APPROVAL OF MINUTES – Mayor Gray Leonhard**
	1. Regular Meeting January 14, 2025
	2. Emergency Meeting January 14, 2025

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

1. **NEW BUSINESS**
2. Legal Services Agreement with Scott E. Simpson, P.A. discussion and action – Town Clerk Yvonne Braddock

Mayor Leonhard asked if the Council had any questions regarding the Legal Services Agreement with Scott E. Simpson, P.A. Councilmember Linnie Richardson read a clause in the contract pertaining to conflicts and asked for clarification. Mr. Simpson stated that in the event he could not represent the Town due to a legal conflict, he would find an attorney to represent the Town.

Vice Mayor Robert Greenlund asked if Mr. Simpson was willing to represent the Town as its permanent attorney. Mr. Simpson said he would like to represent the Town on a permanent basis but the Council would determine this.

**Vice Mayor Robert Greenlund made the motion to retain Scott E. Simpson, P.A. as the Town Attorney; seconded by Councilmember Jimmy Anderson. Motion carries on a roll call vote 5-0.**

Mr. Simpson joined the Council on the stage for the remainder of the meeting.

1. Town of Pierson Fiscal Year 2024 audit results by Weston & Gregory – Jim Ashby, Weston & Gregory

Mr. Ashby presented the audit for the Town of Pierson for Fiscal Year 2024. Mr. Ashby highlighted key financial statements in the report for the Council.

Mr. Ashby noted that the ARPA grant funds were exhausted in 2024 which had been used to pay for the Volusia Sheriff’s contract.

Mr. Ashby said the Town should try to retain its reserves and said that most municipalities keep at least 12 months of funds in reserves. The Town had increases in revenue in 2024 which were mostly due to grant funds and the sale of the bank building at 106 N. Center Street. Mr. Ashby noted that the General Fund would have lost approximately $115,000.00 without the sale of the building and the grant revenues. Mr. Ashby said the Town needed to try and stay close to the budget for Fiscal Year 2025.

Mr. Ashby said there were very few adjustments to the books and the Town received an unmodified audit opinion. He noted that the financial condition of the Town had improved and overall everything looked good.

Vice Mayor Greenlund asked if the State was requiring twelve months of reserves. Mr. Ashby said the State requires a financial assessment in the annual audit report and the reserve funds were one of the factors.

Deputy Clerk Ryan Smith asked Mr. Ashby if the Town should be focused on more revenue for 2025. Mr. Ashby confirmed.

**Vice Mayor Robert Greenlund made the motion to accept the audit results by Weston & Gregory as presented by Jim Ashby; seconded by Councilmember Linnie Richardson. Motion carries on a roll call vote 5-0.**

1. Security cameras and monitoring at wells and water tower – Deputy Clerk Ryan Smith

Mr. Smith explained to Council that cameras had been installed in prior years at the water tower and well site, but the cameras did not have internet for remotely monitoring the footage. Mr. Smith noted that the cameras at the water tower also did not have power and that he had contacted an electrician.

Mr. Smith presented a quote in the amount of $1,692.50 for two wireless antennas with Verizon wireless internet cards to wirelessly connect the security cameras to the internet.

Mr. Smith said WebWatchdogs of Palm Coast who originally installed the security cameras had visited and checked to make sure the equipment was still functioning.

Councilmember Linnie Richardson said the Town had an obligation to the residents of the Town to protect the public water system.

**Councilmember Jimmy Anderson made the motion to approve the quote from AWDS in the amount of $1,692.50 for two wireless antennas; seconded Councilmember Linnie Richardson. Motion carries on a roll call vote 5-0.**

1. Landscaping rock at Pierson Town Center – Mayor Gray Leonhard

Mayor Leonhard said the conversation about landscape rock for the Town Center had come up before but no action had been taken on it. Vice Mayor Greenlund said he thought it had been approved to purchase the rock from Tri-Town Ace Hardware. Town Clerk Yvonne Braddock said Ace Hardware was out of the small white pebbles that had been approved but that the river rock was a different product with a different price. Mayor Leonhard obtained a price on river rock from Stone Plus in Palm Coast. Deputy Clerk Ryan Smith obtained a similar quote from West Volusia Shed in early 2024.

**Vice Mayor Robert Greenlund made the motion to approve the quote from Stone Plus in Palm Coast in the amount of $2,199.93; seconded by Councilmember Brandy Peterson. All agreed; motion carries.**

1. Status update on Hagstrom Road drainage canal easement – Linnie R. Richardson – Councilwoman

Councilmember Richardson spoke about the drainage issue on Hagstrom Road and said that the Town had obtained a draft easement from Efird Surveying. Councilmember Richardson said she did not agree with the proposed easement as drawn.

