

MINUTES

REGULAR MEETING OF THE WELLINGTON COUNCIL Wellington Village Hall 12300 Forest Hill Blvd. Wellington, Florida 33414

**Tuesday, October 14, 2014
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, October 14, 2014 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; Howard K. Coates, Jr., Councilman; and Anne Gerwig, Councilwoman.

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** – Mayor Margolis led the Pledge of Allegiance.
3. **INVOCATION** – Pastor Emily Denmark McGee, St. Peter's United Methodist Church, delivered the Invocation.
4. **APPROVAL OF AGENDA**

Mr. Schofield presented the Agenda recommending approval as presented.

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

5. PRESENTATIONS AND PROCLAMATIONS

- A. **14-807** PROCLAMATION OF THE VILLAGE COUNCIL OF FLORIDA DECLARING OCTOBER 24, 2014 AS "WORLD POLIO DAY" IN THE VILLAGE OF WELLINGTON

Mr. Schofield introduced the agenda item. Ms. Rodriguez read the Proclamation. Councilmembers thanked the Rotarians for their work in helping to eradicate polio. Dr. Juan Ortega and members of the Wellington Rotary were present to accept the Proclamation.

PUBLIC COMMENTS

At this time, Mayor Margolis opened the floor to members of the public who wished to speak at this point in the meeting rather than after the Regular Agenda.

1. Victoria McCullough, 13801 40th Street South, Wellington. Ms. McCullough asked Council to consider renaming 40th Street "Gracida Way" after polo great Carlos Gracida who had passed away this year.

Council consensus was to direct staff to take the measures necessary to rename 40th Street to "Gracida Way."

Mr. Schofield said that staff would proceed and would readdress those properties on 40th Street, and the change would be made.

6. CONSENT AGENDA

- A. 14-806 MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF AUGUST 26, 2014
- B. 14-725 RESOLUTION NO. R2014-61 (REFINANCING OF THE VILLAGE'S PUBLIC SERVICE TAX REVENUE REFUNDING BOND): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL PROVIDING FOR THE ISSUANCE OF THE VILLAGE OF WELLINGTON'S (VILLAGE'S) PUBLIC SERVICE TAX REVENUE REFUNDING BOND, SERIES 2014 IN ORDER TO REFINANCE THE OUTSTANDING PRINCIPAL OF THE VILLAGE'S PUBLIC SERVICE TAX REVENUE REFUNDING BONDS, SERIES 2005; APPROVING THE PRINCIPAL AMOUNT, INTEREST RATE, MATURITY DATE, REDEMPTION PROVISIONS AND OTHER DETAILS OF SAID BOND; AWARDED THE SALE OF THE BOND TO REGIONS BANK; FINDING NECESSITY FOR A NEGOTIATED SALE OF SUCH BOND; AUTHORIZING THE PREPAYMENT OF THE VILLAGE'S PUBLIC SERVICE TAX REVENUE REFUNDING BONDS, SERIES 2005; DESIGNATING THE PAYING AGENT AND REGISTRAR FOR SAID BOND; CONTAINING CERTAIN AUTHORIZATIONS AND OTHER PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.
- C. 14-411 APPROVAL OF INFORMATION TECHNOLOGY (IT) ANNUAL PURCHASING, LICENSING, MAINTENANCE AND SUPPORT AGREEMENTS
- D. 14-701 RESOLUTION NO. R2014-54 (AGREEMENT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS FOR THE PROVISION OF INMATE LABOR FOR MAINTENANCE OF THE WELLINGTON ENVIRONMENTAL PRESERVE AT THE MARJORY STONEMAN DOUGLAS EVERGLADES HABITAT): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MANAGER OR DESIGNEE TO EXECUTE THE CONTRACT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS TO PROVIDE FOR THE USE OF INMATE LABOR IN WORK PROGRAMS WITHIN THE WELLINGTON ENVIRONMENTAL PRESERVE AT THE MARJORY STONEMAN DOUGLAS EVERGLADES HABITAT; AND PROVIDING AN EFFECTIVE DATE.
- E. 14-714 AUTHORIZATION TO INSTALL FENCE AND HEDGE AS PART OF YARMOUTH DEFENSIVE MEASURES PROJECT.
- F. 14-735 AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF HIGH MAST LIGHTS ALONG THE SR7 CORRIDOR.
- G. 14-733 RESOLUTION NO. R2014-59 (INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO PROVIDE TRANSPORTATION (PARATRANSIT) SERVICES): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL

APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO PROVIDE TRANSPORTATION SERVICES FROM OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2015; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by Councilman Coates, seconded by Mayor Margolis, and unanimously passed (5-0) approving the Consent Agenda as presented.

7. PUBLIC HEARINGS

- A. 14-691 ORDINANCE NO. 2014-29 (COMMERCIAL VEHICLES APPROVING AMENDMENTS TO CHAPTER 62, VEHICLES APPROVING AMENDMENTS TO CHAPTER 62, ARTICLE I, SECTION 62-9 OF THE CODE OF ORDINANCES; ALLOWING LIMITED ADDITIONAL EXCEPTIONS TO THE PROHIBITIONS ON THE PARKING OF COMMERCIAL VEHICLES ON RESIDENTIAL PROPERTIES. AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 62, ARTICLE I, SECTIONS 62-9.c.(1)(ii) and 62-9.c.(2)(i) OF THE WELLINGTON CODE OF ORDINANCES PERMITTING OF ORDINNANCES PERMITTING EXCEPTIONS FOR COMMERCIAL VEHICLE PARKING ON MULTI-FAMILY RESIDENTIAL PROPERTY WITH CERTAIN LIMITATIONS; PROVIDING A CONFLICTS CLAUSE; PROVIDE FOR CODIFICATION; PRVODING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Basehart explained that this item proposed amendments to portions of Chapter 62 of the Village's Code of Ordinances relating to the prohibition of parking on residential property. He showed a map that showed in the last four years the number of commercial parking violations that were issued by the Code Enforcement Division within the Village noting that about 300 have been issued on an average per year. He said that almost all of the violations were within the urban area of the Village. Based on land area, Mr. Basehart said that the higher violations occurred in the areas referred to as the "transitional" neighborhoods. He said that about 37% of the violations are issued in those areas which represent 2% or 3% of the urban land area of the Village. He stated that the Village had been approached by some landlords in those areas who requested that some accommodations be made in the Code because presently it states that commercial vehicles can be parked in the rear or side yard as long as they are not visible from adjoining properties or the roadway. He said that those vehicles that are only commercial vehicles by virtue of signage, basically cars that are used for business, can be left in the driveway provided the signage is removed or covered when parked on the property. Mr. Basehart said the request was to amend the section of the Code for multifamily areas regarding parking of commercial vehicles so that landlords can improve their tenant base. He said the landlords feel that making an accommodation to allow these vehicles to be parked would allow them to have more reliable renters, would increase their property values and enable them to take better care of their property because they would have more regular income. Mr. Basehart further noted that staff was not proposing any change to the Code in the single family areas. He said that in those multifamily areas where there are no garages, the amendment would allow one commercial vehicle per unit with side and weight restrictions. He said that it would be limited to $\frac{3}{4}$ of a ton vehicle, height limit of eight feet, length limit of 20 feet, and the prohibition would be removed for signage in those areas which would not require them to remove their signs or cover them. He showed slides of vehicles which would not

meet the proposed requirements as well as slides of what would be permitted. He further noted that one of the requirements also was that an open display of equipment or supplies would not be allowed. Mr. Basehart stated that the amendments were presented to the Planning, Zoning & Adjustment Board (PZAB) the previous month where a public hearing was held. The Board recommended approval of the ordinance by a 4-2 vote with one amendment: amend the Code so that a commercial vehicle doing work at a home is not limited to a one hour stay which is currently in the Code.

