

## MINUTES

### REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

Wellington Village Hall  
12300 Forest Hill Blvd  
Wellington, FL 33414

Tuesday, August 28, 2018  
7:00 p.m.

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, August 28, 2018, commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

Council Members present: Anne Gerwig, Mayor; Michael Drahos, Vice Mayor; John T. McGovern, Councilman; and Tanya Siskind, Councilwoman.

Council Members absent: Michael J. Napoleone, Councilman.

Advisors to the Council: Paul Schofield, Manager; Laurie Cohen, Attorney; Jim Barnes, Assistant Manager; Tanya Quickel, Director of Administrative and Financial Services; and Chevelle D. Nubin, Village Clerk.

1. **CALL TO ORDER** - Mayor Gerwig called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE** – Mayor Gerwig led the Pledge of Allegiance.
3. **INVOCATION** - Pastor Josh Mauney, New Sound Church, Wellington, delivered the invocation.
4. **APPROVAL OF AGENDA**

Mr. Schofield indicated staff recommended approval of the Agenda as amended:

1. Move Consent item 6H, Resolution No. R2018-48 (Palm Beach County Sheriff's Office Village of Wellington Law Enforcement Services Plan (LESP) for FY19), to the Regular Agenda as item 8A.
2. Move Consent item 6I, Resolution No. R2018-47 (Palm Beach County Sheriff's Office District 8 Wellington FY2019 Budget and Contract Addendum), to the Regular Agenda as item 8B.
3. Add the Introduction of Mr. Josh DeTillio, CEO of Palms West Hospital, to Presentations and Proclamations as item 5B.

**A motion was made by Vice Mayor Drahos, seconded by Councilman McGovern, and unanimously passed (4-0), to approve the Agenda as amended.**

## **5. PRESENTATIONS AND PROCLAMATIONS**

### **A. 18-2248 PRESENTATION OF THE PALM BEACH MUSEUM OF NATURAL HISTORY**

Mr. Schofield introduced the item.

Mr. Rudolph Pascucci, Executive Director of The Palm Beach Museum of Natural History, introduced himself. He stated the museum has been in existence since 2005 and it is a 501(c)(3). He said they are the only ones that actually have a science staff and run their own expeditions. He stated they publish scientific papers and their paleontologist, Robert DePalma, has been on National Geographic three times. He said Mr. DePalma is 36 years old and is probably the up and coming paleontologist in the United States at this moment, as he works with the top people in the world.

Mr. Pascucci stated he has over 1,000 boxes of primary archeological material from excavating in Southern Florida from 1959 through 2000. He said this is their rich cultural heritage here. He stated they have been seeking a home for all of this since 2005, as they have tried Boynton, Boca and a number of different places. He said they got fortunate last year when the Wellington Green Mall invited them to come in under a new international award winning program, Live 360°. He stated this re-envision the mall as something more than a collection of shops. He said it is a community center or cultural hub.

Mr. Pascucci explained the mall brought The Palm Beach Museum of Natural History in for a three month run and they were able to extend it. He indicated they just signed a new eighteen month lease, so Wellington is now their home. He said they thought it was time they come and introduce themselves and the museum.

Mr. Pascucci stated one of the most fortunate developments for the museum over the past few months has been the addition of Alyssa Rudinsky, their new Development Manager and Special Events Coordinator.

Ms. Alyssa Rudinsky stated the mission of The Palm Beach Museum of Natural History is to collect, research, interpret and explain aspects of their natural world, the evolution of life and the development of human cultures. She said the museum's primary focus is on, but not limited to, the archeology and natural history of Southern Florida, to include its place within the context of the wider Caribbean region. She stated a goal of the museum is the education of the public through presentation of exhibits, lectures, classes and hands-on learning experiences.

Ms. Rudinsky stated The Palm Beach Museum of Natural History first became a non-profit in 2005 and was granted 501(c)(3) status in 2006. She said although they are not formally affiliated with Palm Beach County, they are called The Palm Beach Museum of Natural History. She stated they mostly had traveling exhibits up until fourteen months ago when they found their home at the mall. She said they have trained scientific staff and their research collections include the South Florida Archeological Collection, dinosaur expeditions on the part of their paleontology staff, archeological excavations, etc. She stated they do school and community outreach and monthly lectures.

Ms. Rudinsky stated The Palm Beach Museum of Natural History is the only institution of its kind in the greater Palm Beach County/Wellington area. She said the emphasis upon the

integration of scientific research, public education and exhibits geared towards adult visitors as well as children is unique within the region.

Ms. Rudinsky showed Council a picture of an archeology workshop that they run once a month on Saturdays from 2:00 pm to 4:00 pm. She said the people are sifting through archeological material from a site in Southern Florida and are learning how to sort snake and fish bones as well as pottery. She stated the people love it, as it is a wonderful hands-on experience.

Ms. Rudinsky stated, in addition to scientific research and exhibits, the museum seeks to provide a broad range of public educational programs, special events and activities. She mentioned that Planet Kids came to the museum this morning and had a wonderful tour as well as craft and hands-on activities. She said they got to hold a 40 lb. dinosaur bone.

Ms. Rudinsky showed Council the display of Exhibition Dinosaur. She said they were looking at juvenile triceratops Henry and juvenile nanotyrannus Tara. Mr. Pascucci indicated the photo was taken at the South Florida Science Center when The Palm Beach Museum of Natural History rented the display to them in 2012. He said they did exhibits for other people. Ms. Rudinsky indicated Exhibition Ice Age is on now display at the museum.

Ms. Rudinsky showed Council a picture of one of their curators, Robert Feeney, dressed in his conquistador attire. She stated he loves to dress up when he does lectures and comes and speaks about the exhibits. Mr. Pascucci indicated that Mr. Feeney makes his own museum quality armor and has a master's degree in history from Florida Atlantic University. Mr. Pascucci stated that Mr. Feeney is an expert in all forms of material culture.

Ms. Rudinsky explained the Starwood Retail Corporation reached out to the museum and welcomed them to the Mall at Wellington Green in June 2017. She stated their intent was to broaden the use and purpose of the retail space as well as provide additional cultural and entertainment attractions for the benefit of community enhancement. She said Starwood Retail welcomes the expansion of the museum and continues to provide in-kind incentives to that effect, as their rental fee is very nominal. She indicated the mall helps with advertising and allows them to use the Live 360 room and other space when necessary. She said the mall has been extremely supportive and accommodating.

Ms. Rudinsky stated the museum would like to expand from their current 2,200 square foot bay to an identified 6,800 square foot bay on the second floor in the same Nordstrom's wing. She said their goal is early 2020, as they currently have an eighteen month lease.

Ms. Rudinsky stated The Palm Beach Museum of Natural History is the state custodians for the South Florida Archeological Collection of Florida's First Peoples and they need some support. She said they currently have over 900 boxes of archeological material and that takes a considerable amount of time and people to catalog. She stated an investment is needed to help catalog and develop that exhibit.

Ms. Rudinsky stated the museum is working on their own as well to raise funds for their exhibits. She said their entire staff consists of volunteers and the mall has been extremely supportive, but they still need more support. She stated they are looking to expand and need more staff.

Ms. Rudinsky indicated they hold monthly lecture series and archeological workshops to raise funds. She stated they just had their first big fundraiser, a rock concert. She said they were

pleasantly surprised, as a photographer and reporter from the Sun-Sentinel were there. She stated she did not contact them, so somehow they are finding out about them, which is great.

Ms. Rudinsky stated Family Fun Day is coming up September 22, 2018 and that information is included in the packet of materials for Council. She indicated they hold a monthly Mommy and Me Play Time at the museum, as they are trying to reach every age. She mentioned that she is currently arranging for a group of homeschooled students to come to the museum. She stated they have group tours, birthday parties, etc. She said they have had groups from Miami and Tampa come see their exhibits.

Ms. Rudinsky stated they have started a sponsorship campaign and have reached out to local businesses to get their support. She said the local businesses were very generous with raffle prizes for the museum's recent rock concert.

