



TOWN COUNCIL REGULAR MEETING MINUTES

**TUESDAY, JANUARY 14, 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 Yvonne
10 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 Deputy Clerk Ryan Smith, Utility Clerk Marci Nichols, Town Planner
22 Mark Karet, and Volusia Sheriff's Office. Town Attorney Christian Waugh was absent.
23

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

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

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

31 a. Regular Meeting December 10, 2024
32

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

36 **Councilmember Linnie Richardson made the motion to approve the above listed**
37 **minutes as written; seconded by Vice Mayor Robert Greenlund. All agreed; motion**
38 **carries.**
39

40 **5. NEW BUSINESS**
41

42 a. Update on status of wastewater treatment plant & sanitary sewer collection
43 system design and authorization by the Town Council to extend the design
44 schedule to August 2025 – Brad Blais, PE of Mead & Hunt
45

Brad Blais of Mead & Hunt gave an update to the Council regarding the wastewater treatment plant design grant. Mr. Blais said approximately ninety percent of the design had been completed for the gravity sewer systems and lift stations. Mr. Blais explained there were issues with the Volusia County School Board, which did not want Town employees to maintain a wastewater treatment plant on School Board property. Mr. Blais said that this required a change in design to move the percolation ponds and treatment facility to a Town-owned property north of the airport. Mr. Blais said that Mead & Hunt was requesting an extension from the Florida Department of Environmental Protection, with an estimated project completion date of August 2025.

Vice Mayor Robert Greenlund made the motion to approve an extension on the wastewater treatment system design grant from Florida Department of Environmental Protection through August 2025; seconded by Councilmember Brandy Peterson. Motion carries on a roll call vote 5-0.

b. 5K race in Pierson – Crystal McNally

Councilmember Linnie Richardson made the motion to table this item until legal counsel could be present to advise the Council; seconded by Councilmember Brandy Peterson. All agreed; motion carries.

c. Commercial parcel at S. Center Street & E. 3rd Avenue – Gineva Peterson

Residents Gineva Peterson and Wanda Peterson spoke to Council regarding a commercial lot they purchased at the intersection of S. Center Street and E. 3rd Avenue. Gineva Peterson explained that they wanted to have a drive-through coffee cart inside of a shipping container at this location. Ms. Peterson said there would be no parking or eating in the building; the business would be drive-through only.

Ms. Peterson said that she had worked with Town Planner Mark Karet who required a survey and a site plan. Ms. Peterson said she was told by Mr. Karet that food carts had not historically been allowed in the Town because there were no regulations in the Land Development Code for food carts. Ms. Peterson questioned why other food carts were located in the Town.

Councilmember Linnie Richardson asked for clarification on the shipping container. Ms. Peterson said the shipping container was not on wheels but that it could be placed on wheels, if needed. Ms. Peterson said a \$15,000.00 site plan was steep and she did not know how to proceed. Councilmember Richardson reiterated that Mr. Karet's job was to enforce the Town's code and ordinances.

Mr. Karet explained that a shipping container is still treated as a structure in the Town's code, which requires site plan approval. Mr. Karet sent a letter to Ms. Peterson explaining the requirements for a site plan approval on this type of business. Mr. Karet said a food truck would require an ordinance through the Planning & Zoning Commission. Mr. Karet said food truck ordinances in most places still have requirements for parking and sanitation.

Ms. Peterson noted that there were three other food trucks in town. Ms. Peterson said she would be willing to put her cart on wheels if that was required.

Vice Mayor Greenlund asked Mr. Karet about the other food carts in town. Mr. Karet said there was currently no authorization for those carts because it is not in the code, and noted that it was an unaddressed code enforcement issue.

Councilmember Brandy Peterson asked if the Health Department still had to inspect the carts. Mr. Karet said he did not know. Deputy Clerk Ryan Smith asked if the Town could require businesses to provide documentation regarding items such as health inspections in the event that a food truck ordinance was added into the Land Development Regulations; Mr. Karet stated that it could.

Vice Mayor Greenlund asked about food trucks at the monthly vendor market. Mr. Karet explained that the transient nature of food trucks for temporary events separated them from a food truck parked in a permanent location.

Mayor Leonhard asked what would be required to permit stationary or permanent food trucks in town. Mr. Karet said the Council would need to direct him to bring proposed regulations forward to the Planning & Zoning Commission, which would then make a recommendation to Council.

Vice Mayor Robert Greenlund made the motion for Town Planner Mark Karet to draft proposed food truck regulations to present to the Planning & Zoning Commission; seconded Councilmember Linnie Richardson. All agreed; motion carries.

