

## MINUTES

### REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

Wellington Village Hall  
12300 Forest Hill Blvd.  
Wellington, Florida 33414

Tuesday, April 28, 2015  
7:00 p.m.

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, April 28, 2015 commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

Council Members present: Bob Margolis, Mayor; John Greene, Vice Mayor; Matt Willhite, Councilman; Anne Gerwig, Councilwoman; and John T. McGovern, Councilman.

Advisors to the Council: Paul Schofield, Manager; Laurie Cohen, Esq., Attorney; Awilda Rodriguez, Clerk; and Jim Barnes, Director of Operations.

1. **CALL TO ORDER** – Mayor Margolis called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE** – Judge Howard Coates, Jr., led the Pledge of Allegiance.
3. **INVOCATION** - Deacon Al Payne, St. Therese de Lisieux Catholic Church, Wellington, delivered the invocation.
4. **APPROVAL OF AGENDA**

Mr. Schofield presented the agenda recommending approval as amended. 1) move Consent Agenda item 6G - Abandonment of a Portion of a Limited Access Easement Along Greenbriar Boulevard for Rear Property Access for 14451 Equestrian Way to the Regular Agenda as item 8C; 2) amend Consent Agenda item 6H – Resolution No. R2015-30 (Special Magistrate Appointments) to only reappoint Mr. Rivas and have new appointment come back to Council, item to remain on Consent Agenda; 3) add Discussion of a Code Compliance Fine Reduction for 1580 Wyndcliff Drive to the Regular Agenda as item 8E; and 4) move Public Forum item 9A - Request on Behalf of Loggerhead Marinelifelife Center to Speak During Public Forum to Presentations and Proclamations as item 5B.

Councilwoman Gerwig stated she wanted to discuss Resolution No. R2015-30 (Special Magistrate Appointments). Mr. Schofield indicated the item would be moved to the Regular Agenda as item 8D.

**A motion was made by Councilman Willhite, seconded by Councilman McGovern, and unanimously passed (5-0), approving the Agenda as amended.**

**5. PRESENTATIONS AND PROCLAMATIONS**

- A. 15-285** PRESENTATION OF A RESOLUTION TO HOWARD K. COATES, JR. FROM THE WESTERN COMMUNITIES COUNCIL, INC. IN APPRECIATION OF HIS SERVICE

Mr. Schofield introduced the agenda item.

Ms. Michelle Damone, Chair of the Western Communities Council, introduced herself. She said she was before Council to recognize Judge Coates, and former councilman of the Village of Wellington, for his service to the Western Communities Council. She presented Judge Coates with Resolution 2015-002 from the Western Communities Council expressing its appreciation for his many years of service, insight and leadership.

Judge Coates thanked the Western Communities Council. He said any insight and leadership he provided was because of the guidance and example learned from Ms. Damone. Judge Coates also thanked Council for allowing him to serve on the Western Communities Council. He stated it was a very important committee as they do good work and take on issues that broadly impact and apply to the western communities. Judge Coates mentioned he had been a judge for three months and invited everyone to his investiture on May 8, 2015 at 4:00 p.m. at the Central County Courthouse.

Council thanked Judge Coates for making a difference in the Village of Wellington and the entire western community. They also thanked him for his leadership and example. Council looked forward to seeing him at his investiture on May 8<sup>th</sup>. Councilman Willhite noted he was fortunate to take Mr. Coates' seat on the Western Communities Council.

- B. 15-297** REQUEST ON BEHALF OF LOGGERHEAD MARINELIFE CENTER TO SPEAK DURING THE PUBLIC FORUM (*Moved from Public Forum, item 9A.*)

Mr. Schofield introduced the agenda item.

Mr. Didi Spencer Embalo, an international student from the United Kingdom studying at Northwood University, spoke on behalf of Loggerhead Marinelifelife Center. He introduced a young boy, Mario, and stated he was one of the main reasons they were there today. He provided Council with a brief history of the Loggerhead Marinelifelife Center, explained how the university was associated with them, and talked about nesting and protecting the turtles.

Council thanked Mr. Embalo. They mentioned Loggerhead Marinelifelife Center was a great place for educational opportunities and activities for children.

**6. CONSENT AGENDA**

- A. 15-219** AUTHORIZATION TO RENEW THE EXISTING ANNUAL AUDITING SERVICES CONTRACT
- B. 15-257** AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR SUPPORT AND MAINTENANCE OF THE VILLAGE'S INTERACTIVE VOICE RESPONSE (IVR) SYSTEM
- C. 14-1031** AUTHORIZATION TO RENEW A CONTRACT FOR THE SUPPLY AND DELIVERY OF TROPHIES, PLAQUES AND MEDALS

- D. 15-227 AUTHORIZATION TO AWARD A CONTRACT FOR THE BOOSTER STATION #1 DRIVEWAY/CULVERT REPLACEMENT PROJECT
- E. 15-302 RESOLUTION NO. R2015-32 (GRANT OF UTILITY AND ACCESS EASEMENTS TO PALM BEACH COUNTY FOR THE WELLINGTON TENNIS CENTER): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL GRANTING UTILITY AND ACCESS EASEMENTS TO PALM BEACH COUNTY FOR THE WELLINGTON TENNIS CENTER; AND PROVIDING AN EFFECTIVE DATE.
- F. 15-303 RESOLUTION NO. R2015-34 (GRANT OF UTILITY EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR THE WELLINGTON TENNIS CENTER): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL GRANTING A UTILITY EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR THE WELLINGTON TENNIS CENTER; AND PROVIDING AN EFFECTIVE DATE.
- G. 15-309 ~~ABANDONMENT OF A PORTION OF A LIMITED ACCESS EASEMENT ALONG GREENBRIAR BOULEVARD FOR REAR PROPERTY ACCESS FOR 14451 EQUESTRIAN WAY~~ *(Moved to the Regular Agenda as item 8C.)*
- H. 15-290 ~~RESOLUTION NO. R2015-30 (SPECIAL MAGISTRATES APPOINTMENTS): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE APPOINTMENT OF SPECIAL MAGISTRATES TO HEAR AND DECIDE CODE ENFORCEMENT CASES PURSUANT TO SECTION 2-203 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.~~ *(Moved to the Regular Agenda as item 8D.)*

Mr. Schofield presented the Consent Agenda recommending approval as amended.

**A motion was made by Councilman Willhite, seconded by Councilman McGovern, and unanimously passed (5-0), approving the Agenda as amended.**

### **PUBLIC COMMENTS**

At this time, the public was given the opportunity to speak on non-agendered items at this portion of the meeting rather than after the Regular Agenda.

