



# TOWN COUNCIL REGULAR MEETING MINUTES

TUESDAY, MARCH 9, 2021 - 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 Thomas R. Larrivee  
Councilmember Sergia Cardenas

Also present were Town Attorney Christian Waugh, Town Planner Mark Karet, Volusia County Sheriff's office representatives and Volusia County Fire Chief Bailey. Councilmember James Peterson was excused absent.

## 3. Invocation and pledge of allegiance

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

## 4. APPROVAL OF MINUTES – Mayor Samuel Bennett

### a. Regular Meeting February 23, 2021

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

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

## 5. NEW BUSINESS

- a. **ORDINANCE 2020-11 PUBLIC HEARING SECOND READING**  
AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA RELATING TO THE AMENDMENT OF THE TOWN OF PIERSON COMPREHENSIVE PLAN; PROVIDING FOR ADOPTION OF A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT FOR REAL PROPERTY TOTALING APPROXIMATELY 5.0± ACRES IN SIZE LOCATED AT VANNOTE ROAD WITHIN THE TOWN OF PIERSON; PROVIDING FOR A CHANGE IN THE FUTURE LAND USE MAP DESIGNATION FROM VOLUSIA COUNTY RURAL TO TOWN OF PIERSON AGRICULTURE &

49 RURAL RESIDENTIAL; INCLUDING CONFORMANCE OF THE FUTURE  
50 LAND USE MAP OF THE COMPREHENSIVE PLAN TO THE ADOPTED  
51 AMENDMENT; REPEALING ALL CONFLICTING ORDINANCES;  
52 PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN  
53 EFFECTIVE DATE.

54  
55 Mayor Bennett asked Town Attorney Waugh to read the title into record. No discussion  
56 followed.

57 Mayor Bennett opened the floor to the Public. Hearing no comments, the Mayor closed Public  
58 Participation.

59 **Vice Mayor Robert Greenlund made the motion to close the Public hearing participation**  
60 **for ordinance 2020-11; seconded by Councilmember Tom Larrivee. All agreed; motion**  
61 **carries.**

62  
63 **Vice Mayor Robert Greenlund made the motion to approve ordinance 2020-11 on**  
64 **Second Reading; seconded by Councilmember Tom Larrivee. All agreed; motion carries**  
65 **on roll call vote 4-0.**

66  
67 b. **ORDINANCE 2020-12 PUBLIC HEARING SECOND READING**  
68 AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE  
69 TOWN OF PIERSON, FLORIDA PROVIDING FOR THE REZONING OF  
70 REAL PROPERTY TOTALING APPROXIMATELY 5.0± ACRES IN SIZE  
71 LOCATED AT VANNOT ROAD WITHIN THE TOWN OF PIERSON,  
72 FLORIDA; PROVIDING FOR THE IMPLEMENTATION OF  
73 ADMINISTRATIVE PROCEDURES; PROVIDING FOR THE ADOPTION  
74 OF THE OFFICIAL ZONING MAP; REPEALING ALL CONFLICTING  
75 ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING  
76 FOR AN EFFECTIVE DATE.

77  
78 Mayor Bennett asked Town Attorney Waugh to read the title into record. No discussion  
79 followed.

80 Mayor Bennett opened the floor to the Public. Hearing no comments, the Mayor closed Public  
81 Participation.

82 **Vice Mayor Robert Greenlund made the motion to close the Public hearing participation**  
83 **for ordinance 2020-12; seconded by Councilmember Tom Larrivee. All agreed; motion**  
84 **carries.**

85  
86 **Vice Mayor Robert Greenlund made the motion to approve ordinance 2020-12 on**  
87 **Second Reading; seconded by Councilmember Tom Larrivee. All agreed; motion carries**  
88 **on roll call vote 4-0.**

89  
90 c. **ORDINANCE NO. 2021-01 PUBLIC HEARING SECOND READING**  
91 AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA, ADOPTING  
92 AND PROVIDING FOR THE LEVY OF TAXES ON THE CONSUMPTION  
93 OF PUBLIC UTILITIES WITHIN THE CORPORATE LIMITS OF  
94 PIERSON, FLORIDA; PROVIDING FOR THE COLLECTION THEREOF

95 BY THE SELLER; PAYMENT THEREOF BY THE SELLER TO THE  
96 TOWN OF PIERSON, FLORIDA; PENALTY FOR THE VIOLATION BY  
97 THE SELLER OR PURCHASER; SEVERABILITY AND EFFECTIVE  
98 DATE.  
99

100 Mayor Bennett asked Town Attorney Waugh to read the title into record. Mayor Bennett  
101 spoke on the history of this ordinance. No discussion followed.

