



TOWN COUNCIL REGULAR MEETING MINUTES

**TUESDAY, APRIL 1, 2025 – 6:30 P.M.
PIERSON TOWN CENTER**

6
7 **1. Call meeting to order**
8

9 Mayor Gray Leonhard called the meeting to order at 6:30 P.M. and asked Town Clerk
10 Yvonne Braddock to take the roll call.
11

12 **2. Roll call**
13

14 PRESENT:

15 Mayor Gray Leonhard
16 Vice Mayor Robert Greenlund
17 Councilmember Jimmy Anderson
18 Councilmember Linnie Richardson
19 Councilmember Brandy Peterson
20

21 Also present were Town Attorney Scott Simpson, Town Planner Mark Karet, Deputy Clerk
22 Ryan Smith, and a Deputy from the Volusia Sheriff's Office.
23

24 **3. Invocation and Pledge of Allegiance**
25

26 Councilmember Linnie Richardson gave the invocation, which was followed by the Pledge of
27 Allegiance.
28

29 **4. APPROVAL OF MINUTES – Mayor Gray Leonhard**
30

31 a. Regular Meeting March 18, 2025
32

33 Mayor Leonhard read the title and asked if there were any additions and/or deletions, if not he
34 would entertain a motion for approval.
35

36 **Vice Mayor Robert Greenlund made the motion to approve the above listed minutes as**
37 **written; seconded by Councilmember Brandy Peterson. All agreed; motion carries.**
38

39 **5. NEW BUSINESS**
40

41 a. **ORDINANCE 2024-12 PUBLIC HEARING 2nd READING**
42

43 **AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA**
44 **ADOPTING A SMALL-SCALE COMPREHENSIVE PLAN**
45 **AMENDMENT IN ACCORDANCE WITH SECTION 163.3187,**
46 **FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP**

DESIGNATION FOR A PROPERTY TOTALING 0.57± ACRES
LOCATED 330± FEET EAST OF THE INTERSECTION OF COUNTY
ROAD 3 & W. HAGSTROM ROAD; PROVIDING FOR A CHANGE
IN THE FUTURE LAND USE MAP DESIGNATION FROM MEDIUM
DENSITY RESIDENTIAL TO MEDIUM DENSITY MOBILE HOME;
PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS;
REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR
SEVERABILITY; PROVIDING FOR NON-CODIFICATION; AND
PROVIDING FOR AN EFFECTIVE DATE.

b. ORDINANCE 2024-13 PUBLIC HEARING 2nd READING

AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA
AMENDING THE OFFICIAL ZONING MAP FOR REAL PROPERTY
TOTALING 0.57± ACRES LOCATED 330± FEET EAST OF THE
INTERSECTION OF COUNTY ROAD 3 & W. HAGSTROM ROAD
FROM THE R-3, MEDIUM DENSITY SINGLE FAMILY
RESIDENTIAL ZONING CLASSIFICATION TO THE MH-2 MEDIUM
DENSITY MIXED RESIDENTIAL ZONING CLASSIFICATION;
PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS;
REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR
SEVERABILITY; PROVIDING FOR NON-CODIFICATION; AND
PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Scott Simpson said he preferred to read both titles of the Ordinances together for a single discussion, but that separate votes would be held for each Ordinance. Mr. Simpson explained to the Council that it acts in two different capacities as a body – a comprehensive plan amendment is a legislative action, while a rezoning is a quasi-judicial action which must be supported by substantial evidence. Mr. Simpson read the titles of both Ordinances for their second and final readings.

Town Attorney Mark Karet reminded the Council that both Ordinances were passed on first reading and certified by the Volusia County Growth Management Commission. Mr. Karet explained the only difference between the old and new zoning categories is that the new zoning allowed for a mobile home.

Vice Mayor Robert Greenlund said he thought the property in that area was already zoned for mobile homes. Mr. Karet explained that the property is located in an area called Flanico Estates which contains a lot of very small lots with unplatted roads, and most are not able to be developed. Councilmember Brandy Peterson asked if the Conservation portion of the parcel in question was being removed. Mr. Karet said a study had been done a few years ago that determined the Conservation portion of the parcel was uplands.

Mayor Leonhard closed the public hearing.

Councilmember Linnie Richardson made the motion to approve Ordinance 2024-12 on second reading; seconded by Councilmember Jimmy Anderson. Motion carries on a

94 **roll call vote 5-0.**

95
96 **Councilmember Linnie Richardson made the motion to approve Ordinance 2024-13 on**
97 **second reading; seconded by Councilmember Brandy Peterson. Motion carries on a roll**
98 **call vote 5-0.**

99
100 c. Resolution 2025-04 to declare surplus equipment – Deputy Clerk Ryan Smith

101
102 Deputy Clerk Ryan Smith said Public Works had provided a list of all old equipment and a
103 Resolution had been prepared to declare it as surplus. Councilmember Brandy Peterson asked
104 about the planes at the airport. Mr. Smith said airplanes are handled differently and that the
105 Resolution was only for Town equipment.