Councilmember Richardson asked if Town Planner Mark Karet if someone at Zev Cohen could review the proposed easement before it was finalized. Mr. Karet said a drainage expert had looked at the draft and agreed that it needed adjustments. Mr. Karet said Zev Cohen would make alterations to the file from Efird Surveying and return it with notes on what needed to be adjusted.

The Council discussed the location of the proposed drainage canal easement while reviewing the provided drawings with Mr. Karet.

Vice Mayor Greenlund said he felt the road should be raised and a large culvert should be installed under it. Mr. Karet said this was the ultimate goal, but that water still needed to be drained away from the road.

**Councilmember Linnie Richardson made the motion for Zev Cohen to proceed with completing adjustments to the draft easement from Efird Surveying; seconded by Councilmember Brandy Peterson. All agreed; motion carries.**

1. Audio equipment for Town Center auditorium – Deputy Clerk Ryan Smith

Mr. Smith presented two quotes to install audio equipment in the auditorium after multiple audience members noted that they could not hear speakers during meetings.

**Vice Mayor Robert Greenlund made the motion to approve the quote from Daytona Sound Lighting Solutions in the amount of $1,322.57; seconded by Councilmember Jimmy Anderson. All agreed; motion carries.**

1. Building permit fee increase with Universal Engineering – Town Clerk Yvonne Braddock

Town Clerk Yvonne Braddock said the Clerk’s office had a meeting with Mike Navarra at Universal Engineering regarding increasing permit fees. The Town took in less income on permit fees than they spent on permitting and engineering services in 2024. Mr. Navarra said a twenty percent increase on permit fees would likely help the Town break even. The inspection fees would be included into the cost of the permit.

Deputy Clerk Ryan Smith said the Town’s permit fees were based on the Volusia County rates, but explained that Volusia County makes a bulk of its permit fee income in new construction which allows the County to keep other permit fees low. Mr. Smith said that Pierson did not have many new construction permits.

Resident Paul Martel suggested increasing the fees five percent more than the proposed twenty percent so that the Town could make a profit rather than breaking even.

Town Planner Mark Karet said there were restrictions on how permit fees were used. Town Attorney Scott Simpson said the State regulated permitting fees and that municipalities cannot make a profit on the fees. Mr. Simpson noted legal issues in the City of Daytona Beach who was sued by a developer due to the misuse of permit fees.

Mr. Simpson suggested that the Town could also charge residents for the reimbursement of outside consultant fees when permit and development reviews require attorney, planner, and/or engineering input.

**Councilmember Linnie Richardson made the motion to draft a Resolution for increased permit fees; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries.**

**Vice Mayor Robert Greenlund made the motion to add an emergency agenda item regarding issues at the water wells after a lightning strike; seconded by Councilmember Linnie Richardson. All agreed; motion carries.**

Mayor Leonhard explained that a lightning strike occurred at the original well site on Sunday, January 19, 2025 which damaged one of the pumps and shut down a well. Mayor Leonhard said the Town responded to the issue immediately after it was discovered. Mayor Leonhard said the single operating well was not powerful enough to fill the water tower while simultaneously supplying the Town with water. Mayor Leonhard said the Town was working to resolve the problem.

Resident Mary Kay Hansen asked if the Town was still required to boil water. Town Clerk Yvonne Braddock said the boil water notice would continue until sampling cleared.

Resident Rick Davis said the water tower needed to be properly monitored at all times. Mr. Davis said the tower should be full for situations like this. Mayor Leonhard said there were discussions to place a float valve in the tank to monitor the water level.

Resident Sue Elliott asked if there was any kind of lightning arrestor system at the wells. She asked if the Town would consider adding such a system due to other issues with lightning issues. Town Planner Mark Karet suggested asking the water operator CWS for recommendations.

**Vice Mayor Robert Greenlund made the motion to approve a quote from James Evans Well Drilling in the amount of $22,771.00 for a new pump at the damaged well; seconded by Councilmember Linnie Richardson. Motion carries on a roll call vote 5-0.**

Town Clerk Yvonne Braddock stated that an insurance claim had been filed for the damaged well.

1. Updates by Mayor Gray Leonhard

Mayor Leonhard said he did not have any updates at this time.

(Mayor Leonhard asked other Councilmembers if they had any updates during this agenda item, rather than during agenda item #7 – Other Business)

Vice Mayor Greenlund noted that a loose dog was being a nuisance on County Road 3 and asked the Clerk’s office to contact Volusia County Animal Control to address the issue. Vice Mayor Greenlund said resident Lamar Dixon had been approached by children in the area who were afraid to walk home due to the dog being loose.

1. Updates on Town Projects from Town Attorney Scott Simpson

Town Attorney Scott Simpson did not have updates at this time.

