

MINUTES

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

**Tuesday, September 23, 2014
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, September 23, 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** – Deacon Al Payne, St. Therese de Lisieux Catholic Church, Wellington, delivered the Invocation.
4. **APPROVAL OF AGENDA**

Mr. Schofield presented the agenda recommending approval noting the following change(s): 1) move Consent Item 6B - Resolution No. R2014-53 (Valiente Polo Plat) from the Consent Agenda since Councilman Coates had to recuse himself on that item. He noted that there were people in attendance for that item who did not anticipate it was to be heard, and asked Council if they could hear it immediately after the Consent Agenda.

A motion was made by Councilman Coates, seconded by Vice Mayor Greene, and unanimously passed (5-0), approving the Agenda as amended.

5. **PRESENTATIONS AND PROCLAMATIONS** – There were no Presentations or Proclamations.
6. **CONSENT AGENDA**

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| A. | 14-708 | MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF
AUGUST 12, 2014 |
| B. | 14-593 | RESOLUTION NO. R2014-53 (VALIENTE POLO PLAT): A RESOLUTION
OF WELLINGTON, FLORIDA'S COUNCIL, ACCEPTING AND APPROVING
THE VALIENTE POLO PLAT FOR A 139.434 ACRE PARCEL LYING IN
SECTION 34, TOWNSHIP 44 SOUTH, RANGE 41 EAST, VILLAGE OF
WELLINGTON, PALM BEACH COUNTY, FLORIDA, BEING A REPLAT OF |

~~LOTS 6 THROUGH 16 OF BLOCK A, LOTS 1 THROUGH 8 AND LOTS 16 THROUGH 25 OF BLOCK D, THE WEST 60 FEET OF TRACT A AND A PORTION OF THE WEST 60 FEET OF TRACT B, WELLINGTON PRESERVE, AS RECORDED IN PLAT BOOK 100, PAGES 180 THROUGH 186 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 34, TOWNSHIP 44 SOUTH, RANGE 41 EAST.~~ (This item was heard after the approval of the Consent Agenda).

- C. 14-410 AUTHORIZATION TO RENEW AN EXISTING CONTRACT FOR ANNUAL LAB ANALYSES
- D. 14-440 AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR WATER AND WASTEWATER ENGINEERING AND WATER DISTRIBUTION, WASTEWATER COLLECTION AND PAVING, GRADING AND DRAINAGE ENGINEERING
- E. 14-581 AUTHORIZATION TO AWARD A CONTRACT FOR PROPANE BI-FUEL CONVERSION SYSTEMS
- F. 14-583 AUTHORIZATION TO AWARD A CONTRACT FOR THE WATER TREATMENT PLANT FILTER ENCLOSURE PROJECT
- G. 14-622 AUTHORIZATION TO CONTINUE USING AN EXISTING SOUTHEAST FLORIDA COOPERATIVE GROUP CONTRACT WITH LHOIST NORTH AMERICA FOR THE PURCHASE OF QUICKLIME

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

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

Councilman Coates recused himself and left the Chambers at this point.

- 14-593 RESOLUTION NO. R2014-53 (VALIENTE POLO PLAT): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, ACCEPTING AND APPROVING HE VALIENTE POLO PLAT FOR A 139.434 ACRE PARCEL LYING IN SECTION 34, TOWNSHIP 44 SOUTH, RANGE 41 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA, BEING A REPLAT OF LOTS 6 THROUGH 16 OF BLOCK A, LOTS 1 THROUGH 8 AND LOTS 16 THROUGH 25 OF BLOCK D, THE WEST 60 FEET OF TRACT A AND A PORTION OF THE WEST 60 FEET OF TRACT B, WELLINGTON PRESERVE, AS RECORDED IN PLAT BOOK 100, PAGES 18 THROUGH 186 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 34, TOWNSHIP 44 SOUTH, RANGE 41 EAST.

Mr. Schofield introduced the item.

Mr. Riebe explained this was a re-plat of an existing plat, which created a large tract of land, retained many of the lots with development rights attached, and all easements and rights of way were dedicated to the various HOA's.

Councilman Willhite noted this plat, which usually has boundary aspects, goes into more detail. He asked if it accounted for the change of the setbacks that were done to the eastern portion approved by Planning and Zoning beyond the Council's decision. Mr. Riebe said the plat accounted for all the legal easements whether they be landscape buffers or whatever the case may be. Councilman Willhite asked if that accounted for the change. Mr. Riebe stated that was correct, but not for the

setbacks. Councilman Willhite thought the setback was for a landscape buffer. Mr. Riebe stated if it was dedicated it would be shown on the plat. Councilman Willhite indicated there were no easements per se; just the amount of setback approved and then subsequently a variance was approved at Planning and Zoning for that setback on the landscaping. Mr. Riebe believed it was the landscape buffer easement that was requested.

Vice Mayor Greene said he had heard positive feedback on how the application was submitted, and asked how cooperative the applicant was with the staff, committees and the flow of this particular application. In response, Mr. Riebe stated that the applicant has a very professional staff, it has been a very good relationship, and they have worked collaboratively. He mentioned there are always issues as they move through a project, but overall it has been a good project and he thought it would be good for Wellington. Vice Mayor Greene noted that when people bring in projects the right way, staff is willing to cooperate and get them done. He thanked Mr. Riebe and the other members who were part of this process.

Councilwoman Gerwig's understanding was that they were just approving the plat; but since their discussion was going beyond that, she announced that her engineering firm worked on the gate, and recused herself at that time. Councilwoman Gerwig then left the Council Chambers.

There were no public comments on this item.

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and passed (3-0) approving Resolution No. R2014-53 as presented.

7. PUBLIC HEARINGS

A. 14-591 SECOND PUBLIC HEARING ON THE FISCAL YEAR 2014/2015 PROPOSED MILLAGE RATE AND ANNUAL BUDGET FOR WELLINGTON

- I. RESOLUTION NO. R2014-56 (MILLAGE RATE) : A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE TAX LEVY AND MILLAGE RATE FOR WELLINGTON FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015; AND PROVIDING AN EFFECTIVE DATE.**
- II. RESOLUTION NO. R2014-57 (WELLINGTON BUDGET) : A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING A BUDGET FOR THE VILLAGE OF WELLINGTON FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Schofield introduced the item and announced that there were two resolutions to be approved that required separate motions. Ms. Rodriguez read the Resolutions by title.

Ms. Quickel presented the budget for the Village. She explained all funds, including transfers, stood at \$76.95 million, an increase of almost \$2.5 million from last year's budget or current year of \$74.45 million. She stated the operating budget included three special revenue funds: Acme, Building, and the Gas Tax and Road Maintenance Operations as well as Debt Service. The total enterprise operating funds included Water and Wastewater, Solid Waste, and Debt Service. She said there were two groups of capital improvement project funds: governmental and utility. Ms. Quickel indicated the total budget, excluding transfers was \$67.7 million and with transfers was \$76.9 million, an increase of \$2.5 million. She noted they considered the five strategic fundamentals: Neighborhood

Renaissance, Economic Development, Protecting Our Investment, Responsive Government, and Respecting the Environment.

Ms. Quickel further reported the 2015 millage was down .02 mills from the current 2.47 mills to 2.45 mills which would bring in an increase of \$1.18 million in revenue. The total taxable value would be \$6.3 billion, up almost 10% from last year's final of \$5.73 billion. She said the Acme assessment would increase \$30.00 to a total of \$230.00. There was no change for the solid waste assessment or utility rates.

She explained the governmental revenues included higher Ad Valorem tax revenue projections because of increased property values of approximately 10%. She stated increases were expected for the half-cent sales tax, state revenue sharing and electric utility taxes as a result of economic conditions, and holding stable were building permit revenues and business tax receipts based on current year levels.

Ms. Quickel indicated the millage rate impact, on a \$200,000 taxable value property that is homesteaded, would be an increase of approximately \$3.00. Under the "Save Our Homes" limitations, the value increase for homestead properties would be limited to the CPI or 3%, whichever is lower. She said the allowable value increase would be limited to 1.5% for 2015. The increase would be \$45.00 on a non-homesteaded property at \$200,000, and a sample tax bill for a homesteaded property shows a total increase of \$81.00. She explained of the \$81.00, \$31.00 was for the Non-Ad Valorem assessments; of the \$31.00, \$30.00 is the increase in Acme; and a \$1.00 increase in the solid waste authority disposal assessment. The remaining \$50.00 was between the taxing authorities throughout the County and the Village of Wellington accounted for \$3.00 of that \$50.00. She noted the highest percentages of the total taxes go to the School Board at 34% and the library at 22%, followed by the Village of Wellington property taxes and assessments at 18%, and then Palm Beach Fire Rescue.

Ms. Quickel outlined the budget changes from the prior year which included increases in:

- Water and waste water.
- Fixed assets, as the Professional Center was a new department offset by revenue.
- Construction and Engineering due to redistribution of salaries from Utilities to reflect where staff was actually working.
- Information Technology increase from licensing and applications.
- Risk Management, reflecting Workers' Compensation being moved from individual departments into the Risk Management department.
- Capital projects because of Acme projects.
- Cultural and Recreation due to the athletic programs.
- Solid Waste, Building and Public Safety.