Ms. Rudinsky stated the museum needs to recruit new and additional board members representative of the local community. She indicated less than 50% of their current board reside in Palm Beach County, as the majority reside in Broward County. She stated resident board members are needed to reflect and impart local needs. She said if The Palm Beach Museum of Natural History is going to be in Wellington, they need people who are interested in and concerned with the growth and expansion of cultural and educational attractions in this area on their board.

Ms. Rudinsky indicated they will be installing two new members at their next board meeting on September 12, 2018. She said the board will now have 50% of its members residing in Palm Beach County, so they will be in compliance and eligible to apply for grants from the Cultural Council and so forth.

Mayor Gerwig asked if they were in touch with Discover the Palm Beaches. Ms. Rudinsky stated they were not eligible until they met this 50% quota. She said they are now eligible and she is scheduled to go for training at the Cultural Council on October 1, 2018.

Ms. Rudinsky stated the museum seeks backing and support of community partners for greater visibility and sustainability, which is why they first reached out to the Village. She said they need the support of the medical community. She stated, as an institution of higher learning, their archeologists, paleontologists and anthropologists are all people with higher degrees, so they want prestigious backing within the community. She said they are reaching out for community leaders, community partners, sponsorships, board support, as they want to be the next big attraction. She stated the Science Center and Aquarium started somewhere. She said the museum sees a future and she hopes this Council and the Village does as well.

Ms. Rudinsky stated the museum is working towards grant readiness with the Cultural Council as well as working with other government and private entities. She said an investment in the museum means regional, historical and archeological treasures will be on display for all people to come and visit and learn from. She stated the museum will provide a unique cultural and educational attraction to the area that will draw people from near and far. She said this will bring in money for locally owned businesses and increase the tax revenue for the Village itself.

Ms. Rudinsky stated people ask all the time if there is a museum in the Mall at Wellington Green. She said Mr. Pascucci likes to respond by saying, "You mean there is a mall outside of

this museum?" Ms. Rudinsky stated that was the vision - all in a day at the Wellington Green Mall – shop, play, eat, learn and explore. She said she hoped the Council would see that vision as well.

Ms. Rudinsky stated Mr. Pascucci is the President and Director of the Palm Beach Museum of Natural History. She said he has a bachelor's degree in anthropology from Florida Atlantic University. She stated Mr. Pascucci was the Director of the Graves Museum of Archeology and Natural History and had also been a science teacher.

Ms. Rudinsky stated she has a bachelor's degree in anthropology and archeology. She said her focus was biblical archeology, so North American archeology and paleontology are not her focus, but she still has the love for the museum.

Ms. Rudinsky indicated their paleontologist is out in Montana digging up bones. She said he is their curator of vertebrae paleontology and an adjunct Professor of Geosciences at Florida Atlantic University. She stated their curator of anthropology and ethnohistory is also a professor.

Mayor Gerwig asked why they had not heard about the Palm Beach Museum of Natural History sooner. She stated the Council supports the Mall at Wellington Green and their Live 360 has been phenomenal. She said the Village has used it in conjunction with some of their activities. She stated Council was glad to see the museum was at the mall and they hoped that the people in the community would see this and get involved. She asked if the Village Communications Department could do a little filming at the museum to show everyone that it is there. Mr. Schofield stated he would take a look at how they could do that. Mayor Gerwig indicated the video could go on the local channel, so that families could see the museum is there.

Vice Mayor Drahos thought there was a community interest in wanting the museum to succeed. He commended the mall, because the concept of a mall being entirely reliant on retail is outdated at this point. He stated The Mall at Wellington Green has been telling the Village for the past two years that they are revitalizing that area and creating new interest. He said this is the direction they need to go in. He stated his eight-year-old has asked him several times to take her into the museum as they were walking by it, but he never expected it to be at this level. He said he was glad the museum came out today and he will take his daughter to see it. He stated this Council wants the museum to grow and succeed, and they want to work together to make that happen.

Ms. Rudinsky stated the Frost Museum in Miami was a \$350 million venture. She said it unfortunately takes money for something like this to grow and work. Mr. Pascucci indicated the Frost Museum called on Robert DePalma, the curator at The Palm Beach Museum of Natural History, when they wanted a paleontologist to advise them on the construction of their exhibits.

Mr. Pascucci stated that in the last fourteen months, they have had over 10,000 people visit their little 2,000 square foot museum. Ms. Rudinsky stated, out of those 10,000 visitors, they have only grossed \$40,000. She said after rent, insurance and all of the expenses, they still need money to grow the exhibits and the staff.

Mr. Pascucci stated they could conceivably fill 30,000 to 50,000 square feet with the material the museum currently has. Ms. Rudinsky indicated the exhibits have to be developed. Mr. Pascucci noted that the dinosaurs take up a lot of space.

Councilwoman Siskind stated she was glad that The Palm Beach Museum of Natural History has found a home in Wellington. She thought all of the Village Council members were at the Live 360° when it was in its planning stages and getting ideas and feedback on what residents would like to see. She stated this is exactly what the Council wants here. She said they are glad the museum is in the mall and they hope it expands. She stated she knows the Council will support it. She said it is great to see this happening in real time, now that the feedback happened and there is a museum. She stated it is a great partnership.

Councilman McGovern thought it was important for the museum to be there tonight, because they were getting the word out to the press and to their residents. He thought the people who walk past them in the mall know they are there, but otherwise people do not really know that a museum has come to their community. He agreed with Mayor Gerwig about getting this on the informational channel, into the newspapers, out to the Chambers of Commerce, as that will start bringing people in. He encouraged the museum to reach out to the elementary and public schools in the community, work on partnerships and allow clubs to come there. He thought that would build the traffic and the interest, and then possibly a donor.

Mayor Gerwig stated the Council is glad The Palm Beach Museum of Natural History is in Wellington, and they will look for ways to partner with the museum in the future.

**B. INTRODUCTION OF MR. JOSH DETILLIO, CEO OF PALMS WEST HOSPITAL (ADDED TO THE AGENDA.)**

Mayor Gerwig introduced the item.

Mr. Josh DeTillio introduced himself. He stated he and his family have been here for about a month. He said they are getting integrated into the community and are thrilled to be in Wellington. He stated his six-year-old daughter is in kindergarten at Binks and his three-year-old son just started at Cambridge. He said his family has lived in Fort Meyers for the past seven years, but they were in Palm Beach prior when he worked at Saint Mary's Medical Center.

Mr. DeTillio stated Palms West is an outstanding hospital with a great team and many great doctors. He said it has been a pleasure getting to know everyone. He stated he wanted to introduce himself and let everyone know that the Palms West Hospital is here to serve the community and the patients. He indicated if the Village has any special needs that he can help with to give him a call, as he looked forward to partnering with the Village.

Council welcomed Mr. DeTillio to Wellington and looked forward to the Village's continued partnership with Palms West Hospital.

**6. CONSENT AGENDA**

- A. 17-1625 AUTHORIZATION TO AWARD A CONTRACT FOR THE SUPPLY AND DELIVERY OF LIQUID DISPERSION POLYMER**
- B. 18-2090 AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR THE PURCHASE AND DELIVERY OF FERTILIZERS, HERBICIDES, INSECTICIDES, FUNGICIDES AND OTHER SPECIALTY ITEMS**

- C. 18-2092** AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR SUPPORT AND MAINTENANCE OF THE VILLAGE'S INTERACTIVE VOICE RESPONSE (IVR) SYSTEM
- D. 18-2095** AUTHORIZATION TO CONTINUE UTILIZING A CITY OF BOCA RATON CONTRACT, AS A BASIS FOR PRICING, TO PROVIDE BANKING SERVICES TO THE VILLAGE
- E. 18-2261** APPROVAL OF A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE BINKS POINT PEDESTRIAN BRIDGE
- F. 18-2148** RESOLUTION NO. R2018-44 (REGULAR COUNCIL MEETING SCHEDULE)
- A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING A SCHEDULE FOR REGULAR COUNCIL MEETINGS FOR 2018/2019; AND PROVIDING AN EFFECTIVE DATE.
- G. 18-2149** RESOLUTION NO. R2018-45 (ANNUAL LISTING OF PROCLAMATIONS)
- A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO EXECUTE CERTAIN PROCLAMATIONS FOR FISCAL YEAR 2018/2019 AND PROVIDING AN EFFECTIVE DATE.
- H. 18-2227** ~~RESOLUTION NO. R2018-48 (PALM BEACH COUNTY SHERIFF'S OFFICE VILLAGE OF WELLINGTON LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FY19)~~
- ~~A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FISCAL YEAR 2018-2019; AND PROVIDING AN EFFECTIVE DATE. (MOVED TO THE REGULAR AGENDA AS ITEM 8A.)~~
- I. 18-2228** ~~RESOLUTION NO. R2018-47 (PALM BEACH COUNTY SHERIFF'S OFFICE DISTRICT 8 WELLINGTON FY2019 BUDGET AND CONTRACT ADDENDUM)~~
- ~~A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE FOURTH ADDENDUM TO THE LAW ENFORCEMENT SERVICES AGREEMENT WITH THE PALM BEACH COUNTY SHERIFF'S OFFICE FOR LAW ENFORCEMENT SERVICES; AND PROVIDING AN EFFECTIVE DATE. (MOVED TO REGULAR AGENDA AS ITEM 8B.)~~

Mr. Schofield indicated no comment cards were received from the public.

