



TOWN COUNCIL REGULAR MEETING MINUTES

**TUESDAY, MARCH 8, 2022 – 7:00 PM
PIERSON TOWN HALL**

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1. Call meeting to order

Mayor Samuel G.S. Bennett called the meeting to order at 7:02 PM and asked Town Clerk Carmen Spelorzi to take the roll call.

2. Roll call

PRESENT:

- Mayor Samuel G.S. Bennett
- Vice Mayor Robert Greenlund
- Councilmember Sergia Cardenas
- Councilmember Gray Leonhard

Also present were Town Attorney Christian Waugh; Town Planner Mark Karet and representatives from the VCSO. Councilmember Thomas R. Larrivee is excused absent.

3. Invocation and pledge of allegiance

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

4. Approval of Minutes – Mayor Samuel Bennett

- a. Regular Council meeting – February 22, 2022

Mayor Bennett asked if there were any additions and deletions if not he would entertain a motion.

Councilmember Gray Leonhard made the motion to approve the above listed minutes as written; seconded by Councilmember Sergia Cardenas. All agreed; motion carries.

5. NEW BUSINESS

- a. Discussion on revisiting RV registration and establishing guideline – Resident Linnie Richardson

Resident Linnie Richardson, 170 Richardson Lane, spoke of areas popping up where people have multiple RVs and/or travel trailers parking on their property. She continued that recommendations were brought before the Council a few years ago, but nothing was done and she is asking to have this item go back to the Planning and Zoning Commission for review and exploring options on what can be done about this.

47 Discussion ensued about locations where this is happening and scenarios why folks would have
48 RVs and trailers on their property and the Council agreed to have the P&Z review and come
49 up with options.

50

51 **Councilmember Gray Leonhard made the motion to send this item back to the P&Z to**
52 **revise RV regulations and guidelines; seconded by Councilmember Sergia Cardenas. All**
53 **agreed; motion carries.**

54

55 b. Discussion on Improper Land Use – Councilmember Gray Leonhard

56

57 Councilmember Gray Leonhard spoke on the property on 404 Shaw Lake Rd and Turner Rd
58 that appears to be doing construction without permits and a stop work order in place. It is
59 zoned Ag and conservation. Councilmember Leonhard is concerned about the perception that
60 folks can just do whatever they want with properties in Pierson without repercussions.

61

62 Mrs. Spelorzi stated that the Chief Building Official put a stop work order and contacted the
63 property owner. Discussion ensued about the zoning of this property and what he is allowed
64 to do on the property.

65

66 Resident Jimmy Anderson spoke on annexed versus unincorporated areas.

67

68 Councilmember Leonhard spoke on a business on 3rd Ave by cemetery doing business of tree
69 trimming and having several buildings with people living in them. Mrs. Spelorzi confirmed
70 that a letter was sent to the property owner. Mr. Waugh elaborated on the letter and
71 Councilmember Leonhard would like to see it be sent again. Discussion ensued about sending
72 it certified mail. Consensus to resend the letter.

73

74 HMS who is repairing the Town's backhoe is operating out of their residence and most of the
75 repair work is mobile. The business owner does not have a BTR with the Town, only a mobile
76 license through the County. Councilmember Leonhard is asking if the company could do the
77 repairs in the Town's work shed. Discussion ensued and the Council agreed to have the
78 company do the repair in the Town's barn and Mr. Waugh spoke on the liability and that the
79 owner can sign a waiver.

80

81 Councilmember Gray Leonhard spoke about a property on W. Washington Ave of Mr.
82 O'Quinn being used for business that it is not zoned for. Mayor Bennett noted Mr. O'Quinn
83 was ok to do clearing and place a fence and it then evolved to other things. Mrs. Spelorzi
84 mentioned that the apparent "lessee" came in to get a BTR (Business Tax Receipt) for their
85 business and was advised that she was not able to give a BTR for their type of business since
86 it is heavy industrial, and the property is zoned agricultural. In addition, that the town cannot
87 release or discuss the reasons why at this time since the property is under consult with an
88 Attorney as is the town.