She indicated budget decreases were in:

- Community Services and CDBG for completion of projects such as Yarmouth.
- Outside Legal Services.
- Planning and Zoning for outside services and consultant usage.
- Public Works due to reduced asset replacement.
- Boys and Girls Club expenses.
- Ending the old mall lease.

- Administration and Financial Services due to changes in the lobbying contract and the reduction of positions.
- Debt services because of the utility bond debt payoff.

Ms. Quickel also noted the significant reductions of the utility debt service payoff, elimination of vacant positions, overtime and workers' compensation changes, reduced legal services, and a reduction in consultants and outside services. She stated increases were shown for new fixed asset additions, the 3% wage increase which currently included the 2% CPI and 1% merit; a 10% projected increase for medical insurance; positions added mid-year, three from the Professional Center and one in the Legal Department; capital improvement project increases; the addition of the Professional Center; software upgrades and added licensing, and a 1% increase to the PBSO contract.

She indicated their fund balance changes at the 2.45 mills and \$230.00 per unit Acme assessment showed a use of General Fund Reserves of \$273,589 and a use of the General Fund Rate Stabilization Reserves of \$665,420. She stated \$200,000 of that was used in the Legal Department Outside Services Budget and \$465,420 was used in the Recreation Impact Fund for debt service for the shortfall. She said the Building Fund showed a reduction of Fund Reserve use of \$461,961, Acme showed a fund balance usage of \$311,491, road impact showed a slight increase of \$75,231, water and wastewater fund showed an increase of almost \$2.8 million, and solid waste showed an increase of \$293,470.

For the individual department changes as well as the allocation of staffing between the departments, Ms. Quickel stated total staffing was proposed at 297 for FY 2015, which is a net increase from the original 2014 budget of five positions. She said four positions were added midyear, three for the Lake Wellington Professional Center and one for the Legal Department, and then one position was proposed for 2015. She noted this included the 3% raises, 2% based on the price index and 1% to be distributed based on merit; increased medical insurance premiums anticipated at 10%; and increased FRS employer contributions per legislation.

She stated the capital projects included:

- Acme renewal and replacement program funding.
- CDBG funded projects.
- General maintenance in the amount of \$207,000.
- Neighborhood parks and trails programs for the twenty-four (24) neighborhood parks.
- Road and pathway circulation expansion.
- Parks capital maintenance.
- Pedestrian paths and roadway overlay.
- Pierson sidewalk extension from 120th east to the wastewater plant.
- Safe Neighborhood projects for targeted areas such as Folkstone Yarmouth lighting and streetscape.
- Shell Rock Program for thirty-two (32) miles of shell rock roads.
- Swale maintenance program.
- Surface water management rehabilitation and maintenance totaling almost \$3.8 million dollars.
- Water and wastewater projects budgeted at \$3.9 million.
- Additions in total major maintenance programs for comprehensive sidewalk repairs, professional center repairs, replacement assets, and new assets.

Ms. Quickel indicated the total capital outlay budget was \$11,173,000. She noted the budget summary showed their total budget of \$80,073,880, which included an increase to reserves as well as the transfers out.

Ms. Quickel thanked the staff and department directors who worked so hard during the budget process as well as Council. She closed her presentation with a brief video summary of what the budget really stood for.

Public Hearing

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

1. Mark Hilton, 13904 Folkstone Circle, Wellington. Mr. Hilton asked Council to approve an extra neighborhood advocate for Community Services, as the Village only had one senior neighborhood advocate to handle all of the neighborhoods.

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

With regard to the increase in the Legal Department, Councilwoman Gerwig said she knew they were a new department that had been doing a great job, but one reason Council discussed going in-house was to save money. She thought the requested increases for the Legal Department were significant especially since no other Village employees would receive more than a 2% or 3% increase. She knew they had negotiated a good deal with Ms. Cohen's contract noting she told her at that time to come back in a year to discuss an increase, because she believed Council would not go higher than the salary listed. She also recalled that when Ms. Cohen hired the paralegal, she was out of the salary range because she was very qualified and had a lot of experience.

Vice Mayor Greene stated that he had the same concerns when looking at the proposed increases from a percentage standpoint. He thought the consensus at yesterday's Agenda Review was the Village had quality people and quality work from the Legal Department, as the volume was significant. He believed commitment was being made on days off and personal time; however, he thought the proposed increases would potentially affect the other employees in various departments. He stated he was willing to support an increase based on the discussion they had, but he was unsure if he was comfortable with the levels. He said he did some calculations that he thought would be more palatable at this point; however, he wanted to let the other Council members speak.

Councilman Willhite agreed the Legal Department was doing great work and provided benefits, but there was still room for growth. He expressed the same concern when looking at the percentages of the proposed raises as opposed to what was being given to other Village employees. He stated the Manager and the Attorney worked for Council, but the Assistant Attorney is an employee of the Village according to the Charter. He said that was harder to accept because all other general employees are getting 2% and a potential additional 1%, so the Assistant Attorney's salary increase would be \$8,000, plus 2% and 1% potentially. He indicated it would be a \$25,000 increase for the Attorney, which equated to 17% and then 3% potentially, totaling to a 23% pay increase in one year. Councilman Willhite further stated when he advocated for bringing the Legal Department in-house, there was some perception and discussion that it would escalate their costs. He said it was hard to have these additional increases in the first year as some people had predicted. Although the Legal Department was doing a lot of work, it was still difficult to accept the proposed increases. However, he indicated he would consider slightly changing it. He noted it was a \$43,000 increase in employee costs just in the Legal Department; however, he believed that did not include the additional costs such as pensions. He wanted the other Council members to comment as they were looking at a budget, salaries, percentages and the cost of general employees.

Councilman Coates stated he ordinarily would be adamantly opposed to an increase in compensation at these levels, but thought they could not look at the Legal Department in the same way because of different circumstances. He said they pushed to hire Ms. Cohen at the low rate suggested at the time, which he knew was a bargain. He believed the proposed increase would not put her above the average pay for municipal attorneys in villages or cities the size of Wellington; otherwise, he would be opposed to it. Councilman Coates thought anyone working for a government agency or municipality should not expect private compensation rates because that has never been the case and the taxpayers would not support it. He; however, believed in order for the Village to maintain quality people to run the Village, they need to meet the salary levels of their competitive government agencies and municipalities, which was why he was not opposed to Ms. Cohen's suggested salary. He did raise concerns with respect to the other employees, as it was not fair to hire someone and give them the expectation they would be brought to or near their pay level in the private sector. He did not believe the same issue existed with the paralegal, as her salary probably exceeded the normal paralegal compensation at the municipal level. He said Ms. Cohen could speak to that or provide some insight. He stated his goal was to ensure they were in line or slightly above the market, but certainly not way above or near the private sector market. Before making a decision, he wanted Ms. Cohen to address the compensation of her paralegal and staff attorney in relation to what could be earned with other government agencies.

Ms. Cohen thought assistant attorneys were averaging \$85,000 and paying Ms. Rogers that amount would place her where she should be as the Village has had to rely upon her expertise. She stated she has been an asset to the department and could perform the project work that she herself could not do because of the day-to-day issues, e-mail, phone and meetings. She agreed the salary of her paralegal was probably right at or near the top of where a government paralegal should be; however, she has over twenty-two (22) years of municipal experience and worked for the law firm of Goren, Cherof, Doody & Ezrol for twenty plus years. She indicated that her paralegal does a fantastic job in reviewing plats and unities of title and dealing with those issues, which has reduced her own workload. She stated she was also well versed in litigation and could handle anything presented to her, was highly skilled and was a tremendous asset to the department. Ms. Cohen did not foresee them coming back to Council next year or the year after asking for these increases. She said she was trying to ensure the good people in the department were paid what they are worth for the value they bring to the Village and make it difficult for them to look elsewhere if it reached that point.

Councilman Coates was concerned about building another bureaucracy when they ultimately made the policy decision to move legal services in-house. He was convinced from the experts in the field the Village could have legal counsel in-house at the same cost level as outside counsel on a contract basis. He did not want the creation of their own legal department to ultimately increase in compensation, etc., over the years and result in a budget approaching \$1 million, as that is what they were spending at the time. He said in most years their normal legal fees have been around \$500,000, which is the level he felt they should be at; although there would be years where it would increase because of exceptional circumstances. Councilman Coates asked Ms. Quickel for the total legal budget for this year. Ms. Quickel stated it was \$923,500 for 2015. He asked what the budget was for outside counsel fees because he thought they were already at the threshold level from when they decided to go in-house. Ms. Quickel stated the outside counsel line item was \$400,000, so in-house legal services would be \$500,000.

Councilman Coates stated in the private sector, depending on skillset and position, an employee would top out at some point because the market could only tolerate a certain amount for their services and that applied even more so to the government sector. He indicated the Village has given 3% increases, many times consecutively year over year. He believed this could result in compensation for a given position being more than what the private sector market is paying and they should be

vigilant in avoiding this from happening. He understood Ms. Cohen was fighting for her paralegal, but he could not support a raise for someone who had an expectation of being compensated for the loss of moving from the private to the public sector. He supported Ms. Cohen's compensation level in part because it put her in line with other municipal attorneys and supported her comments and opinions on the staff attorney. However, he was hearing the paralegal was above the market and what other municipal agencies were paying, so he could not support an increase as it would not be prudent from the standpoint of protecting the taxpayers.