Mayor Margolis indicated comment cards were received from the public.

1. Marrell Jerkins, 14274 Laurel Trail, Wellington. Mr. Jerkins stated he was there to speak for 39 of the 65 owners who could not attend the meeting. He believed Council had literature from most of the owners verifying what they wanted him to tell Council. He said they would like someone to make a motion to reconsider their vote on the Saddle Trail South project. He indicated the first ballot was to determine their level of interest and not a final vote to support the project. He stated since then the project has evolved, a lot of hard work has been done, and Mr. Riebe has held several meetings. He mentioned most of the people he was representing could not attend the meetings as they did not live here year around. Mr. Jerkins said they were concerned about the current status of the project and wanted their votes to be reconsidered. He asked if Council would make a motion for that to happen at this meeting.
2. Margaret Newman Biggs, 14858 Equestrian Way, Wellington. Ms. Newman Biggs also asked Council for their reconsideration of the resolution that was passed. She asked if

Council received the packet that was sent out yesterday with the change in notarized votes. She stated that 60% of their owners are now against paving the roads. She mentioned at the last meeting Councilwoman Gerwig did not support going ahead with the project because there was not a 66% vote, but Mr. Schofield indicated it was close enough. Ms. Newman Biggs asked if 60% against the project was close enough for Council to reconsider this vote. She stated she was asking them, as representatives of the people of Wellington and Saddle Trail, to follow their conscience and put it to a proper vote. She indicated she was going to submit for the record the last ballot that was not added to their list, as it actually changed their numbers.

3. Bart Novack, 15670 Cedar Grove Lane, Wellington. Mr. Novack advised Council there was a bobcat, coyote or fox in the area of Binks Forest Elementary School, and traps needed to be set to catch it. He questioned how the Village went from a budget of \$125 million to \$75 million but could still provide the same level of service. Mr. Novack believed that when people are filing paperwork, it should only go to the state and all other agencies should get it from that agency. He thought they needed to file every quarter regardless of whether or not they received it to sign off. Mr. Novack suggested a one mile radius around schools for any drug or alcohol rehabs or clinics.

## 7. PUBLIC HEARINGS

- A. 15-296 ORDINANCE NO. 2015-06 (WELLINGTON MUNICIPAL ELECTION 2016): AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL MOVING THE DATE FOR THE MUNICIPAL ELECTION TO BE HELD CONCURRENT WITH THE PRESIDENTIAL PREFERENCE PRIMARY; AMENDING THE CANDIDATE QUALIFYING PERIOD; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. Ms. Rodriguez read the ordinance by title.

Mr. Schofield indicated this was the second reading of the ordinance that will bring them in compliance with the statute the Governor signed in March.

### Public Hearing

A motion was made by Councilman Willhite, seconded by Vice Mayor Greene, and unanimously passed (5-0) to open the Public Hearing.

There being no public comments, a motion was made by Councilman McGovern, seconded by Councilman Willhite, and unanimously passed (5-0) to close the Public Hearing.

**A motion was made by Councilwoman Gerwig, seconded by Vice Mayor Greene, and passed (5-0) to adopt Ordinance No. 2015-06 on Second Reading as presented.**

## 8. REGULAR AGENDA

- A. 15-304 RESOLUTION NO. R2015-33 (RIGHT-OF-WAY ACQUISITION FOR THE SOUTH SHORE PHASE III ROAD IMPROVEMENT PROJECT): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AN AGREEMENT FOR THE PURCHASE OF CERTAIN REAL PROPERTY FOR THE SOUTH SHORE PHASE III ROAD IMPROVEMENT PROJECT; AUTHORIZING THE MAYOR OR VICE

MAYOR AND THE VILLAGE CLERK TO EXECUTE ALL DOCUMENTS  
INCIDENT TO CLOSING; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. Ms. Rodriguez read the resolution by title.

Mr. Riebe explained this was a road improvement project for South Shore Blvd Phase III and additional right-of-way was needed in order to build the project. He said the cost was \$180,000, plus attorney fees and closing costs, and the appraised value was \$110,000 an acre.

Councilman Willhite stated they were relocating the bridle trail from the east side to the west side. He thought that was easier because there were less driveways and activity on the west side. He asked if they were still going to shift the bridle trail at Indian Mound. Mr. Riebe indicated the existing bridle trail was on the west side from Indian Mound north all the way up to Pierson. He stated this project would shift the bridle trail from the east side to the west side between 50<sup>th</sup> and Indian Mound Road.

Councilman Willhite asked if there was a bridle trail between the polo area and north of Indian Mound. Mr. Riebe stated that trail was on the west side of the road. Councilman Willhite thought there were hedges along there as well, so it seemed like there was not enough room. He asked if there was a fence or a separation there. Mr. Riebe indicated a fence was currently north of Indian Mound on the west side.

Councilman Willhite asked about the connection at 50<sup>th</sup>. Mr. Riebe stated that would proceed south. He said the traffic diminishes at 50<sup>th</sup>, so they could walk on either side of the road. Councilman Willhite asked if there would be some kind of signal at 50<sup>th</sup>. Mr. Riebe indicated a crossing would be there.

Councilman Willhite understood all water was currently being shifted from west to east and asked which direction the water would go once the road was redone. Mr. Riebe indicated there was a ditch along the west side of the road. He said they will create a swale on the east side, put in a 48 inch pipe and connect all of the properties. He stated inlets will be on the east side as well for drainage, as the properties will drain to the same location as they do today.

Councilman Willhite questioned the width of the lanes once they were completed and asked if it would allow for a designated bicycle lane. Mr. Riebe indicated the lane width would be 11 feet. However, they could not get additional right-of-way north between Indian Mound and Lake Worth to put in bicycle lanes or a multiuse path. He explained the road was designed to add that in the future if they got the necessary right-of-way. Councilman Willhite asked if there would be enough room for a bicycle lane. Mr. Riebe stated there was room, but a lane was not included because there was a gap.

Councilman Willhite believed they were going to ride on the road, whether there was a designated bicycle lane or not. He stated the Village has had public meetings and a committee as well as hired a consultant to tell them they need more bicycle lanes. But they are not going to put them in now because they do not have a contiguous bicycle lane, even though they could do this portion. Mr. Riebe stated the necessary sub base and material will be put in, but they do not intend to pave the full width right now because there will be a gap to nowhere.