106
107 Councilmember Linnie Richardson asked Town Attorney Scott Simpson if the auction could
108 be sealed bids. Mr. Simpson said State law did not dictate how the auction was conducted and
109 only specified that it must be a public auction. Mayor Leonhard asked if the auction could be
110 done online. Deputy Clerk Ryan Smith said he reached out to Gideon Auctions but had not
111 heard back.

112
113 Mr. Smith asked if an auction had to be advertised. Mr. Simpson said to be public it would
114 need to be advertised, and the owners of the planes would need to be notified according to
115 State law.

116
117 Town Attorney Scott Simpson read the title of Resolution 2025-04.

118
119 **Councilmember Linnie Richardson made the motion to approve Resolution 2025-04;**
120 **seconded by Councilmember Jimmy Anderson. Motion carries on a roll call vote 5-0.**

121
122 d. Discussion on Sunshine Law, Public Records Law, and Ethics – Town Attorney
123 Scott Simpson

124
125 Mr. Simpson said he would discuss this under agenda item 6c.

126
127 e. Establishing a Charter Review Committee – Town Attorney Scott Simpson

128
129 Mr. Simpson said that the Town Charter called for a review every ten years and it was last
130 amended in 2016. Language in the Charter states that a Charter Review Committee must be
131 established 18 months before voting on Charter amendments. Mr. Simpson said any
132 amendments would be voted on in the next election, which is in November 2026. Mr.
133 Simpson said the Committee would make recommendations on amendments to the Council,
134 which would then pass an Ordinance to place the amendments on the ballot. Mr. Simpson said
135 the Town would need to coordinate with the Volusia County Supervisor of Elections to verify
136 deadlines for items on the ballot.

137
138 Mr. Simpson suggested each member of the Council recommend an individual to serve on the
139 Charter Review Committee, then staff would prepare a Resolution to create the Charter
140 Review Committee and bring it to Council for a vote. Councilmember Brandy Peterson asked

if the individual would need to be a resident of Pierson. Mr. Simpson said in other cities such as Holly Hill, individuals could be property owners, business owners, or tenants/residents of the city.

f. Discussion on proposal to eliminate property tax – Linnie R. Richardson – Councilwoman

Councilmember Linnie Richardson discussed recent news about the Governor's proposal to eliminate property tax. Vice Mayor Greenlund said he did not know how Pierson would continue to exist without property tax revenue.

Town Attorney Scott Simpson said it was not just a small-town issue, but a concern of every city, county, school board, and special district. Mr. Simpson said the state would have to supplement revenue or remove expenses and he did not realistically see that happening. Mr. Simpson said property taxes funded police and fire services. Mr. Simpson noted that sales tax allocations would have to change if they were used to replace property taxes. Sales tax revenue is currently allocated by population.

The Council discussed sending a letter of support to the Florida League of Cities to advocate for keeping property taxes in place.

Resident Paul Martel said if the Department of Education were to be eliminated, those funds should be re-allocated to pay for local schools instead of using property taxes.

Resident Sue Elliott said only a very small percentage of the community was aware of what was going on, and felt the Town needed to find ways of educating members of the public on how towns are funded and how they operate.

g. Saturday chlorine checks at wells by Public Works employees – Linnie R. Richardson – Councilwoman

Councilmember Linnie Richardson said Public Works has been checking chlorine reads at the wells seven days a week. Councilmember Richardson felt the Town could omit the weekend checks with CWS as the new water operator. Councilmember Richardson said CWS was checking the chlorine reads six days a week and she felt confident in their ability to handle it. Vice Mayor Greenlund asked if the daily checks were part of the CWS contract; staff confirmed that they were.

Councilmember Jimmy Anderson said he felt the Public Works department needed to continue checking chlorine reads on the weekends because most problems with the wells seem to occur on the weekends.

Town Planner Mark Karet noted that a licensed, certified operator is required by law to check the water six days a week.

6. OTHER BUSINESS (Mayor, Council, and Staff Reports)

188 a. Updates and reports by Mayor Gray Leonhard

189
190 Mayor Leonhard said a man rented an airport tie-down space for his ultralight, but was found
191 to be staying at the airport in a motorhome over the weekend. Mayor Leonhard and Deputy
192 Carvajal told the man that he was not allowed to camp overnight at the airport and asked him
193 to leave.
194

195 b. Updates and reports by Council Members

196
197 Vice Mayor Robert Greenlund:

198
199 Vice Mayor Greenlund asked for a status update on the North Road culvert. Deputy
200 Clerk Ryan Smith explained that FEMA's mitigation department had made an offer,
201 but that it would require a new quote because the offer changed the configuration of
202 the culvert from three 36-inch pipes to one large 5-foot-by-10-foot oval culvert.
203

204 Mr. Smith gave a lengthy explanation regarding the FEMA reimbursement process
205 and explained that FEMA had required documentation after the fact which did not
206 exist, preventing or limiting reimbursement. Mr. Smith and Town Clerk Yvonne
207 Braddock said their concern was that the Town would spend a large sum of money
208 repairing the culvert and be declined reimbursement from FEMA. Mr. Smith
209 suggested that the Town should find its own financing for the culvert replacement.
210