1. Updates on Town Projects from Town Planner Mark Karet

Mr. Karet said one of the initial water tests at the new water plant failed due to high iron and a new sample had been taken on Monday to hopefully correct the issue.

1. **OLD BUSINESS**
	1. 5K race in Pierson (tabled 1/14/2025) – Juana Solis and Crystal McNally

Resident Juana Solis spoke to Council regarding a 5K race to raise money for a Universal Studios field trip for Pierson Elementary School fifth graders. Ms. Solis scheduled the 5K race for March 15, 2025 and noted that it would take place the same day as the Pierson Vendor Market, which would hopefully increase traffic to the market.

Ms. Solis said they would use the sidewalk for the 5K. She said participants would start at Chipper Jones Park, follow the sidewalk north to the elementary school, and then return to the park.

Town Attorney Scott Simpson asked if this was a Town-sponsored event. Mr. Simpson asked if the Town had a special event permit; Councilmember Richardson confirmed that it did. Mr. Simpson said a special event permit would probably be the best approach.

Mr. Simpson asked if the Clerk’s office had a special event permit application, and suggested Ms. Solis could begin the process by filling out the application. Mr. Simpson said the Council could authorize the staff to waive any fees associated with the special event permit.

Councilmember Brandy Peterson asked what would be required of the applicant in regards to law enforcement or road crossings. Mr. Simpson said the application would typically be reviewed by Town staff and the Sheriff’s office to determine requirements for sanitation, parking, and road crossings.

**Vice Mayor Robert Greenlund made the motion to waive the special event permit fee for Juana Solis’ 5K application; seconded by Councilmember Brandy Peterson. All agreed; motion carries.**

* 1. Flag pole replacement and sign removal at Town Center (tabled 12/10/2024) – Mayor Gray Leonhard

Mayor Leonhard stated that the flag pole at the Town Center was in poor shape. Mayor Leonhard presented a quote for a 25-foot commercial grade aluminum flag pole. Vice Mayor Robert Greenlund agreed that the Town needed a new flag pole but felt the price was too high.

The Council discussed the current flag pole which is leaning.

**Vice Mayor Robert Greenlund made the motion to purchase a new 25-foot aluminum flag pole for $2,084.00 which includes shipping; seconded by Councilmember Jimmy Anderson. All agreed; motion carries.**

* 1. Vacating 5th Avenue (tabled 1/14/2025) – Linnie R. Richardson – Councilwoman

Councilmember Richardson said this item was tabled because no attorney was present at the previous meeting. Councilmember Richardson explained the issue with a culvert washout on 5th Avenue to Town Attorney Scott Simpson. Councilmember Richardson said FDOT maintained a drainage ditch through a pasture which flowed through the culvert. FDOT claimed that they were not responsible for the maintenance of the culvert. Councilman Richardson said the former attorney suggested vacating and abandoning 5th Avenue. Mr. Simpson confirmed this could be done.

Mr. Simpson asked how the Town knew it was a public road. The Council stated that the road was platted. Mr. Simpson said the Town could not control the ownership of the road once it was vacated. Mr. Simpson said vacating the road could be done by Resolution or Ordinance.

Mr. Simpson said a legal description would be required. Vice Mayor Robert Greenlund said he would not want to pay for a survey. Town Planner Mark Karet said a landowner would typically approach the Town and ask for a road to be vacated, and the survey and/or legal description would be that owner’s responsibility. Mr. Simpson said he would work with Mr. Karet to review the plat and determine if a simpler form of a legal description could be created for the purpose of vacating the road.

Mayor Leonhard reiterated that he felt the culvert was the responsibility of FDOT due to the State-maintained ditch directing water through the culvert.

**Councilmember Linnie Richardson made the motion to instruct Town Attorney Scott Simpson and Town Planner Mark Karet to draft an inexpensive legal description to vacate 5th Avenue; seconded by Councilmember Brandy Peterson. All agreed; motion carries.**

* 1. Disposal of tires at new burn pile site (tabled 1/14/2025) – Mayor Gray Leonhard

Mayor Leonhard said he would like to see the Town move forward with disposing the old tires. Mayor Leonhard said the tires could be disposed of at the transfer station on Highway 44 in Deland.

Deputy Clerk Ryan Smith said he spoke with Public Works and they agreed that the tires could be hauled in the Town’s dump truck to the transfer station. The disposal would be charged by the ton.

**Vice Mayor Robert Greenlund made the motion for Public Works to load the tires and haul them to the transfer station for disposal at a rate of $172.00 per ton; seconded by Councilmember Jimmy Anderson. All agreed; motion carries.**

* 1. Stump grinding on 2nd Avenue and Nixon Park (tabled 1/14/2025) – Mayor Gray Leonhard

Councilmember Jimmy Anderson said there were nine stumps at Nixon Park. Vice Mayor Robert Greenlund said only three were inside the park, and questioned why the other six were not the responsibility of the County. Vice Mayor Greenlund felt the trees were in the right-of-way of County Road 3.