Councilman Willhite thought if the Village did not add bicycle lanes every time they repaved a road, they would never get them. He wanted the Village to have safer bicycle travel and promote more bicycle traffic. He believed they would still ride on the 11 feet of pavement, and

questioned why they would not put in a foot or two and give them 12 or 13 feet and start a bicycle lane. He said that was the only paved road in the Village that goes north and south and people use a lot of the bicycle lanes in that area. He understood Mr. Riebe's point of the lane not being contiguous, but he believed that there was no reason for them not to do it when they have the opportunity. He imagined the costs were incremental compared to what it would be for them to bring back a contractor and add it later. Mr. Riebe disagreed explaining the gap could be there forever, unless Council used its powers of eminent domain to get the right-of-way. He said from an engineering standpoint it is a little strange to have bicycle paths that start and then stop and do not connect to anything. Councilman Willhite thought Council and staff needed direction and to understand they needed to start working toward having bicycle lanes no matter what.

Vice Mayor Greene asked if there were discussions about the landowners dedicating land as a goodwill gesture. Mr. Riebe stated the owners were not willing to donate their land, as the Village paid market value. He said the landowners were satisfied with the amount of the appraised value done by the Village.

Vice Mayor Greene indicated some landowners have recognized the value of having additional space, multiuse paths and bridle trails separate from vehicular traffic. He hoped other landowners would look at the big picture when they talked about connectivity and understand its huge impact on the community. He thought the value these properties were able to provide as a community to the equestrian industry and everything associated with it was significant, because that is what drives the values to where they are. He suggested the Village make an emotional appeal to the landowners when looking at contiguous parcels and recognize the people who were doing good deeds for the community. He stated he supported this because it was important, but thought it would be nice if they could get more cooperation.

Mr. Riebe stated the good news was these landowners were willing to sell especially since the Village actually approached others and offered fair market value, but there was no interest. He said the trouble they run into when trying to get right-of-way to expand and do different projects is getting the community at large to buy into the overall concept. Vice Mayor Greene agreed they needed to keep moving forward and hoped they would get people to participate.

Councilwoman Gerwig understood before Council now was the purchase of the right-of-way and not the design of the roadway, as that was done in-house. She asked for the total project cost for the design, because they were significantly raising the road. Mr. Riebe stated the actual cost of the road project is \$1.882 million, plus \$187,500 and some surveying costs. He said right now the project is budgeted for \$2.4 million, but they will come in under that amount.

Councilwoman Gerwig asked if a significant portion of that amount was for raising the roadway. Mr. Riebe stated a big part of the project was to raise the roadway noting they went through multiple designs. He said when they started out Tropical Storm Isaac came and they needed to raise the roadway. He indicated in some places the elevation was 14.2 or 14.4 feet, and it was supposed to be at least 16 feet. However, with Isaac they saw 16.5 and 16.7 feet, so some areas were more than two feet under water. He said this project would correct that.

Councilwoman Gerwig believed the Village felt it was more cost effective to purchase the land outright at this price than to try to take it, as it would have cost more in legal proceedings. She said as much as they would prefer the people to have goodwill and donate property for public use, there are costs associated when they do not. Mr. Riebe agreed.

**A motion was made by Vice Mayor Greene, seconded by Councilman McGovern, and unanimously passed (5-0) to approve Resolution No. R2015-33 as presented.**

**B. 15-228 AUTHORIZATION TO AWARD A CONTRACT FOR THE SOUTH SHORE PHASE III ROAD IMPROVEMENT PROJECT**

Mr. Schofield introduced the agenda item.

Mr. Riebe indicated this contract was for a road project between 50<sup>th</sup> Street South and Lake Worth Road. He stated they were going to raise the road anywhere from 18 inches to 2 feet in some areas, recreate some bridle trail and provide drainage. He said that section of roadway, especially between Indian Mound and 50<sup>th</sup> Street, is in very poor condition and needs to be rebuilt.

Mr. Schofield noted this was a sealed bid/low bid and a Palm Beach County contractor, but local preference did not come into play because this was the low bid.

**A motion was made by Vice Mayor Greene, seconded by Councilman McGovern, and unanimously passed (5-0) to approve the Authorization to Award a Contract for the South Shore Phase III Road Improvement Project.**

**C. 15-309 ABANDONMENT OF A PORTION OF A LIMITED ACCESS EASEMENT ALONG GREENBRIAR BOULEVARD FOR REAR PROPERTY ACCESS FOR 14451 EQUESTRIAN WAY (Moved from Consent Agenda, item 6G.)**

Mr. Schofield introduced the agenda item.

Mr. Riebe indicated the property was located in Saddle Trail Park. He showed Council the actual site plan and access point in question. He stated the eight foot gate was installed when the fence was built years ago. He said Google Earth historical maps show it has been used as an access point as they could see the trails. He explained the issue was the limited access easement in this subdivision and along Greenbriar Blvd. Mr. Riebe stated Village Council was the only group that could approve the use of a limited access easement or abandonment of a limited access easement. He said the petition asked for the abandonment of a portion of the limited access easement along Greenbriar Blvd to allow for this access point. He indicated staff recommended not approving it, because of four reasons which were listed in Council's packet: 1) The proposed access drive conflicted with the adopted policies at the time of the subdivision and with current Village policies; 2) The proposed access driveway adversely impacts flow of traffic and public safety, especially since vehicles must either back in or back out of the property and stop in the through lane in order to open the gate; 3) The proposed access drive is located on the interior of a horizontal curve with minimal sight distance; 4) Allowing for the access point may set a precedent for additional access points along controlled access roadways within limited access easements, further adversely impacting the operation of the roadway.

Mr. Schofield reminded Council this had previously been on their agenda. He stated he spoke with Mr. Riebe about this being a policy decision. He said staff's recommendation will always be to maintain the limited access easements and rights of way, but since this is a policy decision, they suggested conditions be attached should Council decide to approve it. He indicated the driveway apron needed to be paved, the pathway had to be reinforced, and the manure bin could only be emptied once a week. He said there would also be a condition that if

these conditions were violated, the access would be removed. Mr. Riebe added one more condition. He stated they needed to offset the gate to get completely out of the through lane and pull in and pull out without backing into or out of the right-of-way.

Councilwoman Gerwig understood the concern of backing out, but asked if the truck could come in, empty the bin, turn around on the property and drive out. Mr. Riebe stated it could but if it is Council's desire to make sure they did not back out, the applicant needed to provide a place to turn around on the property.