Mr. Schofield stated staff recommended approval of the Consent Agenda as amended.

**A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0), to approve the Consent Agenda as amended.**

Mr. Schofield indicated three comment cards were received from the public:

1. Roxanne Stein, Wellington. Ms. Stein indicated she is the current president of the Wellington Chamber of Commerce located at the Lake Wellington Professional Centre at 12161 Ken Adams Way, Suite 183, Wellington, FL. She stated she was representing the Chamber to express opposition to the Lake Wellington redevelopment initiative that includes tearing down the Lake Wellington Professional Centre. She said this demolition is of concern, because it would result in the displacement of more than 170 businesses. She stated many of these businesses are owned by Village residents and contribute to the successful business climate in Wellington. She said they all have local clientele and enjoy the convenience of the location. She stated it is a win-win for the Village and the 170 business owners in the Lake Wellington Professional Centre. She indicated the Lake Wellington Professional Centre generates in excess of \$200,000 a year annually for the Village. She said it is the only executive office suite business model within the Village that supports small businesses. She stated, in the Chamber's opinion, a marketing and feasibility study as well as public input via Town Hall meetings and workshops are more appropriate initial steps for a project that is expected to cost in excess of \$8 million just in demolition and development expenses, in addition to the \$1.2 million that is in the current budget for a design concept.

2. Dermot MacMahan, 601 Cypress Crossing, Wellington. Mr. MacMahan stated he is a resident and he moved his office from across 441 to the Lake Wellington Professional Centre in 2009. He said the plan is to demolish the Lake Wellington Professional Centre. He stated there are no other executive office suites in the Wellington or Royal Palm area, and the only other executive office suites is almost at capacity. He said he fears if he has to move back across 441, he will again lose half of his clients and have to reestablish his practice, which will be a financial burden to him.

Mr. MacMahan stated there has been no public input. He suggested the Village get more feedback and have Town Hall meetings as to this plan. He said as a resident, he objects to the plans for a beach, as he believes it will not be utilized by his family or the residents. He stated the Village was spending over \$8 million to put sand in and remove 170+ businesses. He thought the Council should bring this to a public forum, receive input from the public, and inform the public before Council decides and votes on it.

3. Scott Sweigart, 12161 Ken Adams Way, #123, Wellington. Mr. Sweigart stated he was there in opposition to the proposed demolition of the Lake Wellington Professional Centre. He said he is an attorney and people want an attorney close to where they live. He indicated he has offices in east Palm Beach County as well as in Wellington. He stated, as Mr. MacMahan just said, the residents prefer to deal professionals in the Wellington area. He said there seems to be a psychological corridor divide with 441, where the people in the east do not want to go west and vice versa. He asked that Council open it up for discussion.

Mr. MacMahan stated when he works on the weekends and, although the lake, gazebo, and picnic tables are accessible now, he rarely sees anyone in or around that building, other than

the tenants who are there working. He said if people are not using it now, why displace over 170+ businesses to create an atmosphere that people may not even utilize anyways. Mr. MacMahan stated he hopes Council reconsiders what they are thinking about doing.

Vice Mayor Drahos stated, as some of the speakers who just commented were leaving, that he planned to address some of their comments during his opportunity to speak at the end of the meeting. He said if the speakers could not stay or were unable to watch, he would be happy to meet with them privately on another day.

## **7. PUBLIC HEARINGS**

There were no Public Hearings.

## **8. REGULAR AGENDA**

### **A. 18-2227 RESOLUTION NO. R2018-48 (PALM BEACH COUNTY SHERIFF'S OFFICE VILLAGE OF WELLINGTON LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FY 19)**

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FISCAL YEAR 2018-2019; AND PROVIDING AN EFFECTIVE DATE. *(FORMERLY CONSENT ITEM 6H.)*

Mr. Schofield introduced the item. He stated that Captain Silva will also update Council on the shootings that took place at Palm Beach Central High School.

Captain Silva reviewed the main goals and objectives of the Law Enforcement Services Plan for FY 2019. He indicated the three main objectives going forward this year will focus on the juvenile crime issues, the crime rate, and the traffic crashes. He said these numbers in years past have generally stayed the same or have gone down, but they are still the most important when looking at the numbers.

Captain Silva stated, historically, the juveniles have been involved with a lot of auto burglaries. He said just this weekend alone, thirteen and fourteen-year-olds in a stolen CRV came into the Village from Belle Glade and broke into five cars on Blueberry Circle. He stated PBSO brought out the helicopter in the middle of the night when they received the information that the juveniles had a getaway car, but the juveniles got away. He indicated, through good police work, their detectives, working with the Task Force and the Belle Glade sergeant, identified the car later that night. He said PBSO sat and waited, and when the bad guys went back into the car, PBSO pulled it over. He stated they all were arrested and confessed to the five burglaries that occurred on Blueberry Circle. He said the juveniles stole the car in the Glades, drove it to Orlando, and then came back Sunday night to commit the burglaries in the Village.

Captain Silva stated PBSO tries to keep an eye on the juveniles in the Village who have issues and monitors about forty on a regular basis. He said an officer is out there every night checking on these kids.

Captain Silva stated he and his officers are hoping that Council's approval of the License Plate Reader (LPR) system earlier this month will make a big impact. He said, just a week ago, a Jeep was stolen from the Village and the suspects went to Lake Worth. He stated the LPR

system in Lake Worth picked up the tag and the PBSO street team went out there in the middle of the night. He said they sat on the car and apprehended the bad guy when he came out. He stated the LPR system worked in that case and they are excited about it working as well in the Village. He said this is one example of what will help to continue to drive down those numbers.

Captain Silva stated many juveniles are involved in robberies as well. He said there were nineteen (19) robberies in 2016 and twelve (12) in 2017. He said there have been nine (9) robberies so far this year. He recalled from his Annual Report that he had talked about the clearance rate of robberies. He defined a robbery as the taking of property from a person with a threat of violence or an actual act of violence. He indicated Wellington's robbery clearance rate is the best in the county, as they solve the majority of their robberies compared to the average in the county, which is around 19-20%.

Captain Silva indicated the clearance rate on the nine (9) robberies they have had this year is 67%. He stated they cleared four of the cases through an arrest and two were exceptionally cleared, as the victim decided not to cooperate and other factors were associated with that. He said they cannot prevent all crime from happening, but with the low crime that does happen in the Village, PBSO does a very good job of responding to it and clearing out cases.

Captain Silva stated the Uniform Crime Reporting (UCR) numbers came out. He said the numbers are unofficial and uncertified, so he cannot hand out a copy of them yet. He indicated the Village had a reduction in the first six months of the year, as it is the semi-annual report. He stated the report takes the numbers from January through June and compares it to the same time last year in 2017. He noted robberies are down 45% and aggravated assaults are down 41%. He stated there were 40 residential burglaries last year during the same time period. He said the Village is down to only 29 during that same time period this year, which is a 27% reduction.