Councilwoman Gerwig thought someone had asked for a study or a comparison at yesterday's Agenda Review. Ms. Cohen stated she had some numbers, but they did not receive responses from all of the municipalities. She indicated Boca Raton's city attorney's salary was \$217,000 and assistant attorney was \$85,000, but they did not have information on the paralegal. She said in Palm Beach Gardens the city attorney's pay was \$250,000. They did not have a paralegal, but their Executive Legal Assistant was at \$68,000. Councilwoman Gerwig asked if they were comparing in-house to in-house because she believed Palm Beach Gardens had a contract. Ms. Cohen stated that was correct, as they were just trying to get information from like municipalities. She indicated the attorney in West Palm was at \$177,000 and the assistant was at \$103,000. She stated the attorney in Boynton was an outside arrangement at \$188,000 and they had a paralegal at \$71,000. She noted from her perspective, her paralegal did not come in with the expectation she would be compensated at the private rate. Nevertheless, it was her understanding other employees in the Village made a similar or even higher salary and were not at the director level. Councilwoman Gerwig thought those employees may have a longevity factor, which was hard to calculate.

Ms. Cohen pointed out that Council had to make the decision, but from her perspective, she felt an increase was warranted based on the skill level her paralegal brought to the Village which included reading plats, performing checklists on various land use documents, assisting draft ordinances and resolutions, and conducting research. She stated she is a certified paralegal and had twenty-two (22) years of specific municipal experience. She noted she would not have brought this forward if she did not think it was warranted; however, she understood their responsibilities as elected officials.

Mayor Margolis had a couple of issues with Ms. Cohen's compensation noting that he believed when she was hired for the job it was at their lowest amount. As had been discussed at the Agenda Review, he said the raise would be for eighteen (18) months and technically they could have given her an additional amount after six (6) months on the job. He thought with the limited experience of serving as a municipal attorney, she not only had to play catch up, but basically had to start over. He said everything coming out of her office was professional and on time. Mayor Margolis noted the constant influx of staff going into not only Ms. Cohen's office, but Ms. Rogers and Ms. Pisz as well. He recalled a number of years ago the Village was not part of the FRS system and they were losing good people because of salary. He stated Ms. Cohen gave up a lucrative career in the private sector to come to the Village of Wellington because she loved it. He said she sat on the dais and wanted to continue to serve as the Village Attorney, so he did not have any concerns about her request for additional income. However, he would have a concern if she came back in the next year or two and asked for the same raise.

With regard to the Assistant Village Attorney, Mayor Margolis thought they were operating in a fishbowl environment with different agencies looking down upon them, so she not only did the work asked of her but added a wealth of information. He believed the Village would have had to go to outside counsel at an additional cost for many of the opinions provided by Ms. Rogers. He noted the additional amount of legal work that was done by Ms. Cohen to have the Village tear down a home without the help of additional legal consultants. He stated they were putting liens on people's homes

because of code enforcement, so she was not just doing the work she was hired to do but so much more.

Mayor Margolis stated he did not know the pay for a paralegal; however, he has seen Ms. Pisz working on plats, resolutions, ordinances and agendas, and was also the liaison for the Charter Review Committee. He thought she was not only doing what she was hired to do, but so much more. He believed she was very happy here, but he was concerned about losing her, as he was concerned about losing good people due to situations they could not control. Mayor Margolis did not have any concerns with the proposed increases for the three employees of the Legal Department, but reiterated he would have concerns if they came back in year with the same request. He said they had to take into account the benefits provided to them as government employees. He thought it was unfair to compare Ms. Pisz to the other Village employees as she came with twenty-two years of experience. He believed those who have been working in the Village for twenty-two years may have come to the Village with little or no experience and had gained experience and were probably making the same salary.

Councilman Willhite clarified the increase would not be for eighteen months because the Legal Department employees were employed before last year's budget when everyone, including the Legal Department received a 3% raise. He stated when people change jobs, they may get hired because of their experience, but that does not mean they are going to gain the salary of the employees who have been here doing the job and benefiting the Village for that timeframe. He said the increases concerned him, especially if they were considering one of the employees as a general employee. Councilman Willhite felt the employee accepted the job and they are now a general employee and they should get the general employee increase. He knew they discussed at the Agenda Review that general supervisor salaries were no longer able to go above the 3%. He felt that this was the same thing, so they should not start doing that again. Councilman Willhite said he had concerns about the percentages of the increase because they did set long term increases which he believed set precedents for the future.

Mayor Margolis stated Councilman Willhite was a government employee and spent many years with the Fire Department. He thought he did a great job and thanked him for that, but he believed he was a Captain. He asked Councilman Willhite if he went from the salary he was making now to another municipality would he expect to start at the same salary or would he go down to what a base captain makes with zero years of experience. Councilman Willhite stated there was a difference of what he wanted and what he would get. He said he would start at the bottom. Mayor Margolis asked if he would expect to start at the bottom even though he brought a wealth of experience. Councilman Willhite stated he would. He said the employees that are there have put the experience, knowledge and dedication into that department. Mayor Margolis stated he was hearing that if Councilman Willhite went to another municipality or another fire organization and started as a captain he would take a reduction in salary. Councilman Willhite stated he would because his longevity would lower his salary. Mayor Margolis said the point he was trying to make was that experience has to count for something. He said he comes from the private sector and if he changed companies, he would have expected to be compensated the same or higher based on his experience and results. Councilman Willhite stated the difference was he was talking private versus public, two completely different realms. Mayor Margolis did not disagree.

Councilwoman Gerwig stated that they were talking about bringing Ms. Cohen's salary up to the attorney in West Palm Beach. Although she did not know that attorney's level of experience, she did not believe they were comparable because that municipality is almost twice the size of Wellington. She thought what was being proposed was a very large increase. She said the private sector has not recovered and people would say they have not received a \$25,000 raise in the past ten years. She

indicated that she had given Ms. Cohen a good review and it was not that she did not think Ms. Cohen was worthy of the raise, but it was just that she did not think they were there yet. She was interested in hearing what Vice Mayor Greene had to suggest for different amounts.

Councilman Willhite asked what percentage Wellington will show as the overall tax bill of an average resident. Ms. Wadleigh indicated it was 18% which included the non-ad valorem assessment for solid waste and Acme. Ms. Quickel pointed out that 34% would be the School Board, 22% is Palm Beach County Library, then Wellington's taxes and assessments 18%, Palm Beach Fire Rescue 14%, Healthcare District 7%, Solid Waste Authority disposal 3%, and South Florida 2%. Councilman Willhite pointed out they were a small percentage with about 20% of their overall bill.

Councilman Willhite stated they had lost an employee at the Professional Complex, and asked if they had filled that position, and did they still operate that facility with three employees. Ms. Quickel indicated they still operated it with three employees. Councilman Willhite believed there was some work that needed to be done to bring the Professional Center up the Village's standards, but that he was not expecting these increases every year to come forward with that facility. He asked if they were looking at long term capital costs at that facility noting that they were doing an air conditioner this year. Ms. Quickel stated they showed currently at nine months a \$200,000 profit. She said they budgeted \$58,000 for potential repairs as they were twenty year old buildings. Councilman Willhite said he understood if it went down a bit, but they were still basing it on what they expected to have. Ms. Quickel agreed.

Councilman Willhite indicated at the first reading the millage rate was changed because of the five to four day work week. He asked what millage rate staff was proposing. Ms. Quickel indicated they originally proposed 2.46 mills which included \$96,100 for a five day work week; however, it was changed to 2.45 mills when the \$96,100 was removed which they were presenting at this time.

Mayor Margolis asked Ms. Quickel to address the tennis and community center because there were rumors they have had to raise taxes to pay for that facility. Ms. Quickel stated they did not raise taxes as it had previously been completely included in their capital projects funds. She explained the Council awarded the project so it has been designated and shown which was why they do not see it there. Mayor Margolis said there are some opinions out there that the Village had to have a tax increase. Ms. Quickel stated the \$11 million was new money in the 2015 budget and that was already budgeted and is currently underway. Mayor Margolis stated it was part of their capital improvement projects for a number of years and now they were using that and moving forward with the projects.

Vice Mayor Greene apologized to Ms. Cohen as these were uncomfortable conversations which they unfortunately had to have publicly. He understood she feels very justified requesting the increase, but he was sure throughout the Village there were staff members working hard in different capacities who feels they are doing everything they can and putting in 110% of their job. He said that, for all the reasons discussed, he was trying to find what he thought could help them with their decision. He stated there were very complex issues and while some of the numbers in other municipalities are significantly larger, they have police and fire departments and some other areas that create some legal challenges for them as well, the Village does deal with a lot of very complex issues here and he thought they did a tremendous job. He said aside from the work itself, he did not think there was any doubt that Wellington is one of the premier municipalities that creates an incredible work environment and great benefits, great camaraderie, and great people. He stated he did not want this to be any indication that Ms. Cohen or her staff members are being considered not worthy of what she is proposing. With that being said, he recommended a total increase of 10% for Ms. Cohen, 8% for the Assistant Attorney, and then strictly the CPI merit increase of 3% for the paralegal versus the 17%, 14% and 12% that were requested which did not include the CPI and merit increase.