Mr. Richard Pinsky introduced himself and stated he was there on behalf of the applicants. He also introduced Joseph Marois and Linda Evans, the property owners. Mr. Pinsky stated they were not asking for special treatment, but were asking Council to consider the special and unique circumstances the property owners have found themselves in. He said it was true that when they bought the property; however, nothing turned up with the deed, at closing or in title searches. He indicated there was no reason for them to believe they could not have the quiet enjoyment the previous property owners experienced for twelve years. Mr. Pinsky stated they went back and looked at the record and, apparently when the property was platted and permitted by Palm Beach County, they were granted the fence and the gate. He stated they also spoke to the previous property owner who said she made it clear to the county at the time her intentions for the use of the gate. Therefore, Mr. Pinsky believed there is enough in the historic record to demonstrate its purpose.

Mr. Pinsky further explained that Mr. Marois and Ms. Evans have spent some time trying to comply. He explained the barn was off to the right of the house. He said a tree that has been there for a long time would have to be removed if they were contemplating on how to get back there. He stated there were also a significant grade and a septic tank to the right of the barn which would create drainage and swale problems if they tried to build that up and into a road access. He indicated on the other side, they have the paddock which is used quite actively and a septic tank just left of the house and in the front going in. He stated they have had engineering out there and have made every attempt.

Mr. Pinsky said the property owners were asking for what Mr. Riebe had laid out. He understood they could not have a staff recommendation. He mentioned he talked to Mr. Marois and Ms. Evans and they were willing to comply with the permitting the way the ordinance called for it, with either a concrete or asphalt apron. He stated they were only looking for the vacating or abandonment of a small portion of the limited access. He said they would agree to once per week during nonpeak traffic times, and the gate would be opened during those times and open inward so there would be no reason to back in or back out. Mr. Pinsky stated, during non-season, they would be willing to do this twice a month. In addition, they would have the gate alignment and limited access in terms of getting in as the gate would be locked.

Mr. Pinsky understood Council was sensitive to setting a precedent, but he believed the circumstances, particularly on the record being established tonight, were unique enough. He said if there was a way to push the road back from the entrance on Equestrian, the property owners would certainly do it. But short of materially impairing and negatively impacting their property, it just could not be done without degrading their property and reducing their value. So given the circumstances, the historic record, the proximity to the neighbors, the limited use, Mr. Pinsky thought they have established enough unique circumstances where they would have some sort of measurement to go by should another situation occur.

Councilman Willhite questioned how many times it would take to violate the conditions before

removal would be required, what measures were in place to ensure these stipulations were being followed, and who was going to enforce them. He asked if it would go to code enforcement or if one violation would require removal because this is such a specific circumstance. Mr. Riebe stated, as a condition of approval, Council could include the remedy for failure to comply with actual conditions. Mr. Schofield indicated enforcement would be by the code enforcement staff through the normal process. He said they would actually have to observe it or have a report of observation. He agreed the remedy would have to be included in the approval.

Councilman Willhite asked if there was a requirement for the property owners to meet the Village BMP's for their manure bin, as they were not currently being followed. He understood they were grandfathered in, but the Village has changed the standard since that time. Mr. Riebe stated they would look at that. He thought the requirement at this point, as he would have to look at how close the manure bin is to the side yard, could be mitigated without a lot of expense.

Councilman Willhite stated they could see the manure bin was not covered and overflowing at times, so it has not met the standards of the current Village BMP's. Mr. Riebe stated Council could make that a condition of approval. Councilman Willhite understood the property owners were grandfathered in, but asked if they fell under the new restrictions when changes happen or the Village asks for additional improvements. Mr. Riebe explained when a permit comes in for an access drive or any kind of change, if something is non-conforming; they try to bring it into compliance, especially BMP's.

Councilman Willhite asked, in order to follow the BMP's, if the manure bin would have to be relocated if it was not set back far enough from the property line. Mr. Riebe did not believe it would have to be relocated, as they could berm it so the water had to flow a certain way and traveled fifty feet before it hit a body of water or swale area. He stated the purpose of the fifty feet was to allow the nutrients to soak into the ground, so it could be twenty feet away from a swale as long as the path of the water was fifty feet.

Councilman Willhite stated he looked at the properties abutting this one and they clearly had access to their area, barns, stables, manure bins and additional structures. He guessed they were allowed to construct on their property and dealt internally with their operations. He asked what made this applicant any different than someone who had to do things internally and what the estimated cost would be to a resident to make these improvements, i.e., protect the Village sidewalk, swale and drain and have the manure bin meet the standards of the BMP's. Mr. Riebe guessed it would be between \$20,000 and \$30,000 to make the necessary improvements. Councilman Willhite thought the applicant would have to weigh those costs against relocating some of their drain field or adding some dirt to their driveway to access the barn.

Councilman Willhite said he still had some safety concerns. He stated he was concerned about the liability of having the large manure haulers cross the Village sidewalk, as people could not see the trucks coming out with the hedges along there. He said he was also concerned about the precedent this would be setting, because many people in the Village utilize that area at their own risk. He thought the Village would be incurring some of that risk by allowing these vehicles to come in and out of there. Councilman Willhite thought if these conditions were approved, there needed to be more dialogue about the restrictions. He said there needed to be a point where they would remove the access rather than just issuing a code violation, because this Council has talked about the cost of doing business.

Vice Mayor Greene did not know if they could say this was absolutely going to set a precedent. He said it might as people will certainly reference this if there is interest. He asked if staff identified any similar parcels that might try to get access as well. Mr. Riebe stated other parcels along Greenbriar Blvd had gates and there were some that would like to have gates, but staff has tried to remove any gates onto Greenbriar as people have come in for permits. He indicated they were allowed to have a five foot wide gate to walk and enjoy the access to the multiuse path, but no vehicular access. He stated they have been fairly successful with that, but they probably had about 20 or 25 similar parcels throughout Wellington.

Vice Mayor Greene stated they looked at the previous approvals by the county and everything was in compliance. He asked if the property owners had done what they represented they would do or if staff had identified anything on the property that was not approved by permit. Mr. Riebe stated to his knowledge they have not. He said the fence permit has an "X" where the gate is, but it did not show the size. So it got built and approved.

Vice Mayor Greene appreciated the fact the current owner has used this access the same way for many years and it was maybe represented that way by the previous owner. He asked if there would be any liability or exposure to the Village if Council granted this request. Ms. Cohen thought it primarily would be the driver of any vehicle crossing that area. She said anyone could make a claim against the Village and they could not prevent anyone from making claims against the Village. However, as long as the Village was not negligent, it would be a difficult claim to make and it would be subject to sovereign immunity and the limits set forth under the statute.

Vice Mayor Greene thought any attorney would make a claim that there was negligence on the Village's part if they allowed trucks to cross the public access, and wanted protection. Ms. Cohen suggested that Council ask for an indemnification clause.