Captain Silva stated the vehicle burglaries and auto thefts continue to be problematic and is what keeps the numbers up. He said the majority of the victims leave their car doors unlocked, which has been discussed many times. He stated that makes it easy for these guys to come in the middle of the night, commit the burglaries and get away. He said, notwithstanding those issues, with all of the technology, the collaboration, and the hard work, PBSO is able to clear out many of the cases and keep the numbers down as much as possible.

Captain Silva stated the last item PBSO will focus on this year is traffic crashes. He said, since the CMV deputies have been brought in or just due to some strategic traffic enforcement, the traffic crash rate continues to stay below 2.5. He explained that is the number of crashes per 100 residents. He said with all of the distracted driving, extra people coming into the Village, and everything that is going on, PBSO is still able to keep that number down. He stated their aim is to continue bringing that number down with traffic stops, but that does not mean citations. He said they are just letting everyone know they are out there and everyone needs to pay attention and be safe. He stated PBSO will continue to measure these outputs to make sure they are keeping the crash rate down to the extent they can control it.

Captain Silva stated these are the three main issues for the law enforcement service plan. He said it has been a busy time for all of them, but at the core these are the top priorities for the Village. He stated they can talk about the school shooting and what they are doing to be prepared for the next one, but having low crime in the Village is tied to the three objectives they want to focus on.

Captain Silva stated that Operation Wild Stallion was a success last year. He said he will work with Mr. Schofield to do something similar, as equestrian season rolls in. He stated they probably will not announce it.

Mayor Gerwig thought they may want to announce it. Captain Silva stated he will talk to Mr. Schofield to figure out the best way to go about it, as they want to be open and let people know what is going on.

Councilman McGovern thought that was why Operation Wild Stallion was so successful. Captain Silva agreed. He said that campaign was purposefully publicized and very open, as they were trying to get the message out. Councilman McGovern stated everyone knew there would be heightened enforcement and DUI units in the Village. Captain Silva said all of that together made a big difference.

Mayor Gerwig stated she would like to see some enforcement before anything bad happens. She said she knows PBSO cannot prevent everything, but whatever they could do to make people aware of the enforcement.

Mayor Gerwig stated it is very difficult for her to drive through the Village at the speed limit, as everyone around her gets irritated. She said the speeding and the hurry people are in is unbelievable. She stated they are constantly get complaints about speeding, yet the residents are driving too fast and need to be more careful. She stated PBSO does not want to write tickets, but they want everyone to be safe.

Captain Silva stated when it comes to traffic enforcement in general, they want to be very public and get complete buy-in. He said last year with Operation Wild Stallion, part of it was underage drinking with people serving minors. He said they had to do it in covert ways to deal with the bad actors. He stated PBSO did not want to tip their hat if they were going to be engaged in that kind of operation again.

Councilman McGovern stated he wholeheartedly agrees. He said he did not think they would be talking about methods and what the Village thinks PBSO should do in regards to the DUI enforcement portion. Captain Silva stated they will let the world know they need to be very careful if they decide to drink and drive in Wellington. He said they will be fair about it and pay full attention to that.

Mr. Schofield asked Captain Silva to speak about the dedicated motor unit and the recent purchase of speed detection devices, so there are multiple detection devices on all shifts outside of the Traffic Unit. Captain Silva stated they purchased fourteen more radar units. He said their night time people are very active when it comes to traffic enforcement, as a majority of those units went to them.

Captain Silva noted that Deputy Jen Baker is back in town. He stated Deputy Baker, Deputy Gonzalez, and Deputy Poritz do a great job working with the Village Community Services division, as they are out there engaging the youth on a positive front. He said they want to keep that up as well.

Captain Silva indicated they have a new officer for the dedicated motor unit and he is doing a great job. He said their Commercial Motor Vehicle (CMV) enforcement deputies are very diligent and do a great job managing everything. He explained it used to be the FDOT division of law enforcement and two of them work for PBSO in the Village. He stated they manage the

horse manure waste issue, take on traffic enforcement, work crashes or whatever PBSO needs them to do.

Mr. Schofield asked Captain Silva to explain why the Village has CMV deputies and what they can do differently than a regular road patrol deputy. Captain Silva stated the CMV deputies have the capacity to stop commercial motor vehicles, as they have probable cause based on their special authority. He said they engage the commercial vehicles and stop them. He stated if the vehicles are not safe in meeting the requirements by statute, there could be consequences. He said the CMV deputies ensure that the big commercial vehicles, i.e., dump trucks, semi-trucks, everything that comes through the Village, are safe and obeying the law.

Councilman McGovern stated the CMV deputies also make sure these big commercial vehicles are going to a location in the Village and are not just passing through. Mr. Schofield explained the CMV deputies were added a couple of years ago, because they can stop commercial vehicles where a road patrol deputy has to have probable cause. He stated the trucks have to be speeding or there has to be something visibly wrong before a road patrol deputy can stop them. He said this was in response to the complaints received indicating that a number of commercial vehicles were going through the Village with an unidentified destination and that some were hauling manure. He stated Captain Silva's deputies have brought that well under control.

Captain Silva stated he and his officers have had a lot of meetings with Mr. Schofield about how to strategically work with Royal Palm regarding the commercial vehicles that are going from the Village to Royal Palm and out to the Glades. He said he did not know how much had been passed on to Council, but the officers are dedicated and have done excellent work. He stated he was happy to have them, as they add a lot of value, beyond what was expected. Mayor Gerwig and Councilman McGovern indicated they have seen these deputies out on the roads.

Mayor Gerwig asked Captain Silva about the incident at Palm Beach Central High School. Captain Silva stated he cannot get into too much, as he had a significant debriefing with the Violent Crimes Division. He said he knows quite a bit, but unfortunately it is an active investigation, so he cannot get into the merits of it.

Councilman McGovern asked if any arrests have been made. Captain Silva stated no arrests have been made, but it does not mean that an arrest will not be made.

Captain Silva stated it was a very intense night for all them. He said they were all on the same text message group and he was giving out the information the best he could. He stated he knew they all had a lot of angst. He said it came out as an active shooter and that prompted a response.

Captain Silva indicated that all law enforcement in Palm Beach County did active shooter training at Palm Beach Central High School this summer. He stated when the shooting took place, everything just clicked to a great degree. He said it was not all perfect. He stated PBSO was there in no time and the School Board Police were providing the security for the football game. He said it was a countywide type of response, as the law enforcement came from everywhere. He stated they went through and secured every area of the school looking for the suspects. He said everyone was working together as a cohesive unit. He stated they had two reunification points, one at Kobosko's and one at the BMX track. He said they were able to put the students back with their parents and get the football players bussed back. He stated it took a lot of organization to get that done.

Captain Silva stated shots were fired and the shooters left the school. He said it happened in the parking lot. He stated there were two adult victims and neither of them were students. He said the shooters were more affiliated with Dwyer High School.

Captain Silva thought, all in all, he would give the response a good grade report. He said it was intense. He stated it was not perfect in the sense that some of the information that Council was getting was not consistent with what was actually happening. He said that happens in a chaotic setting like that.

Mayor Gerwig stated that is very common when going back and narrating afterwards, because they are going to jump to the worst case scenario. She said that was okay for Council, but they could not put that out to the public.

Captain Silva stated there was a bit of tension, because Council has a need to know to get it out to their constituents and just be in the know. He said he has the need to make sure the information they are getting is accurate while it is unfolding. He stated it is hard to confirm and deny things that are going on in real time sometimes.

Councilwoman Siskind stated they have heard nothing but good things about the response time and how organized it was.

Captain Silva stated the bottom line is that the investigation is still going on and the case has not been cleared out yet. He said the victims are expected to survive. He thought as a result of this experience, they will be better prepared for the next time. He indicated the officers had their Heat Shield Training at the mall. He said they continue to work and develop their skills, so they can get better at responding to it should it happen again in the future.

Councilman McGovern stated when Council got the privilege to observe Operation Heat Shield, the School District was not there. He asked how the interaction, effectiveness of communication, and working together was between PBSO and School District Police.