Ms. Cohen pointed out that her contract calls for the merit and CPI on top of an increase. Vice Mayor Greene stated he could reduce that to 7%, 5% and 0% on the proposed increases. Ms. Cohen stated they could back out the calculations. Vice Mayor Greene said he was prepared to make a motion, but at this point it was open for discussion if others felt that it was not enough or too generous. He recapped that he would accept 7% for Ms. Cohen, 5% for the Assistant Attorney, and then they would get their CPI and merit on top of that which totaled 10%, 8% and 3% for the paralegal.

Councilwoman Gerwig stated she would support the 4% for Ms. Pisz, the paralegal, as she agreed she was particularly skilled, and the least they could do was give her an extra 1%. Vice Mayor Greene stated his comments did not reflect that she was not qualified, it was that she was at the top of the salary range from a government sector, and was pretty much at the top of comparable salaries.

Councilman Coates added the paralegal compensation concerned him the most because of the three that was the one increase that did not result in bringing our employees up to the level of what other municipal employees in other areas were making. He said it was admitted that she may be already above that number. He thought they were compounding a problem, as there are plenty of employees in this Village that bring years of experience and are super qualified and obviously think they are worth more than they are making. He said the reality was they cannot always stroke that need or desire of the employee in the municipal or government context, and were creating a problem if they do not recognize that one of their employees is already topped out at that compensation level for a position. He said this had nothing to do with her skillset, and he knew Ms. Cohen was very pleased with her work product, but they could say the same for many different employees in the Village. Councilman Coates said if that alone was the criteria they would want to give everybody a raise but they could not do that so they have to recognize where they are from a topped out standpoint. He stated he was fine with Vice Mayor Greene's proposal because he thought it recognized that the paralegal position might be topped out at this point, and that adding merit compensation above the 3% was just going to put this employee more and more out of line with what other employees in this Village are at, which he could not support.

Councilwoman Gerwig stated the reason she suggested the additional 1% for the paralegal was because the entire department was getting a good increase even with Vice Mayor Greene's numbers. She thought the paralegal position was probably the most likely to be marketable and it would be an insult to injury to say because you are the lowest skilled but the most valuable person here, you are not getting anything extra.

Councilman Coates thought that could be, but the problem was of the three, she was the one at the top in terms of municipalities and he did not know how they could justify that. Ms. Cohen stated she had not conducted a survey of municipalities as to what other paralegals were being paid.

Councilman Coates agreed with Councilman Willhite that the paralegal is an employee just like anyone else in this Village and if all other employees are held to this 3% then he did not know why they would apply anything different to that employee. He did not think there should be special treatment of any one department in this Village because they would be opening up a Pandora's Box if they went down that path.

Councilman Willhite asked if Vice Mayor Greene was motioning for the entire budget because this was part of the budget or just the legal expense. Vice Mayor Greene stated at this time he was only going to motion for the salary increases because he was not comfortable with that number which had been submitted as part of the overall budget. Councilman Willhite stated he just needed clarification on that because then Ms. Quickel would have to adjust those numbers and propose an adjusted

millage rate. Councilwoman Gerwig thought they should just leave it in legal because of the unknown factor of outside litigation. Ms. Cohen thought they could make a motion to approve the budget with the caveat that the salary increase budgeted in the Legal Department reflect the numbers they were proposing.

Vice Mayor Greene stated he was asking for clarification procedurally, if they can accept a percentage increase and not necessarily allocate those by employee in that department and allow Ms. Cohen to determine how it would breakdown or did Council have to identify that. Ms. Quickel stated they were fine with Council doing that.

Councilman Coates stated he was not looking to save taxpayers money on the one hand by pushing hard to ensure these salaries were in line with other municipalities while at the same time leaving the funds in legal and allowing them to spend it in any way they wanted.

Councilman Willhite stated when the proposed millage was reduced from 2.47 mills to 2.46 mills, the residents felt a windfall. He felt if they did not do that here, the residents will not see the windfall, and Council did not lower the overall millage even if it was reducing it by the \$20,000. Ms. Quickel recommended that Council allow them to adjust the reserves, so that they use less reserves noting they were using General Fund reserves to balance the budget and they could adjust it for this approximately \$24,000. She said it would come out of the legal budget and they would use a slightly different number for reserves.

Mayor Margolis understood in approving this budget, they were also approving the proposed salary increases for the legal department and if that gets voted on and approved, there is an additional \$20,000 that they would not have to take out of the reserves that could still be left in there at these different rates, but it would not reduce the millage rate any more at that small amount. Ms. Quickel stated that was correct.

Councilwoman Gerwig questioned where the funds would come from if extra legal assistance was needed and the department had used all their budgeted funds. Ms. Quickel stated it would come from the Rate Stabilization Fund. She said they were using that again this time for \$200,000 for increased outside legal services so they will use less.

Vice Mayor Greene stated the full increase requested was in the budget being presented, so he was reducing that line item in terms of legal which will go back into reserves. Ms. Cohen stated the legal budget would be reduced by that amount. Councilman Coates stated he was fine with that approach.

A motion was made by Vice Mayor Greene, seconded by Councilwoman Gerwig approving Resolution No. R2014-57, approving the budget as amended with a reduction to the Legal Department's budget to reflect an increase of 10% which includes the 2% CPI and 1% merit for the Village Attorney, 8%, which includes the 2% CPI and 1% merit for the Assistant Village Attorney, and the Paralegal will receive the standard 2% CPI and 1% merit.

Councilman Coates voiced his support for the motion and the budget, but did not want his support of the budget to be construed as him being in favor of the four day work week because he remained adamantly opposed to that. Councilman Willhite concurred.

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

A motion was made by Councilwoman Gerwig, seconded by Vice Mayor Greene, and unanimously passed (5-0) approving Resolution No. R2014-56 with a millage rate of 2.45 mills.

At this time, Ms. Quickel read the mandatory statement for the record regarding the proposed millage rate.

B. 14-655 ORDINANCE NO. 2014-30 (FISCAL YEAR 2014/2015 CAPITAL IMPROVEMENTS ELEMENT UPDATE): AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, UPDATING THE WELLINGTON COMPREHENSIVE PLAN BY INCORPORATING THE ANNUAL REVIEW AND REVISIONS TO THE CAPITAL IMPROVEMENTS ELEMENT TO REFLECT THE 2014/2015 THROUGH 2019/2020 FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR LEVEL OF SERVICE PROJECTS; AND UPDATING THE SCHOOL DISTRICT OF PALM BEACH COUNTY CAPITAL IMPROVEMENT SCHEDULE; PROVIDING FOR CONFLICT AND SEVERABILITY; AUTHORIZING THE MANAGER TO UPDATE THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Stillings announced that this was the second reading of Ordinance No. 2014-30 which updates the Capital Improvement Element to be consistent with the 2014/2015 budget which was just approved by Council.

Public Hearing

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

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

A motion was made by Councilman Coates, seconded by Councilman Willhite, and unanimously passed (5-0) approving Ordinance No. 2014-30 on second reading as presented.

C. 14-657 ORDINANCE NO. 2014-20 (ISLA VERDE COMPREHENSIVE PLAN AMENDMENT): AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING THE SITE SPECIFIC MIXED USE FUTURE LAND USE MAP DESIGNATION (PETITION NUMBER 2013-64 CPA 2) FOR CERTAIN PROPERTY KNOWN AS ISLA VERDE OF WELLINGTON, TOTALING 53.57 ACRES, MORE OR LESS, LOCATED ON THE EAST SIDE OF STATE ROAD 7 AND APPROXIMATELY 1/2 MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO INCREASE THE ALLOWED RESIDENTIAL UNITS FROM 230 TO 350 DWELLING UNITS, UPDATE THE FUTURE LAND USE MAP DESIGNATION TO THE CURRENT MIXED USE (TYPE 1) DESIGNATION AND DESIGNATE THE MAXIMUM DEVELOPMENT THRESHOLD; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Ms. Cohen announced that this was a quasi-judicial hearing.

Ex-Parte Communications

Councilman Coates: Councilman Coates disclosed he had only spoken to staff and discussed this at Monday's Agenda Review since the last time this item was discussed by Council.

Ms. Cohen pointed out that Council should disclose any contacts that they have had on the item as a whole.

Councilman Willhite: Councilman Willhite disclosed that he met with Mr. Forrest, Mr. Sluggett, the applicant, residents of the Whippoorwill and Stonehaven communities, possibly Mr. Herring, and staff.

Councilman Coates: For clarification for the record, Councilman Coates added that since the beginning of this application, Councilman Coates had the same contacts as those disclosed by Councilman Willhite.

Mayor Margolis: Mayor Margolis disclosed that he spoke with Mr. Forrest, possibly Mr. Sluggett, and staff.

Vice Mayor Greene: Vice Mayor Greene disclosed that he spoke with Mr. Forrest, Geoff Sluggett, Mr. Malefatto, Don Herring, other representatives of the applicants and staff.

Councilwoman Gerwig: Councilwoman Gerwig disclosed that she had previously disclosed a list of her ex-parte communications including some residents, the applicant, and spoke to Geoff Sluggett.

Ms. Cohen then administered the oath to all those people who indicated they would be providing testimony on this matter.