- d. 207 N. Center St (Señor Peppers) water bill adjustment – Utility Clerk Marci Nichols

Utility Clerk Marci Nichols asked the Council for approval to adjust Señor Peppers' water bill after the restaurant repaired a leak in their water line. Ms. Nichols said the bill was \$594.46 and a bill adjustment over \$500.00 required Council approval. Vice Mayor Greenlund asked if Ms. Nichols had discussed the bill with Señor Peppers. Ms. Nichols said she had spoken to the business owner and the leak was fixed, which was reflected in the next month's bill.

Ms. Nichols said typically the average monthly bill was subtracted from the amount due and fifty percent of the remaining balance was written off. Town Clerk Yvonne Braddock said the adjustment to subtract from the bill would be \$247.23.

Vice Mayor Robert Greenlund made the motion to adjust Señor Peppers' water bill by \$247.23; seconded by Councilmember Linnie Richardson. All agreed; motion carries.

- e. 180 S. Volusia Ave (Mrs. Whidden) water bill adjustment – Jimmy Anderson – Councilman

Utility Clerk Marci Nichols stated that Mrs. Whidden's family had asked for an adjustment on a high water bill due to a leak. Mrs. Whidden's family stated that Mrs. Whidden is on a

fixed income and requested her bill be adjusted to her base monthly rate of \$17.66. Deputy Clerk Ryan Smith stated that an adjustment of \$161.78 and any applicable late fees would reduce the bill to its usual monthly rate.

Vice Mayor Robert Greenlund made the motion to adjust Mrs. Whidden's water bill by \$161.78, plus any accrued late fees; seconded by Councilmember Jimmy Anderson. All agreed; motion carries.

f. Ball field maintenance – Vice Mayor Robert Greenlund

Vice Mayor Greenlund reminded the Council that Volusia County's proposed interlocal agreement for ball field maintenance was approximately \$44,000.00 annually. Vice Mayor Greenlund spoke with the County employee who is currently maintaining the Pierson fields, and the employee said he worked on the fields for approximately six months out of the year. Vice Mayor Greenlund said for this reason, he felt the proposed interlocal agreement amount was too high. Vice Mayor Greenlund discussed hiring a part-time employee for the fields.

Councilmember Linnie Richardson reminded Council that the budget was very tight and the teams all use the fields for free. Councilmember Richardson said the teams had to contribute something. Mayor Leonhard said the Town was the only one in Volusia County that allowed use of its ball fields for free.

Councilmember Brandy Peterson said she would like to investigate buying a machine to rake and maintain the clay because she felt it would be cheaper than hiring another employee or signing an agreement with the County. Councilmember Peterson said part of the issue was abandonment, and that fields had not been properly maintained for several years. Mayor Leonhard agreed that once the field maintenance was caught up that it should be easier to maintain.

Resident Katie Ruth told the Council that Northwest Volusia Little League worked at the fields on Sunday. Ms. Ruth said the organization would be fertilizing the new sod on the infields and putting rye grass in the outfields.

Mayor Leonhard addressed the ongoing complaints regarding sandspurs on the fields. Mayor Leonhard said the herbicide Barricade may be used to prevent the sandspur seeds from sprouting, but he did not think the Town had the equipment to adequately apply the herbicide. Mayor Leonhard asked the Little League if any local agricultural people involved in their organization might have a way to apply the herbicide.

Ms. Ruth stated that ball practice would begin in two weeks and Opening Ceremonies were tentatively scheduled for March 8, 2025.

g. Doors for North Road Park bathrooms – Mayor Gray Leonhard

Mayor Leonhard said the doors at North Road Park needed to be replaced. Mayor Leonhard was told by Public Works that metal doors would be the best replacement. Councilmember Brandy Peterson said the existing wooden doors were recently replaced.

Deputy Clerk Ryan Smith said the Town spent \$600.00 on two wooden doors and they did not last two years.

Mayor Leonhard read the quote from All Quality Products in the amount of \$2,858.00 for two commercial steel doors. The Council agreed the park bathrooms needed the doors.

Councilmember Brandy Peterson made the motion to approve the quote for two commercial steel doors from All Quality Products for a total of \$2,858.00; seconded by Councilmember Jimmy Anderson. All agreed; motion carries.

h. Vacating 5th Avenue – Linnie R. Richardson – Councilwoman

Mayor Leonhard asked for this item to be tabled until legal counsel could be present.

Vice Mayor made the motion to table this item until legal counsel is present; seconded by Councilmember Brandy Peterson. All agreed; motion carries.

i. Disposal of tires at new burn pile site – Mayor Gray Leonhard

Mayor Leonhard asked for thoughts from the Council on how to dispose of a large number of tires from the new burn pile site.

Vice Mayor Greenlund asked if there was a count on the tires. Mayor Leonhard said he had not counted them but that there were a lot of tires. Councilmember Jimmy Anderson said there were also tires located at the previous burn pile site near the airport. Mayor Leonhard said there were more tires at the former community garden near the rodeo grounds.

