

## MINUTES

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

**Tuesday, September 13, 2016  
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, September 13, 2016, commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

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

Advisors to the Council: Paul Schofield, Manager; Laurie Cohen, Esq., Attorney; Jim Barnes, Assistant Manager; Tanya Quickel, Director of Administrative and Financial Services; and Rachel R. Callovi, Clerk.

1. **CALL TO ORDER** – Mayor Gerwig called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE** – A few kids from the audience helped Council lead the Pledge of Allegiance.
2. **INVOCATION** – Rabbi Emeritus Stephen H. Pinsky, Temple Beth Torah, Wellington, delivered the invocation.
3. **APPROVAL OF AGENDA**

Mr. Schofield indicated staff recommended approval of the Agenda as presented.

**A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), to approve the Agenda as presented.**

### 5. PRESENTATIONS AND PROCLAMATIONS

- A. 16-0277 PRESENTATION OF 2016 WELLINGTON TOP COP AND TOP FIREFIGHTER AWARDS

Mr. Schofield introduced the item. He stated these awards are recommended by the Public Safety Committee every year. Ms. Callovi indicated Captain Rolando Silva would be presenting the Top Cop Award and Chief Battalion Michael Arena would be presenting the Top Firefighter Award.

Captain Silva announced that Detective Dave Murray was selected by the Public Safety Committee as the Top Copy. He stated that Detective Murray is a valuable member of the team, as he is tenacious, hardworking and quite remarkable. He indicated Detective Murray has been

in law enforcement for a very long time and is very good at it. Captain Silva stated he was very proud of Detective Murray and very glad he was chosen for this year's Top Cop Award.

Detective Murray stated he was honored, but he could not do this without his partners and bosses. He said it is a great place to work. He expressed his appreciation for receiving the award.

Chief Battalion Arena stated it was his honor to present the Top Firefighter of the Year Award to Lieutenant Sabastian Garay, as selected by the Public Safety Committee. He said Lieutenant Sabastian Garay has been at Station 30 on Stribling Way for many years and has been featured in numerous articles. He indicated Lieutenant Garay had touched countless lives over the years, including several cardiac arrest survivors. He said Lieutenant Garay takes the time to mentor new people, is involved with the community, and is a family man. Chief Arena mentioned Lieutenant Garay was selected two weeks ago to work at their headquarters in the rescue office as the Continuous Quality Improvement Coordinator and he will do very well because he is extremely passionate about his job.

Lieutenant Garay stated he accepted this award in recognition of service excellence, as he strives every day to perform at a high level in providing excellent services to this community. He said he is humbled and privileged to receive this honor. He thanked his Chief, his family and all of the people he works with. He expressed his appreciation and thanked everyone for this honor.

At this point, Council awarded the Detective Murray and Lieutenant Garay with their plaques of recognition. They also took pictures with them and members of the Public Safety Committee in attendance

Mayor Gerwig then recognized the 9/11 Ceremony that was held at the Patriot Memorial. She stated it was a great ceremony and it was wonderful to have the law enforcement and first responders there. She appreciated everyone's participation and for coming out in the rain. Mr. Schofield noted a video of the ceremony has been posted on the Village website.

Mayor Gerwig thanked the officers and firefighters for protecting them and for being great members of the community.

## **6. CONSENT AGENDA**

- A. 16-0390** MINUTES OF THE REGULAR WELLINGTON VILLAGE COUNCIL MEETING OF AUGUST 9, 2016
- B. 15-1013** AUTHORIZATION TO RENEW EXISTING CONTRACTS WITH MULTIPLE VENDORS FOR THE PURCHASE AND DELIVERY OF FERTILIZERS, HERBICIDES, INSECTICIDES, FUNGICIDES AND OTHER SPECIALTY ITEMS
- C. 15-1029** AUTHORIZATION TO RENEW THE CONTRACT TO PROVIDE GENERAL LIABILITY, PROPERTY, CASUALTY AND WORKERS' COMPENSATION INSURANCE
- D. 16-0369** AUTHORIZATION TO AWARD A CONTRACT FOR ENTERPRISE RESOURCE PLANNING (ERP) CONSULTING SERVICES
- E. 16-0411** RESOLUTION NO. R2016-64 (MID-YEAR BUDGET AMENDMENT TO INCREASE THE BUDGET FOR ACTUAL IMPACT FEE RECEIPTS AND ASSIGN THE INCREASE TO FUND RESERVES):  
A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE RECREATION IMPACT FUND AND ROAD IMPACT FUND FOR

