



# TOWN COUNCIL REGULAR MEETING MINUTES

**TUESDAY, DECEMBER 22, 2020 - 7:00 P.M.  
PIERSON TOWN HALL**

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## **1. CALL MEETING TO ORDER**

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10 Mayor Samuel G.S. Bennett called the meeting to order at 7:00 PM and asked Town Clerk  
11 Carmen Spelorzi to call roll.

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## **2. ROLL CALL**

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### **PRESENT:**

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Mayor Samuel G.S. Bennett

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Vice Mayor Robert Greenlund

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Councilmember James Peterson

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Councilmember Thomas R. Larrivee

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Councilmember Sergia Cardenas

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

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

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

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## **4. APPROVAL OF MINUTES – Mayor Samuel Bennett**

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### **a. Regular Meeting – December 8, 2020**

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

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

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## **5. NEW BUSINESS**

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### **a. ORDINANCE 2020-10**

### **FIRST READING**

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AN ORDINANCE THE TOWN OF PIERSON, FLORIDA, ANNEXING BY  
42 VOLUNTARY PETITION CERTAIN REAL PROPERTY OWNED BY TYLER J  
43 BRADDOCK WITH PARCEL ID 483300000290 AND LOCATED ON THE EAST SIDE  
44 OF VANNOTE ROAD ABOUT 910± FEET SOUTH OF WEST WASHINGTON  
45 AVENUE. IT IS EAST OF AND ACROSS THE STREET FROM 710 VANNOTE ROAD  
46 CONTIGUOUS TO THE TOWN OF PIERSON IN ACCORDANCE WITH THE  
47 VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA  
48 STATUTES, AND OTHER CONTROLLING LAW; REDEFINING THE BOUNDARIES

49 OF THE TOWN OF PIERSON TO INCLUDE SAID PROPERTY; PROVIDING FOR  
50 FINDINGS; PROVIDING FOR CONDITIONS; DIRECTING THE TOWN CLERK TO  
51 RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH  
52 THE CHIEF ADMINISTRATIVE OFFICE OF VOLUSIA COUNTY AND WITH THE  
53 DEPARTMENT OF STATE; PROVIDING FOR LEGAL DESCRIPTION AND A MAP;  
54 REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR  
55 SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF  
56 ADMINISTRATIVE ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

57 Mayor Bennett asked Town Attorney Waugh to read the title into record. No discussion  
58 followed.

59 **Vice Mayor Robert Greenlund made the motion to approve ordinance 2020-10 on First**  
60 **Reading; seconded by Councilmember Tom Larrivee. All agreed; motion carries on roll**  
61 **call vote 5-0.**

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63 **b. ORDINANCE 2020-11 FIRST READING**

64 AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA RELATING TO THE  
65 AMENDMENT OF THE TOWN OF PIERSON COMPREHENSIVE PLAN; PROVIDING  
66 FOR ADOPTION OF A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT FOR  
67 REAL PROPERTY TOTALING APPROXIMATELY 5.0± ACRES IN SIZE LOCATED AT  
68 VANNOTE ROAD WITHIN THE TOWN OF PIERSON; PROVIDING FOR A CHANGE  
69 IN THE FUTURE LAND USE MAP DESIGNATION FROM VOLUSIA COUNTY  
70 RURAL TO TOWN OF PIERSON AGRICULTURE & RURAL RESIDENTIAL;  
71 INCLUDING CONFORMANCE OF THE FUTURE LAND USE MAP OF THE  
72 COMPREHENSIVE PLAN TO THE ADOPTED AMENDMENT; REPEALING ALL  
73 CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING  
74 FOR AN EFFECTIVE DATE.

75 Mayor Bennett asked Town Attorney Waugh to read the title into record. No discussion  
76 followed.

77 **Councilmember Tom Larrivee made the motion to approve ordinance 2020-11 on First**  
78 **Reading; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries on roll**  
79 **call vote 5-0.**

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81 **c. ORDINANCE 2020-12 FIRST READING**

82 AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF  
83 PIERSON, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY  
84 TOTALING APPROXIMATELY 5.0± ACRES IN SIZE LOCATED AT VANNOTE ROAD  
85 WITHIN THE TOWN OF PIERSON, FLORIDA; PROVIDING FOR THE  
86 IMPLEMENTATION OF ADMINISTRATIVE PROCEDURES; PROVIDING FOR THE  
87 ADOPTION OF THE OFFICIAL ZONING MAP; REPEALING ALL CONFLICTING  
88 ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN  
89 EFFECTIVE DATE.

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91 Mayor Bennett asked Town Attorney Waugh to read the title into record. No discussion  
92 followed.

93 **Vice Mayor Robert Greenlund made the motion to approve ordinance 2020-12 on First**

94 **Reading; seconded by Councilmember Tom Larrivee. All agreed; motion carries on roll**  
95 **call vote 5-0.**

96 d. Proclamation designating January as National Human Trafficking Awareness  
97 month - Mayor Samuel G.S. Bennett

98 Mayor Bennett read the proclamation into record designating January as National Human  
99 Trafficking Awareness month.