89

90 Mayor Bennett stated

- 91 • Resident reported a rumor that heavy equipment was moving into the property
- 92 • Legal counsel sent letter regarding what is permitted per the zoning

- 93 • Agricultural fencing and land clearing is allowed
94

95 Mr. Karet explained that the resident picked up paperwork to get the process started

96 Discussion ensued what can be done to bring the property into compliance and how long
97 somebody should be allowed to continue the non-compliant activities. Mr. Waugh stated that
98 this is up to the discretion of the DRA to start an investigation and impose necessary fines
99 once a violation has been identified. Mr. Waugh continued that the Town has resolved similar
100 matters in the past without a DRA, but cautioned that if the respondent chooses not to comply
101 the Town does not have any jurisdiction. Mr. Waugh stated that code enforcement is needed
102 to determine a violation and enforce the compliance. Mr. Waugh gave options of code
103 amendments the Town can do to eliminate the need for a DRA, but stressed that the Council
104 cannot be Judge, Jury and Executioner and that there has to be another body involved. Mr.
105 Waugh stated that it is legal for VCSO to perform this type of function and that a message
106 was left for them to ascertain their interest in working with the Town.

107 c. Discussion on the New Town Center – Councilmember Gray Leonhard
108

109 Councilmember Gray Leonhard stated that he; his wife and Mrs. Spelozzi went to the New
110 Town Center to view the needs and have:

- 111 • Selected the wall paint colors,
112 • Would like to consider having windows cleaned and redressed
113 • Discussed floor layout that will work for the front office.

114 Discussion ensued about holding a public meeting, getting ideas for layout of offices and the
115 council area and taking possible supply delays into consideration when ordering items.

116 d. Authorization for the Mayor to sign on the State Revolving Fund loan agreement
117 for the Town’s New Wastewater Treatment Plan and Collection System project –
118 Mayor Samuel G.S. Bennett
119

120 Town Planner Mark Karet explained why this item is on the agenda and spoke on the design
121 loan cost of \$693,375 for waste water system. Mr. Karet stated that another key feature of the
122 loan is that a grant amount will be issued for \$554,700 at time of repayment, so that the Town
123 only has to pay back \$138,000 within 20 years.

124 Mr. Waugh spoke on section 5.07 “collection of revenues” which might require the Town to
125 change some of its billing practices and how it handles water. Mr. Waugh read the sentence
126 and informed that Council that he interprets it to mean that the Town has to shut off the water
127 to a delinquent address following a special process. Discussion ensued about case law for
128 shutting somebody’s water off.

129 **Vice Mayor Greenlund made the motion to authorize the Mayor to sign the SRF loan**
130 **agreement; seconded by Councilmember Gray Leonhard. All agreed; motion carries on**
131 **roll call vote 4-0.**

132 e. ARPA Reporting and Compliance Consulting Engagement Letter – Mayor
133 Samuel G.S. Bennett

134

135 Mayor Bennett asked Mrs. Spelorzi to elaborate on the history on this item. Mrs. Spelorzi
136 explained that the company has created a uniform and conservative nation-wide process to
137 help many municipalities like the town on the proper compliance and reporting of the use of
138 the ARPA funds. Mrs. Spelorzi is very much in favor of selecting this company.

139

140 Discussion ensued about what the cost for the service entails and their fee schedule.

141

142 **Vice Mayor Greenlund made the motion to approve James Moore to provide ARPA**
143 **reporting and compliance in the amount of \$4,900 following their payment schedule;**
144 **seconded by Councilmember Gray Leonhard. All agreed; motion carries.**

145 f. Quote from Paul George for fabrication of tractor implement - Mayor Samuel
146 G.S. Bennett

147

148 Mayor Bennett spoke on the quote and discussion ensued about rising cost for metals.

149

150 **Vice Mayor Greenlund made the motion to contract with Paul George for the**
151 **fabrication of the new tractor for \$2,250, subject to increase in materials of up to 50%;**
152 **seconded by Councilmember Sergia Cardenas. All agreed; motion carries.**

153 g. Discussion on flooring for Community Center on Washington Ave - Mayor
154 Samuel G.S. Bennett

155

156 Mayor Bennett asked Jimmy Anderson to present his suggestions for addressing the floors at
157 the Community Center. Mr. Anderson spoke on the procedure to clean/repair the terrazzo
158 floor and that there should be a monthly maintenance program established. Discussion ensued
159 about buying a buffer. All in consensus. Mrs. Sue Elliott suggested looking for a used
160 machine. Councilmember Leonhard will check into it.

161

162 The Council agrees that the Center needs a deep cleaning. Mrs. Spelorzi elaborated on the
163 condition that the cleaning lady encounters and that some of those are disgusting. Discussion
164 ensued about the cost for the cleaning.