Mr. Stillings said that this was a Comprehensive Plan Amendment along with its companion rezoning item and announced he would provide one presentation. He stated that this was Isla Verde at Wellington, located north of Forest Hill Blvd., across from Black Diamond, north of Stonehaven Estates and it is the residential portion behind the commercial portion of Isla Verde. He showed a graphic which showed the separation between the commercial and residential uses. Since the item was heard by the Planning, Zoning & Adjustment Board, an agreement was reached between the applicant and the residents of Whippoorwill Estates and Stonehaven Estates. In addition, the applicant is modifying the request to reduce the unit count from 360 to 350 which was heard at the first reading which included some reconfiguration of some buildings on the site, and new conditions to be included in the master plan which will be presented to Council in about a month. Mr. Stillings said the Comprehensive Plan Amendment designates this project as a Mixed Use Type 1. Since its original approval, the mixed use categories were modified within the Comprehensive Plan Amendment to include six different types.

Mr. Stillings explained that the Rezoning request is a change from Multiple Use Planned Development to Mixed Use Planned Development which brings it into consistency with changes relative to the Mixed Use Land Use, and that the current MUPD no longer provides for residential. He showed a chart showing the differences between what was approved and the slight changes to the project: increase in the conservation and open space, slight decrease in the commercial acreage, change in the unit count from 230 to 350 for the residential, change in unit type from townhomes to multifamily. He noted that some of the other details relate to the density, FAR and the distribution of unit types relative to the bedrooms and additional elements, and the applicant's developer is proposing that the homes will be built to the National Association of Homebuilders Gold Rated Green Building standard.

He then showed a slide with the currently approved Isla Verde Master Plan with the 230 units compared to the proposed master plan noting there is some shifting of units and decrease of building footprints; however, the overall layout was relatively the same.

Mr. Stillings pointed out that the Planning, Zoning & Adjustment Board had recommended denial of both the Comprehensive Plan Amendment and the Rezoning at their May meeting; however, staff recommended at that time and continues to recommend approval of both the Comprehensive Plan Amendment and the Rezoning.

Mr. Malefatto said that on behalf of the applicant, they supported the staff report, and he was happy to address any questions. He noted that they would be making a presentation when the master plan was presented.

Vice Mayor Greene asked Mr. Stillings if there had been any new modifications since this was presented to Council at first reading. Mr. Stilling said that there were no modifications. Vice Mayor Greene pointed out that he has never seen an applicant or developer and team of people who took more time to listen to the concerns of residents about how their project could potentially impact them. He felt they were a model as to how applicants should move forward with projects. Vice Mayor Greene thanked them for their professionalism and care for the community and how it impacts their neighbors.

Councilwoman Gerwig said that the residents in the Whippoorwill and Stonehaven communities live outside the Village's boundaries, and she appreciated the applicant for being good neighbors to neighboring communities.

Councilman Coates pointed out that Mr. Stillings had indicated that the Planning, Zoning & Adjustment Board had denied both of the proposals that were being considered, but that things have changed since the time that Board heard these items. Councilman Coates said that the two major subdivisions surrounding this development had been opposed to this project at the Planning Board meeting; however, at the time Council first heard it, issues with those neighborhoods had been worked out and everyone was supportive of the project.

Mayor Margolis asked if what Planning, Zoning & Adjustment Board heard was a completely different presentation than what was presented to Council. Mr. Stillings responded affirmatively.

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 Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (5-0) to close the Public Hearing.

A motion was made by Vice Mayor Greene, seconded by Councilman Coates, and unanimously passed (5-0) approving Ordinance No. 2014-20 on Second Reading as presented.

D. 14-658 ORDINANCE NO. 2014-21 (ISLA VERDE REZONING): AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING (PETITION NUMBER 2013-64 REZ 2) FOR CERTAIN PROPERTY KNOWN AS ISLA VERDE OF WELLINGTON, TOTALING 53.57 ACRES, MORE OR LESS, LOCATED ON THE EAST SIDE OF STATE ROAD 7 AND

APPROXIMATELY 1/2 MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; FROM MULTIPLE USE PLANNED DEVELOPMENT (MUPD) TO MIXED USE PLANNED DEVELOPMENT DISTRICT (MXPd); PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

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

Mayor Margolis indicated that Mr. Stillings had presented the staff report with item C, and asked if anything had changed. Mr. Stillings responded that there was nothing additional to report.

Ms. Cohen announced that this was a quasi-judicial hearing.

Ex-Parte Communications

Councilman Coates: Councilman Coates disclosed he had spoken with the applicant, representatives of the affected homeowners association neighborhoods, and staff at the Agenda Review.

Councilman Willhite: Councilman Willhite disclosed that he met with staff, representatives of Whippoorwill and Stonehaven, Mr. Malefatto, Mr. Herring, Mr. Sluggett, the applicant and Mr. Forrest.

Mayor Margolis: Mayor Margolis disclosed that he spoke with Mr. Forrest, Mr. Sluggett, residents and staff.

Vice Mayor Greene: Vice Mayor Greene disclosed that he spoke with Mr. Forrest, Geoff Sluggett, Mr. Malefatto, Don Herring, other representatives of the applicants and staff.

Councilwoman Gerwig: Councilwoman Gerwig disclosed that her ex-parte was the same as the Comprehensive Plan Amendment item, including Geoff Sluggett and Gary Brandenburg on behalf of the residents.

Ms. Cohen then administered the oath to all those people who indicated they would be providing testimony on this matter.

Public Hearing

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

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

A motion was made by Councilman Coates, seconded by Councilman Willhite, and unanimously passed (5-0) approving Ordinance No. 2014-21 on First Reading as presented.

Councilman Willhite questioned why Council had received two recommendations: (1) Planning, Zoning & Adjustment Board (PZAB); and (2) staff. He asked if that was going to be the normal practice. In response, Mr. Schofield explained that the recommendation from PZAB is the formal

recommendation which Council will always receive. On the occasion where staff disagrees with the Board's recommendation, staff will provide Council with their recommendation as well.

- E. 14-679** ORDINANCE NO. 2014-06 (ARTICLE 6 AMENDMENT): AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE VILLAGE OF WELLINGTON BY REPEALING ARTICLE 6, CHAPTER 12, TEMPORARY SUSPENSION OF THE PROHIBITION OF THE USE OF TENTS AS STALLS WITHIN CERTAIN AREAS OF THE EQUESTRIAN OVERLAY ZONING DISTRICT; AMENDING ARTICLE 6, CHAPTER 10, SECTION 6.10.9.D "USE OF TENTS AS TEMPORARY STALLS" TO INCLUDE PROVISIONS FOR NATURAL DISASTERS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Stillings reported that this was the second reading of Ordinance No. 2014-06. In response to Council's direction at the first reading of the ordinance, staff revised the ordinance to include additional definitions and added some provisions related to the use of the temporary tents as well as use for the permanent ones once they were completed and fixed. In response to Councilman Coates' request at Monday's Agenda Review meeting, a change was made adding lightning as well as a short phase to Section G of the Code.

Councilman Willhite said that he did not agree with the change to Section 2, subsection 3G: which says "or the repairs are complete" because he felt it was subjective. He supported "when the repairs are done upon completion with a Certificate of Occupancy." Mr. Stillings noted that change was made because not every repair would receive a Certificate of Occupancy, but just a final inspection on the building permit. Councilman Willhite said that if the person was completing an application, he would want them to follow through with the entire procedure which is the closure of the permit not just when the person felt the repairs are done and where the permit is not closed.

Councilwoman Gerwig thought that the concern was that a Certificate of Occupancy may not be required since it is not an occupied residence and is just a barn. She thought that perhaps a permit might not even be required for the barn.

To address Councilman Willhite's concern, Mr. Schofield recommended that they add language at the end of the sentence in Section 2D:3g stating: or upon final inspection. He pointed out that many of these repairs do not require a Certificate of Occupancy.

Public Hearing

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

There being no public comments, a motion was made by Councilman Willhite, seconded by Councilman Coates to close the Public Hearing.

Vice Mayor Greene directed staff to page 922, item f. He said that Council had previously discussed that if someone lost their barn that they would not be allowed to construct more than what was there. He believed that the language currently in the ordinance increased the temporary barn to an increased amount of stalls then what they had. Mr. Stillings said that the permit would mirror whatever

size the permitted barn or stall count would be. Vice Mayor Greene said that would be based on future development and not what was lost. He did not believe that was the consensus of Council. Mr. Stillings said that his understanding was that the applicant would not get a tent bigger than what they were repairing or what they were getting permitted for to replace. Vice Mayor Greene reiterated that he thought Council's direction was that you get a temporary tent on what was lost and not a future request. In that light, Mr. Stillings said that he may have misinterpreted Council's direction.

Councilman Coates concurred with Vice Mayor Greene that Council's direction was that they would replace the damaged part, but could not add to it. Mayor Margolis added that Council's direction was they could build what was lost. The recommended change was to delete line 25 and revised it to read: The temporary tent shall not be allowed more stalls or more square footage than the permanent stable that was deemed uninhabitable

A motion was made by Councilman Willhite, seconded by Councilman Coates, and unanimously passed (5-0) approving Ordinance No. 2014-06 as presented on Second Reading with the following amendments:(1) Section 2:D:3a: add lightning as a possible natural disaster; (2) Section 2D:3f: delete line 25 and revise to read: The temporary tent shall not be allowed more stalls or more square footage than the permanent stable that was deemed uninhabitable."; and (3) Section 2D:3g: add language at the end of sentence: "or upon final inspection.