102 Mayor Bennett opened the floor to the Public. Hearing no comments, the Mayor closed Public  
103 Participation.

104 **Vice Mayor Robert Greenlund made the motion to close the Public hearing participation**  
105 **for ordinance 2021-01; seconded by Councilmember Tom Larrivee. All agreed; motion**  
106 **carries.**

107  
108 **Councilmember Tom Larrivee made the motion to approve ordinance 2021-01 on**  
109 **Second Reading; seconded by Councilmember Sergia Cardenas. All agreed; motion**  
110 **carries on roll call vote 4-0.**

111  
112 d. **ORDINANCE NO. 2021-02 (Tabled from 02/23/2021) First Reading**  
113 **AN ORDINANCE AMENDING ARTICLE II - RULES OF**  
114 **INTERPRETATION AND DEFINITIONS, SECTION 2.2 DEFINITIONS OF**  
115 **THE TOWN OF PIERSON UNIFIED LAND DEVELOPMENT**  
116 **REGULATIONS.**

117  
118 Mayor Bennett asked Town Attorney Waugh to read the title into record. Mr. Waugh stated  
119 that the title of the actual ordinance is slightly different than what is noted on the agenda and  
120 proceeded to read the proper title. Mr. Waugh elaborated on the need for this amended  
121 ordinance and that those amendments will positively affect the Town's code enforcement  
122 processes. Discussion ensued that this is the first reading of the amended ordinance and that  
123 the Council can review it in its entirety and make a final decision on second reading.

124 **Councilmember Tom Larrivee made the motion to approve ordinance 2021-02 on First**  
125 **Reading; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries on roll**  
126 **call vote 4-0.**

127  
128 e. **Volusia County Fire Rescue Services update for Pierson – Fire Chief Howard**  
129 **J. Bailey**

130  
131 Chief Bailey stated that he will leave a proposal with the Town Clerk for the Council's review  
132 on how he would like to structure the quarterly incident reporting and that he would appreciate  
133 the Council's feedback. Chief Bailey commended Mrs. Spelozzi for her efforts in working  
134 with VC Fire staff.

135  
136 Discussion ensued about the continued service the Fire Department will give to the Town of  
137 Pierson and that a new station will be built by SR 11.

138  
139 Mayor Bennett thanked Chief Bailey for his department's assistance during the Town's 4<sup>th</sup> of  
140 July events.

141

142 f. Pierson Saddle Club discussion regarding suggested fees for day events at the  
143 Arena – Kim Fleming, President

144

145 Mrs. Spelorzi advised that the Saddle Club asked to table this item until the meeting on April,  
146 13, 2021.

147

148 Vice Mayor Greenlund stated that they are a Not-for-profit 503C and feels that they should  
149 not have to pay for additional events as he is under the impression that the Little League does  
150 not pay either.

151

152 Mayor Bennett thanked the Saddle Club for their service and providing wholesome events to  
153 the Town and does not feel that they should pay more, however, the Town did have  
154 expenditures to improve the arena and any contribution to repay those cost is helpful.

155

156 **Vice Mayor Robert Greenlund made the motion to table this item until the April 13,**  
157 **2021 meeting; seconded by Councilmember Tom Larrivee. All agreed; motion carries.**

158

159 g. Advertisement Approval for a Utility/ Deputy Clerk - Mayor Samuel G.S.  
160 Bennett

161

162 Mayor Bennett elaborated on the decision made at the preceding workshop not to go ahead  
163 with the advertising for a fulltime Utility/Deputy Clerk at this time.

