



47 **Regular meeting in recess**

48

49 **Public Hearing called to order**

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51 a. **ORDINANCE 2024-15 PUBLIC HEARING 2<sup>ND</sup> READING**

52

53 **ORDINANCE 2024-15**

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55 **AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA, PROPOSING**  
56 **AMENDMENTS TO THE UNIFIED LAND DEVELOPMENT**  
57 **REGULATIONS OF THE TOWN OF PIERSON REVISING STANDARDS**  
58 **FOR TREE PROTECTION TO MEET THE MINIMUM STANDARDS**  
59 **REQUIRED BY VOLUSIA COUNTY; PROVIDING FOR SEVERABILITY;**  
60 **PROVIDING FOR CODIFICATION AND PROVIDING FOR AN**  
61 **EFFECTIVE DATE.**

62

63 Town Attorney Christian Waugh read the title of the Ordinance.

64

65 Vice Mayor Greenlund asked if this Ordinance was related to the number of trees that could  
66 be removed from a lot. Mr. Waugh said it was to make the Town's tree protection standards  
67 consistent with the County.

68

69 Town Planner Mark Karet said there was a charter amendment in place at Volusia County  
70 which required all municipalities in the county to meet or exceed those minimum standards.  
71 Mr. Karet stated that the tree protection standards had been only partially adopted by the  
72 Town. Mr. Karet noted that if the Town was not in compliance with the minimum standards,  
73 the County would have the right to enforce the regulations. Mr. Karet said his  
74 recommendation was to pass the updated tree protection ordinance so that the Town could  
75 enforce those regulations instead of the County.

76

77 Vice Mayor Greenlund asked if the tree protection standards were a state-mandated law. Mr.  
78 Karet said it was not a state requirement, but a requirement by Volusia County.

79

80 **End of Public Hearing**

81

82 **Call regular meeting to order**

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84 **Councilmember Linnie Richardson made the motion to approve the second reading of**  
85 **Ordinance 2024-15; seconded by Councilmember Jimmy Anderson. Motion carries on**  
86 **a roll call vote 4-0.**

87

88 **Regular meeting in recess**

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90 **Public Hearing called to order**

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92 b. **ORDINANCE 2024-17 PUBLIC HEARING 2<sup>ND</sup> READING**

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94 **ORDINANCE 2024-17**

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**AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY OWNED BY AMY AND JAMISON THOMAS IDENTIFIED AS PARCEL ID: 581100000060 AND LOCATED SOUTH OF THE TERMINUS OF WESTERN AVENUE AS IT EXTENDS EASTWARD TO DRUDY LAKE AND LOCATED CONTIGUOUS TO THE TOWN OF PIERSON IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES, AND OTHER CONTROLLING LAW; REDEFINING THE BOUNDARIES OF THE TOWN OF PIERSON TO INCLUDE SAID PROPERTY; PROVIDING FINDINGS; PROVIDING FOR CONDITIONS; PROVIDING DIRECTION TO THE TOWN CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING A LEGAL DESCRIPTION AND A MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**End of Public Hearing**

**Call regular meeting to order**

**Vice Mayor Robert Greenlund made the motion to approve the second reading of Ordinance 2024-17; seconded by Councilmember Linnie Richardson. Motion carries on a roll call vote 4-0.**

c. Employee Christmas bonuses – Mayor Gray Leonhard

Mayor Leonhard asked for suggestions regarding employee Christmas bonuses.

Resident Paul Martel called a point of order and asked if the Council could speak louder because it was hard to hear from the audience.

Councilmember Linnie Richardson suggested keeping the bonuses the same as the previous year and asked to include Deputy Clerk Ryan Smith at the same rate as Town Clerk Yvonne Braddock.

Mayor Leonhard suggested increasing Public Works employee Dustin Childers and Utility Clerk Marci Nichols from \$350.00 each to \$400.00 each.

**Councilmember Linnie Richardson made the motion to approve 2024 employee Christmas bonuses in the same amounts as the previous year with the exceptions of adding Deputy Clerk Ryan Smith at \$600.00 and increasing Dustin Childers and Marci**

140 **Nichols to \$400.00, for a total of \$3,100.00 in bonuses; seconded by Vice Mayor Robert**  
141 **Greenlund. All agreed; motion carries.**

142

143 d. Pedestrian crossings painted – Linnie R. Richardson – Councilwoman

144

145 Councilmember Linnie Richardson said the painted crosswalk areas at the high school have  
146 faded and are not visible. Councilmember Richardson is concerned that it could be a liability.  
147 Councilmember Richardson suggested having Public Works re-paint the crosswalks during  
148 the school’s Christmas break.