Councilman Willhite thought the requirements that staff was providing would create a lot of work for a code officer to identify the truck limitation and other requirements. He believed it was problematic because they were putting in a more definitive line rather than a yes or no and the code officer has to be knowledgeable of everything in those areas.

Public Hearing

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

1. Mr. Bart Novack, 15670 Cedar Grove Lane, Wellington. Mr. Novack spoke in opposition to the ordinance. He did not believe it should be allowed because it would attract renters rather than owners.

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

Councilman Willhite said that the violations were 63% in the single family and 37% in the multifamily neighborhoods. He thought that would flip even more because there would be more code cases due to issues with the vehicles meeting the size and other requirements. Since the code officers would not be allowed on the property, he thought they would be making estimates regarding the size of the vehicles. Councilman Willhite reiterated that by including definitive numbers, they were putting in a gray area. He said he concurred with the Planning Board's amendment to change that a worker can remain on a property for more than one hour. He also did not believe that they could write something that allowed commercial vehicles for renters in multifamily neighborhoods, but not in single family rentals. Councilman Willhite also requested that staff create a different name for the transitional neighborhoods because he believed it did not set a good tone for what the Village was trying to accomplish by telling those residents that they are transitional. He thought that the Village can't control or regulate the type of tenant that landlords rent to. He felt the burden was on the landlord as to the type of tenant they rent to and for them to maintain their property as best as they can. He noted that he drove through some of the neighborhoods that day, and there are some areas where the Village has done a great job, but there is still work that needs to be done by the Village that could help the neighborhoods look better, i.e., sidewalks that need to be repaired. Councilman Willhite questioned why there weren't any code violations in the equestrian area for horse trailers or horse trucks which are commercial and have their company signage on them. He also pointed out that most Dooleys are over ¾ ton. Councilman Willhite thought that they had already done some separation in the neighborhoods by not citing the trucks in the equestrian area. He questioned how a code officer would cite a vehicle if it was backed into a property. Mr. Koch pointed out that all violations go to the property owner. Councilman Willhite asked if the property owner plays the middle man, and what happens if the violation goes to the Special Magistrate. In response, Ms. Cohen explained that the property owner is charged with the violation, and it is their responsibility to ensure that their tenants comply with the Village's codes. Councilman Willhite asked if the violation is not cured by the tenant, could they then start the eviction process which could potentially take six months. Ms. Cohen explained that was how the code enforcement mechanism works reiterating that it is the responsibility

of the property owner to ensure that the tenants comply with the Code. Councilman Willhite felt vehicle determination could become a problem because different code officers could have different interpretations with regard to light commercial. He pointed out that the trucks could be not only for small businesses, but commercial vehicles like Comcast and other ones of that type that are not allowed to be parked. He recommended the Village start a pilot program to find a location where these types of trucks can be parked noting that some of the parking lots already allow some commercial vehicles to be parked. Councilman Willhite said that the Village invested a lot into these neighborhoods, and he didn't know what impact lifting restrictions would have on them. He said that many people moved to Wellington because of some of the restrictions that other communities don't have, and that being different than other communities was not a bad thing. Councilman Willhite said that he was not hearing that this was overly needed or warranted, and although he believed work needed to be done in those neighborhoods, he did not believe this would benefit them.

Councilman Coates referred to the map showing the violations stating that he did not view it as a problem for only the multifamily neighborhoods. He said that there were almost no violations in the multifamily areas (designated purple in the slide) which he believed was because they were probably controlled by HOAs that don't permit commercial vehicles. He thought that it was only a few of the neighborhoods that the Village was trying to improve over the past several years that had the violations. Councilman Coates was of the opinion that it was bad policy for Council to embark on a policy separating the larger issues of the Village, i.e., single family versus multifamily. He appreciated the comments that the Village wants to encourage homeownerships, but he felt there would always be a substantial rental community in a community this size. He said that the rental communities serve as an engine that improves the value of the single family neighborhoods because many of those renters ultimately become homeowners. He said that he was not going to support this because although he personally did not have an issue with it, he thought that many people he represents have an issue with this type of policy. Councilman Coates saw this as purely an aesthetic issue, so he did not want to start a policy that said the Village was treating their multifamily neighborhoods like second class citizens compared to single family neighborhoods. He thanked staff for bringing this forward because he did recognize in looking at the violations on the map that there is a problem reiterating that he did not think was limited only to multifamily neighborhoods. He said that he suggested at the Agenda Review that there be some type of municipal parking area or arrangements with commercial areas that would allow the residents to live here and comply with the laws. He believed that would meet the need and solve the problem while not creating another problem by continuing blight in some of the neighborhoods if this change was allowed. Councilman Coates said that he supported the technical change that would allow vendors at a property doing work to be there for a prescribed period of time because he thought that one hour was an unreasonable number.

Councilwoman Gerwig asked if there was a legal standard to apply something different in multifamily compared to single family neighborhoods. Ms. Cohen said as part of Council's powers as a legislative body; they could determine that different codes should be applied among different neighborhoods. She did not believe that there was any legal impediment in doing that. Councilwoman Gerwig pointed out that multifamily does not designate that someone is either an owner or renter, so it had nothing to do with owners versus renters. She did not believe renting made someone a bad person as it is something that happens in life. She then referred to the slide with the vehicles that would not be allowed noting that she has seen worse cars than these vehicles in these neighborhoods that are acceptable. She said that she did not have one person in a multifamily neighborhood ask her not to make this change in their neighborhood, but that she was only hearing from single family homeowners. Councilwoman Gerwig appreciated that this was only a slight loosening of the rules which she did not view as a bad thing. She recalled that this was brought to Council three years ago, and that her comments then were exactly the same as one of the Planning Board members had that they did not want to do anything to this neighborhood that would make it less desirable. She said that

the same people who are saying they don't want people living here who have housing vouchers are the ones complaining about this. She said if they were not going to allow these landlords this slight change regarding commercial vehicle parking, then she didn't want people complaining that units are being rented to people who are not employed.

Councilwoman Gerwig asked Mr. Koch how he would determine that a hedge height was too tall. In response, Mr. Koch said most of the time it is based on the code officer's experience. He said if it is necessary, a code officer will actually measure a hedge. Councilwoman Gerwig asked if the code officer would also measure a vehicle. Mr. Koch said that they do have slight limitations on access to the property, so they would have difficulty going onto a property and measuring a vehicle. Councilwoman Gerwig asked if code officers could not go onto the parking lots to measure the vehicles. Mr. Koch explained that the right of entry is slightly different than the single family homes because they are open parking lots. He noted that they would have to stop at the sidewalk when it comes to measuring a vehicle on a single family property. Councilwoman Gerwig felt that the multifamily units were having a problem because it is somewhat of a semi-public parking lot which was why they were asking for a slight relaxation of the rules. She said she wanted to see a test pilot where a specific neighborhood is designated where these rules are allowed to see how it directly impacts that neighborhood.

