



# TOWN COUNCIL REGULAR MEETING MINUTES

TUESDAY, MARCH 26, 2024 – 6:30 PM  
PIERSON TOWN HALL

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## 1. Call meeting to order

Mayor Samuel G.S. Bennett called the meeting to order at 6:30 PM and asked Deputy Clerk Ryan Smith to take the roll call.

## 2. Roll call

### PRESENT:

Mayor Samuel G.S. Bennett  
Vice Mayor Robert Greenlund  
Councilmember Sergia Cardenas  
Councilmember Linnie Richardson  
Councilmember Brandy Peterson

Also present were Utility Clerk Marci Nichols, Town Attorney Christian Waugh, and a deputy from Volusia Sheriff's Office. Town Clerk Yvonne Braddock and Town Planner Mark Karet were absent.

## 3. Invocation and pledge of allegiance

Mayor Bennett invited Pastor Jerry Hunter from First Baptist Church to give the invocation, which was followed by the Pledge of Allegiance.

## 4. Approval of Minutes – Mayor Samuel G.S. Bennett

- a. Regular Meeting March 12, 2024

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

**Councilmember Linnie Richardson made the motion to approve the above listed minutes as written; seconded by Councilmember Brandy Peterson. All agreed; motion carries.**

## 5. NEW BUSINESS

- a. Surety Bank Purchase Offer – Linnie Richardson – Councilwoman

Councilmember Linnie Richardson read an email from Surety Bank CEO Ryan James who offered to purchase the building at 106 N. Center St for \$425,000.00. Mayor Bennett

47 referenced an earlier workshop where Council discussed making an offer to Surety Bank for  
48 \$550,000.00 and asked for clarification on the County's just value. Resident Jeremy  
49 Steadman stated it was \$411,093.00 per the County's property appraiser website.  
50 Councilmember Richardson said the Town had been losing money on the property every  
51 month and agreed with the offer. Vice Mayor Greenlund acknowledged the building needed  
52 a lot of work but suggested countering with an offer of at least 10% higher which would be  
53 \$467,500.00. The Mayor agreed with a counter-offer.

54

55 Town Attorney Christian Waugh advised that the Town should request that Surety Bank  
56 should take care of the closing costs.

57

58 **Councilmember Linnie Richardson made the motion to accept Surety Bank's offer of**  
59 **\$425,000.00 with the conditions that the property is sold as-is and Surety Bank will**  
60 **cover closing costs; seconded by Councilmember Brandy Peterson. Motion carries on a**  
61 **roll call vote 3-2 with Mayor Samuel Bennett and Vice Mayor Robert Greenlund**  
62 **casting dissenting votes.**

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64 b. Mowing right-of-ways – Linnie Richardson – Councilwoman

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66 Councilmember Linnie Richardson has received calls from residents regarding the mowing  
67 of right-of-ways. Some residents want the Town to mow their right-of-ways while others do  
68 not. Councilmember Richardson suggested that the Town was not a lawn service and that we  
69 should make a decision about mowing all of them. Residents Gray Leonhard and Paul Martel  
70 both spoke in opposition to the Town mowing their right-of-ways because they do not feel the  
71 Town does a good job and they maintain their own yards. The Mayor said that well-kept yards  
72 could be skipped by Public Works but the Town would continue mowing right-of-ways which  
73 are unkempt.

74

75 **Regular meeting in recess**

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77 **Public Hearing called to order**

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79 c. (c-a) ORDINANCE 2024-01 Public Hearing First Reading  
80 AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA ANNEXING  
81 BY VOLUNTARY PETITION CERTAIN REAL PROPERTY OWNED BY  
82 LISL AND TODD ANGEL WITH PARCEL IDS: 581200000470 AND  
83 581200000473 LOCATED 225± SOUTH OF THE INTERSECTION OF  
84 LAMAR ROAD AND SOUTH VOLUSIA AVENUE/CR-3 WITH THE  
85 ADDRESSES OF 211 AND 245 LAMAR ROAD AND LOCATED  
86 CONTIGUOUS TO THE TOWN OF PIERSON IN ACCORDANCE WITH  
87 THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044,  
88 FLORIDA STATUTES, AND OTHER CONTROLLING LAW;  
89 REDEFINING THE BOUNDARIES OF THE TOWN OF PIERSON TO  
90 INCLUDE SAID PROPERTY; PROVIDING FINDINGS; PROVIDING FOR  
91 CONDITIONS; PROVIDING DIRECTION TO THE TOWN CLERK TO  
92 RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT  
93 COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA

94 COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING A  
95 LEGAL DESCRIPTION AND A MAP; REPEALING ALL ORDINANCES  
96 IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY;  
97 PROVIDING FOR NON-CODIFICATION AND THE TAKING OF  
98 ADMINISTRATIVE ACTIONS; AND PROVIDING FOR AN EFFECTIVE  
99 DATE.