149

150 Mayor Leonhard asked if the painting was typically done by Public Works. Public Works  
151 foreman Louis Longo confirmed that they did the painting.

152

153 **Councilmember Linnie Richardson made the motion to re-paint the pedestrian**  
154 **crosswalks between the high school and middle school during the school’s Christmas**  
155 **break from December 20, 2024 to January 3, 2024; seconded by Councilmember Jimmy**  
156 **Anderson. All agreed; motion carries.**

157

158 e. Town Limits increase to include unincorporated areas into Pierson proper –  
159 Linnie R. Richardson – Councilwoman

160

161 Councilmember Linnie Richardson said she would like to explore squaring up the Town’s  
162 boundaries. Councilmember Richardson said that portions of Pierson looked like a “jigsaw  
163 puzzle” on the map due to a mix of incorporated and unincorporated parcels.

164

165 Councilmember Richardson said she would like to see the Town expand a little to give the  
166 Town more control over certain areas.

167

168 Town Planner Mark Karet said there are two options for annexations. The first option would  
169 be to enter into a joint planning agreement with the County. Mr. Karet said the County would  
170 work with the Town to help with the annexations, but that certain conditions would be  
171 stipulated in the joint agreement. The second option was through the Town utility system. Mr.  
172 Karet said many communities offer utilities to residents as an incentive to annex into the  
173 Town.

174

175 Mr. Karet provided an informational chart illustrating how annexations are handled in the  
176 City of Ormond Beach. Mr. Karet highlighted that properties that are contiguous to the City  
177 of Ormond Beach are required to annex into the City to have a utility connection. Properties  
178 that are not contiguous are required to enter into an annexation agreement which is approved  
179 by the City Commission by resolution.

180

181 Mayor Leonhard recommended a workshop to discuss the annexation process further.

182

183 Mayor Leonhard said Blackburn Road was a good example of a section of the Town in which  
184 some residents had Town water and others did not.

185

186 Mr. Karet asked if there was a rate differential for water users in Town versus in  
187 unincorporated Pierson; Town Clerk Yvonne Braddock confirmed that there was.

188

189 Vice Mayor Robert Greenlund was concerned it could be a legal issue. Town Attorney  
190 Christian Waugh highlighted ways in which the Town could annex land both voluntarily and  
191 involuntarily.

192

193 **Councilmember Linnie Richardson made the motion to table this item until a workshop**  
194 **can be scheduled; seconded by Councilmember Jimmy Anderson. All agreed; motion**  
195 **carries.**

196

197 f. Quotes for roofing Building 4 – Mayor Gray Leonhard

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199 Mayor Leonhard noted that the air conditioning had been installed in the records room but  
200 said the roof was in bad shape and the fascia was rotted. Mayor Leonhard said that two quotes  
201 had been received for a new roof: A&G Florida Roofing in the amount of \$29,900.00 and  
202 Sotelo Roofing in the amount of \$25,000.00.

203

204 Mayor Leonhard noted that the Sotelo Roofing quote included a price of \$100.00 per sheet of  
205 plywood that required replacement.

206

207 Mayor Leonhard and Vice Mayor Greenlund noted the size of the building; Mayor Leonhard  
208 felt the Sotelo Roofing quote was reasonable for the size.

209

210 **Councilmember Linnie Richardson made the motion to approve the Building 4 roofing**  
211 **quote from Sotelo Roofing in the amount of \$25,000.00 to include \$100.00 per sheet of**  
212 **plywood replacement; seconded by Vice Mayor Robert Greenlund. Motion carries on a**  
213 **roll call vote 4-0.**

214

215 g. ADA compliant ramp behind Town Center wash and paint – Mayor Gray  
216 Leonhard

217

218 Mayor Leonhard said the ramp on the back side of the Town Center building was in need of  
219 pressure washing and painting. Mayor Leonhard asked if Public Works employees could  
220 perform the work. Councilmember Linnie Richardson asked foreman Louis Longo if Public  
221 Works could complete this work and he confirmed.