With regard to the equestrian areas, Councilwoman Gerwig questioned why the Village was not concerned about commercial vehicles in that area. Mr. Koch believed the equestrian area was exempt from the parking code. Councilwoman Gerwig said that even if the code applied to them, those property owners have large acreage where they could screen those vehicles, but these are people, who only have two parking spaces, yet Wellington is asking them to be a part of the community, but you can't park here. Councilwoman Gerwig said that she supported the slight lessening of the rules under these conditions because she found it to be reasonable.

Vice Mayor Greene was not concerned about the vehicles in these neighborhoods, but rather that the Village was not enforcing their present rules and were now going to add an additional one. He questioned why if they were going to target those areas because of the commercial vehicles, they were not going after the same landlords for the lack of maintenance, i.e., roof needing repair, landscaping which he felt was what was lowering the value of the neighborhoods. He said that some of the single family homes are within the multifamily neighborhoods, and that it would have a negative impact on those homes if the Code was changed allowing the commercial vehicles in the multifamily side. He pointed out that there is a standard in Wellington that people expect when they live there. Vice Mayor Greene thought that the Village was trying to compensate for a problem that they can't seem to fix. He stated that there were ways where they could go after these landlords, but he would not support this ordinance. He felt that the Village has a strong toolbox which they were not using in terms of turning these neighborhoods around. Vice Mayor Greene was of the opinion that they would be doing a disservice to someone renting in these neighborhoods that rented there because those types of vehicles were not permitted, and now the Village was forcing them to live in a neighborhood that they did not buy into.

Mayor Margolis said that he has four of those types of vehicles in his neighborhood, and said he has to tell those people they can't park their commercial vehicles there, but would have to move into the multifamily neighborhood where it was allowed. He said the owners of the vehicles in his neighborhood cover the signage with a magnet, so they won't get code violations. He said that 37% of the code violations were coming from the rental areas, and questioned what he would tell those other people who question why the code was changed for those neighborhoods and not for theirs. Mayor Margolis believed that they could not separate the code in the two different areas. He said that he asked Mr. Schofield what other municipalities, like Royal Palm Beach, were doing to address this

problem. Mayor Margolis said that Mr. Schofield indicated to him that they don't allow it, and Royal Palm Beach has a special lot where those commercial vehicles can park. He said that he wants staff to do further research on what other municipalities are doing because he believed they were in the same position as Wellington. Mayor Margolis said that he had not heard this was a problem in the rental communities with the exception of one very passionate landlord. He thought when they start opening the door for one neighborhood that it will appear they are prejudice because they are saying it is okay in one neighborhood, but not in another. He said that he did not support the ordinance, but supported increasing the time for a worker to be at a property. He also supported finding a solution to this problem because he thought there was one, i.e., a piece of property that could be used for these vehicles to be parked.

A motion was made by Councilman Willhite, seconded by Councilman Coates, and passed (4-1) with Councilwoman Gerwig dissenting, denying the approval of Ordinance No. 2014-29 as presented.

Based on Council's discussion, Mr. Schofield understood the direction to staff to be that they will come back to Council with an ordinance amending the amount of time that commercial vehicles can be parked when they are actually doing work and that staff will look for some place where parking can be provided for those commercial vehicles either on public or private property.

8. REGULAR AGENDA

- A. 14-378 RESOLUTION NO. R2014-58 (EDWARD BYRNE MEMORIAL JUSTICE ASSISTANT GRANT (JAG) PROGRAM FY 2014 LOCAL SOLICITATION FUND ACCEPTANCE AND RELATED BUDGET AMENDMENT 2015-002): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ACCEPTING AND APPROVING THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) FUNDS AND RELATED BUDGET AMENDMENT #2015-002; AND PROVIDING AN EFFECTIVE DATE.**

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

Mr. Schofield said that this was a formula grant based on population. He explained the Village would be receiving \$10,427 and the money was programmed to be used for putting in additional security cameras at Scott's Place and the Amphitheater. He announced that the Village was required to provide the opportunity for the public to comment.

Mayor Margolis opened the floor to the public. There were no members of the public present who indicated they wanted to speak on this item.

A motion was made by Councilwoman Gerwig, seconded by Councilman Coates, and unanimously passed (5-0) approving Resolution No. R2014-58 as presented.

- B. 14-689 DIRECTION ON THE ACQUISITION OF THE WANDERERS EXECUTIVE GOLF COURSE LOCATED WITHIN THE PLATTED SUBDIVISIONS OF LAKEFIELD SOUTH 2A AND 2B.**

Mr. Schofield introduced the agenda item.

Mr. O'Dell stated that the property was located within the Landings P.U.D. more specifically within the Lakefield South property, was platted as a golf course, the zoning is commercial/recreation and is

located within Lakefield South 2A and 2B which consists of about 200 platted dwelling units. He further stated that there is about 28/29 acres of residential acreage, about 9-9.5 acres of roadway, 42/43 acres of canals and lakes owned by the Village of Wellington, and the golf course that makes up this particular area is about 66/67 acres. Mr. O'Dell showed a slide of the golf course that was presently in play which is part of the 18 hole professional course, the piece in the northwest corner is the practice putting area which is about 29 acres. He said that the Village had initially solicited three appraisals for this area: (1) Anderson & Carr; (2) Callaway & Price; and (3) Appraisal & Acquisition. He reminded Council that the last time this was discussed, there was an appraisal from Anderson & Carr that was out of line; however, the company called and wanted to revise their appraisal. As a result of that, Anderson & Carr provided a second appraisal with an appraised value of \$1.4 million which was about \$34,700/acres. He indicated that a fourth appraisal from SF Holdings was provided by the Wanderers Club. At this time, he said that his assumption was that the first appraisal from Anderson & Carr would be eliminated. Mr. O'Dell spoke of the Due Diligence the Village had conducted which included a Phase I Environmental audit which was followed up by a Phase II audit which they found as expected agrochemicals typically found in golf courses and agricultural activities. He said that they also looked at the property as a whole noting that the course has been out of play for approximately seven years. Mr. O'Dell said they found that the asphalt pathways are in need of some repair, the wooden decking and the handrails on the two golf cart bridges need to be replaced, the irrigation system has not been running, and would need to be serviced, the drainage system could not be fully evaluated, but it shows that it was working, and the existing restrooms would have to be renovated. With regard to Councilwoman Gerwig's question raised at the Agenda Review regarding the taxes, Mr. O'Dell said that for the 2014 year \$17,300 would be paid of which \$15,660 was Non-Ad Valorem (Acme) and \$1,638 is Ad Valorem.