F. 14-680 ORDINANCE NO. 2014-25 (REASONABLE ACCOMMODATION POLICY):
AN ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING ARTICLE V OF ELLINGTON'S LAND DEVELOPMENT REGULATIONS BY ADDING CHAPTER 13 "REASONABLE ACCOMMODATION", SETTING FORTH A PROCEDURE FOR PERSONS WITH DISABILITIES TO REQUEST ACCOMMODATIONS TO VILLAGE OF WELLINGTON RULES, POLICIES, AND PROCEDURES AND ESTABLISHING AN APPEAL PROCESS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

Ms. Cohen explained that this was the Reasonable Accommodation policy that was developed in order to address persons with disabilities in the Village who may need an exception to a particular rule, policy or procedure that was in place. She said that under the ADA and FHA, the Village is required to offer a reasonable accommodation if one was requested by a disabled individual. In response to the question raised at Monday's Agenda Review meeting with respect to whether collecting medical records as evidence of a disability would implicate HIPPA in any way, Ms. Cohen said that she had researched that issue. She said that she found that municipalities were subject to HIPPA under two circumstances: (1) if they are a provider of health care which the Village was not; or (2) if they were the sponsor of a health care plan which the Village is. Ms. Cohen said that the Village was subject to HIPPA with respect to the Village's employees and medical records that are provided to the health care coordinator; however, with respect to a reasonable accommodation and any medical documents that might support that were not subject to HIPPA because the Village would not be considered a deemed entity under the Statute. Ms. Cohen then addressed Council's concerns expressed at the Agenda Review regarding privacy. She said that Florida's Public Records law is broad, and she was not able to find any exception under Florida Law with respect to those records; however, the HIPPA law states that to the extent there is a conflict with State law, HIPPA privacy protections and HIPPA law controls and pre-empts State law. Ms. Cohen explained that if there was a

request for those medical records, then the Village would not produce those pursuant to the supremacy clause of the Constitution because the federal law which prevail over the conflicting State law. Ms. Cohen said that she has discussed this procedure with each member of Council. She felt it was a good procedure that balances the needs of the disabled individual with the needs of the community. She requested Council's approval of the Ordinance.

Mayor Margolis said that Council had previously discussed accommodating the hearing impaired attending meetings, and noted that headsets were now available. Ms. Cohen thought that perhaps that information should be posted somewhere so that individuals coming into the Chamber would know that.

Councilwoman Gerwig said that she had more confidence in this since they have some HIPPA protection. She asked if it was correct that this ordinance did not imply that the Village currently does not have a Reasonable Accommodation Policy. Ms. Cohen said that was correct, and that although the Village did not have a formally adopted Reasonable Accommodation policy, they have given reasonable accommodations in the past which they are required to do. She noted that this ordinance formalizes that and outlines the process so that it can be applied to anyone who comes in and requests that accommodation.

Councilwoman Gerwig pointed out that it was indicated that this was the Minnesota model; however, there was no backup information relating to that. Ms. Cohen said that it was not exactly the Minnesota model and explained that staff looked at many different models. She said that it was very similar to the Boca model that was approved in the settlement with the Department of Justice. She said that they made several minor changes, and felt comfortable that this was a good model.

Councilwoman Gerwig said that as much as Council does not like to get involved in political moments, she was concerned that they were putting staff in that position which was difficult. She had some sympathy with that, but did not know a better way to proceed. She said that having spoken to the attorney, it seemed like anything else that the Village would try to do would exacerbate the problem instead of accommodating it.

Public Hearing

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

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

A motion was made by Councilman Coates, seconded by Councilman Willhite approving Ordinance No. 2014-25 on First Reading as presented.

Councilman Willhite requested that between first and second reading that Ms. Cohen look at a similar ordinance that Delray Beach has, and to insure that they are comfortable addressing any issues or problems this could create in the State of Florida. Ms. Cohen indicated that she could provide Council with additional background.

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

8. REGULAR AGENDA

- B. 14-378** RESOLUTION NO. R2014-31 (PALM BEACH COUNTY SHERIFF'S OFFICE VILLAGE OF WELLINGTON LAW ENFORCEMENT SERVICES PLAN FOR FY15): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE LAW ENFORCEMENT SERVICES PLAN FOR FISCAL YEAR 2014-15; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. He noted that Captain Hart would be making the presentation and acknowledged Chief Deputy Gaugher who was in the audience.

Captain Hart said that he was before Council to discuss PBSO's plans, goals and objectives. He pointed out that they have four goals and objectives which they have discussed and decided would be their priority for the fiscal year.

1. **Crime Prevention for Juveniles:** Juveniles consist of about 20% of all crime in Wellington. With that in mind, they discussed what could be done to suppress juvenile crime. He said that what they did in the past and what they will continue to do was to assign a deputy to juveniles that are on probation. He said the deputy strictly enforces their curfew and if they are not home when the deputy checks on them, they then go to jail, which has been effective. He noted that these juveniles already have a past history of breaking the law, so they will continue to watch and monitor them. The goal is to reduce juvenile arrests by 5%.
2. **Traffic Safety:** Traffic is an issue in Wellington particularly during the equestrian season when the population increases. For the past six years, they have stayed at 2.2 crashes per 100 residents which have fluctuated. The goal is to keep it below 2.2 crashes per 100 residents. In order to achieve that, the deputies will conduct over 8,000 traffic stops which equates to 657 traffic stops per month or 21 per day. At this time, they were running at 50% of traffic stops resulting in tickets and 50% in warnings. He felt that they were fair about stopping motorists and educating them.

With regard to traffic safety, Councilman Willhite asked Captain Hart to present to Council any particular areas that they deem to be problematic. He noted that Council had previously identified Fairlane Farms and Stribling and Wellington Trace and Big Blue as several of those problem areas. Captain Hart said that they can go back and see what accidents have actually occurred at the Stribling intersection, and if there are an inordinate amount of accidents, then they may look at a light. Councilwoman Gerwig asked that they also look at the severity of the accidents. Captain Hart said that there is a lot of backing out incidents at the Mall which contributes to the 2.2 crash rate which they have no control over.

3. **Property Crime:** In 2013, property crimes were down 4.2%. Captain Hart said that they were tracking them this year to be down again making it the 5th consecutive year that property crime has been reduced. He said that they now have three detectives and the goal is to track, detect and investigate property crimes, and to also have the deputies on the road tracking and investigating their own crimes, so not everything is being turned over to the detectives. He said they want to decrease the property crimes to below 1,000 and to have 10% of the burglaries be cleared by their detectives.
4. **Equestrian Safety:** Captain Hart said that the typical crime of choice in the equestrian community is stolen golf carts which contribute to their number of stolen vehicles. He indicated he wanted to get into that community at the start of season to educate them. He said that the tough

situation is that one key fits all golf carts. He indicated that the number of stolen golf carts was reduced last year, but they wanted to have zero golf carts stolen which they will be working on. In order to achieve their goal, they will be providing education, putting some extra patrols in the community as well as developing a program so that each golf cart owner can put some identifying marks on their vehicle so that the PBSO can identify them and put in the system.

Councilwoman Gerwig asked if the golf carts have serial numbers. Captain Hart did not believe that they had serial numbers.

Captain Hart stated that suspicious incidents have increased by 75%. He said that tells him that PBSO is being called by more people who are seeing things they feel are not right. He said that they always preach to the residents to call them if they see something suspicious and he felt that message was getting across. He further stated that the increase also says that the residents have confidence in the deputies that their call will be responded to and they will solve the problem. Captain Hart said that was one of the most important statistics that they were currently seeing.

Vice Mayor Greene thanked Captain Hart for his presentation and Chief Deputy Gaugher for attending the meeting. He felt that the District 8 staff was doing an incredible job. He said that there was a request for three additional Community Service employees, and asked what were the positions and the responsibilities. In response, Captain Hart said that the Village had added those positions last year and they were in place. Vice Mayor Greene thought that there were additional school crossing guards. Mr. Schofield explained that the school crossing guards have gone from 63 to 69 based on FDOT and there was a question about the change in the requirement. Captain Hart explained that the school crossing guards did not fall under his purview so he did not have any contact with them.

Vice Mayor Greene referred to a problem where cars are not stopping behind the white line at the intersection crosswalk. He asked if it was a big problem for PBSO, had they seen accidents and were they stopping cars if they were found doing that. Captain Hart said that the tires would have to cross the white cross bar bringing them into the intersection where they would then be able to issue a citation. Vice Mayor Greene thought that some of it might be education. Captain Hart said that he made note of it and would put it out to his deputies.

Councilman Willhite expressed concern that the crossing guards don't fall under Captain Hart's control. Captain Hart explained that the crossing guards have their own sergeant and different leadership who take care of everything. Councilman Willhite said that there is more police presence at the start of the school season, and asked if that was something they just do or was it in response to requests. Captain Hart said that they do it because it is the start of the school season and they want people to recognize that school is in session and they should slow down. Councilman Willhite asked if a crossing guard called in sick, would they put in a substitute, and if so, would it be supplemented with regular deputies. Captain Hart said that if a request was made, a deputy will go out, but the crossing guards regulate themselves and have the manpower to do that. Councilman Willhite remarked on the number of crossing guards at each intersection which he appreciated.