Councilmember Jimmy Anderson said the stumps were left after the trees were removed from the aftermath of Hurricane Milton.

The Council discussed the stump on 2nd Avenue.

**Vice Mayor Robert Greenlund made the motion to table this item until it could be determined who was responsible for the stumps at Nixon Park; seconded by Councilmember Linnie Richardson. All agreed; motion carries.**

Mayor Gray Leonhard said a quote needed to be obtained for the single stump on 2nd Avenue.

* 1. Purchase of pole saw for Public Works (tabled 1/14/2025) – Jimmy Anderson – Councilman

Councilmember Anderson obtained a quote from Central Florida Fern Co-op for a pole saw in the amount of $503.99. Vice Mayor Greenlund noted that the pole saw in question extends to 17 feet in length.

**Vice Mayor Robert Greenlund made the motion to approve the purchase of a pole saw from Central Florida Fern Co-op in the amount of $503.99; seconded by Councilmember Brandy Peterson. All agreed; motion carries.**

Councilmember Linnie Richardson asked if Public Works had a pole saw. Public Works foreman Louis Longo said the current pole saw had been brought in for repair multiple times but it continued to stop working after minimal use.

* 1. Surety Bank CD renewal (tabled 1/14/2025) – Deputy Clerk Ryan Smith

Mr. Smith noted that one of the Town’s 6-month CDs was up for renewal on January 24, 2025 and Surety Bank was offering a new 6-month CD at a rate of 2.5%.

**Councilmember Linnie Richardson made the motion to renew a 6-month CD with Surety Bank at a rate of 2.5%; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries.**

* 1. Installation of additional electrical outlets on Town Center exterior (tabled 1/14/2025) – Mayor Gray Leonhard

Mayor Leonhard said he would like to remove this item from the agenda.

**Vice Mayor Robert Greenlund made the motion to remove this item from the agenda; seconded by Councilmember Linnie Richardson. All agreed; motion carries.**

* + 1. Removal of old Public Works equipment (tabled 1/14/2025) – Jimmy Anderson – Councilman

Mayor Leonhard asked the Town Attorney for the process of disposing of old equipment. Mr. Simpson said it would depend on the value of the items. Mr. Simpson said items of value could be auctioned or the Town could accept public bids. Vice Mayor Greenlund asked why items couldn’t simply be scrapped; Mr. Simpson said it could be.

Councilmember Jimmy Anderson discussed several pieces of equipment that are not being used.

Councilmember Linnie Richardson asked for an inventory of items. Mr. Simpson said he would like to review Pierson’s purchasing ordinance, and noted that the first step would be to pass a Resolution declaring a surplus.

Mayor Leonhard asked Louis Longo to prepare a list of surplus and non-functioning equipment.

1. **OTHER BUSINESS (Council and Staff Reports)**

There was no other business.

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

Resident Mary Kay Hansen asked the status of the airport manager. Vice Mayor Greenlund said he spoke to Olin Cannon, the volunteer airport manager, and Mr. Cannon stated that he did not mind continuing to manage the airport as long as he was notified when airport items went on the agenda. Deputy Clerk Ryan Smith said he had received an e-mail from Mr. Cannon stating that he needed to change the airport contact with the FAA because he was not managing the airport. Mayor Leonhard said Mr. Cannon had filed NOTAMs with FAA as a favor to the Town, but stated that Mr. Cannon was no longer the airport manager.

Resident Sue Elliott asked for the status of the washout on Washington Avenue near the high school. Mayor Leonhard said it was currently under review by FEMA. Mayor Leonhard said he still felt the culvert was the responsibility of the Volusia County School Board. Mayor Leonhard asked if Todd Bush of Zev Cohen had made any progress with the school. Deputy Clerk Ryan Smith said that Mr. Bush was inquiring about a price to sleeve the culvert and prevent further collapse. Town Planner Mark Karet said a discussion with the School Board is to be continued after the FEMA review.

1. **PIERSON EVENTS**
* Pierson Saddle Club #4 Buckle Series Poles & Barrel – Saturday, February 1, 2025 @ 10:30 A.M.
* Pierson Vendor Market – Saturday, February 15, 2025 @ 9:00 A.M. – 2:00 P.M.
1. **ADJOURNED**

**Hearing no further business, meeting adjourned at 8:52 P.M.**

Minutes prepared by: Minutes approved by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ryan Smith, Deputy Town Clerk Gray Leonhard, Mayor