Mayor Margolis said that he had asked at the Agenda Review for the dollar amount that it would cost to get the property operational. In response, Mr. O'Dell said that the number he had provided at the Agenda Review was about \$100,000. Mayor Margolis asked if that was for maintenance. Mr. O'Dell said they would also put in about \$5,000 or \$6,000 for asphalt repair, and would limit the expenditures to just securing the property at this point. Mayor Margolis asked if that included any repairs for the irrigation system. Mr. O'Dell indicated that they did not know whether they would need to make any repairs to the irrigation system at this point, but that it would have to be serviced. He said that the property has been maintained and mowed, and until they know exactly what the Village wanted to do with the property, he did not recommend spending any more money until the plan was in place. Mr. O'Dell said that the intention was that this property would be used as a passive park. He said that a passive park is described as a recreational area which would be undeveloped or green space, activities that would include jogging, bike riding, walking, horseback riding and the simple enjoyment of the green space which both children and adults can utilize and is a benefit to one's health and well-being. In addition, he noted that the Village's green space is approximately 472 acres of which 62 are small ¼ to 1 acre size lots all through the northern part of Wellington. He said that Peaceful Waters (32 acres), Section 24 (365 acres) and the Birkdale property (13 acres) make up about 410 acres of that. Mr. O'Dell pointed out that those properties have dual purposes that being water retention, water quality and for mitigation purposes and don't really serve as an open space although they have open trails or walking pathways. He said that there is only about 62 acres of open space for park land that is used throughout the Village compared to 254 acres of active park land. Mr. O'Dell said that these 38 acres affords the Village with the opportunity to create a passive park which combined with the Dog Park and the Volleyball Courts would expand the Village's passive use as an asset to the overall Wellington population as well as to Wellington's western portion. He further stated that the Village has the opportunity to purchase the property at a reasonable price and transition it into a park for park land, and in doing so; the property can be rezoned to park and conservation which will ensure that it remains that way in perpetuity. He noted that many of the Village's golf courses are in disrepair, so this is another parcel of land that could have the opportunity to become something else in the future which may or may not be favorable. Mr. O'Dell said that staff was looking for direction from Council to determine what they would like to see on the property and their desires for what it should be in the future.

Councilman Willhite said that there are some unknown things about this property, and believed that the residents of that area are also questioning what will be in their backyard. He said that what won't be there is a playable golf course. Councilman Willhite said that he sees that this area is being maintained and there is no blight which had been the case with the Binks Golf Course. He thought the unknown question was what to do with the property. He said that there were and still is some unknowns when the Village purchased K-Park which they paid \$8.5 million for 69 acres of property. Councilman Willhite felt that the unknown of this property was affecting the neighbors in the area, i.e., property sales and value. He felt if the Village owned the property, the owners could relate that to potential purchasers that it was intended to be a park and conservation area. Councilman Willhite said that there was discussion about splitting the property for different uses; however, he felt those decisions could be made at a later date. He said in considering the potential purchase of this property, while there are neighborhood parks in many other communities of the Village, other than some playground equipment at the Dog Park and the two volleyball courts, the Village did not offer any other park or amenity to the residents of Aero Club, Palm Beach Point, Lakefield West, South and North, Saddle Trail and Meadow Wood. He said he has seen people jogging and walking the trails on that property, and appreciated that the Wanderers Club has allowed the Village residents to utilize that area as a passive park which he envisions in the future. Councilman Willhite said that it did not matter to him who presently owned the property or what was happening in the Village, but what did matter was that the Village was looking at an amenity that has not been taken care of that they have the opportunity to purchase at a very good negotiated price. He asked Mr. Schofield if there was the possibility that someone else could purchase this property, rezone it and make it buildable in the future if the Village did not purchase it. Mr. Schofield responded affirmatively. Councilman Willhite said that there could potentially be a lot of things in that area if someone put in a great deal of effort to rezone it which concerned him. He said that Wellington was not in the business of taking golf courses out of disarray; however, he felt there were many benefits to purchasing this property. He said that there were questions whether this property was big enough, but he thought that many of the canals and lakes can be relocated and some of the landscaping can be changed. He said that if they purchased this property, he did not want the Lakefield North and South communities to be negatively impacted, and he wanted to ensure the residents that the most was being done to protect their properties. Councilman Willhite asked if they could move reclaim water and purchase it with the same money that they used to purchase K-Park. Mr. Schofield explained that if the Village sells K-Park most of that money is available for general fund purposes. He said his recommendation would be to put \$8.5 million back into utilities. Mr. Schofield said that the Village can't put reclaimed water into those areas because the Village already owns those lakes which are part of the conveyance and treatment system although it could be used for irrigation. Councilman Willhite said that they had land banked different areas in Wellington, so it was not uncommon for the Village to do that and then come up for a future use which is sometimes used by the Village or sold to private entities. He said that he has received requests from residents for areas where they can hold a Frisbee tournament, and although the residents bought with the idea that there would be a golf course in their backyard and not a park, what guarantee or benefit was there that there would be one there in the future. He said that the reason why the communities surrounding the proposed new tennis center were okay with a Village facility there was because they knew it would be maintained. Councilman Willhite reiterated that he was looking to purchase a large piece of property that could have use in the future, securing land values, and he did not see any negatives to purchasing it to what could potentially be gained. He felt that \$1 million for 38 acres of property was a good value for what some of the individual lots are selling for surrounding the area. He thought it would be a very good and viable expenditure for the future for a long-term gain.

Councilman Coates disclosed that he had an annual membership at the Wanderers Club and wanted to ensure that did not create an issue where he would have to recuse himself. In response, Ms. Cohen said that she did not believe the membership would require him to recuse himself because he was similarly situation as the other members.

Councilman Coates said that when asked what defines Wellington, most people will say it is their parks and recreation which was why he was attracted to this proposal. He believed this property provides Wellington with the opportunity to add a nice signature park in this area of the community. He said he would add Paddock Park to the list of communities outlined by Councilman Willhite that this park would serve. He believed that this park would address the Village's open space park needs for a tremendous segment of the community both in terms of the geographic space as well as the population in the area. He said that although he does support this, he did have some reservations that he wanted staff to address: (1) price and (2) use of the space. He said that there was some discussion for the east side to become an equestrian park which he was opposed to. He felt that by doing that, the Village would inject a use that was foreign to those people, and just as the Village tries not to over urbanize the equestrian area, they also should not be injecting equestrian uses into areas that are truly residential that don't have the expectation that there are horses in their backyard. Councilman Coates said that his support for purchasing this property would be driven by the expectation that the entire area would remain open space/passive park. He then asked for clarification between passive and active parks. Mr. O'Dell explained that if a park had any type of court or field that had or could have active play or had any kind of programming on it, those were classified as active parks. He said that he checked with the Village's Parks & Recreation Department and that coincided with their definition. Mr. O'Dell further explained that if it has benches or some playground equipment, it was classified as passive use. Mr. Schofield addressed the Village's park on Goldenrod which is a small piece of property, is lighted with a half basketball ball and a tot lot, and indicated that would be an active park because it is principally active; however, if you go to the other side of the canal into Azurre Park, it has a half court, but it is principally a passive park. He explained that active parks tend to be ones where there are group activities and some type of organization or their uses are highly intensive. Councilman Coates thought that the configuration of the property presented a great opportunity for a lengthy jogging and exercise trail, and asked if that would still be considered passive. Mr. O'Dell responded affirmatively.