INCREASED IMPACT FEE REVENUES AND TO INCREASE  
ASSIGNED FUND BALANCES; AND PROVIDING AN EFFECTIVE  
DATE.

Mr. Schofield stated staff recommended approval of the Consent Agenda as presented. He indicated no comment cards were received from the public on the Consent Agenda.

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

**7. PUBLIC FORUM**

Mayor Gerwig indicated one comment card was received from the public.

1. Mr. Tumin, 752 Lake Wellington Drive, Wellington. Mr. Tumin thanked the Council for adding three more members to the Village Construction Board of Adjustment and Appeals; however, he pointed out that the Village Ordinance requires seven members. He said a meeting of this committee is set for next week and selection of the Chair and Vice Chair is on the agenda. He stated he asked the attorneys on Council if an official meeting could be had with only six appointed members. If not, he suggested they hold an unofficial informational meeting, so they could get organized.

Councilwoman Siskind indicated an application was received for the Construction Board and she was in the process of trying to reach this individual, because she still needs to make her appointment.

Mayor Gerwig explained a regular board meeting could be held with a quorum. She thanked Mr. Tumin for his service and for reminding Council that this needed to be done.

**8. PUBLIC HEARINGS**

- A. 16-0379 FIRST PUBLIC HEARING FOR PROPOSED FISCAL YEAR 2016/2017 BUDGET AND ADOPTION OF THE FISCAL YEAR 2016/2017 CAPITAL IMPROVEMENT PLAN**

Mr. Schofield introduced the item.

Ms. Quickel indicated this was the first public hearing on the proposed budget and adoption of the capital improvement plan for the Village for fiscal year 2016/2017. She stated the total budget is \$89.5 million including transfers, which is an overall increase of \$4 million from the current budget of \$85.5 million. She said this budget includes Wellington's general fund and the three special revenue funds: Acme, Building and Gas Tax Road Maintenance Operations. She reminded Council that the Acme budget was adopted August 9, 2016, along with the enterprise budgets for water and wastewater, solid waste, and Lake Wellington Professional Center. She said that left them with the general fund, the remainder of the operating budget and capital projects. She stated the biggest increase of \$2.5 million was in the general fund which was primarily for new positions in building maintenance and the community center, the five day work week, the PBSO contract (which includes a 2% increase, plus two new deputies), and moving the neighborhood parks back to the general fund from Acme.

Ms. Quickel stated the tentative adoption and millage of the governmental funds budget includes

the ad valorem millage rate, which is down 0.01 of a mill to 2.44 mills and has the rollback rate of 2.28 mills. She said the rollback rate provides the same ad valorem revenues as the prior year, plus new construction value. She indicated the taxable value is almost \$7.5 billion, up a little over 8% from last year. She stated Acme solid waste and utility rates were either not changed or decreased noting they were adopted on August 9, 2016. Ms. Quickel showed Council the millage rate history and budget history for Wellington. She stated the preliminary trim rate of 2.44 mills is the lowest since 2009. She also showed Council some comparative information that included the rates, budgets, number of employees and population.

Ms. Quickel also presented a sample tax bill showing the current year compared to the proposed year for 2017. She explained for a Wellington homesteaded property, the tax bill decreases for a \$300,000 home by approximately \$148. She said for Wellington the increase is \$2.00, because of the increased property value, and that is on average. She stated in the non-ad valorem section of the tax bill there are decreases for solid waste and Wellington solid waste (which is for the collection), and the Acme Improvement District remained the same.