165

166 h. Discussion on consideration for pay increase for Jimmy Anderson - Mayor
167 Samuel G.S. Bennett

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169 Mayor Bennett spoke on Jimmy Anderson being a part-time employee and as such not eligible
170 for benefits. Mayor Bennett recommended his hourly rate be increased to \$16.00.

171

172 Discussion ensued about the lowest fulltime rate and what positions those are.

173

174 **Councilmember Gray Leonhard made the motion to increase Mr. Anderson's pay rate**
175 **from \$13.77 to \$15.00; seconded by Councilmember Sergia Cardenas. All agreed;**
176 **motion carries.**

177

178 i. Updates by Mayor - Mayor Samuel G.S. Bennett

179

180 Mayor Bennett spoke on

- 181 • Carpenter has been working at New Town Center
- 182 • Replacing the stairwell on the rear of the building
- 183 • Auditorium floor is in mint condition
- 184 • Hallway needs cleaning, sanding, and polyurethane
- 185 • Front entrance was replaced with fresh timber to match
- 186 • New exterior door
- 187 • Worked on cabinet on stage
- 188 • Mayor met with Volusia County Public Library last week
- 189 • Spoke on Mrs. Hosseini who wants to do something at the Campus

190 j. Update of Town projects from Town Attorney – Town Attorney Christian
191 Waugh

192

193 Mr. Waugh spoke on the letter requested for his legal opinion on the use of ARPA funds and
194 that he also sent the letter to Mr. Quinn.

195

196 k. Update of Town projects from Town Planner – Town Planner Mark Karet, Zev
197 Cohen & Associates

198

199 Mr. Karet spoke on

- 200 • Wastewater
- 201 • Water project - approved ARPA funds
- 202 • Town Clerk to work with Mead and Hun to do the DEO package for CDBG
- 203 • Onsite on 3/3/22 and having seen several potential applicants, back on 3/17/22
- 204 • T-Mobile grant will be worked on

205

206 **6. OLD BUSINESS**

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208 None

209

210 **7. OTHER BUSINESS**

211

212 a. Council and staff reports

213

214 No additional comments from Councilmember Sergia Cardenas; Mrs. Spelozzi as well as Mr.
215 Waugh.

216

217 Vice Mayor Greenlund asked about interviews (3/24/22 at 3:00 pm)

218

219 Councilmember Gray Leonhard

- 220 • Recommended updating the Council Committee Member list.

- 221 • Commented on property on CR 3 that was cleared, got reply from SJRWMD that
222 some illegal activity might be going on there. Information forwarded to EPA. Not
223 sure if home owner was noticed.
224 • Forgot to mention earlier the suggestion of putting commercial carpeting in the
225 new administrative offices over the current flooring.
226

227 Mayor spoke on doing wainscoting in the former principal's office. All agreed.
228

229 Vice Mayor Robert Greenlund advised that there is fencing across the entrances at North Rd
230 and Blackburn by Duke.
231

232 Mrs. Spelorzi spoke on

- 233 • PTA Thank you letter
234 • VLOC RSVP
235 • IT looked at new Admin office. Proposal to follow.
236 • Getting an electrician if necessary – ok to do
237

238 **8. GOOD AND WELFARE (public participation)**
239

240 Mrs. Sue Elliott sent an email to Mrs. Spelorzi about News Journal stopping mail delivery in
241 Pierson. Newspaper was delivered one week late. Residents should be able to purchase
242 Newspaper in a local establishment. Discussion ensued.
243

244 Councilmember Gray Leonhard that that the restaurant Ami82 has dumpsters overflowing
245 and he called Food Safety Division and the store headquarters. It appears no changes are made
246 and now there are two (2) dumpsters overflowing. Resident Linnie Richardson said it can be
247 going to the P&Z for dumpster enclosures.
248

249 Resident Paul Martel, 506 N. Pine Street spoke on the new signage on stores on US17 that is
250 overpowering and distasteful. Mayor asked to put this as an agenda item for 3/22/22.
251

252 **9. ADJOURNED**
253

254 Mayor Bennett thanked all in attendance.
255

256 **Hearing no further business, meeting adjourned at 9:34 PM.**
257

258 Minutes prepared by:

Minutes approved by:

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Carmen Spelorzi, Town Clerk

Samuel G.S. Bennett, Mayor