With regard to the appraisals, Councilman Coates believed that they should dismiss the \$3.485 million one because it listed the highest and best use as developed with commercial and recreation use and/or residential development. He said that he did not know how much residential development figured into their numbers because he did not view this property as being amenable to that type of use. He asked Mr. O'Dell if he was calculating this by taking the mid-point between the \$700,000 and the \$1.4 million. Mr. O'Dell explained how he arrived at his calculation. He said that if they throw the high and low numbers out, they would come up with a number around the \$27,000/acre number. He indicated that if they looked at the appraisals and averaged them out, they would come close to \$46,000/acre, but if they look at the appraisals only looking at it from the park perspective which was the 2nd Anderson & Carr appraisal, the Callaway & Price and the SF Holdings appraisals, they were at about \$31,500/acre. He said if they averaged the high and low together, he ended up with \$29,000/acre. Mr. O'Dell said that they have an offer from the Wanderers Club using their appraisal which is at \$28,311/acre. Councilman Coates asked if the Wanderers offer was at \$1,274,000. Mr. O'Dell responded affirmatively explaining that included about one acre of the Village's lake area. He said the Wanderers Club wanted to have about 2.5 acres at the north end where the putting and practice green area would be as they have some future plans for their club facilities and want to have the ability to expand about one acre of that area. He said that would be a swap of approximately one acre of actual lake area. Councilman Coates asked if the staff was recommending a purchase price of \$1,071,575, and asked Mr. O'Dell how staff arrived at that number. Mr. O'Dell explained that they took the \$28,311/ac multiplied by the 38.85 acres and then subtracted one acre of lake area at \$28,311 which equated to \$1,071,575. Councilman Coates asked what price per acre staff was using in their purchase price of \$1,071,575. Mr. O'Dell said that he used the \$28,311 price per acre. Councilman Coates said that staff was using the price per acre on the appraisal done by the Wanderers Club, and not the \$700,000 price that Callaway & Price had indicated. Mr. O'Dell indicated that was correct. Councilman Coates thought that staff's recommended purchase price was too high. He did not think it was a proper negotiating technique when you start out with immediately agreeing to the seller's number, and thought the Village needed to go back and present a counteroffer that was

closer to the Callaway & Price number. Councilman Coates said that he did not have a problem giving staff some room to negotiate, but reiterated that he had a problem agreeing to the top end number. He said that although the property could serve a need in the Village, it really was not needed, so that proved to him it could be negotiated.

Councilwoman Gerwig said that Council's discussion at the Agenda Review centered on looking at all of the Village's park needs, and that there are some deficiencies. Although she did not feel they should discontinue these discussions, she thought that aside from this, the Village needed to have a park master plan. She said they were talking about selling K-Park, and if the Village needs multipurpose fields and square spaces, it didn't make sense to her if they were going to turn around and sell space the Village already owns. Councilwoman Gerwig believed that the Village should have first looked at what was needed, what was owned, and then look at purchasing property although she thought that purchasing this property was an opportunity the Village has now. She asked staff who else they believed was looking to purchase this property. Mr. O'Dell said he assumed they would be developers. Councilwoman Gerwig thought Mr. O'Dell's thinking was that those developers would want to do something intense which they were trying to prevent. Mr. O'Dell responded affirmatively. Councilwoman Gerwig said that at this point the property was zoned commercial/recreation which is golf course use which doesn't really allow anything else to be put on this property. Mr. Schofield said that the property is zoned P.U.D., but its underlying land use is commercial recreation. He said that because the P.U.D. predates the adoption of the State's Comprehensive Planning laws and the Village's Comprehensive Plan, any rights that they would have had under the 1978 P.U.D. continue to remain in effect. Councilwoman Gerwig asked what the rights would be under that P.U.D. Mr. Schofield said that the Landings at Wellington P.U.D.'s development rights are at 2 units/per acre, but they are developed at slightly less density than the balance of the Village, and they could come back for that. He said that this was a golf course and it was shown as a golf course in that original PUD, so there is some flexibility in terms of dealing with it in terms of a zoning perspective.

Councilman Coates asked if it was correct that Council would have to approve changing it from a golf course. Mr. Schofield said that was correct noting it would require no fewer than three public hearings before Council and one in front of the Planning, Zoning & Adjustment Board.

Mayor Margolis asked if it was correct that the people who purchased the property bought on the golf course. Mr. Schofield said that was correct noting that the golf course was shown as being a part of what they assumed they were buying similar to the air strips in the Aero Club; however, he was not aware if any of those lots were labeled specifically as golf course lots as some of the lots in Greenview Cove. Mayor Margolis said the property was not deed restricted. Mr. Schofield said that the only golf course that was deed restricted was Binks Forest.

Councilwoman Gerwig said the residents are expecting something other than a park at their back door, and Council has discussed taking measures to provide those people with a level of security. She questioned how much it would cost to provide that security, and wanted a better number on how much it would cost to bring the property into a usable security level for the residents. Although she felt it was a good idea to purchase this property, she concurred with Councilman Coates that the Village should come in at the \$700,000 price. She felt it was not a very marketable property and that people were not lined up to purchase and rezone it. Councilwoman Gerwig's opinion was that the Village should try and get the best deal possible for the residents. She said they also have to take into account the \$17,000 they would be losing in taxes.

Councilwoman Gerwig said that unlike Councilman Coates, she did not have a problem with the land being used for a passive/equestrian riding area. She said that the residents were used to that as they live next to Saddle Trail and there are horse exhibitions on the north side of the Wanderers Club. Councilwoman Gerwig pointed out that there is no public horse element because it is all privately owned/used, and that a public riding area presented a huge value to the community. She noted that the trail system in Wellington is more like transportation trails, and not pleasure riding trails.

Vice Mayor Greene asked if the money that was gifted to the Village by Mr. Adams after the purchase of the Lake Wellington Professional Center was put into the Village's General Fund. In response, Mr. Schofield said that it is in the General Fund, and advised Council that the money is available if they decided to purchase this property without going into the Village's Operating Reserves. Vice Mayor Greene said that he had unsuccessfully tried to coordinate a dual transaction at the time of that purchase and use those funds although they were not earmarked for this purchase. He said that part of the hope of that gift was that it would be used for a public purpose. He believed this acquisition had many options although he did not believe they would come to a consensus at this point as to its actual use. He said the people charged with lining up potential buyers have been adamant that the Village have the first opportunity to purchase the property. He said that their intention is to maintain it as open green space, providing value to the community, maintaining the value of the surrounding homes and being conscious of the conservation aspects, and he thanked them for those efforts. Vice Mayor Greene said that Council has seen that developers can successfully lobby for zoning and land use changes and do things in areas that should be protected. He believed that just because the property doesn't have the correct zoning for a developer to change the zoning, replat it and build, the potential for that exists. Vice Mayor Greene felt the Village needed to acquire this land, and that it would not be smart for the Village to pass up this opportunity to purchase it. He supported staff moving forward and trying to negotiate a price. He thought they would be in a better position at a future date to develop the use for the land. Vice Mayor Greene was of the opinion that the \$1 million gift that was given to the Village last year would serve the Village well if it was used to acquire the land.

Councilwoman Gerwig believed Mr. Adams had requested that the gift be used for a purpose like an equestrian element. Vice Mayor Greene said that the point he was trying to make was that the gift was not specifically earmarked for the purchase of this property, but he thought this was in line with protecting what Mr. Adams hoped the funds would be used for.

Councilwoman Gerwig said that residents have told her that there is a perception that the timing of this was difficult because of the trial. She said that the Village did not want anyone to think this had anything to do with that because this has been in the works for several years. Mr. Schofield said that the original iteration of that drawing dated back to 2010. Vice Mayor Greene believed that these were two separate incidents and they were not related at all. He said that the Village will be mindful of what is best for the community, and that the public forum is the avenue for residents to come and express their concerns.