Ms. Quickel indicated the largest portion of the taxes (34%) go to the school board with the second largest being Palm Beach County and the library. She said Wellington, including non-ad valorem and assessments, is the third largest.

Ms. Quickel reviewed the budget changes from the prior year:

- Information Technology - reduced because of software licensing changes as well as lower capital outlays for server replacements.
- Administration and Financial Services - no election expense, moved a position back to a department and to Community Services.
- Risk Management - increases from higher insurance from the appraisal.
- Building Department - increased outside services and expanded hours for the five day work week.
- Debt Service - Saddle Trail is a pass through. The people impacted pay and then the Village repays with debt service.
- Solid Waste - the budget had a 1.5% increase per the contract, replacement of the radio system from analog to digital.
- Planning, Zoning & Code - added funding for housing studies, restructured the department.
- Engineering Services - re-class of position from Utilities, included traffic counters for traffic studies.
- Neighborhood Services & CDBG - reassigned the CDBG position from the Finance Department back into this department, increased neighborhood enhancement funding by \$110,000.
- Professional Center - increase primarily for new roof replacement and ongoing AC repairs.

Regarding the new roof, Mayor Gerwig noted that the Professional Center has a dedicated enterprise fund. Ms. Quickel indicated the new roof was previously approved on August 9<sup>th</sup> and any projects would come back to Council.

- Capital Projects - increase in water and wastewater projects and Parks & Recreation, additional programming and positions for the new Community Center and Public Safety.
- Public Safety - 2% contract increase, plus two new deputies.
- Public Works & Acme - added building maintenance positions, increased the road overlay program, replacing vehicles and the street sweeper.
- Water and Wastewater - added the director position and staffing for the five day work week,

increased major maintenance for router and meter replacements, replacing the Peaceful Waters boardwalk.

Ms. Quickel stated staffing is currently at 302 positions and this budget reflects an increase to 314 positions and almost 10,000 part-time hours to 90,180. A 4% average wage increase is included with 2% based on the price index and 2% based on merit. Up to 5% in medical insurance is also included.

Ms. Quickel indicated the budget reflects the new parental leave program with up to six weeks of leave at a cost of approximately \$30,000. Councilman Drahos asked how someone would qualify for this program. Mr. Schofield stated the policy would consider bringing a child into the home either through birth or adoption.

Councilman Napoleone understood that just because they were budgeting for parental leave, it did not mean they were implementing it. So if Council decides not to do it, the money will be reallocated, which would be the same for the five day work week. Ms. Quickel stated that was correct.

Councilman Drahos asked at what point in time Council would be actually making a decision. Mr. Schofield explained tonight was the first hearing of the budget, where the public is first hearing the Council's comments and Council is first hearing the public's comments, and Council will be making this decision in two weeks at the second hearing.

Mayor Gerwig thought Councilman Drahos was asking if the drafted policy would come to Council. Mr. Schofield stated the policy would come to Council for informational purposes, but it would be implemented with the budget directive. He said should Council adopt this, staff would draft the policy and Council could expect to see it at the first meeting in November.

Mayor Gerwig asked if the only way Council could object to the parental leave program was by not voting for this budget. She reiterated that she did not think the program was fair or appropriate at this time. She said the economy is not what it should be in the private industry and they are a public entity. She said she looks at the Village budget as meeting the needs of the residents. She thinks the Village offers a great plain to its employees that is the same for everyone and not based on a particular life event. She stated it did not have to be a discussion point, as she was just making it clear as to why she would be voting against it.

Ms. Quickel explained Council could remove this program from the budget so they would not have to vote against the entire budget, but they would have to make that determination so that staff understands it.

Ms. Quickel reviewed the projects in the Capital Plan. She showed the years that have been previously encumbered and the amounts that may carry forward or be reallocated as well as the current budget additions for 2017 and the funding for projects in future years.