222

223 **Vice Mayor Robert Greenlund made the motion for Public Works to pressure wash and**  
224 **paint the ramp behind the Town Center; seconded by Councilmember Linnie**  
225 **Richardson. All agreed; motion carries.**

226

227 h. Flag pole replacement and sign removal at Town Center – Mayor Gray  
228 Leonhard

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230 Mayor Leonhard said the flag pole at the Town Center looked to be in need of replacement  
231 eventually and presented quotes to Council. Mayor Leonhard said the pole was approximately  
232 25-foot tall and six inches in diameter.

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Councilmember Linnie Richardson noted that the flag pole is currently leaning.

Deputy Clerk Ryan Smith asked if there was a chance that local businesses might want to donate money for a new flag pole in exchange for a dedication plaque.

Resident Paul Martel asked about the sign at the Town Center. Mr. Martel said he was under the impression that the sign had been recently installed by the Town. Mayor Leonhard noted that the existing sign has been in place since the property was owned by the school.

Deputy Clerk Ryan Smith stated that he had applied for a small technology grant earlier in the year which would have been used to install an electronic message sign, but that the Town was not awarded the grant.

The Council discussed the old school sign near the retention pond along US Highway 17 on the north side of the property and whether that sign could be used as a Town sign.

**Vice Mayor Robert Greenlund made the motion to table this item until the sign could be evaluated; seconded by Councilmember Jimmy Anderson. All agreed; motion carries.**

i. Pierson Fern & Greens waste collection – Kara Roberts Elmer

Kara Roberts Elmer introduced herself to Council as one of the owners of Pierson Fern & Greens which has been in business since 1995. Ms. Elmer spoke to Council regarding an ongoing issue with GFL Environmental, the trash collection service contracted by the Town. Ms. Elmer said the regular pickups were currently not an issue but noted there were multiple problems with extra pickups, as well as contacting GFL Environmental. Ms. Elmer stated that GFL Environmental also broke a water line on their property.

Ms. Elmer said Pierson Fern & Greens was approached by another waste management company with better rates and the promise of better services. Pierson Fern & Greens notified GFL Environmental that they would be closing their account. After Pierson Fern & Greens signed a contract with the new collection company, they were contacted by Skip McCall, Government Contracts Manager for GFL Environmental, and told that GFL would not close the Pierson Fern & Greens account. Mr. McCall stated that GFL Environmental had exclusivity on all trash collection in the Town.

Ms. Elmer said she had a contentious discussion with Mr. McCall regarding the GFL contract with the Town. Ms. Elmer explained that she did not want to do business with GFL and stated that Pierson Fern & Greens would be sending notification to GFL that they are closing their account.

Town Attorney Christian Waugh highlighted past issues between the Town and WCA (now GFL) which prompted the Town to look for a new provider. Mr. Waugh said the trash contract was put out for bid in 2020 but only two providers responded, and the prices of the second

279 provider were not competitive. Ultimately, the Town decided to continue using GFL  
280 Environmental.

281

282 Mr. Waugh said there is no exclusivity for commercial accounts in the original contract. GFL  
283 is asserting that exclusivity for commercial accounts is outlined in the second contract  
284 amendment as well as a section of the RFP from 2020. Mr. Waugh said his opinion is that  
285 GFL does not have exclusivity for commercial accounts.

286

287 Mr. Waugh said his opinion was that Pierson Fern & Greens had the right to terminate their  
288 account. Mr. Waugh said that if GFL requested a response from the Town, the Town's  
289 position should be that it agrees.

290

291 The Council discussed the fact that the Town of Pierson was one of the few municipalities  
292 which has a voluntary trash collection service. Pierson customers opt-in by creating their own  
293 accounts with GFL, versus other towns and cities which mandate trash service and collect  
294 fees through utility bills or property taxes. Town Planner Mark Karet explained that this is  
295 one of the reasons vendors did not respond to the RFP in 2020.

296

297 Councilmember Richardson explained having a similar issue with WCA regarding the  
298 termination of a commercial dumpster at her farm which lasted for a year.

299

300 Deputy Clerk Ryan Smith noted that the Town has had a difficult time communicating with  
301 GFL regarding trash pickups and account-related issues.

302

303 Resident Sue Elliott stated that other residents have had issues with double billing.

304

305 Vice Mayor Greenlund asked if Pierson Fern & Greens had enough space to move the  
306 dumpster themselves if GFL refused to remove it.

307

308 The Mayor and Vice Mayor thanked Ms. Elmer for speaking to Council and apologized for  
309 the issues she was having.