Captain Silva stated they learned some lessons and that they could do better, but at the end of the day it was good. He said he believes it is going to get better. He stated he knows new safety protocols are going to happen as a result of the shooting at the football game. He said they are starting the football games a little earlier and there will be no reentries after the third quarter. He stated PBSO deputies will be at each school game, along with the School District Police, as part of the security. He said there a number of other protocols, but the short of it is that they are trying to enhance the protocols and safety measures in general as well as the collaboration between PBSO and the School District, so they can ensure the best safety for the students. He stated they cannot prevent everything.

Mayor Gerwig stated she thought they all grieved for the kids, as they do not get to experience Friday night lights like kids did just a few years back. She said they are very sad this has been taken away to some degree. She stated they have no choice if society does not get better control of themselves. She said they did not want to sensationalize any of this. She thought one reason they saw the Jacksonville event was because someone just wanted to be famous. She said it is bizarre, as it is mental illness that is craving this sort of thing. She stated they did not want to go too far in that regard either.

Mayor Gerwig stated she thought they had reported incorrectly that no Wellington residents were hurt. She said a woman was trampled, as she perhaps was not able to move as quickly as everyone else. She stated this woman was stepped on and had to have surgery for a significant injury. She said she preferred that they never do that. She stated they have to be orderly and help each other out in these circumstances. She said people were afraid, as they were hearing shots and running, and that needs to be done as orderly as possible no matter what.

Mr. Schofield believed when that information was put out, it meant that no one was hurt by gunfire. He said they did not know at that point that a Wellington resident was hurt by falling and being trampled.

Mayor Gerwig stated she has sat through training for years now since public shootings became a thing. She said she has gone to active shooter training through the League of Cities and almost every time mistakes are made. She stated she thought they did a great job and Captain Silva did a fantastic job. She said she heard there were a lot of PBSO on site and that there were PBSO deputies watching the game who became engaged in helping the situation.

Councilman McGovern asked if Captain Silva felt comfortable with the security plan that is in place for games going forward. Captain Silva stated the plan is still evolving.

Councilman McGovern indicated the security plan was used at Wellington High School this past Friday and Palm Beach Central has their first home game post the incident this Friday. Captain Silva stated the security measures that were put in place are reasonable, but there are some limitations. He said they may be taken to another level, where a wand magnet or metal detector is setup with private security. He stated it is up to the School District, as it is their responsibility. He said he heard the School District put in a lot more money into school security for the football game, which is why they got the new criteria. He thought eight to ten officers would be at each football game now, which is pretty significant. He stated although nothing is foolproof, as they cannot be everywhere at all times, he thinks the plan is pretty reasonable and a pretty good response. He said he believes it will continue to get better.

Captain Silva stated he agreed with Mayor Gerwig, as it is not the same day it was even two or three years ago. He said it is a crazy world and, as policymakers and law enforcement officials, they have to catch up with that. He stated they all have to realize they have to put money into their resources and change the way they do business. He said they cannot afford to be wrong on this issue at all. He stated they are making strides and he feels pretty good about the gains they are making. He said they will see what else can be done and ultimately what can be afforded as this continues to evolve.

Mayor Gerwig stated they have all had conversations with residents since then. She said she had one conversation about the single point of entry as a safety measure, but it is a problem in an evacuation. She stated she was sure that as they look at single point of entry, they may end up with multiple points of exit as part of that conversation, but that seemed to be a problem as well.

Captain Silva stated when the chaos hit Friday night, they cut a hole through the gate that leads to Forest Hill. He said it was unfortunate that a lady got trampled and one of the PBSO deputies

got hurt. He stated he was there within a couple of minutes. He said there were so many people running in so many different directions that things just happened. He stated they just kind of made do and improvised.

Captain Silva stated they could have the best exit plans, but when things go south it is incredible what people end up doing. He said the deputies just try to manage and mitigate the chaos as much as possible when it is actually happening. He stated they can put their best plan forward, have the right people in place, have everyone trained and ready to go, but when shots are fired chaos ensues.

Vice Mayor Drahos stated it is unfortunate and tragic that Council is even having this discussion. He said they are talking about high school football and the emphasis should be on the kids and that experience. He thought it was important for the residents to know how much this Council prioritizes safety in Wellington. He stated the Council is about to vote on a near \$10 million service plan. He said it has always been this Council's approach to give PBSO every resource they need to continue to provide these services and elevate them every year to a level that every other community should aspire to match. He stated he has full faith and confidence in PBSO, which was demonstrated to its fullest effect by how quickly and effectively they responded. He said the residents should be reassured that they have great law enforcement officials out there protecting them.

Captain Silva stated the debriefing they had was incredible. He said the teamwork was amazing and the Sheriff was very happy with the way everything went down, with all of the different units that came from everywhere.

Captain Silva stated this Council and this Village is always front and center when it comes to supplying PBSO with whatever they need. He said the License Plate Reader System was a big purchase and they really believe it is going to provide some dividends. He stated the day they catch someone significant because of this new system, Council will be the heroes. He said PBSO is well stocked with plenty of resources, i.e., the radars, canine unit, CMV's. He stated they are bringing in great people to work in the district and continue to elevate the culture, so they continue to produce excellent work. He hoped the numbers will continue to indicate they are going in the right direction. He said this in turn validates what Council is looking to do as they make these decisions.

Mayor Gerwig stated she has sat on Council for almost nine years, and Captain Silva's leadership is admirable and exemplary. She said when people ask her anything, she tells them to talk to Captain Silva. She stated once the concerned residents talk to him, they all say he is a straight shooter and a good guy. She said that is what they expect or even better. She stated they really appreciate Captain Silva's service and his staff.

Captain Silva thanked Mayor Gerwig for her comments and stated the Village deserves the best. He said he has a great team and the Village is a great town, and they want to make sure they can provide the best service possible.

**A motion was made by Vice Mayor Drahos, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve Resolution No. R2018-48 (Palm Beach County Sheriff's Office Village of Wellington Law Enforcement Services Plan (LESP) for FY 19) as presented.**

**B. 18-2228 RESOLUTION NO. R2018-47 (PALM BEACH COUNTY SHERIFF'S OFFICE DISTRICT 8 WELLINGTON FY 2019 BUDGET AND CONTRACT ADDENDUM)**

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE FOURTH ADDENDUM TO THE LAW ENFORCEMENT SERVICES AGREEMENT WITH THE PALM BEACH COUNTY SHERIFF'S OFFICE FOR LAW ENFORCEMENT SERVICES; AND PROVIDING AN EFFECTIVE DATE. (FORMERLY CONSENT ITEM 6I.)

Mr. Schofield introduced the item. Ms. Nubin read the Resolution by title.

Mr. Schofield stated this is for the approval of the Palm Beach County Sheriff's Office District 8 Wellington FY 2019 Budget and Contract Addendum in the amount of \$9,541,602, which is an increase of \$277,911 over last year or 3%. He said it does include the additional crossing guards at Wellington Landings that were added mid-year last year. He stated the budget and contract addendum are within the appropriate amount and staff is recommending approval.

Councilman McGovern asked if the 3% increase was related to the cost of living adjustments or if additional services were coming as well. Mr. Schofield stated the government cost increase index for Florida is 3.15% and it represents the cost of living. He said the only additional services are the crossing guards for Wellington Landings that were added mid-year last year.

Councilman McGovern asked if this was in line with increases that have occurred in other municipalities that also contract with the Sheriff's Office similar to what Wellington does pursuant to its Charter. Mr. Schofield stated it was. He said the original information he was given was that every municipality got a 3% increase. However, he did come to find out that Loxahatchee Groves was provided an increase of 2%, but they voted to not pay the increase.

Councilman McGovern asked if Mr. Schofield made an inquiry as to why Loxahatchee Groves got 2% versus the 3% increase that would have come to perhaps Wellington, Royal Palm, Lake Worth and other places. Mr. Schofield stated he asked the question, but he has not received an answer. He said he expected when he meets with Colonel Araujo and Chief DeMario on Thursday this will be a topic of discussion.

Councilman McGovern asked if Mr. Schofield will come back to Council with that information or brief them privately. Mr. Schofield indicated he would.