- Communications & Technology - major expenditures for technology changes, cabling, wireless communications, a new Enterprise Resource Program (ERP) for the Village (which is the main software program that runs all of the departments throughout the Village).
- Neighborhood Trails Program - funding equestrian trails and neighborhood trails throughout the Village.
- Parks - capital improvements continue to be funded for the recreational programs and

facilities.

- Public Works - facility improvements, main focus is construction of an equipment storage facility and fill a retention pond at the complex. Village owned facility improvements are funded every year to maintain the facilities. In 2017, improvements to the Greenbriar complex buildings will be included.
- Safe Neighborhoods – complete construction of Hawthorne Park and install defensive measure elements to include lighting, landscape, sidewalks in transitional neighborhoods.
- Acme Renewal Replacement Program - maintenance program funded by the \$30.00 assessment increase starting in 2014.
- Surface Water Management System - main projects include replacement of two variable frequency drive pumps and a trash rake at pump station number five, along with other regular improvements the Village maintains.
- Turn Lanes & Traffic Engineering - \$1 million includes the improvements at Big Blue and Barberry for both drainage and reworking the road, a turn lane at Big Blue and Wiltshire, and then extending the turn lane at Pierson and South Shore. Ms. Quickel presented photographs of each project.
- Road & Pathway Circulation Expansion - focuses on connections for non-vehicular areas.
- Water and Wastewater Projects - focusing on the ERP as it affects the water and wastewater in all departments throughout the Village, major upgrades for the wireless, gravity system collection improvements, upgrade and renew existing manholes and gravity pipes, water distribution and transmission improvements, water treatment plant improvements, a total of \$4.6 million.

Mayor Gerwig asked when fluoridation would occur again. Ms. Quickel indicated I was included in the project that was now being considered. She thought the responses had been received and were under review. She believed it would be coming to Council within the next 30 days.

Ms. Quickel stated the Village has replacement assets of \$1.6 million and new assets of \$309,000. She said the total budgeted for capital projects was slightly over \$12 million for 2017.

Ms. Quickel reviewed the overall budget increases and decreases. She stated overall the general fund rate stabilization reserve was at \$1,100,567 and leaves an unrestricted fund balance of 31%. She said their policy is to stay between 25% and 29%, so this is slightly above policy.

To balance the budget, Ms. Quickel stated \$628,000 will be used from the building fund; \$536,000 from gas tax capital reserves; \$353,000 from recreation impact; \$328,000 from road impact; \$45,000 from debt service; \$775,000 from the adopted Acme fund; and \$60,000 from the Professional Center. She said the adopted water and wastewater will increase by an estimated \$493,000 and the adopted solid waste will use approximately \$689,000. She indicated those noted as adopted were previously approved on August 9, 2016.

Ms. Quickel stated the total governmental budget for 2017, excluding Acme, was \$58.8 million, which is an increase of \$1.4 million or 2.5%. She said the operating budget is at \$46 million, up \$3 million or 7%; capital projects are at \$5.5 million, down \$406,000; and debt service and transfers are down \$1.3 million. She indicated the budget was on schedule and the final hearing will be September 27, 2016.

Based on the Charter amendment the Village had, Mayor Gerwig asked where the unforeseen spending would come from if there was an election. Ms. Quickel said it would depend on the amount. She stated if a budget amendment had to be made, it would be brought back to Council.

Mayor Gerwig indicated they were over their reserves of 29%, so there was some breathing room for anything unforeseen. Mr. Schofield explained this budget, as with any budget, has the best estimate of what is believed the Village is going to spend. He stated the capital projects are pretty well fixed. He said if they were to have a special election any time between now and the next election, the \$30,000 or \$40,000 would not come from reserves, as they would reallocate some funds, delay projects or delay hiring.

Ms. Quickel explained a number of restricted fund balances or committed fund balances could be addressed as well if need be. Mr. Schofield indicated staff could not allocate such an amount without a public hearing and Council approval.

