



TOWN COUNCIL REGULAR MEETING MINUTES

TUESDAY, MAY 11, 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 and a representative from the VCSO. Town Planner Mark Karet was excused absent.

3. Invocation and pledge of allegiance

Mayor Samuel Bennett gave the invocation and remembered/honored the late Councilmember James Peterson, which was followed by the Pledge of Allegiance.

4. APPROVAL OF MINUTES – Mayor Samuel Bennett

- a. Workshop- April 27, 2021
- b. Regular Meeting April 27, 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 NO. 2021-03 PUBLIC HEARING Second Reading**
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
PIERSON, FLORIDA PROPOSING AMENDMENTS TO THE UNIFIED
LAND DEVELOPMENT REGULATIONS OF THE TOWN OF PIERSON
CREATING STANDARDS FOR THE ESTABLISHMENT OF ACCESSORY
DWELLING UNITS IN ALL ZONING CLASSIFICATIONS THAT PERMIT
SINGLE FAMILY HOMES; PROVIDING FOR SEVERABILITY;
PROVIDING FOR CODIFICATION AND PROVIDING FOR AN

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EFFECTIVE DATE.
(Recommendation for approval from the Planning Commission)

Mayor Bennett opened the Public Hearing and asked Town Attorney Waugh to read the title into record.

Mayor Bennett stated that he had suggested to Town Planner Mark Karet to make accessory dwellings a special exception so that applications need to go before the P&Z for case by case review.

Vice Mayor Greenlund asked about a definition of an accessory dwelling and Mr. Waugh addressed that question.

Members from the Planning and Zoning Commission recommended the Council send the ordinance back before the P&Z for amendment. All in consensus to send it back to the P&Z.

b. **ORDINANCE NO. 2021-04 PUBLIC HEARING** **Second Reading**

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

(Recommendation for approval from the Planning Commission)

Mayor Bennett opened the Public Hearing and asked Town Attorney Waugh to read the title into record. Mr. Waugh advised that this is an amendment to a prior ordinance.

Mayor Bennett opened the floor for public participation. Hearing no comments, Mayor Bennett closed public participation.

Vice Mayor Robert Greenlund made the motion to close the Public Participation portion; seconded by Councilmember Tom Larrivee. All agreed; motion carries on roll call vote 4-0.

Councilmember Larrivee alerted staff of some scrivener errors which need to be corrected.

Vice Mayor Robert Greenlund made the motion to approve ordinance 2021-04 on second reading, including the correction of the scrivener errors; seconded by Councilmember Tom Larrivee. All agreed; motion carries 4-0.

c. **RESOLUTION NO. 2021-01**

A RESOLUTION OF THE TOWN OF PIERSON, VOLUSIA COUNTY, FLORIDA SUPPORTING A FIVE-YEAR RENEWAL TO THE INTERLOCAL AGREEMENT FOR DISTRIBUTION OF PROCEEDS OF

98 LOCAL OPTION FUEL TAX FOR THE PERIOD OF SEPTEMBER 1, 2021
99 - AUGUST 31, 2026; AND PROVIDING AN EFFECTIVE DATE.

100
101 Mayor Bennett read the title.

102
103 **Councilmember Tom Larrivee made the motion to approve Resolution 2021-01;**
104 **seconded by Vice Mayor Robert Greenlund. All agreed; motion carries 4-0.**

105
106 d. Weston & Gregory LLC Audit for FYE 09/30/2020 – James “Jim” Ashby

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108 Mayor Bennett invited the Town Auditor, Jim Ashby of Weston and Gregory to present the
109 Fiscal Year 2019/2020 audit report. Mr. Ashby’s report includes, but is not limited to:

- 110 • Assets
- 111 • Deferred outflows of resources
- 112 • Liabilities, governmental fund and Water fund
- 113 • Deferred inflows of resources
- 114 • Net Position
- 115 • Functions/Programs
- 116 • Fund Balances
- 117 • Total Fund balances – governmental funds
- 118 • Net position of governmental activities
- 119 • Revenues
- 120 • Expenditures
- 121 • Excess (deficiency) of revenues over expenditures
- 122 • Other financing sources (uses)
- 123 • Fund balance (deficit) beginning of year
- 124 • Fund balance (deficit) end of year
- 125 • Net change in fund balance total government funds
- 126 • Change in net position of governmental activities
- 127 • Cash flows from operating activities
- 128 • Cash flows from noncapital financing activities
- 129 • Cash flows from investing activities

130 Question and answer session ensued about

- 131 • the pension funds
- 132 • deficiencies and what to do to correct those
- 133 • number of months in reserves (1.5 months)
- 134 • water fund
- 135 • Balance sheets
- 136 • Increasing water rates by resolution

137
138 **Councilmember Tom Larrivee made the motion to approve the Audit report as**
139 **submitted by Weston & Gregory; seconded by Vice Mayor Robert Greenlund. All**
140 **agreed; motion carries.**

141
142 Mayor Bennett stated that he has been in touch with the Town’s representative from the

143 Volusia County School Board and that they are moving forward with the agreement to extend
144 the sewer agreement for another three (3) years. Mayor Bennett continued that the agreement
145 should be send to Pierson in the next two (2) to three (3) weeks. He felt that now is a good
146 time to consider selling the current Town Hall property at fair market value and to put those
147 funds into the reserves as well as reducing expenditures wherever possible.