Councilman Willhite referred to Captain Hart's comments about the suspicious incident calls. He asked if that was in a particular area or across the Village. Captain Hart said that it was across the entire Village. Although that was a good thing, Councilman Willhite also found it concerning because he was hoping that the COP presence in the Village's neighborhoods were being effective. He thanked Captain Hart and his deputies for all of their hard work.

Councilman Coates thanked Captain Hart and his staff for their service. He felt that they do a good job, and the plan being presented was a good one. He said that he thought that 10% clearance rate

was low and could be an incentive for some people to burglarize. Captain Hart said that it was difficult, but noted a gentleman who came back to Wellington after he was released from prison who started to inundate them with burglaries. He noted that person was caught again, and he was before the judge and was looking at 30 years.

Councilwoman Gerwig questioned where they stood with the home burglaries. Captain Hart said that they were lower. Councilwoman Gerwig asked about fraud investigation. Captain Hart said that when they respond to a call that they see involves fraud, they immediately contact their Fraud Department and they take over the investigation. Councilwoman Gerwig said that residents question her about the Section 8 Fraud, and thought that PBSO has no way to investigate that unless they know there is an incident. Captain Hart indicated that was correct. Councilwoman Gerwig asked if the County does the cross checking when there is an arrest. Captain Hart said that once they make an arrest, his staff will do the cross checking to see if they are in Section 8 Housing, and if they are, then they start the procedure to see what laws they have broken, and then start the eviction process noting that they have evicted several families. Captain Hart said that the majority of Section 8 residents are good people and were not criminals. He stated that the majority of the crime has come from outside the Village.

Councilwoman Gerwig asked about the investigation with the shooting that had taken place in Wellington. Captain Hart indicated that it was still under investigation.

Mayor Margolis thanked Captain Hart for all his work. He shared the results of the Village's Budget Challenge Survey which indicated that the residents overwhelmingly supported the services provided. He said that the residents support the professionalism that Captain Hart and his residents extend to them which Council also appreciates.

There were no public comments.

A motion was made by Councilman Willhite, seconded by Vice Mayor Greene, and unanimously passed (5-0) approving Resolution No. R2014-31 as presented.

C. 14-572 RESOLUTION NO. R2014-45 (PALM BEACH COUNTY SHERIFF'S OFFICE FY2015 BUDGET AND CONTRACT ADDENDUM): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE THIRD ADDENDUM TO THE LAW ENFORCEMENT SERVICES AGREEMENT WITH THE PALM BEACH COUNTY SHERIFF'S OFFICE FOR LAW ENFORCEMENT SERVICES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. He explained that the Village reached the end of the current Law Enforcement Services Agreement with the Palm Beach County Sheriff's Office. He explained that the contract begins on October 1, 2014 and ends on September 30, 2019. It also includes the provision for five year renewal options and includes a cancellation clause. Mr. Schofield said that there were several minor changes to the wording in the contract noting that special language was added dealing with code enforcement and some language was removed that dealt with the replacement of deputies. Staff was recommending approval of the contract as submitted. Captain Hart and Chief Deputy Gaugher were present to address any questions.

Councilman Willhite asked if staff looks at the entire contract because it included a termination clause of six months. He felt there was no way Wellington could develop its own Police Department in that short a timeframe. Mr. Schofield explained that staff looks at the entire contract. He did not feel that six months was problematic for a termination because they would have put a referendum out to the voters to change from PBSO which would take about 1 ½ years to get through that process. Councilman Willhite questioned whether the contract needed to include the termination clause. Mr. Schofield said that almost every contract has that clause. Ms. Cohen did not believe including the termination clause hurt the Village and that a contract should include a clause like that in the event the voters decided they wanted to have their own department.

D. 14-724 REVIEW AND DISCUSSION OF PERFORMANCE EVALUATIONS

A. REVIEW AND DISCUSSION OF PERFORMANCE EVALUATION FOR VILLAGE ATTORNEY.

B. REVIEW AND DISCUSSION OF PERFORMANCE EVALUATION FOR VILLAGE MANAGER.

Mr. Schofield introduced the agenda item.

Mayor Margolis explained that this was an evaluation for the Village Attorney and Village Manager who report directly to Council, and that each member of Council submitted their evaluations. He felt that each Councilmember's perception of the performance of the two employees was correct and unique to each of them. Mayor Margolis announced that he would not be sharing his review publicly because they are public record that everyone has the opportunity to view. He did indicate that his evaluation had included opportunity areas that he wanted to work on with Mr. Schofield and vice versa. It was his hope that his view of how they should handle the evaluations was shared by his fellow Council members. He pointed out that the evaluations were being done in compliance with the contracts and that Council consensus was that they should be done by the second reading of the budget.

Councilwoman Gerwig thought that this was the time for conversation amongst the Council members; she thought the discussions were invaluable. She pointed out that there were some comments made by some Councilmembers that she didn't understand and asked if it was appropriate to ask for clarification. Mayor Margolis said that he did not want to question another Councilmember's evaluation because they are their own opinions, but she was free to do that.

Councilman Willhite felt that the performance evaluations were contractual obligations to do an annual evaluation. He said that a documented written evaluation form was brought forward, and that Councilman Coates had suggested they do the evaluations at the last meeting of the fiscal year so it was non-political and was not brought forward by any particular individual. He said Council can't set a roadmap for hiring and firing in the future, if they don't know where they came from. He said that they can't identify objectives and goals and areas of improvement for their two employees if they haven't identified them. He felt that evaluations are done on any person who works in a public or private entity. Councilman Willhite noted that he submitted his evaluations, and people can request a copy of them because they are part of the public record. Councilman Willhite noted that a large, vast growing rumor had morphed in the Village regarding the evaluations, and he did not know where that rumor came from. He noted that he was not even aware the item was on the agenda until it was published noting that he did not ask that it be included. He said that Mayor Margolis had indicated he had put it on because he felt that was what the process should be. Councilman Willhite said he had said that they could pull it from the agenda if that was Council's desire. He indicated that he had enough respect and conversations with Ms. Cohen and Mr. Schofield so he believed nothing was a secret to

them. He said the rumor did not come from him, and that it was alarming to him that something was created from nothing through multiple outlets except for asking for something contractual to be done.

Mayor Margolis indicated that he had placed the item on the agenda because he did not want to discuss it during Council comments and then have the public say they were not given an opportunity to comment. He said that he believed this was nothing but a contractual effort that Councilman Willhite had asked them to go through. He reiterated that his evaluations were his evaluations and they would have discussions with the two employees, and it will be mutual discussions and a roadmap to follow for the next year.

Councilman Willhite referred to the CPI and merit raises, and asked if Council had not properly given an evaluation to merit those increases. Mr. Schofield explained that was included as a provision in his contract. Ms. Cohen noted that her contract also included that provision, but noted that the increase was also included in Council's approval of the budget.

Vice Mayor Greene said he had private conversations with Mr. Schofield and Ms. Cohen and he thought it was clear what his feelings were. He felt it was irresponsible for someone to speculate on what was discussed and leak information to the media to print. Vice Mayor Greene said the reason he had not spoken to the Post was because he thought it was inappropriate to speak with them and to express his opinions about their evaluations out in the public prior to his speaking with the employees. He said that he did not want to subject Mr. Schofield to the same type of speculations and inaccuracies that he had been subjected to, and that it was his job on Council to protect the Village of Wellington. Vice Mayor Greene said that he indicated at the Agenda Review that if people feel there is an abuse at any level in the Village offices, the information needs to come forward and it does not need to come out as rumors and not facts which he felt was wrong. Vice Mayor Greene said that until they have an opportunity to get the information to the right authorities and let them evaluate it, he was not prepared to do anything, but to continue to work with Mr. Schofield and Ms. Cohen and do what was best for the Village.

Councilman Coates felt Council was required to do an evaluation on Ms. Cohen and Mr. Schofield, and thought the public was entitled to know where they stand as a Council with respect to their two employees. He then went on to publicly evaluate Ms. Cohen and Mr. Schofield. With regard to Mr. Schofield he found him to be an outstanding manager who helped to navigate the Village during difficult economic times. He praised him for the Village's good financial condition; and recognized his insight and diligence in developing budgets. Councilman Coates found Mr. Schofield to always be available to him. On the constructive side, he said he noticed that Mr. Schofield's opinion has been muted and lost, and he wanted him to improve upon that. He said the he would like to receive Mr. Schofield's complete and unfiltered opinion even if it is one that Council might not want to hear. With regard to goals, he said that Mr. Schofield should continue in the same direction to keep the Village lean and as efficient as possible, and to work on improving his communication with members of Council. Councilman Coates pointed out that Mr. Schofield has done a good job improving the Village's infrastructure and that he should continue doing that. Overall, Councilman Coates found Mr. Schofield to be an excellent manager who has done a good job over the past six years, and encouraged him to keep up the good work.