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101 The Mayor asked Paul Martel from the Planning & Zoning Commission if this was approved  
102 by the Commission; Mr. Martel affirmed.

103

104 **Public Hearing adjourned**

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106 **Call regular meeting to order**

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108 **Councilmember Linnie Richardson made the motion to approve the first reading of**  
109 **Ordinance 2024-01; seconded by Vice Mayor Robert Greenlund. Motion carries on a**  
110 **roll call vote 5-0.**

111

112 c. (c-b) Culvert on Blake Street – Linnie Richardson - Councilwoman

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114 Resident Carol Dunn called Councilmember Richardson about a culvert at Blake Street and  
115 E. Washington Avenue which is clogged and causing flooding in that area. Councilmember  
116 Richardson asked if Public Works could evaluate the culvert. Resident Gray Leonhard said  
117 that a portion of the ditch along Blake Street is completely blocked. Mayor Bennett said Public  
118 Works would assess the culvert.

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120 d. Town Ordinances Pertaining to Cemetery – Lester Pulley

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122 Resident Lester Pulley spoke on behalf of the Pierson Methodist Church regarding Town  
123 Ordinances that apply to the cemetery. Mr. Pulley inquired about posting signs at the cemetery  
124 locations which notified the public of three ordinances:

125

- 126 - Article 4, Section 15-67 – Cemetery Hours
- 127 - Chapter 5, Article 3, Section 15-59(o) – “Noise-sensitive” Zones
- 128 - Chapter 4, Section 4-3(b) – Alcohol Possession and Consumption

129

130 Two of the ordinances state that signs must be posted. Town Attorney Christian Waugh states  
131 that Town Ordinances are a given and signage should not be required unless an ordinance  
132 specifies that a sign be posted. Mayor Bennett stated that the Town would purchase the  
133 signage for the cemeteries. The Volusia Sheriff Deputy in attendance was asked by Deputy  
134 Clerk Ryan Smith which verbiage would be required to make the ordinances enforceable by  
135 the Sheriff’s Department; the Deputy stated that it was a question for Volusia County Sheriff’s  
136 legal counsel.

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138 e. Updates by Mayor Samuel G.S. Bennett

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140 Mayor Samuel G.S. Bennett said he had no further updates at this time.

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f. Updates of Town Projects from Town Attorney Christian Waugh

Mr. Waugh spoke to the County regarding the ballfield maintenance agreement. The County told Mr. Waugh that their last agreement expired in 2015. Mr. Waugh also stated that he will put an adapted ordinance on the next agenda regarding trespassing on Town property.

j. Updates on Town Projects from Town Planner Mark Karet

Town Planner Mark Karet was absent.

**6. OLD BUSINESS**

a. Save Our Boating Rights – Kristine Wake

Kristine Wake provided an update regarding Save Our Boating Rights and the initiative to prevent the State from designating Silver Glen as a “spring protection zone.” Ms. Wake advised that a public meeting would be held with Florida Fish and Wildlife Conservation Commission at the ACA Center in Astor, Florida on Wednesday, March 27, 2024 from 5:00 – 8:00 PM. She encouraged Town Council members to attend and hear the issues firsthand.

b. Sidewalk at 162 W. 2<sup>nd</sup> Ave – Jeremy Steadman

Business owner Jeremy Steadman asked Vice Mayor Robert Greenlund if he had an opportunity to survey the damaged sidewalk. Vice Mayor Greenlund stated that there is a severe dip in the walkway and two broken panels that need to be repaired if the sidewalk is being kept. Mr. Steadman said that he did not care if it was removed or replaced; he is only attempting to relieve himself of liability. Vice Mayor Greenlund suggested removing the sidewalk and sodding it.

The deputy from Volusia Sheriff’s Office advised that by removing the sidewalk, vehicles would be able to park in the grass and law enforcement would not be able to enforce it. The Council discussed the solution of repairing the sidewalk and only allowing parking on one side of the street to prevent bottlenecking of vehicles.

**Vice Mayor Robert Greenlund made the motion to obtain a quote and repair the damaged sections of sidewalk; seconded by Councilmember Sergia Cardenas. All agreed; motion carries.**

c. Resurface Parking Lot at Town Center – Mayor Samuel G.S. Bennett

Mayor Bennett said he had not obtained quotes on resurfacing but wanted to ask the full Council for their opinion on whether the parking lot should be resurfaced. He stated that it would improve the appearance of the building. Councilmember Sergia Cardenas inquired about the previous work done in the parking lot. Mayor Bennett said that it had been a simple paint-on sealer and not a full resurfacing. Councilmember Cardenas stated that she felt Town funds would be better spent on upgrading buildings at the Town Center or on repairing roads.