Vice Mayor Greenlund recommended asking GEL Recycling in Orange City if they recycled tires, and obtaining pricing. Vice Mayor Greenlund asked how much the transfer station on State Road 44 in Deland charged to dispose of tires. Town Clerk Yvonne Braddock stated that commercial disposal was paid by the ton.

Councilmember Linnie Richardson made the motion to table this item until the next meeting so that more information about disposal rates and methods could be obtained; seconded by Councilmember Jimmy Anderson. All agreed; motion carries.

j. Tree removal at Town Center – Mayor Gray Leonhard

Mayor Leonhard noted that there were trees on the back side of the Town Center property near the library which were shedding leaves and pine needles on the walkway cover. Mayor Leonhard asked about obtaining pricing to remove the trees. Councilmember Jimmy Anderson said the pine trees needed to be removed.

Deputy Clerk Ryan Smith advised that the Town had spent its entire tree budget for the year. Vice Mayor Greenlund said he would look at the trees to determine if Public Works could remove them.

233
234 k. Stump grinding at 2nd Avenue and Nixon Park – Mayor Gray Leonhard
235

236 Mayor Leonhard said he felt the large stump in the right-of-way on 2nd Avenue was a traffic
237 hazard. The Council also discussed several stumps at Nixon Park which needed to be
238 removed.
239

240 Mayor Leonhard presented two estimates for stump grinding: Kalen Ruth of KR Land
241 Development in the amount of \$1,300.00, and Charles Gay of M&B Tree Service in the
242 amount of \$1,500.00.
243

244 Vice Mayor Greenlund asked how many stumps were included in the pricing.
245

246 Councilmember Brandy Peterson asked if the tree in the 2nd Avenue right-of-way was the
247 responsibility of the Town. Town Planner Mark Karet said the Town would likely be
248 responsible.
249

250 **Vice Mayor Robert Greenlund made the motion to table this item until the number of**
251 **stumps included in the quotes could be verified; seconded by Councilmember Jimmy**
252 **Anderson. All agreed; motion carries.**
253

254 l. Purchase of pole saw for Public Works – Jimmy Anderson – Councilman
255

256 Councilmember Jimmy Anderson advised the Council that Public Works needed a new
257 extendable pole saw. Councilmember Anderson said the current pole saw was not extendable.
258

259 Deputy Clerk Ryan Smith presented a quote for a STIHL gas-powered pole saw with an 11.6-
260 foot extension in the amount of \$799.99.
261

262 Vice Mayor Greenlund asked if a price had been obtained from Central Florida Fern Co-op
263 and said he would like to ask before proceeding. Councilmember Jimmy Anderson said he
264 would check on Wednesday morning.
265

266 **Vice Mayor Robert Greenlund made the motion to table this item until more pricing**
267 **could be obtained from Central Florida Fern Co-op; seconded by Councilmember**
268 **Linnie Richardson. All agreed; motion carries.**
269

270 m. Guard rails at pond on Frederick Street – Mayor Gray Leonhard
271

272 Mayor Leonhard informed Council that the edge of the road on Frederick Street was in poor
273 shape due to people mudding in the area after heavy rains. Mayor Leonhard stated that a side-
274 by-side had wrecked there on Friday night. Mayor Leonhard suggested that guard rails or
275 signs might be necessary in the area to discourage those activities.
276

277 Councilmember Brandy Peterson said she did not think signs or guard rails would prevent
278 people from playing in the mud.
279

Councilmember Linnie Richardson asked if there were laws for the destruction of public right-of-way. Lieutenant Adam Huffman of Volusia Sheriff's Office stated that he did not have the information with him, but that he would check into it and report back to Council.

Vice Mayor Greenlund said he did not feel the Town needed to install guard rails.

Councilmember Jimmy Anderson said the Town could place dirt in the ruts and improve the area. Vice Mayor Greenlund said he was afraid that would encourage more playing in the dirt.

Councilmember Brandy Peterson suggested that people call law enforcement if someone is disturbing the area.

Mayor Leonhard asked the Volusia Sheriff's Office to try and be a little more observant when they are driving through town.

n. Surety Bank CD renewal – Deputy Clerk Ryan Smith

Deputy Clerk Ryan Smith asked to table this item until rates were obtained from Surety Bank.

Vice Mayor Robert Greenlund made the motion to table this item until rates could be obtained; seconded by Councilmember Linnie Richardson. All agreed; motion carries.

o. Installation of additional electrical outlets on Town Center exterior – Mayor Gray Leonhard

Mayor Leonhard said he would like to table this item until he could have a discussion with Fred Hough of Hough Electric.