Mayor Margolis said that he came to the Village known as the "Parks & Rec Guy." He said that K-Park was a different scenario than this is because they used utility funds to pay for the purchase of that property. He said that at the time K-Park was purchased, the Village was in violation of its Charter because it did not have enough open space per number of residents. Mr. Schofield clarified that the Village was coming very close to that violation. Mayor Margolis said that the Village now has a tremendous amount of acreage from Section 24, so K-Park which was supposed to be the signature park could be land banked, and they were now making a decision on that land. He further stated that he had not received an answer regarding how much it would cost to get this property to function as a passive park because it was unknown if a new irrigation system was needed. He said that with Binks Forest, the irrigation system did not work and it came at a high cost to fix it. He said that there would be a cost to bringing this property up to operate as a passive park. Mayor Margolis believed there is a need for a park in this area, and as he had stated at the Agenda Review Meeting, the Village owns 14 acres near the Dog Park which is being used as a nursery, but could be used as a park. His thought was they could take the money that is being spent on this and fix that property since the Village already owns it. He said that as far as the equestrian community, it was his understanding that if trails were put in the 14 acre park; they would filter into the main bridle trail that could be used to hack to the showgrounds. Mayor Margolis said that many years ago, there was a discussion with people from the Wanderers Club to trade this piece of property with the 14 acres. He reiterated that although they needed a park, they could use the land they already have. As far as land banking, Mayor Margolis

indicated the Village has done a great job in doing that over the years. He then asked Mr. Schofield if a number of the land that the Village has banked was given by developers who could either pay a monetary payment or give land. He thought that the land that is going to be used as the new tennis site was given to the Village by Minto. Mr. Schofield said that was correct explaining that with the exception of Village Park and the Boys and Girls Club Park most of the rest of the Village's parks were extracted as part of the land development process. He explained that in order for the builders to get their densities; they were required to provide civic sites noting that the tennis site is one of those areas. Mayor Margolis asked if the property on Lake Worth Road that is now owned by a religious organization was a land bank site or did the Village pay for it. Mr. Schofield said that site was extracted as part of the development order for civic uses. Mayor Margolis reiterated that a number of the acres owned by the Village were given to them.

Mayor Margolis said that he could not wrap his hands around the use of the property. He said that he understands the difference between active and passive parks, but he did not want them to say they could use it if they moved some lakes which he felt was cost prohibitive particularly if there is a park across the street that they can use. He also questioned where the parking would go for this property. Mr. O'Dell explained that they could use the existing Dog Park facility, but the passive uses would come from people walking, jogging or riding their bicycles there. Mayor Margolis noted that the proposed parking for this property would be next to the 14 acres being used as a nursery that could be used as a park. Mr. O'Dell added that if parking became an issue, a small parking lot could be provided on the property. Mayor Margolis said if that was done, then it would cut into some of the acreage that would be used for a passive park. Mr. O'Dell said that was correct indicating that they would have to do some work in order to do that.

Mayor Margolis thought this was a great idea when he first saw this a number of months ago because there is a need for a passive park. He said that he had concern when the appraisals came in and he saw the disparity in them. Mayor Margolis referred to the Callaway & Price appraisal of \$700,000 noting that they were calling it what it is, a recreational park while the other appraisals were listing things that were not going to be there, i.e., religious sites, private schools, residential, ACLF nursing homes. He indicated that in addition to the purchase price, they needed to consider the anticipated cost of \$100,000 for maintenance. He noted that when they were looking to build a park at K-Park, they could not afford to maintain it at that time because of the economy. Mayor Margolis was concerned that the most expensive piece of property to purchase was the one they can't use. He said that he was inclined that if the Council wished to purchase that property that they don't land bank it, but that they build something on it. He said that he also did not want the Village's Reserves reduced to build something. Mayor Margolis said that he would not support anything other than the Callaway & Price appraisal price because he believed that was what it was worth. He said that it was his understanding that this property was part of the entire deal when the Wanderers originally purchased the property; however, it was never utilized after that. Regarding the argument that if the Village doesn't purchase it that developers will, he was comfortable that if that should occur, either this Council or future Councils would make decisions that are in the best interest of the residents. He believed that a park is needed there, but that the Village already owns acreage in that area. However, if this Council wanted to purchase it, he asked that staff go back and negotiate a price that was closer to the Callaway & Price appraisal.

Councilman Willhite noted the concern he had when he looked at the appraisals and saw the differences in them. He said the first appraisal from Anderson & Carr was out of line, but when they clarified for them what their plans were, they came back with a more realistic number that was in line with the appraisal from SF Holdings. He said that, as they have questioned low bids received with RFPs, he questions the low appraisal from Callaway & Price. He was sure that Callaway & Price did their due diligence, but it seemed unrealistic compared to the other appraisals. Councilman Willhite didn't know if this was the best negotiated price, but if staff was only looking for direction regarding the acquisition of the property, he was saying yes. Councilman Willhite said if staff was saying this was the only price, then that would be another discussion although he wasn't sure that was what he was

hearing. He thought that not being able to afford maintenance for K-Park was different because there would probably be 15 multipurpose fields, bathrooms, etc. that would go along with a signature park versus a passive park. He reiterated from his earlier comments that the neighboring communities are presently utilizing that property as a passive park walking, biking, etc. He said that he could advocate for such a park in this area because bicycles are heavily utilized in this area yet there are no bike lanes there. Councilman Willhite did not think it was realistic at this point to declare exactly what the park would be used for, but what they can decide is that something will happen there. He said that he would prefer to have the residents know that the Village was looking out for their interest rather than someone else. He believed that eventually this area will be developed into something, and he felt the Village was in the best position to make that decision. Councilman Willhite said that there was a lot of industry in the Village for equestrians, and that it would be in the Village's best interest to invoke themselves into that. He said that they were worried not only about the properties being directly affected by this, but the properties surrounding it as well. He questioned whether the irrigation in this area needed to be fixed because it is being mowed and the grass is green. Councilman Willhite thought there needed to be some work done to some trails to make them safer and it will be utilized for what it is being used for now, i.e., walking and exercise. Councilman Willhite said if this wasn't the best and final purchase price, then Council was saying to go back and negotiate their best and final price and come back with it.

Mayor Margolis said that no one was wrong on Council as they were all looking out for what was best for Wellington. He said that he did not see anyone from the surrounding areas in the audience nor had he received any emails requesting the Village purchase the property, and his thinking was perhaps they did not know what was happening. Mayor Margolis said if that was the case and if Council decides to proceed with future negotiations, he wanted to get feedback from some of the advisory boards, i.e., Parks & Recreation Advisory Board. Councilman Willhite voiced his opinion that this should go to the boards after the property is purchased. Mayor Margolis explained that he would be looking for their opinions on something he might be missing that could be outside the box.

Councilman Coates said that he was absolutely opposed to this if the concept was that it was going to be a land bank because he did not think it was appropriate. On the other hand, he would have a different view if they know what the use will be. He stated that he believed it would be a nice park area, but he would not support it at all unless it was locked in to be a passive park. He did not want there to be any uncertainty for the residents or the Council. He believed that the original intention for K-Park was as a signature park; however, that changed over time. He reiterated that he wanted to remove the uncertainty for this property if they were going to purchase it.

Councilman Willhite thought perhaps an area that was big enough could be used for a pick-up game on the weekend. Councilman Coates supported that saying that it reminded him of some of the passive parks in Chicago. He thought it was fine if there was a backstop where someone could go pitch with their son or daughter, but he understood that would still be considered passive.