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189 **7. OTHER BUSINESS (Council and Staff Reports)**

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191 Councilmember Sergia Cardenas asked the Council if the Town planned to renew its annual  
192 membership with Volusia League of Cities for \$700.00. Deputy Clerk Ryan Smith stated that  
193 Town Clerk Yvonne Braddock had already sent a check for the renewal.

194

195 Councilmember Linnie Richardson had four items of discussion:

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- 197 • Councilmember Linnie Richardson expressed her concern with the report from the  
198 Volusia County Fire Marshal which gave the Town 30 days to comply with  
199 delinquencies in the inspection of the new Town Center. The Fire Marshal required  
200 that the old fire system in the building be repaired, replaced, or removed. The Fire  
201 Marshal also gave specifications on new and updated exit signs and lights. Deputy  
202 Clerk Ryan Smith explained the pricing on the various options from quotes received  
203 and stated that removal was the best option.

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205 **Vice Mayor Robert Greenlund made the motion for an emergency meeting to**  
206 **discuss and take action on the fire system; seconded by Councilmember Brandy**  
207 **Peterson. All agreed; motion carries.**

208

209 **Vice Mayor Robert Greenlund made the motion to approve the removal of the**  
210 **fire system for a total cost of \$13,890.00; seconded by Councilmember Sergia**  
211 **Cardenas. All agreed; motion carries.**

212

- 213 • Councilmember Richardson reminded Council that during last year's inspection of the  
214 water system and wells, Volusia County's health inspector made multiple  
215 recommendations based on delinquencies found in her report. One infraction was  
216 regarding a flow meter to measure the amount of treated water which needed to be  
217 installed. Councilmember Richardson stated that the cost of the meter would be  
218 approximately \$6,000.00 per Carlos Tola of Biometrics.

219

220 **Councilmember Linnie Richardson made the motion to take emergency action**  
221 **regarding the flow meter; seconded by Councilmember Sergia Cardenas. All**  
222 **agreed; motion carries.**

223

224 **Councilmember Linnie Richardson made the motion to approve the flow meter**  
225 **installation once quotes were received; seconded by Councilmember Brandy**  
226 **Peterson. All agreed; motion carries.**

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- 228 • Councilmember Richardson stated that Town Planner Mark Karet had four scheduled  
229 appointments on March 21, 2024 but two of the scheduled residents did not show up.  
230 She would like to add an upcoming agenda item regarding charging for appointments.

231

232 • Councilmember Richardson spoke to Spectrum regarding the dip in the road on E.  
233 Washington Avenue in front of the high school. The road was damaged by Spectrum  
234 during a cable installation and repaired by Halifax Paving. Spectrum stated that  
235 Halifax Paving would evaluate the road this week.

236 Brandy Peterson highlighted Stephen Shives who is running for State Representative and  
237 spoke with or met various members of the Town. She also said that Fred Hough of Hough  
238 Electric would be installing track lighting in the auditorium soon.

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240 **8. GOOD AND WELFARE (Public Participation)**

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242 Resident Kelly Green asked when the Town Ordinances would be posted online. Deputy Clerk  
243 Ryan Smith said that the new town website was launched on Monday and a copy of the  
244 ordinances could now be found there. Ms. Green also reminded that the Easter event would  
245 take place this Saturday and asked if it could be posted on the letter sign in front of the old  
246 Town Hall building.

247  
248 Resident Gray Leonhard asked if the Town was exploring grants for roads, potentially through  
249 DOT. Deputy Clerk Ryan Smith explained that he had spoken with grant writer Fred Fox and  
250 Mittauer & Associates regarding grant options for roads. Mr. Smith learned that there are  
251 limited options for road infrastructure but that he was still having discussions regarding  
252 various programs.

253  
254 Volusia Sheriff's Office asked for an update on their room at Pierson Town Center.  
255 Councilmember Linnie Richardson said the toilet has been replaced and the room has been  
256 painted and cleaned. Deputy Clerk Ryan Smith advised that the last item would be to address  
257 internet connectivity with VCSO's IT department.

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259 **9. ADJOURNED**

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261 **Hearing no further business, meeting adjourned at 8:11 PM.**

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263 Minutes prepared by:

Minutes approved by:

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Ryan Smith, Deputy Town Clerk

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Samuel G.S. Bennett, Mayor