164

165 **Vice Mayor Robert Greenlund made the motion not to move forward with the**  
166 **advertisement for a full-time Deputy/Water clerk until such time that the Council is in**  
167 **agreement to revisit hiring a full time Deputy/Water clerk. Motion died for a lack of**  
168 **second.**

169 **Vice Mayor Robert Greenlund made the motion to continue office operations as they**  
170 **are currently in place with a part-time water clerk until further notice; seconded by**  
171 **Mayor Bennett. Motion fails on roll call vote 2 - 2 with Councilmembers Larrivee and**  
172 **Cardenas casting the dissenting votes.**

173 h. Need for Light Poles at Chipper Jones Baseball Complex- Mayor Samuel G.S.  
174 Bennett

175

176 Mayor Bennett spoke on the need for light pole replacement at Chipper Jones Park and  
177 discussion ensued about

- 178 • quotes received  
179 • if the park should be closed for safety  
180 • having poles donated

181 **Vice Mayor Robert Greenlund made the motion to table this item for further review;**  
182 **seconded by Councilmember Tom Larrivee. All agreed; motion carries.**

183

184 i. Request to sell land locked parcel by N Volusia Ave - Mayor Samuel G.S.  
185 Bennett

186

187 Mayor Bennett asked Mr. Karet to explain what can be done.

188 Discussion ensued about

- 189 • Easement by necessity to the landlocked parcel in question
- 190 • Advertising and putting it out for bid to avoid the presumption of an arrangement or
- 191 agreement reached in an unofficial way
- 192 • Settling on a reserve price.

193 **Vice Mayor Robert Greenlund made the motion to advertise parcel ID 48280000204**  
194 **for bid at a base price of \$2,500; seconded by Councilmember Tom Larrivee. All agreed;**  
195 **motion carries.**

196  
197 j. State of Emergency Florida / Town of Pierson - Mayor Samuel G.S. Bennett

198  
199 **Vice Mayor Robert Greenlund made the motion to extend the State of Emergency for**  
200 **the Town of Pierson for an additional seven (7) days; seconded by Councilmember Tom**  
201 **Larrivee. All agreed; motion carries.**

202 k. Updates by Mayor - Mayor Samuel G.S. Bennett

203

204 No report at this time.

205

206 l. Update of Town projects from Town Attorney – Town Attorney Christian  
207 Waugh

208

209 Mr. Waugh spoke on

- 210 • WCA contract was executed and signed
- 211 • Reached out to VCSO in regards to noise ordinance, draft created and ready to be
- 212 reviewed by Town’s P&Z
- 213 • HIS PREGNANT WIFE HAS NEVER LOOKED MORE BEAUTIFUL

214 Discussion ensued on the fee schedule and that it needs to be severe enough for offenders to  
215 take notice and that there may also be infractions to the LDR occurring on weekends.

216 m. Update of Town projects from Town Planner – Town Planner Mark Karet, Zev  
217 Cohen & Associates

218

219 Mr. Karet spoke on

- 220 • Mead Hunt working on Topo survey – CDBG
- 221 • Sanitary sewer to have inclusion by June 2021
- 222 • Need to work on water rates with David Hanna
- 223 • Onsite for appointments on 3/4/21
- 224 • Two residents of shell harbor come to ask if Town would be interested to take over
- 225 the wells that service about 14 homes, advised that more research would need to be
- 226 done. Mayor feels Town should make water available to them.
- 227 • P&Z meeting scheduled for 3/16/21

228

## 229 **6. OLD BUSINESS**

230 None

231 **7. OTHER BUSINESS**

232

233 Vice Mayor Robert Greenlund, Councilmember Tom Larrivee, the Town Attorney and the  
234 Town Clerk as well as the Volusia County Sheriff's office had no additional comments.

235

236 Councilmember Sergia Cardenas spoke on a COVID vaccination clinic on March 12, 2021.

237

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

239

240 David Buttons, 807 Burnsed Rd thanked the Council for their relationship with the Saddle  
241 Club and Little League.

242 **9. ADJOURNED**

243 Mayor read dates for upcoming meetings and events.

244

245 **Hearing no further business, meeting adjourned at 8:38 PM.**

246 Minutes prepared by:

Minutes approved by:

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252 \_\_\_\_\_  
Carmen Spelorzi, Town Clerk

\_\_\_\_\_  
Mayor Samuel G.S. Bennett