211 Town Attorney Scott Simpson said FEMA did not have the money to reimburse local
212 governments for clean-up. Mr. Simpson said the City of Holly Hill had not been
213 reimbursed for the hurricane in 2022. Mr. Simpson noted that there was supposedly a
214 program in which the Town could be pre-approved by FEMA to get an immediate 65 –
215 70% reimbursement and said Lake Helen had gone through the process. Mr. Simpson
216 said all governments were going to have to start allocating part of their budgets for
217 hurricane clean-up without the expectation of getting reimbursed.
218

219 Resident Sue Elliott said the Town had the same issue with FEMA in 2004.
220

221 Councilmember Brandy Peterson:

222
223 Councilmember Peterson questioned why Volusia County did not line Vannote Road
224 after they resurfaced it. Vice Mayor Greenlund said someone should ask the County
225 for an update.
226

227 Councilmember Peterson met with resident RoxAnne Price regarding concerns Ms.
228 Price had with vehicles stopping in front of her house, as well as a request by Ms. Price
229 to have a fence installed by the Town to prevent trash being thrown in the culvert.
230 Mayor Leonhard said he had also spoken to Ms. Price. Deputy Clerk Ryan Smith said
231 the Town could not prevent vehicles from stopping in a public street in front of Ms.
232 Price's house.
233

Councilmember Linnie Richardson said Ms. Price should call law enforcement if she felt threatened by people. Mr. Smith agreed that any suspicious activity should be reported to law enforcement.

c. Updates and reports by Town Attorney – Town Attorney Scott Simpson

Mr. Simpson provided the Council with a general overview of the Sunshine Law, Public Records Law, and ethics. Mr. Simpson recommended the Government-in-the-Sunshine Manual published by the First Amendment Foundation as a guide.

Mr. Simpson said the laws are interpreted broadly to make sure they are inclusive of conduct, and exceptions or exemptions are narrowly interpreted. Sunshine Law says that anyone who is appointed to the Council may only discuss Town business in a public meeting. Mr. Simpson noted that these discussions included one-on-one conversations as well as discussions with individuals who could act as a conduit.

Councilmember Brandy Peterson asked for confirmation that the Sunshine Law applies to members of the Planning & Zoning Commission. Mr. Simpson said that any land use and zoning issue that could come before the Commission would be subject to the Sunshine Law and could only be discussed at a public meeting.

Mayor Leonhard asked if conversations between Council members could take place during a declared state of emergency. Mr. Simpson said there was no exception in the law for that scenario.

Mr. Simpson said the Council had to give reasonable notice for a public meeting and recommended at least 24 hours' notice. Mr. Simpson said an agenda is not required for an advertised public meeting and the Council is able to discuss any subject it chooses.

Mr. Simpson said Council members are obligated to vote on every issue unless there is a conflict of interest, which is usually monetary. Votes are public and cannot be done by secret ballot.

Deputy Clerk Ryan Smith asked if public meetings have to occur in the chamber or if it is possible to take a field trip. Mr. Simpson said a field trip meeting is possible but there must be transportation for the public.

Mr. Simpson said any Town business is public record, even if it is conducted through personal e-mails, texts, or social media. Mr. Simpson recommended not texting at all unless there was a way to retain and maintain the messages. Mr. Simpson asked staff if the Town automatically retained Council e-mails; Mr. Smith said it did not.

Mr. Simpson said the Ethics Commission has a hotline for questions and recommended calling directly if Council or staff had a question.

d. Updates and reports by Town Planner – Town Planner Mark Karet, Zev Cohen

Mr. Karet said there was a Planning & Zoning Commission meeting on March 25, 2025 to hear regulations regarding food trucks, noting that it would be brought to Council soon.

Mr. Karet stated that re-sampling at the new water plant would occur on Friday, April 4, 2025.

Mr. Karet said he would be available to meet with residents regarding their zoning and land use questions on Thursday, April 3, 2025.

e. Updates and reports by Staff

There were no staff reports.

7. GOOD AND WELFARE (Public Participation)

Resident Sue Elliott asked for a status update on the culvert under Washington Avenue in front of the high school. Town Planner Mark Karet said Todd Bush of Zev Cohen was soliciting proposals for repairing the culvert and would provide them to the Town.

Resident Sue Elliott noted that there was a near-miss with a helicopter which had mechanical problems as it was flying over Tuey Lake.

8. PIERSON EVENTS

- a. Pierson Saddle Club #6 Buckle Series Poles & Barrels – Saturday, April 5, 2025 @ 11:00 A.M.
- b. 20th Anniversary Spring Frolic Music & Dance Festival – Barberville Pioneer Settlement – April 5 & 6, 2025 @ 9:00 A.M.
- c. Pierson Methodist Cemetery Clean-up – Intersection of E. Washington Ave & N. Pine St – Saturday, April 19, 2025 @ 9:00 A.M. – 2:00 P.M.

9. ADJOURNED

Hearing no further business, meeting adjourned at 8:33 P.M.

Minutes prepared by:

Minutes approved by:

Ryan Smith, Deputy Clerk

Gray Leonhard, Mayor