Mayor Gerwig stated the municipalities that have their own police forces and are not contracted with PBSO had significant increases because of the competition for personnel, and the Village wants the best personnel. She said the Council appreciated Lt. Eli Shaivitz for being their home base and providing services to this community.

Mr. Schofield stated for comparable size municipalities with comparable demographics, the Village's cost to contract the services are significantly less than it would be if they were to provide them on their own. He said a lot of things come as part of the Sheriff's contract that the

Village does not have to provide. He stated they do not have to provide a detention facility or for special teams. He said when they need helicopters or the SWAT units, they are here. He stated the Village does not have process server units.

Mr. Schofield stated the Palm Beach County Sheriff's Office is one of the better paying agencies, so it is hard to compete for the same kind of quality law enforcement officer. He said the sergeants and lieutenants in the seventeen districts and twenty-five or thirty special units just went through their testing cycles. He indicated four of the top twenty scores on the last sergeant's test were from Wellington sergeants. He said that is really good, except it means the Village is going to lose a couple of them next year. He stated he expected really good replacements.

Mr. Schofield indicated staff is recommending approval.

**A motion was made by Vice Mayor Drahos, seconded by Councilman McGovern, and unanimously passed (4-0) to approve Resolution No. R2018-47 (Palm Beach County Sheriff's Office District 8 Wellington FY 2019 Budget and Contract Addendum) as presented.**

## **9. PUBLIC FORUM**

Mr. Schofield indicated no public comment cards were received.

## **10. ATTORNEY'S REPORT**

**MS. COHEN:** Ms. Cohen presented the following report:

- She indicated the Village received an affirmance on the appeal of the Special Magistrate's order in the Palm Beach Polo, Inc. vs. Village of Wellington case that involves clearing 4.5 acres of the Big Blue Preserve. She stated it is referred to as the 130 violations case, because the magistrate found 130 separate violations. She said this was an appeal of the fine certification, so she is asking for Council's authority to place this in front of the magistrate and move forward with a foreclosure action to recover the fines due, which are currently in excess of \$6.2 million.

Mayor Gerwig asked for Council's options on what they could legally do or if there was another path. Ms. Cohen stated the violations have not been corrected, so Palm Beach Polo is not eligible for any kind of fine reduction. She indicated Palm Beach Polo has submitted a restoration plan that has been approved and there has been discussion on implementing that plan. She said that would stop the fine from continuing to accrue. She stated the Village would require Palm Beach Polo to post a bond in a sufficient amount to cover completing the work in the plan. She said Palm Beach Polo could request a fine reduction from the Special Magistrate at that point.

Councilwoman Siskind stated she thought there had been a fine reduction in this case. Ms. Cohen explained that a fine certification hearing occurred and a daily fine of \$62.50 per violation was given, but that it was appealed by Palm Beach Polo. She stated the Appellate Division of the Circuit Court ruled that the magistrate should have taken into account the factors set forth under Chapter 162 in mitigation of the fine, so it was remanded back to the Special Magistrate. She said that hearing was held and the daily fine was lowered by approximately eleven dollars per violation after the magistrate

considered the factors. Ms. Cohen noted the \$6.2 million, which has been accruing since approximately 2014, is the accumulation of the lowered fine.

Vice Mayor Drahos asked if this issue had been mediated several times. Ms. Cohen stated this issue was not mediated, as it is a Special Magistrate matter. She said the Village has had some unsuccessful mediations on other matters that did involve Big Blue.

Mayor Gerwig stated the Village cannot really do anything, because they first need correction. Ms. Cohen reiterated that a plan has been submitted and approved. She said they are currently discussing implementation of the plan. She indicated she thought they wanted to get started fairly soon, which might require the Village to work with the South Florida Water Management District, if that is what is ultimately agreed to.

Mayor Gerwig asked if this has to go back to the magistrate before it moves forward. Ms. Cohen explained that the magistrate has already considered this both at the finding of violation and the imposition of the fine. She stated, after having had a recorded lien for more than 90 days, the Special Magistrate now has to authorize the Village to move forward with the foreclosure. She said there would be no reason for that to be denied, because the Village has fulfilled the requirements of the statute. She stated the Village is entitled to enforce their lien through the foreclosure process, unless it is paid.

Mayor Gerwig stated she wanted them to be cooperative in getting the restoration done, as their goal is to have Big Blue restored. Ms. Cohen said she believed the property owner is working with Mr. Flinchum on how to best implement the plan.

Ms. Cohen stated she would like authorization to move forward with drafting a foreclosure action, once it is authorized by the Special Magistrate.

Vice Mayor Drahos asked Ms. Cohen if this was the best approach to take at this point. Ms. Cohen stated it was. She said once compliance has occurred and the appropriate bond has been posted, the Council could recommend the Special Magistrate to reduce the fine, but they are not at that point yet.

Councilman McGovern stated they have gotten to a daily accruing fine of over \$6 million, because this has gone on and on. He said, day after day, warning after warning, letter after letter, proceeding after proceeding, and there still has been no compliance. He stated this issue predates everyone's time on this Council, except for Mayor Gerwig. He said they have talked about it and Palm Beach Polo has submitted a plan that has been approved, but it has not been moved forward.

Councilman McGovern stated, if Ms. Cohen's recommendation is to move forward at this point, he is inclined to give whatever go ahead Ms. Cohen needs from this Council to move this forward. He said if they get to compliance or some other matter that needs to be considered, then Council can consider it at that time. He stated they need to keep moving forward to bring compliance, because it seems only the formal legal actions by the Village have gotten the other party's attention.

Ms. Cohen reminded Council that this is only for 4.5 acres. She said in the enforcement action currently pending on appeal, the property owner was directed to submit a restoration for the entirety of the 92 acres and that has not yet occurred.

Mayor Gerwig stated the Village's goal is restoration of Big Blue and compliance is necessary for that to happen.

Vice Mayor Drahos indicated Ms. Cohen has a clear directive from this Council, as he joins Councilman McGovern's comments, to move forward.

Ms. Cohen stated this matter will be placed on the Special Magistrate agenda for September 2018.

## **11. MANAGER'S REPORT**

**MR. SCHOFIELD:** Mr. Schofield presented the following report:

- The next Regular Council Meeting will be held on Tuesday, September 11, 2018 in the Council Chambers. He said the TRIM notices specified 7:00 PM, so they will convene the meeting at 7:00 PM and adjourn until 8:00 PM.

Mayor Gerwig asked if a quorum was needed to convene the meeting. Ms. Cohen recommended that three people be there.

At this point, Councilman McGovern asked if Ms. Cohen needed a vote from Council on the Palm Beach Polo issue. Ms. Cohen stated she would like one. Mayor Gerwig thought they all had agreed to move forward with the foreclosure action. Councilman McGovern stated the record should reflect that.

Continuing with the discussion on the September 11<sup>th</sup> Council Meeting, Mayor Gerwig stated that Rosh Hashanah falls on that day. She and Mr. Schofield indicated the Rabbi said if the meeting started at 8:00 PM and they got to the business of the Village after 8:15 PM, it would not be a violation. She said they are trying to be observant to everyone's schedules.

- Village offices will be closed on Monday, September 3, 2018, in observance of the Labor Day holiday.
- The Village Park gymnasium will close on Thursday, August 30, 2018, for annual floor resurfacing and reopen Tuesday, September 4, 2018.
- The annual September 11, 2018, remembrance ceremony will take place at the Patriot Memorial on Tuesday, September 11, 2018, beginning at 8:30 AM.

Mayor Gerwig stated anyone who would like to gather there on September 11, 2018, around 8:30 AM can participate in the ceremony in some way.

## **12. COUNCIL REPORTS**

**VICE MAYOR DRAHOS:** Vice Mayor Drahos presented the following report:

- He thanked those in the audience who stayed until the end of the meeting. He said he appreciated them for coming out and speaking tonight as well. He stated the most

challenging aspect of being a councilman is controlling the rumors. He explained before he was serving he had been in that same crowd where the Council was rumored to be doing certain things that he was against. He said he would be out there really upset and expecting the Council to say something to ease those concerns. He said many times they did not and he would leave even madder. He stated now that he is sitting there, he may not be doing a good job at quelling the rumors. He said he takes part responsibility of what he has to say in response to the public comments tonight.