148
149 Discussion ensued

- 150 • that the audit is public record, and a copy of the complete audit can be requested
- 151 through the Clerk's office.
- 152 • reviewing Town owned parcels of land in a workshop setting for possible sale

153

154 Mayor Bennett thanked Mr. Ashby for the audit report.

155

156 e. 4th of July Celebration update/ decision – Mayor Samuel G.S. Bennett

157

158 Mayor Bennett reiterated that a consensus was reached to hold the 4th of July celebration and
159 stated that the 4th is a Sunday and recommended moving the celebration to Saturday, July 3rd.
160 He spoke on food vendors and suggested the Town could be the only concessions vendor to
161 raise revenue for the Town.

162

163 Mr. Waugh suggested a Lawyer Dunk tank. Lighthearted discussion ensued. Mr. Waugh
164 recommended checking with the Fireworks vendor about a possible discount if the festivities
165 were held on July 3rd.

166

167 The Council is in agreement to hold the event on July 3rd and being the sole food/drink vendor.

168

169 **Councilmember Tom Larrivee made the motion to set the date for the independence**
170 **celebration to July 3rd and to be the sole food vendor; seconded by Vice Mayor Robert**
171 **Greenlund. All agreed; motion carries.**

172

173 f. Need for Light Poles at Chipper Jones Baseball Complex (TABLED from
174 04/27/2021) - Mayor Samuel G.S. Bennett

175

176 Mayor Bennett stated that he received a few quotes varying from \$5,000 to \$10,300. The
177 Council decided to select the Company from Jacksonville for \$5,000 which includes the pole
178 installation and all wiring.

179

180 **Vice Mayor Robert Greenlund made the motion to approve the quote from Blacksmith**
181 **Marine in the amount of \$5,000; seconded by Councilmember Sergia Cardenas. All**
182 **agreed; motion carries.**

183

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

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186 Mr. Waugh commented on Governor's DeSantis recent actions and stated that Florida is still
187 under a State of Emergency. Pierson's Emergency Order does not fall under the Governor's
188 order, since it does not infringe on People's liberties.

189

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

193

194 Mayor Bennett wanted the record to reflect that he has acted only once on an emergency order
195 since it was implemented.

196

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

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199 Mayor Bennett gave an update on

- 200 • sewer with School
- 201 • light pole.

202 i. Update of Town projects from Town Attorney – Town Attorney Christian
203 Waugh

204

205 Mr. Waugh had no additional comments but confirmed that the information contained on page
206 41 section 166.241 Florida Statutes in the Audit report requiring Municipalities to adopt an
207 annual budget is accurate.

208

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

211

212 Mayor Bennett informed the Council why the Town Planner was not able to attend.

213

214 Mayor Bennett spoke on dates for Water rates ordinance and Mr. Waugh stated that the
215 Town does not have an automatic adjustment for inflation pertaining to the water rates and
216 recommended that it should be looked into.

217

218 Town Clerk Spelorzi stated that the Town Planner will attend the May 18th P&Z meeting
219 and be available for on-site meetings on May 20th. Mr. Waugh will also be present at the
220 P&Z per the Commissioners' request.

221

222 **6. OLD BUSINESS**

223 None

224 **7. OTHER BUSINESS**

225

226 Vice Mayor Robert Greenlund, Councilmember Tom Larrivee, Town Clerk Spelorzi and the
227 Town Attorney had no additional comments.

228

229 Councilmember Sergia Cardenas spoke on attending IEMO on May 7th and that she feels
230 better prepared to serve the residents of Pierson.

231

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

233

234 Resident Linnie Richardson, Richardson Lane, spoke on

235

- 236 • Holding the P&Z meetings on days of the Council meetings to save taxpayer funds.
- 237 • CR3 and Hagstrom - speed is excessive and that she has asked VCSO to look into it
- 238 • Kids in park bathroom smoking pot

239

240 Captain Yisrael with the VCSO stated that he would speak to the School's resource officer
241 and that the Deputies are increasing their radar use. The Captain stated that there will be an
242 increased law enforcement presence after May 15th.

243

244 Residents asked about

- 245 • From when to when the noise ordinance regulations are in effect
- 246 • Requirement to get a permit for a special event
- 247 • Inflatables for the 4th of July celebration and getting volunteers

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249 **9. ADJOURNED**

250 **Hearing no further business, meeting adjourned at 8:19 PM.**

251 Minutes prepared by:

Minutes approved by:

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257 _____
Carmen Spelorzi, Town Clerk

Mayor Samuel G.S. Bennett