310

311 j. Airport status update – Deputy Clerk Ryan Smith

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313 Deputy Clerk Ryan Smith provided the Council with a copy of the written FDOT airport  
314 inspection completed with Airport Manager Olin Cannon. Mr. Smith noted that the Town had  
315 until the date of the next annual inspection to fix deficiencies including the overgrown ditches  
316 on either side of the runway as well as a non-standard airport circle marker. Mr. Smith said  
317 FDOT issued the license so the updates did not need to be addressed at this time, but that the  
318 Council needed to be aware so that quotes could be obtained to perform the maintenance.

319

320 Mr. Smith said pictures taken by Mayor Leonhard were included in the agenda packet of the  
321 aircraft belonging to Dave Howell. Mr. Smith also highlighted the letter sent by Town  
322 Attorney Christian Waugh to Mr. Howell regarding past due invoices and proof of insurance.

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324 Mayor Leonhard expressed his concerns with Mr. Howell's aircraft due to their condition and  
325 the fact that he does not believe they are air-worthy.

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Mr. Smith said that Mr. Howell paid three of his six past-due invoices on November 26, 2024 but that as of the meeting he was now four months past due, including the most recent December invoice.

Mr. Waugh said that per his letter, Mr. Howell has until December 17, 2024 to comply with three requirements: invoices must be paid in full, proof of insurance must be provided for the aircraft, and the aircraft must be deemed air-worthy. Mr. Waugh said the Town could file a lien for the unpaid invoices.

Mayor Leonhard said it was his opinion that if Mr. Howell had not complied by the beginning of the year, the Town should take whatever legal action is necessary to file a lien and remove the aircraft. The Council agreed.

k. Termination of Biometric contract and start date for CWS – Town Attorney Christian Waugh

Mr. Waugh stated that Biometric Utility’s water operations contract automatically renewed for another year during the RFP process, but that it was his opinion that the contract should be terminated for cause. Deputy Clerk Ryan Smith noted a failure to act on a Lead Service Line Inventory contract which was signed by Mayor Bennett and submitted to Biometric in February 2024. Mr. Smith said that in October 2024, two weeks before the inventory was due to be submitted to the State, Carlos Tola of Biometric stated that his office had never received the signed contract. Mr. Tola also stated that the inventory was not due in October despite Mr. Smith explaining that multiple sources, including Florida Rural Water Association, Florida Department of Environmental Protection, and the Volusia County Health Department, all posted notice of the due date.

Mr. Waugh highlighted other deficiencies including the lack of notifications regarding inoperable valves, an inoperable call-out system at the water plant, and maintenance issues at the plant and water tower.

Mr. Waugh asked the Council to terminate the contract for cause with CWS beginning water operations within 30 days. Mr. Waugh said the Town would like to see a professional transition if possible.

Councilmember Richardson asked what would happen if Biometric did not continue water operations for the final 30 days after receiving notice of the termination.. Mr. Waugh said he did not think Biometric would risk public health by doing this. Deputy Clerk Ryan Smith said he spoke to CWS and was assured the company would be ready to come on board as soon as they were needed.

Vice Mayor Greenlund said he received text messages from Carlos Tola of Biometric. Mr. Tola provided contact information for other municipalities who were supposedly unhappy with CWS’s service. Vice Mayor Greenlund said he did not reply to the messages or contact anyone regarding CWS.



373 **Councilmember Linnie Richardson made the motion to approve the termination of the**  
374 **Biometric Utility contract for cause and bring CWS on board as soon as possible;**  
375 **seconded by Councilmember Jimmy Anderson. All agreed; motion carries.**  
376

377 1. Updates by Mayor Gray Leonhard  
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379 Mayor Leonhard said Todd Bush of Zev Cohen was currently working with the Volusia  
380 County School Board to resolve an issue with failing manholes and a culvert under E.  
381 Washington Avenue near the high school. Town Planner Mark Karet said at this point the  
382 School Board was not taking responsibility but that they had been responsive and would be  
383 interested in looking at the issue. Mayor Leonhard said he felt the issue needed to be addressed  
384 as soon as possible.  
385

386 Mr. Karet said it was a very old system with maintenance issues and that Zev Cohen would  
387 be meeting with Volusia County Schools to investigate it further. Mr. Karet warned the  
388 Council that it was very difficult to get the School Board to spend money off of their property.  
389