Vice Mayor Greene agreed if something is non-conforming or they make an improvement and something is not current, he would want it brought up to code; especially if it involved the BMP's or issues that impacted the community. He asked if anything else was non-conforming on the site.

Vice Mayor Greene believed if Council approved this request with conditions, it would be an economic decision to justify doing this versus relocating the manure bin. He thought if that was the biggest issue, they should relocate the manure bin to the front of the property where there is an existing driveway with access to get in and out. He said in looking at some of the adjacent parcels, they seemed to be very efficient in terms of how their property and access points were laid out. He assumed reworking the site was an option. Mr. Riebe stated it was an option but it was not discussed. He said his focus has been on the limited access easement and the abandonment and not on issues internal to the site. He noted reworking the site was an option, but costly.

Vice Mayor Greene thought it would be difficult to monitor whatever conditions were imposed, as someone was not going to be sitting there watching it once or twice a week. He hoped the people would comply with any conditions imposed.

Councilwoman Gerwig asked if Council approved the limited use of the limited access easement, if the next step would be for the applicant to apply for a permit for the driveway. She understood this request was not permitting the driveway or apron. Mr. Riebe stated that was correct. He indicated staff would approve it as long as the property owners complied with the Village's engineering standards, i.e., asphalt or concrete, the width is good and tapered where it

meets the roadway, and the gate is offset to provide enough room to get off the roadway.

Councilwoman Gerwig asked if the property owners would have to submit plans to get a permit for the apron and if that would trigger the investigation of the manure bin. Mr. Riebe said that was correct. He stated they would go look at it at that point in time, as they had seen it just from the road.

Councilwoman Gerwig questioned putting a manure bin on top of the drain field or driving a truck on top of the drain field. Mr. Riebe stated they would not want a structure on their drain field. Councilwoman Gerwig thought a truck would collapse the drain field and believed that was part of the problem with this site. She said it would not make sense to put a manure bin in their front driveway when the barn is in the back. She thought this site was designed for this particular use, whether it is right or wrong now. Councilwoman Gerwig said they all agreed they did not have access, but it was designed and has been in use for twenty years. She mentioned she spoke to the previous owner, who is a friend of hers, and she indicated they always did that and no one ever said anything. She stated the previous owner also told the county what she was going to do when she permitted the gate and fence. She said the previous owner had no idea it was improper.

Councilwoman Gerwig believed there was no reasonable way to redesign the site noting that the house next door was built really close to the road, and that some newer homes in Paddock II are set back twenty-five feet. She thought the setback of the homes gave them the estate look they were looking for, but they lost that 30% depth or setback when they imposed the EOZD. She realizes it was a never permitted use, but she did not see any other way for the owners to use their site. She supported allowing the abandonment of an eight foot portion of the easement under the conditions of once a week and no backing out.

Councilman McGovern asked if one violation would remove the access. Mr. Schofield stated staff would have to find one violation, but Council would have to write that into the condition.

**A motion was made by Councilman McGovern, approving the Abandonment of a Portion of a Limited Access Easement Along Greenbriar Boulevard for Rear Property Access for 14451 Equestrian Way to allow the limited abandonment with the conditions discussed by Council: (1) the driveway apron would need to be paved; (2) the pathway would have to be reinforced; (3) this would be used one (1) time per week only to empty the manure bin during season; and two (2) times per month off-season; (3) the manure bin will be brought to code; (4) the gate would need to be offset so there would be no backing in or out; (5) one violation would result in the removal of the access.**

Ms. Cohen asked if he wanted to include an indemnification clause. Councilman McGovern indicated he did.

**Councilman McGovern indicated he would include an indemnification clause in his motion.**

Councilwoman Gerwig asked about the procedure for the indemnification clause. Ms. Cohen explained it would be an indemnification agreement between the property owners and the Village to the extent the Village was sued. She stated the property owners would defend and hold the Village harmless for any suites including attorney fees and costs for legal defense. She said that was a standard indemnification provision. She believed if the property owners were asking the Village to make this change and allow trucks to cross th

**At this point, Councilwoman Gerwig seconded the motion and it unanimously passed (5-0).**

Mayor Margolis indicated Mr. Pinsky would work with the Village Attorney on the Indemnification Agreement.

**D. 15-290** RESOLUTION NO. R2015-30 (SPECIAL MAGISTRATES APPOINTMENTS): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE APPOINTMENT OF SPECIAL MAGISTRATES TO HEAR AND DECIDE CODE ENFORCEMENT CASES PURSUANT TO SECTION 2-203 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE. *(Moved from Consent Agenda, item 6H.)*

Mr. Schofield introduced the agenda item. He stated Council had been provided with an amended resolution that only reappointed Mr. Suarez-Rivas. He said the new appointment would be brought back to Council when it had been further vetted. Ms. Rodriguez read the resolution by title.

Mr. Steve Koch indicated the contracts for two of their four special magistrates were about to expire. He stated Mr. Doney did not wish to serve another term while Mr. Suarez-Rivas wanted to continue to serve. He said, as stated in Resolution R2015-30, staff recommended the reappointment of Mr. Suarez-Rivas to a second two year term. In addition, per Council's direction, staff would compile information from other jurisdictions concerning their magistrate appointment process and number of magistrates. He noted they will also let Mr. Wagner know his resolution is on hold.

Councilwoman Gerwig mentioned she asked Ms. Cohen to print the procedures on record for this process, as she thought Council was not following their own procedure. She indicated an administrative transmittal dated May 27, 2009, specified public notice should be given 120 days prior to a future expiration date of a magistrate appointment. She stated the appointments being addressed expire in June, so they have missed the 120 day advertisement requirement; however, it did not mention anything about the reappointment of magistrates. She said it read "at least 120 days prior to a future expiration date the Village will solicit letters of interest from attorneys." Council indicated the criteria for qualifications stated that three of the magistrates had to be residents of Wellington or have a practice located in Wellington. She thought tonight Council was actually changing their procedures without voting to change them.

Councilwoman Gerwig further indicated that Resolution 2012-29 stated that staff shall advertise for letters of interest 90 days prior to the expiration of a magistrate's term. She said it also stated where and how the advertising should be done. She believed in some ways they were already varying from their own procedures and process. She understood the state law required Council to appoint the magistrates, so she asked for clarification as to why they did not follow their own procedures this time.

Ms. Cohen thought the 2012 resolution superseded the transmittal. She stated this was a suggested basis for a draft policy, but it looked like Council in 2012 adopted a policy and they have talked about that policy. She did not know why it was not advertised, as it was not in her department; however, they could request letters of interest.