### Public Hearing

1. Bruce Tumin, 752 Lake Wellington Drive, Wellington. Mr. Tumin spoke about the increases in the proposed budget for FY 2017. He questioned the property taxes, staffing levels, and employee wage increase. He hoped Council was being a good steward of the Village property taxes. He suggested they look to the League of Cities to compare the Village with other municipalities. Regarding the parental leave, he hoped Council would not adopt something without reading it first.
2. Paulette Venere, 16031 Rustic Road, Rustic Ranches. Ms. Venere heard the Village was allocating money for horse trails and wanted to know which horse trails were going to be worked on. She said she lives in Rustic Ranches and there is no safe way to get to the Winter Equestrian Festival with horses. She said the Village made a path for bicycles, but they still use the road.

Mr. Schofield indicated the single crossing along the C-23 canal has been improved and it specifically provides access from Flying Cow Road and the properties to the west into the showgrounds. He explained the C-23 canal runs on the south side of Pierson Road. He said they have to come out of Rustic Ranches and go south. He stated Flying Cow is the paved road that comes into Rustic Ranches, and there is a crossing of the C-23 canal.

Ms. Veneer stated the only horse trail in Rustic Ranches is in the back on the edge of Rustic Ranches. Mr. Schofield indicated there were no plans to put trails inside Rustic Ranches, because the Village does not have the rights-of-way. He said those are controlled by the Pine Tree Water Control District.

Mayor Gerwig stated Mr. Barnes would get Ms. Venere some information on the trails. She also mentioned that the Village has an Equestrian Preserve Committee and anyone interested in discussing horse issues of any kind, including trails, should present them to the committee first. She indicated Mr. Barnes would also let her know when the Equestrian Preserve Committee meets again.

Councilman Napoleone asked about the long-term status of revenues over expenses. Ms. Quickel thought they had been fairly consistent. She said there will be changes in the Building Department and around 2020 that will be fully absorbed by the general fund, as there will be decreases in activity because Wellington is primarily built out. For Acme, the Village cannot continue to fund from its reserves to the level it has in previous years. She indicated this year they took half as much as they did in the past year. Within the next two years, they will be looking at an increase, changing the level of service, as they have this year moving the parks out to be funded by the general fund, or increasing the assessment. She stated these were decisions that would be

brought to them in future years. She said for solid waste, excess reserves were being used going forward in a planned and reasonable way. Ms. Quickel stated things are not bad by any means, but they are aware of the major considerations that need to take place in the next few years.

To put it in perspective, Mr. Schofield stated in 2008 the Council was told they would be out of reserves in 2016 using the then current service delivery model. He said they changed that service delivery model and now in 2016 this Council is being told the reserves are slightly over the target reserve rate of 29%. He stated they know that in the 2021 timeframe, using the same delivery model as today, the Village will have spent its reserves. He said they were looking to change the way they do things and change certain efficiencies. He said more facilities are on line since 2008 like Village Hall, the swimming pool has been redone, and the community center has been completed and is 50% larger. He indicated they will be changing the service delivery model and one key component is the funding for the Enterprise Resource Program (ERP), a business software that will allow them to automate and better coordinate. He stated their current software was from the 1980's and is no longer supported. He explained that eight years ago most of the business being done with the Village was done in person, but a great deal of that has been automated and they will continue to see more of that. He stated over the last eight years they have reduced the number of management and professional staff, and they now have more maintenance staff. He said over the next four or five budgets, they will see changes in their service delivery model that will allow them to remain financially healthy. He stated this was not a circumstance, as they expected to be here. He believed this Council would make the changes necessary, so that when they get to 2021, they will be discussing the possible changes in 2026. He said the Village is not in a difficult position at all.