390 Deputy Clerk Ryan Smith asked if the problem was caused by storm runoff during Hurricane  
391 Milton. Mayor Leonhard said it became evident after the large amount of water from  
392 Hurricane Milton.  
393

394 m. Updates on Town Projects from Town Attorney Christian Waugh  
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396 Mr. Waugh had no updates at this time.  
397

398 n. Updates on Town Projects from Town Planner Mark Karet  
399

400 Mr. Karet said he was at the Town Center on December 5, 2024 to meet with residents and  
401 would be back on December 19, 2024 to discuss residents' land use and zoning questions.  
402

403 Mr. Karet said SGS Contracting and CWS were working on the final testing to bring the new  
404 water plant online.  
405

406 Mr. Karet said it was being arranged for Brad Blais of Mead & Hunt to give a status update  
407 on the wastewater treatment project in the beginning of the year.  
408

409 **6. OLD BUSINESS**  
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411 a. 5<sup>th</sup> Avenue culvert (tabled 11/26/2024) – Mayor Gray Leonhard  
412

413 Mayor Leonhard spoke to Erik and Lars Hagstrom of Albin Hagstrom & Son regarding the  
414 culvert wash-out on 5<sup>th</sup> Avenue. Mayor Leonhard said the road has never been maintained by  
415 the Town and is used like a private driveway by Albin Hagstrom & Son. Mayor Leonhard  
416 said it was his understanding that Albin Hagstrom & Son would replace the culvert.  
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418 b. Electrical outlets at Town Center (tabled 11/26/2024) – Utility Clerk Marci  
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Mayor Leonhard said this item could be tabled until Marci Nichols was present.

**Councilmember Linnie Richardson made the motion to table this item for a later date; seconded by Councilmember Jimmy Anderson. All agreed; motion carries.**

- c. Duke Energy EV charging station (tabled 11/26/2024) – Town Clerk Yvonne Braddock

Town Clerk Yvonne Braddock said she had received a reply from Duke Energy regarding the EV charging stations. The Town asked Duke Energy to resurface the east parking lot of the Town Center in exchange for a 10-year contract to place EV charging stations in the parking lot. Duke Energy stated that it would not be possible because it was a regulated program which only allowed expenses directly related to the EV chargers.

The Council discussed the need for EV chargers. Councilmember Jimmy Anderson asked if there would be any profit to the Town; Council confirmed that there was not.

The Council failed to make a motion for the EV chargers.

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

Vice Mayor Greenlund spoke to the Parks & Recreation employee from Volusia County who has been working to maintain the ball fields at Chipper Jones Park. Vice Mayor Greenlund said that based on the number of hours worked by the County employee, he felt the \$44,000.00 interlocal agreement with the County for ball field maintenance was not feasible. Vice Mayor Greenlund said he felt a part-time employee could be hired for less money. Mayor Leonhard and Vice Mayor Greenlund said the item needed to be added to the next agenda.

Councilmember Jimmy Anderson briefly spoke about a high water bill due to a line break at 180 S. Volusia Avenue. Councilmember Anderson said the family had asked if the Council could authorize forgiveness for the bill. Town Clerk Yvonne Braddock noted that this would need to be an agenda item for discussion. Ms. Braddock said it could be placed on the next agenda.

Mayor Leonhard discussed encountering a large number of old tires at the newly-selected burn pile site. A brief conversation ensued regarding the disposal of the tires. Deputy Clerk Ryan Smith and Town Attorney Christian Waugh stressed that this item would also need to be an agenda item.

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

There were no public comments at this time.

Vice Mayor Greenlund wished everyone happy holidays and a prosperous new year. Mayor Leonhard closed the meeting by wishing everyone a Merry Christmas.

467 **9. PIERSON EVENTS**

468

469 • A Florida Christmas Remembered – Barberville Pioneer Settlement – Saturday,  
470 December 14, 2024 @ 9:00 A.M. – 4:00 P.M.

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472 • Pierson Vendor Market – Saturday, December 21, 2024 @ 9:00 A.M. – 2:00 P.M.

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474 **10. ADJOURNED**

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476 **Hearing no further business, meeting adjourned at 8:27 P.M.**

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478 Minutes prepared by:

Minutes approved by:

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482 \_\_\_\_\_  
Ryan Smith, Deputy Town Clerk

\_\_\_\_\_  
Gray Leonhard, Mayor