Councilwoman Gerwig said that at the Agenda Review, Council had asked whose department this was under, Code Enforcement or Legal. Ms. Cohen stated it was Code Enforcement. Councilwoman Gerwig thought they were asking for Legal to weigh in on the process. Ms. Cohen advised, since it has been two years since the letters of interest were received, that they publish it in the papers and put it out there to get letters of interest. She said they would then have to go through the appointment process. She mentioned the last time this was done, they did not have a formal selection committee prior to requesting the letters of interest as it was done afterwards. She suggested they put the committee and criteria together before advertising it.

Councilwoman Gerwig recalled the discussion last time being why advertise if they did not have an opening, but her question now is why have a resolution that Council is going to ignore. She said she wanted to make sure they were following their own procedures. Ms. Cohen thought they should follow the resolution, but Councilwoman Gerwig did not think they had 90 days. Ms. Cohen believed they could extend the magistrates' terms for a month or two to allow staff to go through the process. Councilwoman Gerwig noted Mr. Doney has resigned. Ms. Cohen thought their three active magistrates would be happy to cover that vacancy.

Ms. Cohen mentioned Mr. Koch had contacted a couple of municipalities. She stated the magistrates in Boca are appointed by the City Council with a recommendation from the City Attorney and City Manager, so they only review their resumes or letters of interest and do not go through a selection process. In addition, they do not have term limits in Boca, so the magistrates serve as long as they like. She said they currently have two, but they typically have three magistrates and their performance is not monitored. Ms. Cohen indicated, unless issues arise, the Village really does not monitor the performance of the magistrates. She said if they observed a magistrate not acting in a judicial manner, not appearing to be fair and impartial, or being disrespectful to residents, that would be something they would take note of. She stated in Doral the magistrate positions are put out for bid using a purchasing model. She indicated the Village did a hybrid of that last time. She said the City Manager reviews the candidates and the magistrates are contracted for one year but typically have renewal clauses. She noted Doral had two magistrates and their performance was not monitored. Ms. Cohen did not realize the resolution required 90 days, but thought Council should adhere to the resolution since it was in existence.

Councilman Willhite said he was not asking for legal to weigh in on the process or procedures, as he was asking who the magistrates reported to or were responsible to. He stated Council had a lengthy discussion about that and the magistrates really did not report to anyone. However, the magistrates were scheduled by a person in Code Enforcement.

Councilman Willhite asked if Council had appointed or reappointed any magistrates since the 2012 resolution were put in place and if they provided the 90 or 120 day notice. Mr. Koch believed they reappointed two magistrates. Councilman Willhite asked if there was a reason for a 90 or 120 day notification for Mr. Suarez-Rivas, because he is currently a Village magistrate. Mr. Koch stated with Council direction they would just advertise Mr. Doney's vacant position. Councilman Willhite indicated that they had already done the hybrid process and ranked the applicants, so they still had the ability to use that process. He asked if they needed to advertise again for an opening they really did not have. He said they had someone resign, so the next person in the ranking should move into that position.

Ms. Cohen noted that the language of the resolution stated it should be advertised 90 days prior to the expiration of their term. Councilman Willhite asked about the appointment of the last two

magistrates where they did not provide the 90 or 120 day notice. Ms. Cohen stated they should have. Councilman Willhite asked if there was a problem with doing that here. He thought to some extent this was like a contract with someone where additional terms can be approved.

Ms. Cohen thought Council varied their policy by appointing without advertising. She believed they were able to do that because it was a resolution and not an ordinance. She said they did it by consensus and executed a contract. Ms. Cohen felt the contract was valid and they should adhere to it. She indicated Council also had the ability under the resolution and under Village Code to remove a magistrate at any time. She said did not see an issue as they all agreed to do it in that manner the last time, but if Council feels it is important to put this out and advertise it then that is certainly their call.

Councilman Willhite recalled his intentions at the time were not to put this out for RFP and start a whole new process every time a term expired. He said his intentions were to have term limits and have all of the magistrates live outside the Village of Wellington although, at the time, they agreed to have one magistrate live within the Village. He stated they did not require the Manager to live in the Village of Wellington, so how could they require that from a special magistrate who was on a 25% rotation basis. He asked if they were going to skip over someone because they did not live in the Village or they had hit their quota. He asked where or how they would pick that person who is in that 25 percentile of having to live in the Village.

Councilman Willhite thought they should reappoint Mr. Suarez-Rivas, and then if they wanted to provide a 90 or 120 day notice for the opening of the fourth position, he would be agreeable to that. But he did not know if there is a process for that, because there was a process in place where he ranked the applicants to fill the vacancies. He said a magistrate could decide in the middle of their term to move away or move to another town because they were in the 75% percentile that lived in Wellington, and questioned if they were going to go through the process every time that happened.

Mr. Koch indicated this would be a process they would have to do every year, because the terms for two magistrates expire every year.

Mayor Margolis indicated they had talked about this yesterday. He wanted to clarify that tonight they were asking Council to renew Mr. Suarez-Rivas' contract and then discuss what to do with the fourth position.

Ms. Cohen thought the original request was to have Council appoint the two magistrates, although they seemed inclined to wanting additional information with respect to Mr. Wagner. She indicated she tried contacting him today but was unable to reach him; however, she said she would speak with him. She noted that, as she said at the Agenda Review meeting, there were a limited number of attorneys with magistrate experience. She explained they were acting in quasi-judicial capacity and it was improper for one side to speak or communicate with a magistrate without also including the other side, so they could not have ex-parte communications. She suggested they discuss whatever their desire was with respect to the process, make any amendments to their resolution, and then comply with it. She believed they did not do this last time because it was either overlooked or they intentionally decided not to adhere to it. However, she agrees Council should comply with the resolution unless they consciously decide to alter their policy.

Mayor Margolis understood most municipalities had two special magistrates and the Village had four. Mr. Koch noted he reached out to more municipalities but had only heard back from two of

them. Mayor Margolis thought if they had to amend the resolution, he wanted Council to look at amending the need for four magistrates. As he discussed at the Agenda Review, his issue was that one magistrate hears the complaint and then the complaint is moved to the next month where another magistrate determines the fine or the final outcome. He agreed having one magistrate was not good; however, if most municipalities are using two, maybe they should consider just using two. He stated if they were looking to amend, he would like to have a Council discussion at a later date.

Vice Mayor Greene asked about the size of the municipalities that had two magistrates. Mayor Margolis stated it was Boca and Doral. Mr. Koch thought Doral was just a bit bigger than the Village.