Councilman Coates expressed concern about the price. He did not believe any developer who knew Wellington would be willing to risk investment dollars to purchase the property with the intent to rezone it and build homes. He said there may be people looking to purchase it, but their intention should be to keep it as a golf course because he could not imagine anything else besides a golf course or a park being approved by Council or the public. Councilman Coates believed that the room was not full with people expressing their concerns because they have confidence that the Council will do the right thing in terms of protecting their neighborhood. He indicated that he did not believe this was a very marketable property and that the Village had leverage in negotiating the price and they can't accept their highest offer. Councilman Coates said that while he supported this, he concurred with Mayor Margolis supporting the lower end because he believed that was where the real value of the property is. Councilman Coates reiterated his opposition to the equestrian use. Although he did not disagree with having a municipal horse park, he felt it should be in the EOZD where property has been set aside for horse-related activities. He said that Council is often criticized that they spend too

much time on equestrian issues and not enough time discussing the interests of 95% of the rest of the Village who are non-equestrians. He said that he supported doing this for the non-equestrians because it will serve those communities that are adjacent to the property and to the north. Councilwoman Gerwig noted that this property bordered the EOZD. Councilman Coates said that this property was not in the EOZD noting that there is a very strict line in terms of protecting the EOZD and he felt that the same protection should be applied to those communities outside of that area. To Councilman Coates' point, Mayor Margolis pointed out that the people in Polo West bought their homes on a golf course, and then one day there were horses in their backyard. He wondered what they would say if they were surveyed. Councilwoman Gerwig thought they could bring a portion of the property into the EOZD. Councilman Coates said that the Village is big on equestrians which they should be; however, he thought they would be wrong to assume that the 95% of the rest of the Village embrace everything that is equestrian. He said this was being presented as an open-space to provide an open space passive park area to the residents, and he felt if they injected the equestrian element it would take away from the open space park they would be providing to the residents in this area.

Vice Mayor Greene said that he supported not designating this property as a land bank, but he did not believe they would come to a consensus at this time as to the exact use. He did think there might be some type of multi-use and that there could be an equestrian trail as part of that element. He said that he has talked about Wellington not having a municipal horse park, but he was not advocating for that, Vice Mayor Greene thought that Council has provided direction to staff for almost a year about negotiating with the Wanderers Club, and he asked Mr. O'Dell if the number he was presenting was the best and final number, and what was the status of the negotiations. Mr. O'Dell said that this was brought to Council because staff was seeking some direction to determine if they wanted to proceed with this purchase. He said the number he presented was based on the appraisals and the logic he had previously presented as to how they determined the price per acreage. He indicated that he was hearing that Council wanted him to negotiate it closer to the \$700,000 appraisal, but he was not sure whether or not they will get to that number since their conversation thus far was that the seller was looking for the million dollar number that was on the table. Vice Mayor Greene asked again if this was the best and final number. Mr. Schofield said that they are now at \$1,070,000+. Mr. O'Dell added the original number was \$1,274,000. Vice Mayor Greene said he would support going back to see if this is the best and final price. He said if this is the best and final, then he viewed it as only costing the Village \$71,500 because they already have the \$1 million gift from Ken Adams as part of the previous acquisition that was intended to be used for public purpose which he believes this purchase serves. He felt that the Village would never have a better investment than this property. Councilwoman Gerwig noted that Mr. Adams was geared toward the equestrian use. Vice Mayor Greene said Mr. Adams has a strong passion for the equestrian element.

Public Comments

1. Wade Byrd, Wellington Commercial Center, Wellington. Mr. Byrd, Attorney for the Wanderers Club, did not speak but his card indicated he was available to address any questions.
2. Robin Hummel-Johnson, 14596 Belmont Trace, Wellington. Ms. Hummel-Johnson spoke in support of the Village's purchase of the property. Her opinion was that it should be used as a passive park including trails for biking, walking and horse riding. She did not feel this property was suited for organized ballfields. She also asked Council to consider including the equestrian trails because she felt it would make them safer because of where they would be located.
3. Linda Elie, 2040 Galloway Trail, Wellington. Ms. Elie spoke in support of the Village's purchase of the property. She supported including equestrian trails noting that the equestrian use did not have to be an organized ring. She indicated the amount of usage for the trails on Greenbriar and the canal running on the west side of Saddle Trail Park pointing out that those areas are torn up by the end of the season, so this would provide another area for riding.
4. Bart Novack, 15670 Cedar Grove Lane, Wellington. Mr. Novack spoke in opposition to the Village's purchase of the property. He felt that they were neglecting the other 60,000 people living in the Village who did not know what was going on. He felt the Village should take steps to inform

the residents of this. Mr. Novack was of the opinion that the Village has done a lot for the equestrians, but questioned what was being done for the rest of the Village. He stated that the Council needed to follow what the people need rather than what the Council wants. Mr. Novack thought the Village had enough park land and needed property to disperse the water.

5. Bobby Munden, 14551 Halter Road. Mr. Munden posed several questions to the Council regarding the perimeter of the property and the acreage of the lakes. He then raised the following issues for the Council to consider: whether there was a demand for a park in that area, the appraisal as a golf course was accurate and current price was too high, the one acre the Village is giving back is the most desirable and should not it be the same price as less desirable acres, and they should consider using the property as a putting green and paying maintenance to the Club.

Mr. Schofield recommended the following motion based on Council's discussion: (1) resume negotiations with the property owner to come up with final and best price as \$28,311 is too high. (2) bring back information including: (i) develop the cost to restore the property to a usable condition in its current configuration; (ii) estimate annual maintenance costs for "as is where is" condition; (iii) evaluate the potential uses for the property within the context of the existing parks system; (iv) present it to the appropriate boards and committees and (v) develop a passive park master plan that can be implemented in stages beginning in the fiscal year 2016 budget without impacting Village Reserves.

Mayor Margolis asked if they could add to the recommended motion to provide an estimate to move lake(s) because there had been some discussions about moving some property around. Mr. Schofield indicated that would be included in the planning directive. He indicated he would bring this back at the 2nd meeting in November.

Ms. Cohen asked if there had been any discussion of a closing date if Council approves the purchase. Mr. Schofield said staff would prepare the purchase and sale contract and at that point, Council could then execute it or not, and they could proceed straight to closing. Ms. Cohen asked if Mr. Schofield was anticipating closing prior to the end of the year. Mr. Schofield responded affirmatively. Vice Mayor Greene did not think there was a sense of urgency to close by the end of the year noting that with the Professional Center it was a tax consequence. Mr. Schofield thought that the Wanderers Club had the same issue.

A motion was made by Councilman Coates directing staff to: 1) resume negotiations with the property owner to come up with final and best price as \$28,311 is too high. (2) bring back information including: (i) develop the cost to restore the property to a usable condition in its current configuration; (ii) estimate annual maintenance costs for "as is where is" condition; (iii) evaluate the potential uses for the property within the context of the existing parks system; (iv) present it to the appropriate boards and committees and (v) develop a passive park master plan that can be implemented in stages beginning in the fiscal year 2016 budget without impacting Village Reserves.

Vice Mayor Greene wanted it to be time certain and that they have a best and final number back by the end of November.

Councilman Coates said that he was fine adding that to his motion. At this point, Councilman Willhite seconded the motion.

The amended motion was voted on and was unanimously passed (5-0).

9. PUBLIC FORUM

There were no public comments.

10. ATTORNEY'S REPORT

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

- The Charter Review Task Force meeting was changed from Wednesday, October 15th to Thursday, October 30th at 4:00 p.m. because several members had a conflict.