Vice Mayor Robert Greenlund made the motion to table this item until the next meeting; seconded by Councilmember Linnie Richardson. All agreed; motion carries.

p. Public Works reporting – Jimmy Anderson – Councilman

Councilmember Jimmy Anderson said there had been failures in how Public Works was run. Councilmember Anderson said that individual Council Members should not be instructing Public Works directly but instead creating work orders through the Clerk's Office.

Mayor Leonhard said he felt the Public Works employees needed to be more proactive and take responsibility for certain tasks, such as picking up limbs or trash. Mayor Leonhard said he did not feel items like this should require a work order.

Councilmember Anderson said he was planning to have a meeting with Public Works and stated that he would bring up these issues.

Deputy Clerk Ryan Smith and Councilmember Brandy Peterson agreed that the Council should be setting Public Works schedules during regular meetings. Town Clerk Yvonne Braddock reminded the Council that, as explained by the Town Attorney, no single Council

Member could instruct Public Works employees. The Council as a whole must have a consensus.

Councilmember Linnie Richardson noted that the Council still needed to have an employee workshop. Councilmember Richardson suggested a workshop in February.

Deputy Clerk Ryan Smith suggested adding an item to every regular agenda for the purpose of Council creating and approving a Public Works schedule.

Councilmember Jimmy Anderson noted that Public Works was also mowing county and state roads despite residents paying taxes to the county and state for road maintenance. Mayor Leonhard stated that while roads like US Highway 17 were state roads, there were portions that run through Pierson as town streets and should be maintained by the Town.

q. Removal of old Public Works equipment – Jimmy Anderson – Councilman

Councilmember Linnie Richardson made the motion to table this item until legal counsel is present; seconded by Councilmember Brandy Peterson. All agreed; motion carries.

r. Updates by Mayor Gray Leonhard

Mayor Leonhard did not have any updates at this time.

s. Updates on Town Projects from Town Attorney Christian Waugh

The Town Attorney was not present.

Councilmember Linnie Richardson made the motion to add an emergency agenda item regarding the Town Attorney; seconded by Vice Mayor Robert Greenlund. All agreed; motion carries.

Councilmember Linnie Richardson stated that as of Monday, January 13, 2025, Town Attorney Christian Waugh had resigned. Councilmember Richardson called an emergency meeting earlier in the day to address an interim attorney.

Councilmember Linnie Richardson introduced Resolution 2025-01 which changes regular Council Meeting days from the second and fourth Tuesdays of each month to the first and third Tuesdays of each month.

Mayor Leonhard read the title of the Resolution: “A Resolution of the Town of Pierson of Volusia County, Florida, amending regular Council Meeting days; providing for conflicts; providing for severability; and providing an effective date.”

Mayor Leonhard explained that the reason for the change in Council Meeting days was to accommodate the interim Town Attorney recommended by Town Planner Mark Karet.

373 Councilmember Linnie Richardson made the motion to adopt Resolution 2025-01;
374 seconded by Vice Mayor Robert Greenlund. Motion carries on a roll call vote 5-0.
375

376 Councilmember Linnie Richardson made the motion to retain Scott E. Simpson, P.A. of
377 Korey, Sweet, McKinnon & Simpson as interim legal counsel for the Town of Pierson at
378 a rate of \$200.00 per hour, effective immediately; seconded by Councilmember Brandy
379 Peterson. Motion carries on a roll call vote 5-0.
380

381 t. Updates on Town Projects from Town Planner Mark Karet
382

383 Mr. Karet stated that CWS and SGS Contracting had been working on clearance tests for the
384 new water plant. Deputy Clerk Ryan Smith said there was one test that needed to be addressed
385 but all other sampling had passed.
386

387 Mr. Karet asked the status of Biometric Utility. Mr. Smith said Biometric ended their service
388 on December 31, 2024 and CWS started as the new water operator as of January 1, 2025.
389

390 **6. OLD BUSINESS**
391

392 There was no old business.
393

394 **7. OTHER BUSINESS (Council and Staff Reports)**
395

396 There was no other business.
397

398 **8. GOOD AND WELFARE (Public Participation)**
399

400 Resident Jackie North asked for an update on the North Road culvert. Yvonne Braddock stated
401 that the project details had been submitted to FEMA and the Town was waiting on a response.
402

403 **9. PIERSON EVENTS**
404

- 405 • Pierson Vendor Market – Saturday, January 18, 2025 @ 9:00 A.M. – 2:00 P.M.
406

407 **10. ADJOURNED**
408

409 **Hearing no further business, meeting adjourned at 8:11 P.M.**
410

411 Minutes prepared by:
412

413

414

415 _____
Ryan Smith, Deputy Town Clerk

Minutes approved by:

Gray Leonhard, Mayor