Ms. Cohen mentioned some of the other municipalities have the Manager review or the Manger and Attorney review the resumes and then make a recommendation, rather than having a formal selection committee and criteria, because either they have experience as a special magistrate doing code enforcement or they do not. She stated they could contact the municipalities they worked for to investigate their reputation and whether they were efficient in handling the dockets. She said they were looking for a special magistrate who will follow the law and apply the code, who is fair and impartial, who has good quasi-judicial demeanor, and who treats staff, the opposing party, and residents with respect. So if Council was going to revise the resolution, she would review the policy of how the magistrates get appointed as well.

Councilman McGovern thought there was a true distinction between reappointing someone who is already serving, such as Mr. Suarez-Rivas, and the 2012-29 Resolution, which clearly and elaborately discussed the procedure to fill an open or vacant magistrate seat. He indicated the resolution that Council passed talked about a maximum of four magistrates but set no minimum. He felt going back and using a process or a stack of resumes that were two years old did not make sense as a lot of lawyers come in and out of town. He believed they wanted the best people who had the temperament, background and experience, so they should follow the resolution for the one open position or they should amend the resolution and then follow it. Regarding Mr. Suarez-Rivas, Councilman McGovern thought appointing someone who was already serving and who has served well was a different situation.

Councilwoman Gerwig thought if they were short listing the selection, ranking or otherwise, the Village Attorney should not be involved. She believed it made sense to have the Village Manager and the code enforcement officer involved, but the Village Attorney may act as a prosecutor for the Village. She indicated that was in Section 2-194. Ms. Cohen agreed.

#### Public Comments

1. Bart Novack, 15670 Cedar Grove Lane, Wellington. Mr. Novack suggested Council put aside government experience to give a new person coming in the opportunity to sit as a Council member. Mr. Novack believed oversight of the magistrates should be done by the Village Attorney. He thought that once Council learns they have made a mistake or skipped over something, they must correct it. Mr. Novack stated that if Council was going to make the rules, they had to live by them as well, as they needed to be held to a certain standard.

Councilman Willhite agreed the attorney should not be a part of the selection process but did not agree the code enforcement director should be involved. He indicated the attorney works as the prosecutor and the code enforcement officer or director works as the defendant as well as the prosecutor on the Village's behalf because they bring the cases forward to the special

magistrate. He said that was why he was agreeable yesterday, as only a staff member schedules the magistrates and does not deal with the code cases or presides in front of the special magistrates. He believed anyone going in front of the special magistrates should not be involved in selecting them. Councilman Willhite suggested the Purchasing Director or someone who does that normally for the Village and works with their process participate in the selection process.

Mr. Schofield recommended, based on Councilman Willhite comments, the Purchasing Director, Finance Director and Director of Operations be involved in the process. Councilman Willhite said he would look at that for processing future applicants.

Councilman Willhite did not know if Council had violated their resolution, and agreed a reappointment was different and was fine with reappointing Mr. Suarez-Rivas.

**A motion was made by Councilman Willhite, seconded by Vice Mayor Greene, approving Resolution No. R2015-30 reappointing Mr. Suarez-Rivas, and directing the Village Attorney to revise the current policy for special magistrates to include Council's recommendations and to bring it back to Council for their review.**

**Vice Mayor Greene seconded the motion and it unanimously passed (5-0).**

**E. 15-317 DISCUSSION OF A CODE COMPLIANCE FINE REDUCTION FOR  
1580 WYNDCLIFF DRIVE (Added to Regular Agenda.)**

Mr. Schofield introduced the agenda item. He stated staff was recommending a fine amount below what policy allows. He said the violations on this property go back twelve or thirteen years and were corrected that long ago, but the owner never came in to settle the costs. He indicated this property was currently subject to foreclosure proceedings and other legal issues, so staff felt the reduced fine amount of \$1,759.62 was appropriate to keep the owner in the home and avoid a foreclosure procedure. Mr. Koch noted the amount was reduced down to the cost of the case.

Councilman Willhite said he did not want to kick anyone out of their house or for them to have an undue burden because of these fines. He said that what was key for him was that the code violations were resolved in a reasonable amount of time. He indicated they as a Council have said code enforcement is not punitive but about compliance. He stated that key for him was that these people became compliant when they corrected the violations, but the paperwork and everything continued to carry forward. He said he did not mind supporting the reduced fine amount due to that fact. Councilman Willhite thought this would show that the Village wanted to work with the owners to clear up the violations. He asked that staff work diligently to find out if there are more cases like this that have been going on for a period of time and to bring them forward so these huge costs do not continue to build.

Councilwoman Gerwig agreed; however, she said this was brought forward because the homeowner needed the fine to be taken care of so they could refinance and either short sale or keep their house. She preferred Council revise their policy, because this should not be on their agenda. She stated it was a person's situation that code enforcement could take care and reduce the fine down to what it cost the Village.

Councilwoman Gerwig indicated she read where it said after twenty years these fines go away, so this fine would expire in eight years and the Village would have no claim to it. Mr. Koch

stated chances were that the Village would lose the liens in the bankruptcy. Councilwoman Gerwig explained that is why she was adverse to their policy of having the owners come to Council on something like this, as she thought the situation was a difficult enough without it being aired at a Council meeting. She said she agreed with Councilman Willhite to reduce the fine amount down to Village costs.

**A motion was made by Councilman Willhite, seconded by Councilwoman Gerwig, and unanimously passed (5-0) approving the reduction of the code compliance fines for 1580 Wyndcliff Drive to \$1,759.00 as recommended by staff.**

## **9. PUBLIC FORUM**

**A.** 15-297 ~~REQUEST ON BEHALF OF LOGGERHEAD MARINE LIFE CENTER TO SPEAK DURING THE PUBLIC FORUM~~ (*Moved to Presentations and Proclamations, item 5B.*)

1. Bart Novack, 15670 Cedar Grove Lane, Wellington. Mr. Novack, referred to people being asked to give up their land to put in bicycle paths, and other things of that nature. He thought that people are entitled to have privacy on their property, and should not have to give up their land. He indicated that 60% of the people in Saddle Trail did not want the project at this time, so they should have a super majority of who wants it. Regarding code fines, Mr. Novack thought that Special Magistrates do not always have to assess the maximum fines.
2. Bijaya Kattel, 12197 Sunset Point Circle, Wellington. Mr. Kattel said that he is a native of Nepal, and has been a resident of the Village for over 17 years. He spoke of the recent earthquake and the devastation it has caused to that country. He requested that the Council prepare a statement recognizing the disaster and damage to that country which he felt would provide some soothing relief to the Nepalese people living in Wellington whose families were affected by the earthquake

Vice Mayor Greene read the following the card into the record:

1. Margaret Newman Biggs, 14858 Equestrian Way, Wellington. Ms. Newman Biggs did not wish to speak. Vice Mayor Greene read her card into the record: "Would you please make a motion to reconsider the vote taken on Resolution R2015-27 at the April 14, 2015 meeting on the Saddle Trail Park South assessments?"