Councilman Coates then presented his evaluation of Ms. Cohen. He said that he had tremendous respect for her and that she has done a good job transitioning from the private sector as a litigator to coming in and mastering what he considers a general counsel type position. He explained that a litigator is exposed to many different substantive areas which was why he felt she was able to quickly get up to speed. Councilman Coates said that when Ms. Cohen was hired, it was known that she did not have much experience on the municipal law side, as she had not really done that type of law in her private practice. He felt her job knowledge was great and that she has done a good job over the past 18 months to get up to speed on the municipal area. He also appreciated that she was forthright if she did not know the answer to a Council question. He did not believe that anyone on Council

expected her to know all of the answers to all the questions; however, they do expect her to tell them she doesn't know something rather than for her to give them incorrect information. He praised her for doing a good job in building the Legal Department. He felt they are at the place where he envisioned the development of that department with one attorney, an assistant attorney and a paralegal and he did not anticipate much growth beyond that. Overall, Councilman Coates said that Ms. Cohen has done a good job over the past 18 months, her communication to Council has been good, there is still room for improvement on the municipal side, but she is on the right track. He felt that the Village is in very capable hands with their in-house legal services, and thanked her for the job she has done.

Councilwoman Gerwig complimented Vice Mayor Greene on the form that he had developed. She noted that she has a weekly meeting with Mr. Schofield and said that she would like to have a weekly meeting with Ms. Cohen as well which she felt would be very valuable to her. She did not feel that she gets enough information from Ms. Cohen even though Council does receive the updates on the litigation. She said that she felt that everyone should have access to the Manager, and she was concerned when she saw in other reviews that others don't feel that way. She voiced her appreciation of both Ms. Cohen and Mr. Schofield. She concurred with Councilman Coates that she would like to have their real opinion and input on issues even if they don't think Council wants to hear it. She stated that she did not have a problem with the evaluations being public. She thought it was fine for the residents to read the evaluations and she welcomed their input.

Mayor Margolis reiterated that his evaluations are public, they are his perception and things he needs to work on with Ms. Cohen and Mr. Schofield. He indicated that he was happy that the Council made the decision a number of years ago to make Mr. Schofield the Village Manager.

Public Comments

Vice Mayor Greene read the following card into the record:

1. Anita Nebb, 1844 South Club Drive, Wellington. Ms. Nebb's comments supported Mr. Schofield.

The following people spoke:

1. Bart Novack, 15670 Cedar Grove Lane, Wellington. Mr. Novack questioned whether the Village's Attorney could demand a retraction and apology from the Palm Beach Post regarding the erroneous information they printed.
2. Morley Alperstein, 17236 Gulf Pine Circle, Wellington. Mr. Alperstein spoke in support of Mr. Schofield.
3. Laurene Capone. Ms. Capone spoke in support of Mr. Schofield.

9. PUBLIC FORUM

1. Mr. Tony Fransetta, 8429 St. Johns Court, Wellington. Mr. Fransetta spoke about the need for senior housing and that it was the previous Council's intention to donate land for that use. He thought part of K-Park could be dedicated for senior housing. Mr. Fransetta said he would be available to speak to Council members regarding this.
2. Mr. Bart Novack, 15670 Cedar Grove Lane, Wellington. Mr. Novack indicated he did not support selling K-Park and thought a section of that property could be allocated for senior housing. He also questioned if the Village could recoup some of the legal fees for some of the litigation.

10. ATTORNEY'S REPORT

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

- She thanked Council for the evaluations which she found helpful. She was aware that there are

some areas that she needed to work on, and she will apply herself to do those things over the next year. She knew it was a difficult decision for Council to make because they are stewards of public funds, but she thanked them for approving the increase in compensation for her and the Assistant Village Attorney.

- She stated that Palm Beach Polo sued the Village of Wellington for access over the Birkdale site to the North Course. The Village initially filed a Motion to Dismiss and entered into an agreed order. Palm Beach Polo amended their complaint and the Village filed a Motion to Dismiss the amended complaint. A hearing was scheduled for Friday, September 26th; however, for reasons unknown, the Court cancelled all of the hearings for that date. Ms. Cohen pointed out that Mr. Zink is Palm Beach Polo's representative and her office will be coordinating with his office to reschedule the hearing.
- Ms. Cohen wished all of the Jewish residents and Mayor Margolis a Happy New Year.

11. MANAGER'S REPORT & UPDATES

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

- The next Regular Council Meeting is scheduled for Tuesday, October 14, 2014 at 7:00 p.m. in the Council Chambers.
- The Village's Offices will be open for business on Columbus Day, October 13, 2014.

12. COUNCIL REPORTS

COUNCILWOMAN GERWIG: Councilwoman Gerwig presented the following report:

- Councilwoman Gerwig reported that she had attended the Mayors' Literacy Luncheon sponsored by the Literacy Coalition. She noted that this year's book was "Bunny Cakes." She said that she owned a bunny and would like to do some reading at Scott's Place and bring her bunny with her. She welcomed everyone to come out and participate.
- Although she could not attend the Rotary's World Peace celebration because she was out of town, she was glad that the Village was represented by members of Council. She felt that it was a very meaningful ceremony at this time because of what is happening around the world.
- She wished everyone a Happy New Year and Happy Rosh Hashanah.

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

- With regard to the significance of the Peace Pole ceremony, Vice Mayor Greene noted the tragedy that is going on around the world and the lives of the men and women who are making the ultimate sacrifice.
- He stated that this ended the fiscal year in the Village of Wellington and thanked all of the Village employees who are out working hard every day for the residents of the community.
- He advised Mr. Fransetta that he will meet with him on the senior housing issue noting that they have previously spoken about aging in place.
- He noted that the tennis project was underway as he noticed land clearing had begun at the site.
- Vice Mayor Greene indicated he had met with Bob Behren who presented a Scavenger Hunt that is intended to raise money for scholarships and other causes. He felt he had some good ideas, and encouraged the Council members to meet with him as well.
- Vice Mayor Greene wished Mayor Margolis and the rest of the Jewish community a Happy New Year.

COUNCILMAN WILLHITE: Councilman Willhite presented the following report:

- Councilman Willhite asked if something could be put together advising everyone of the status of the flood maps.

Mr. Schofield said that there is a public comment period that the Village is getting ready to advertise and there will be a series of public meetings. He asked Councilman Willhite if he was willing to do the Public Service Announcement (PSA) on that.

Councilman Willhite said that he would be happy to do the PSA, but pointed out that not only do the public comment aspects have to be done, but all considerations have to be implemented before anyone would be imposed with any type of increase.

- He said Council has been very supportive of the Keely Spinelli Grant. He said that staff indicated that future grant funding would be recommended and that additional guidelines should be established. He asked to see where staff feels additional guidelines are needed. He noted the growth that has occurred in the schools, but he was concerned that they would not be able to meet that expectation next year because some of the gains were astronomical. He wanted to know what was being done to garnish the best results.

Mr. Schofield said that Council had a Safe Neighborhoods Workshop scheduled for October 13th and since the Spinelli Grant is administered from that office, he would insure that Mr. Poag addresses that during the workshop.

- He reported that because of bad weather, the 9/11 ceremony was moved to the Community Center. He felt it was a great event which was well attended and the speaker was phenomenal.
- He thanked staff for their work with the World Peace event that had been held the past Sunday.
- He voiced his appreciation for the fiscal staff and the conclusion of another fiscal year and bringing forward another good budget. He hoped that it will be another fruitful year for Wellington.
- Councilman Willhite wished all of the Jewish residents a Happy New Year and Rosh Hashanah.

COUNCILMAN COATES: Councilman Coates presented the following report:

- Councilman Coates wished Mayor Margolis and the members of the Jewish community a Happy New Year.
- He extended special thanks to Tanya Quickel and her staff for their work on the budget. He thought that the communication of the budget as well as its presentation was a cut above what had been done in past years.
- He advised staff what the term "willy-nilly" meant and that when he uses it he means something was done in a haphazard manner.

MAYOR MARGOLIS: Mayor Margolis presented the following report:

- He wished a Happy New Year to everyone in the Jewish community.
- He compared attending a Council meeting to a hockey game where some people come to watch a fight. He commended his fellow Council members noting that there was no more fighting. He felt that they handled the evaluations in a professional manner. He referred to a comment made by the Vice Mayor several months ago about changing the subject and moving on to what is important in the Village. He felt they should focus on things like the report from Captain Hart about the low crime in the Village, that PBSO is doing a good job, and the dollars that are used to increase reading skills because of the Spinelli Grant. He believed that the only way to stop the rumors is to make believe that they don't exist. He said in his heart he believes that if someone calls him, talks to him or gives him an opinion, if he values their opinion, it hits home and is important to him. However, if they are just using the Council and the environment just to throw out some nasty rumors or innuendos, it was just noise to him. Mayor Margolis thought that there would be a number of people to put in their public comment cards regarding their performance

evaluations for the Village Attorney and Village Manager; however, they were not there because Council did not give them an opportunity to come and do that. He said that he didn't get any negative comments about having Chris McLean come here although other Council members had during their election campaign, but he wished they could continue to do that because they have come a long way. He said that Council will continue to have disagreements, but commended them for doing an excellent job that evening noting that they are no longer playing hockey and are changing.

13. ADJOURNMENT

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

Approved:

Bob Margolis, Mayor

Awilda Rodriguez, Clerk