Vice Mayor Drahos stated this Council has discussed the Lake Wellington Professional Centre in visioning sessions and he has been one of the most outspoken advocates for the project. He said this Council has not made any decisions and has not yet voted on a budget. He stated the comment made tonight, that the Village is allocating \$1.2 million for a design that will have them spend \$8 million without public input, is not fair to the public listening at home and not fair to this Council, because it is not accurate. He said he would never, nor would anyone on this Council, decide to spend \$8 million of the public's money without public input. He stated he had no intention of making any decisions about the future of the Lake Wellington Professional Centre or activation of the waterfront without public input. He said is making this comment tonight preemptively, because he is doing is best to quell the rumors.

Vice Mayor Drahos stated he thought he was speaking to the Chamber when he met with one of their members, but if that meeting was not constructive, he takes that responsibility and would be happy to meet with them to share his personal thoughts on the project. He said he has no authority or influence to make any kind of decisions preemptively without the public's input.

Vice Mayor Drahos stated he has seen and considered all of the e-mails written by many of the concerned tenants in the Lake Wellington Professional Centre. He asked that they allow the process the proper respect it deserves and not jump to conclusions. He indicated the Council has seen some designs with a beach layout and a café, but they are just concepts. He said they will seek public input when making those kinds of decisions. He asked the public to not let the rumors get out of control, because it is difficult to control them once they get out of hand.

Councilman McGovern stated he echoed Vice Mayor Drahos' comments in full. He said he too is meeting with individuals about the project and the budget item as well as other budget items, if the members of the Chamber, the tenants of the Lake Wellington Professional Centre, or the residents in general wanted to meet with him. He stated if anyone wants to meet with him, they can e-mail him through the Village website or call the Village.

Councilman McGovern asked that the audience and the public be informed of the current state of the Lake Wellington Professional Centre leases. Ms. Quickel stated the Lake Wellington Professional Centre was currently at 98% capacity. She said they have less than five vacant offices. She stated the Village has not officially notified the tenants of anything, as they are still doing normal rental.

Mr. Schofield stated he specifically instructed Ms. Quickel to renew the leases for another year. He explained if the budget is adopted with everything, it will not go into effect until October 1, 2018. He said design, comment and putting something out to bid will have to happen, so construction would not start until the end of next year.

Councilman McGovern stated, at present, spaces are still being leased and renewed for at least the next calendar year.

Councilwoman Siskind stated Council had the visioning session that people could look at to hear the comments on this project. She reiterated that nothing has been decided. She said she is always available to meet with residents or take e-mails or phone calls.

Mayor Gerwig stated her business started at the Lake Wellington Profession Centre, so she knows how it functions in the community. She said she was the first person to move out of the building, which was another learning curve she hoped the Centre got better at. She stated now that the Village is managing it, she was sure they were not changing the phone numbers the next day or hanging up on clients and telling them the company is out of business. She said many things are happening for the better over there now. Mr. Schofield stated none of that has happened since Wellington has managed the Lake Wellington Professional Centre.

Mayor Gerwig stated the Council is responsible for their opinions and how they direct staff as they develop a budget. She said Council's direction to staff has been to budget this item and move it forward. She stated she thought they were getting ahead of themselves by putting \$1.2 million into the budget for engineering design on this project. She said it is a process that takes a lot of resident input for all of their decisions. She thanked the Council for being interested in and doing that kind of thing, because it can be messy. She said sometimes public comment is not necessarily easy when it comes to elected officials and being staff. She stated the other night there were some disagreements and people were name calling at the park situation. She said she was not very happy about that, but that is what happens when people have emotional involvement and care about their community.

- Vice Mayor Drahos spoke about the proposed development of the golf courses at Palm Beach Polo North and Polo West. He said he is aware that people are knocking on doors of residents in those communities proposing a plan to develop homes on those golf courses. He stated he has seen the e-mails and has started to receive phone calls. He indicated the local news is now covering it. He explained this is a challenge this Council and every Council before them has had. He stated when the public starts to learn of these types of things, their immediate reaction is that the Council must support it because they are not doing anything to stop it. He said that is not how the process is designed to work.

Vice Mayor Drahos stated if a developer wants to come into Wellington and propose a project, they are entitled to do so. He said there is a process the Village is required to follow in order to allow the developer that opportunity. He stated it should not be construed by anyone as some sort of endorsement from this Council. He said he had no problem sharing with the public that he has met with the developers and they reviewed the details of their plan. He stated he told the developers he was not inclined to support their plan unless there was overwhelming support from the public. He said if the residents overwhelmingly support the project, he could perhaps be convinced against his instincts to not develop the golf courses.

Vice Mayor Drahos stated he thought it was important to quell the rumors before they get out of control. He said the Council is simply following the process and no decisions

will be made without public support or input. He hoped the public will stay informed and continue to provide the Village with their input.

Mayor Gerwig stated that should not be construed as their meeting coming up.

Councilman McGovern stated he agreed with Vice Mayor Drahos' comments. He said he too has met with the folks from the 13<sup>th</sup> Floor, as it is Council's long standing practice to meet with anyone who asks for a meeting, so they can stay informed. He indicated no application relative to Polo West or the North Course from Mr. Straub, 13<sup>th</sup> Floor, the development company, or anyone else is currently pending in the Village. Mr. Schofield stated that was correct.

Councilman McGovern stated he understood that consideration of the developer for Polo West is not going forward any further. He said an informational meeting, for the developer to talk to residents, is happening on September 6, 2018. He stated residents should know this is not a Village meeting, as it has nothing to do with the Village. He said Village staff will not be there, will not be making any presentations, will not be doing anything, because nothing has been submitted to or is currently pending before the Village.

Mr. Schofield confirmed that nothing has been submitted to or is pending before the Village. He stated the meeting the developer is having is a paid rental at the Community Center. He said anyone can rent a room at the Community Center and pay for it. He stated planning staff has met with the developer and every comment from the planning staff has been, if they do not have overwhelming community support, there is no way to do this. He indicated the staff has seen some concept plans, as they are not final development plans. He said the plans do not consider a lot of things like public open spaces.

Councilman McGovern stated they do not comment on these things at this stage and in that kind of format. Mr. Schofield agreed. He said the plans do not meet Village code the way they are, so the developer is going to have to modify them regardless.

Councilman McGovern stated the application will work its way through the process, if it is ever submitted. Mr. Schofield indicated it would require multiple public hearings. He said a public hearing for that project, should they ever submit an application, will probably run five to seven months. He stated there will be hearings in front of the Planning, Zoning and Adjustment Board and probably four hearings in front of Council. He said all of them will be publicly noticed. Councilman McGovern noted that would happen after the Development Review Committee meeting and any number of other steps in the process.

**COUNCILMAN MCGOVERN:** Councilman McGovern presented the following report:

- Councilman McGovern stated tonight they discussed the fact that ten days ago gun violence came to their town at a football game. He said their residents and law enforcement from the School District Police, Sheriff's Office, police departments from neighboring municipalities, and sworn law enforcement officers from the likes of the Fish and Wildlife Commission, responded to the Village effectively. He stated communication

and coordination from the hospital through the School District through PBSO was as good as could be expected, but, as they have all said here tonight, it could always be better.

He stated this community came together, as it always does, and they will continue to come together and rise above. He asked everyone join his family in supporting the Palm Beach Central Broncos this Friday at 6:00 p.m. for their first home game since the incident. He said this community will not be deterred from community wide events such as Friday Night Lights High School Football.

- Councilman McGovern stated Congresswoman Frankel will be at the Wellington Community Center tomorrow night at 7:00 p.m. for a community forum to discuss many issues on the federal front, including regulation and what this community feels should be done vis-a-vis hand guns. He said the meeting should last an hour to an hour-and-a-half. He stated he believed the members of this Council would be attendance as well as the county mayor and others. He said he hoped the residents would turn out to have a discussion with their elective representatives from the U.S. Congress, the state, the county or this Village.
- Councilman McGovern stated that Election Day was today. He said he was glad the Village made available buildings and schools for voting, as it seems like everything went very well. He stated he was happy to see that and the democratic process working effectively.