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

**MS COHEN:** No Report

## **11. MANAGER'S REPORTS**

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

- He announced the next Regular Wellington Council meeting is scheduled for Tuesday, May 12, 2015, in the Council Chambers at 7:00 p.m.
- The Council meeting scheduled for September 8th conflicted with the County's budget hearing and needed to be changed. Mr. Schofield explained the Village could not have their budget hearing on the same day as either the County, scheduled for September 8<sup>th</sup>, or the School District, scheduled for September 9th. He said Staff recommended the Council meeting be changed to Thursday, September 10th. He noted Council had

already changed the September 22nd meeting to Thursday, September 24<sup>th</sup>, because of the Yom Kippur holiday. Council consensus was to change the Council Meeting date from Tuesday, September 8th to Thursday, September 10th.

## 12. COUNCIL REPORTS

**COUNCILWOMAN GERWIG:** Councilwoman Gerwig presented the following report:

- Councilwoman Gerwig reported she participated in the Village's Great American Clean-Up event and many residents also helped clean-up the neighborhoods. She complimented Code Enforcement and Neighborhood Services for their great efforts in improving the appearance of the neighborhoods.
- With regard to the Village's Bicycle Assistance Program, Councilwoman Gerwig asked if helmets were given to the kids along with the bikes. Mr. Schofield stated that helmets had been given to them. She thought this was another great program. She thanked Stan Kilbas, owner of Wheels of Wellington, for his participation in rehabilitating bikes and giving them to local kids.

**VICE MAYOR GREENE:** Vice Mayor Greene presented the following report:

- He offered his prayers and sympathy to the families both in Nepal and living here who were suffering from loss and devastation resulting from the recent earthquake. He agreed with the Village showing support for those families who have been impacted by this tragedy.
- Vice Mayor Greene mentioned he recently attended a volunteer luncheon for the Palm Beach County Sheriff's Office at the Palm Beach County Convention Center. He stated Deputy Scott Poritz was recognized by his peers for his contributions to the volunteer program Citizens on Patrol in District 8. Vice Mayor Greene was happy to represent the Village in support of Deputy Poritz
- Vice Mayor Greene announced the Village will be participating in the 2015 Heart Walk and they are working with the Village's Human Resources Department. He encouraged everyone to get involved either by walking or contributing. He indicated the CEO of Wellington Regional Medical Center has taken a very active role and noted health care was a significant industry in Wellington. He said in the past the Village tried to support these types of causes in ways other than financial contributions. In an effort to bring awareness of this event to the community, Vice Mayor Greene said that he would like to put an insert in the utility bills. He thought there was time to put together a copy and get it printed before the event on September 26th.

Councilwoman Gerwig questioned taking such action because there are so many other good causes. She thought it would be better if they individually fundraised and participated rather than setting a precedent as a Council.

Vice Mayor Greene believed the Village had set such a precedent when they included inserts in the utility bills to support the equestrian activities for the Chamber. He indicated the Village had used staff time and resources as well as made a contribution of \$5,000 or \$10,000. He noted Council did not have to make a decision at this point, as he only brought it up for consideration.

**COUNCILMAN WILLHITE:** Councilman Willhite presented the following report:

- He thanked staff and the Village for participating in Earth Day.
- He asked about the status of a previous request regarding drawings or ideas on a Senior Development or a Senior Center. Mr. Schofield stated the request was being processed

and he would advise them the next day of the anticipated completion date.

- Councilman Willhite mentioned he had the pleasure of speaking that morning to the future leaders of the country at the Kings Academy. He stated the kids were anxious to hear about politics and he was inspired by their desire to be so involved.
- He reminded everyone about the SR-80 public meeting to be hosted by the Florida Department of Transportation on May 7th at 6:00 p.m. at the Loxahatchee Groves Town Hall. He said this project would directly affect the Village because it would potentially widen SR-80 from Forest Hill Blvd. to Lion Country Safari.
- Councilman Willhite reported he and Mr. Schofield had an opportunity to visit and check on the status the new tennis center. He said he asked when they would start working on the Community Center. He also wanted to verify that the seniors were meeting at the gym and everything was going smoothly. Mr. Schofield responded affirmatively. He indicated they were starting to remove items from the interior of the Community Center and any salvageable vegetation would be removed this week. He said they anticipated demolition to start in June.
- Councilman Willhite suggested the Village draft a letter for the Mayor's signature to Mr. Jorjanyvas congratulating him and his team on winning the U.S. Polo Open.
- Councilman Willhite invited everyone to the League of Cities Annual Installation Gala at the Kravis Center on May 20th when they will be installing a new Board of Directors. He noted this would be his final term serving on the Board.
- He wished all mother's a Happy Mother's Day.

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

- He sent his prayers and condolences to the people of Nepal who were going through a tremendous natural disaster and time of great hardship.
- He reminded everyone the first of the K-Park Town Hall Meetings would be held June 2nd in the Council Chambers at 7:00 pm. He thought it was important for the Village to receive as much input as they could from the citizens and businesses of Wellington.
- Councilman McGovern asked when the last chance was for residents to participate in the Charter Review process.

Ms. Cohen indicated the Charter Review Task Force would be meeting Monday, May 4<sup>th</sup>, at 4:00 p.m. In addition, at 6:30 p.m., they would be hosting a joint meeting with the Equestrian Preserve Committee. She noted a Charter Review Task Force meeting was also scheduled for June.

Councilman McGovern encouraged everyone to be involved in this important process, as it was one that could change and impact the future of the Village.

**MAYOR MARGOLIS:** Mayor Margolis presented the following report:

- He reported he attended the Relay for Life event this past Saturday, which was both heartfelt and well attended. He announced that he had committed the Village to have a team in next year's event, so some people will be reaching out for participants. He also recognized the Wellington Chamber for their support of the event.
- He requested that the Village Manager's contract be placed on the next Council agenda for discussion. He said although the contract expires in February, it contains a clause stating if Council does not take any action with the contract, it will automatically renew for one year.
- He wished everyone a Happy Mother's Day.

**13. ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned.

**Approved:**

\_\_\_\_\_  
**Bob Margolis, Mayor**

\_\_\_\_\_  
**Awilda Rodriguez, Clerk**