Councilman Willhite thought that there was the potential that any recommendation that the Task Force discussed that did not have conflicting ideas would be brought to Council for discussion rather waiting until the end of their work. In response, Ms. Cohen said that the Task Force did not feel that piecemealing their recommendations was appropriate because as they made additional changes it might affect earlier discussions and changes. She said that their intent was to give Council all of their recommended revisions at one time. Councilman Coates felt that multiple meetings would need to be scheduled to discuss their recommendations.

11. MANAGER'S REPORT & UPDATES

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

- The next Regular Council meeting was scheduled for Tuesday, October 28, 2014 at 7:00 p.m. in the Council Chambers.
- Council will hold a Workshop on Wednesday, October 15th at 1:00 p.m. to discuss Safe Neighborhoods and Community Services.
- The Wellington Green Market returns on Saturday, October 18th.
- Wellington's Fall Festival will take place on Saturday, October 18th at Village Park beginning at 6:00 p.m.
- The Annual Horse Country 10 Miler and Sebastian's 5K Walk/Run will take place on Sunday, October 19th beginning and ending at Tiger Shark Cove.
- He announced that both he and Mr. Barnes would be out of town on Thursday, and Mr. Riebe would be acting in his stead.

12. COUNCIL REPORTS

COUNCILWOMAN GERWIG: Councilwoman Gerwig presented the following report:

- Councilwoman Gerwig presented the following report:
- She encouraged everyone to get their Flu Shot.
- She announced that she was participating with other Village staff in the "Making Strides for Breast Cancer" walk on Saturday, October 18, 2014.
- She would be participating in "Read Across America" next Tuesday at 5:00 p.m. and would be reading "Bunny Cakes" at Scott's Place; she invited everyone to attend. She announced that stuffed bunnies will be given out to the first 36 attendees, and then after that plastic bunnies will be distributed. She stated that this was the Village's participation in the Literacy Coalition project.

VICE MAYOR GREENE: No Report

COUNCILMAN WILLHITE: Councilman Willhite presented the following report:

- He wanted there to be more discussion on the hedge/fence issue. Mr. Schofield explained that when staff went through and looked at the major thoroughfares, there were 191 cases identified. They are sending out the next set of 30 notices which would put them at 90 violations. He said that the intention was to work through the 191 cases. Mr. Schofield said that Council did need to make some decisions on hedge height and things like that. He asked Councilman Willhite if there was a timeframe he wanted to see that come back noting that staff was ready to come back at any point. Councilman Willhite said that he wanted to see it brought back no later than November.

- Councilman Willhite wanted staff to create a new name for the "transitional" neighborhoods.
- He met the previous week with the Executive Director of the MPO who was looking at potential grant funding where \$17 million in 2020 would be allocated for local projects within communities. Councilman Willhite said that he was interested in some enhancements for the Village's bicycle lanes, and hoped to at least apply to bring outside funds into Wellington to help the residents. He said that he has asked Mr. Schofield to start looking at where they could do some projects.
- Councilman Willhite noted that male breast cancer is on the rise, and voiced his appreciation that recognition is now being given that it is not only a female disease.
- He then referenced the golf carts at Binks Forest that were shown in the Weekly Issues Report. Although many people do not like them, he felt that sometimes it is easier utilizing a golf cart to get around noting the use by equestrians in the equestrian area. He said that the Village has spent an enormous amount of money getting the cars not to park on the swales, i.e., Wellington Elementary, and thought they needed to recognize the use of golf carts. Councilman Willhite said that he would continue to advocate for their use whether it includes license, registration and the like because the Village should recognize them and allow people to use multiple forms of transportation.

COUNCILMAN COATES: Councilman Coates presented the following report:

- He concurred with Councilman Willhite that the Village needed to come up with a better name than "transitional neighborhoods". He felt that they should just be called by the name of their neighborhoods. He thought that not labeling those neighborhoods would help to improve them.
- Councilman Coates stated that senior housing has been something that has been discussed; however, nothing substantive has ever been presented to Council as to what type of senior project is a viable project for the Village to support that meets the needs of allowing the Village's seniors to continue to reside in the community. He thought it could be controversial, but one of the areas he wanted to look at was the 10 acres by the Mall. He wanted that property included in the discussion of any evaluation that staff may have in terms of presenting viable options for senior housing. Councilman Coates asked Mr. Schofield to commit resources so that staff can focus on this issue and provide their opinion as to the best approach.
- Regarding commercial parking, Councilman Coates wanted staff to bring it back as quickly as possible because he believed there is a problem in the community in terms of the needs of the people that need a place to park their vehicle.

With regard to senior housing, Councilman Willhite noted that he and Mayor Margolis had previously voted against the EAR being transmitted to Tallahassee until some language was included that the Village should look for some aspect of senior housing. He said that they talk about doing something regarding senior housing, but no viable options ever come forward. He felt that they should seriously begin to look at it.

Mayor Margolis said that they have been talking about senior housing for a long time. He said that when the Village did the survey, the issue came back that people did not want that. He said that the move now was for seniors to age in place, and he wanted to get some feedback from some of their seniors about that. In addition to considering a location for a senior retirement community, he also wanted Council to expand their discussions to include initiatives that would allow seniors to stay in their homes because many do not want to move into a senior community. He concurred that Council needs to discuss the senior housing situation and look to see what their seniors really want.

MAYOR MARGOLIS: Mayor Margolis presented the following report:

- He thanked Vice Mayor Greene and everyone for their participation in the groundbreaking for the tennis facility as he was out of town and could not attend.

- With regard to the golf carts, he asked if they were allowed in the EOZD.

Mr. Schofield said that Council has had the golf cart discussion a number of times most recently during the Visioning Workshop. He said that the direction from Council was that they comply with the State statute which says that golf carts are not allowed on public roads or pathways unless specific engineering studies are done to allow for them which have not been done by the Village. Mr. Schofield said that what they have been seeing and what he believed they will transition to is something that is permitted under the State statute which is low speed vehicles and mini trucks. He noted that those vehicles can be operated on any road with a posted speed limit of 35 mph or less unless the Village enforces an ordinance prohibiting them. They must be driven by a licensed driver who is 16 years old or older. He further explained that most golf carts can be readily converted to a low speed vehicle which requires headlights, tail lights, blinkers, seat belts, horns and they have to be registered with the State. Councilman Willhite thought that it would mean crossing any roadway. Mr. Schofield said that they can cross roadways at designated crossings. He said that most of them are associated with golf carts while others are associated with equestrian pathways. He said they can't be used on a sidewalk, but can be used on other pathways. Councilman Willhite thought that staff was given direction to begin moving forward with something. Mr. Schofield said that staff was given direction to look at a pathway system. He said that Council will be seeing the proposal go out and get the multiuse pathway system done in the urban part of the Village which will provide for connectivity between the schools and the major events. He said that they are looking for expanding pathways along Greenview Shores, Big Blue Trace and doing things that make those pathways accessible for golf carts and other such vehicles. Mr. Schofield said that he would have Mr. O'Dell put together an Administrative Transmittal within the next day or so on the status of that.

With regard to the picture of the golf carts presented in the Weekly issues, Councilman Willhite pointed out that the golf carts were not parked on the pathway or blocking anyone and were parked on the swales and grass. Mayor Margolis said he had been told that the issue with the golf carts was it was a safety issue because some kids walking to school were almost hit by those golf carts traveling on the sidewalk.

13. ADJOURNMENT

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

Approved:

Bob Margolis, Mayor

Awilda Rodriguez, Clerk