**COUNCILWOMAN SISKIND:** Councilwoman Siskind presented the following report:

- Councilwoman Siskind stated she was not wearing her sticker, but she did vote. She congratulated all of the candidates. She said she also heard that everything ran smoothly.

**MAYOR GERWIG:** Mayor Gerwig presented the following report:

- Mayor Gerwig stated she asked the Supervisor of Elections (SOE) before this election about looking at voting locations, because they cannot predict when their municipal elections will be. She said the Village would have to have a special election based on occurrences. She stated it is very hard for the Village to just fit in an election one day every two years. She said she asked to sit down with the SOE to look for voting locations, so no schools are in use. She stated they have to be the same voting locations for clarity of voters. She thought it would be difficult for the Village to accommodate that without using the schools. She said she hated to see the Village inconvenience the schools any further, because they already have a tight schedule. She hoped the Council would work together to help identify some possible voting locations throughout the community. She said they previously used Fire Stations, but they do not provide enough air conditioned space for large groups of people. She thought they could all work together after November, as Susan Bucher has indicated she is willing to sit down and talk to the Village at that time.
- Mayor Gerwig recognized the Village GIS staff for their work last week and the award they won for their awesome poster, Mission Possible. She said GIS does significant work in the Village to provide added value to Utilities. She stated GIS is something that

the entire community relies on whether they know it or not. She said she was proud to see their presentation at the South Florida GIS Expo. She stated the work they are doing is very impressive. She said she saw what she calls the Wellington way: they see a need that the residents have, and they go out and find a way to meet it. She stated it was very interesting to hear how Utilities, working with GIS, was able to do just that.

- Mayor Gerwig asked Ms. Cohen if anyone had responded to any of the e-mails inappropriately. She said she had wondered if she had accidentally done that. She stated she was aware of the situation, so she did not intend to in any way.

Ms. Cohen explained when Mr. Schofield, for example, sends out a group text or e-mail, there is no Sunshine violation by doing that. She said the only time they might get into a Sunshine violation is if Council responds to an item that might reasonably come before them for a decision. She stated in the situation with the school shooting, it was nothing the Council was voting on and it was informational. She said they had a need to know what was going on in real time in order to reassure the public, which is what occurred.

- Regarding the Paddock Park I issue, Mayor Gerwig asked if the Council had made a decision about having the Village poll the residents to determine the accuracy of the desire inside the community. She said the information furnished to Council was not provided by the Village.

Vice Mayor Drahos stated it was not a yes or no for him. He said he would prefer to have Councilman Napoleone in attendance, even though they have a quorum. Mayor Gerwig stated they had to do business whether or not Councilman Napoleone is available. Vice Mayor Drahos said he understood, but that he would like Councilman Napoleone's input on this issue. He stated they could simply wait two more weeks when all of them will be there and they can discuss it.

Councilman McGovern stated he was inclined to agree with Vice Mayor Drahos. He said for him it is not something that the Council needs to urgently go forward with, as they need to get through the budget process first. He stated they can move forward with it at some point, but he is not prepared to discuss it tonight.

Mayor Gerwig stated she wants the Paddock Park I issue to be discussed eventually, because she has been bringing it up for almost two years. She said it is not because of any particular resident, but because of the miscommunication in the community, the desire for the conversation, and the loss of property values, which is what the residents look to this Council to correct or deal with. She stated this is not rushed or should not surprise anyone, because it is probably the fifth time she has brought it up to this Council. She said she understands that Council wants to wait and she does not mind that, but she does not think it has anything to do with the litigation. She stated she thinks it has to do with the communication to the neighborhood. She said if the neighborhood is not interested in pursuing any changes, the Village will know immediately. She thought polling the neighborhood was well overdue, as residents are spending their own time and energy doing it. She said she is a little embarrassed that this Council has not moved quicker on this issue when urged.

Councilwoman Siskind asked Ms. Cohen for her recommendation on polling the neighborhood while the litigation is still pending. Ms. Cohen explained a resident requested a staff interpretation as to whether they could keep livestock on their property.

She stated it went through the process and an interpretation of the code was given by Mr. Basehart. She said it was appealed to Planning and Zoning who affirmed Mr. Basehart's opinion and interpretation that livestock cannot be kept outside of the Equestrian Overlay Zoning District (EOZD). She stated the resident filed a petition for certiorari with the Appellate Division of the Circuit Court. She said it is fully briefed and the Village is waiting for a decision. She indicated that decision will impact past conduct of keeping livestock there.

Councilman McGovern stated the Village is simply waiting for a decision from the court. Ms. Cohen said that was correct, as it is fully briefed. She stated that did not necessarily stop Council from taking action to change the code in the future, but it does not remedy the violation that existed. She said there is a pending code violation case that has been postponed until after the decision by the Appellate Court. She stated that pending code violation will still likely go forward on some level, if the Village receives a favorable opinion from the Appellate Court, which she thinks they should and expects they will. She said what Council does in the future with respect to the code is something the Council has the ability to discuss and change if they feel it is appropriate. She mentioned, as part of any discussion on that issue, they would carefully want to consider the impact of the opinion they received in the 604.50 cases as to zoning something for agricultural use.

Councilman McGovern stated he has concerns about that decision, as it may also dovetail with the one they anticipate coming up very shortly. He thought waiting for that was a prudent course as is waiting for Councilman Napoleone. He said that was his position tonight.

Mayor Gerwig stated she understood, but asked how the issue with Winding Trails was managed to where there would be no agricultural exemptions applied for in Winding Trails. She said it was a different agreement. Councilman McGovern stated those were residential farm buildings. He said they ensured they were together. Mayor Gerwig indicated they also had a POA Agreement. She stated there are all kinds of mechanisms that could offer relief for a community.

Mayor Gerwig stated that one of her neighbors has had their house on the market for 2½ years. She said the neighbor is getting to the point where they really do need to sell the property. She stated the neighbor could have sold it in ten days if the barn on the back of the property was usable. She explained the neighbor is on 2½ acres that backs up to a bridle trail and has a barn on the property that was there when they bought it.

Mayor Gerwig said it is confusing to the residents, and it is not just one situation. She stated as the Mayor and a resident, she feels they have been overdue in this conversation. She said they can put it off as long as they like, and granted she would rather have the full board here for all decisions, but that is what this Council is here to do. She stated they can discuss it at the next meeting or never again. She said she can bring it up and everyone can just say no.

Councilman McGovern reiterated that he thought the whole Council should be there and that they should get the Appellate Court ruling, because that case has gone through the litigation process and is completely done. He stated they should have the benefit of that ruling at the time they waded back into the issue.

Ms. Cohen stated typically it could take the Appellate Division six to nine months to issue an opinion. Mayor Gerwig indicated she recalled that one took well over a year. Ms. Cohen stated it just depends on the courts, as it is out of their control. She reiterated that it is fully briefed, so she assumed they will review it as soon as they can and render a decision.

- Mayor Gerwig stated it was nice to have the people from the Natural History Museum there this evening. She said she again would like to ask the Council and staff to work together on a program to help their senior volunteers. She stated several of their senior residents have been asking what they can do to be a part of the community. She said they want an attachment, as they care about this Village. She stated these seniors have lived here for years and would like to do something that feels worthwhile. She said she is looking at the Museum of Natural History to partner with them, because she is constantly suggesting reading to school children. She thought this might be an opportunity for some of their senior volunteers to connect with something worthwhile. She did not know if this is something the museum is looking for, but maybe the Village could help them partner with the community. She said she is looking for ways to engage their seniors, because it is important. She stated mentally it is important for them to feel connected and part of this community. She said it has a lot to do with their physical and mental wellbeing. She stated she feels like the Village owes that to their seniors. She said she was interested in hearing about that and maybe they could work that out together. Vice Mayor Drahos stated he thought it was a good idea.
- Mayor Gerwig wished all of the candidates running this evening good luck.

### **13. ADJOURNMENT**

There being no further business to come before the Village Council, the meeting was adjourned at approximately 8:52 PM.

**Approved:**

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**Anne Gerwig, Mayor**

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**Chevelle D. Nubin, Village Clerk**