100 e. County of Volusia Sub-recipient Agreement to receive funds from the Volusia  
101 County Coronavirus Relief Fund Municipal Sub-recipient Program (CARE  
102 Act) - Mayor Samuel G.S. Bennett

103 Mayor Bennett asked Mrs. Spelorzi to share the good news in regards to funds the Town of  
104 Pierson will be receiving. Mrs. Spelorzi stated that the Town will receive \$65,872 through the  
105 CARE act and that these funds would go towards the public safety sector of Pierson's budget.

106 **Vice Mayor Robert Greenlund made the motion to approve the agreement to receive**  
107 **funds from the Volusia County Coronavirus Relief Fund Municipal Sub-recipient**  
108 **Program (CARE Act); seconded by Councilmember Tom Larrivee. All agreed; motion**  
109 **carries.**

110 f. Donation of a small enclosure to turn dogs loose while waiting for transfer to  
111 Humane Society at the Airport Animal Pen – Veronica LaVista

112 Chair Bennett read the title and Mrs. Spelorzi stated that Ms. LaVista was not able to attend  
113 and explained how this donation suggestion came about.

114 **Councilmember Tom Larrivee made the motion to accept the donation of a small**  
115 **enclosure at the Airport Animal Pen; seconded by Councilmember Sergia Cardenas. All**  
116 **agreed; motion carries.**

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

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

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

124 Mayor Bennett updated the Council that he did not have to take any actions pertaining to the  
125 State of Emergency since the last extension.

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

127 Mayor Bennett spoke on:

- 128 • Heritage Heating and Air finishing up at the new Town Center
- 129 • Public Works edged, treated for sand spurs and added building sand in play areas at
- 130 Chipper Jones Park
- 131 • Public Works continues to mow and pick up trash

- 132 • Met with VC Public Schools regarding connection to the sewer plant at Taylor High  
133 school ~ will bring back updated information  
134 • No Christmas Party this year, but Town did receive donations from Weston and  
135 Gregory as well as Zev Cohen to give gift cards to Town staff and Council.

136 Vice Mayor Greenlund suggested sending each donating company a thank you letter signed  
137 by the Councilmembers acknowledging the Council's appreciation for their generosity. The  
138 Council agreed.

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

141 Town Attorney Christian Waugh had nothing new to report and wished everybody a Merry  
142 Christmas and a Happy New Year.

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

145  
146 Town Planner Mark Karet spoke on:

- 147 • P&Z meeting on 12/17/20 – reviewed Parks and Rec element  
148 • Next onsite visit 1/7/2021  
149 • Updates for CDBG project to be presented to Council beginning of 2021

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151 **6. OLD BUSINESS**

152 None

153 **7. OTHER BUSINESS**

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

157

158 Vice Mayor Greenlund wished everybody a Merry Christmas.

159

160 Councilmember James Peterson suggested making a list what is needed from zoning to hand  
161 to applicants and Mrs. Spelorzi stated that a checklist is in the works.

162

163 Councilmember Tom Larrivee inquired about the status on Echo Street and Mayor Bennett  
164 stated that he and staff have spoken with Scott O'Quinn. Mr. Karet explained that if the Town  
165 finds the use at this property to be non-conforming, the owner cannot expand the building  
166 and/or improve the property in any way that would serve the non-conforming use. Mr. Karet  
167 elaborated what was explained to Mr. O'Quinn in regards to changes that are allowed as he  
168 also resides at this property versus changes that would not be allowed as they pertained to the  
169 non-conforming use of the business. Discussion ensued about the definition of a variance,  
170 special exception and change of use and Mr. Karet and Mr. Waugh explained the process.

171

172 Councilmember Larrivee asked if the original complaint affected this situation and Mr.  
173 Waugh stated that if the complaint were to be rescinded then this situation is a non-issue and  
174 elaborated on his understanding of how all of this came about.

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176 Mayor Bennett informed the Council that he received a complaint about an event with loud  
177 noise on Western and that he recommended the complainant call the VCISO.

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

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181 Mr. Paul Martel, 506 N. Pine Street spoke on

182

- Sand at Church cemetery still there. Public Works to go get it.

183

- Status on getting a new Gas station. Mrs. Spelorzi explained that she has received paperwork for a new EXXON gas station proposed to be in business by the end of January.

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- Wished all a Merry Christmas and a Happy New Year. Is proud to be a part of Pierson and thanked the Council and staff for their hard work.

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**9. ADJOURNED**

190 **Hearing no further business, meeting adjourned at 8:00 PM.**

191 Minutes prepared by:

Minutes approved by:

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Carmen Spelorzi, Town Clerk

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Mayor Samuel G.S. Bennett