Councilman Napoleone asked what they did in 2008 to change their service delivery model. Mr. Schofield stated they looked at their staffing model, changed their hours of operation, and changed their capital program considerably. He explained the Village no longer does debt financing for capital improvements and instituted business models for every area of the Village. He stated they now have an annual inspection and replacement plan for assets. He said the items that need replaced are replaced and they are very cautious about how they spend money. Mr. Schofield could not tell Council exactly what they were going to do over the next five years, but they will see increases in automation, more efficient equipment and functions combined wherever possible. He mentioned they were also looking at cost sharing certain common services with other local governments.

Councilman Napoleone voiced his opposition to the Village going back to a five day work week, because he believes they are trying to solve a problem that does not exist. He said looking at the budget and changes to in-person services, the world continues to change as most things can be done on-line. He understood if an item is put in the budget, it does not mean they have to do it. However, it is starting to sound like if it is in the budget, it is going to be done. He thought they needed to look at better ways to manage money and deliver services in a smarter and more efficient manner.

Councilman Napoleone stated many of the front line services, where people come into the Village for water bills, permitting, business licenses, and general information, are part of the argument for the five day work week. However, all of that can be done on-line. He did not understand why they would step backwards and spend \$200,000 to open Village Hall for a fifth day when there is no issue. He stated 571 people responded to the recent budget challenge and not one person said the Village should be open on Fridays. He said in the last two budget challenges, one person suggested opening on Fridays if it did not cost any more money. He pointed out it costs more money and the four days of extended hours, Monday through Thursday, will be eliminated. He

noted five days of standard hours with extended hours on Wednesdays was being proposed.

Councilman Napoleone thought it was fiscally irresponsible to spend \$200,000 to open Village Hall for a fifth day, when they are looking to automate and deliver services differently. He understands staff works for Council and the residents, but this would put everyone through the upheaval of changing the lifestyle they have had for the last eight years. He stated some people who have been hired and have only had a four day work week.

Councilman Napoleone acknowledged that Mayor Gerwig and Vice Mayor McGovern have stated that residents have said the Village Hall should be open on Friday. However, Councilman Napoleone has not heard a good reason as to why the Village should be open on Friday other than some people would like it to be open on Friday. He said Mr. Schofield has mentioned that his preference is to be open on Friday, but people can access all services on Friday now.

Mayor Gerwig stated she has said for the past three years exactly what Councilman Napoleone was saying. However, she invited Councilman Napoleone to come by Village Hall on a Friday. She indicated two Fridays ago the Supervisor of Elections Office came by to pick up the voting equipment and this past Friday a lady needed to shut off her water off and put it in someone else's name as was leaving town. Mayor Gerwig said she explained that it could be done online.

Mayor Gerwig also invited Councilman Napoleone to knock on doors, because every time she has run for election the first thing the residents say is the government works for them. She said when there is a long weekend with Monday off, the residents have gone four days without a point of contact. She stated even though the services can be done online, it does not mean the residents are going to do that.

Councilman Drahos stated he is very sympathetic to the employees, as some of them have asked him to reconsider his position on the five day work week. However, this issue was brought up quite a bit when he knocked on the doors of residents as well. He believes if businesses are open five days a week, then the government should be open because they provide important services to the community. He thought a large population of Wellington did not access services online and still expected face-to-face interaction at Village Hall. Therefore, he believed it would be best to get back to the five day work week. He knows this will not be a popular vote among the employees, but he thinks it is best for the people of Wellington.

Vice Mayor McGovern stated in the eighteen months he has been on this Council, he has heard primarily two things from residents: 1) put fluoride back in the water; and 2) the Village needs to be open five days because people work five days a week. He said if a resident has a problem and needs a point of contact that is an urgency at that moment. He stated he was very sympathetic to all of the workers, but on this issue Council's final obligation is to answer to the people. He said the people believe their government should be open and available to them five days a week. He agreed that returning to the five day work week, with expanded hours on Wednesdays beginning in January 2017, is something they need to do.

Vice Mayor McGovern thought the residents needed to know that the services out of Village Hall would be coming back to five days a week, but Public Works and like departments would stay on the four day work week with the extended hours. He said this will be done for efficiency and to ensure the economic impact of this change is as limited as possible.

Mayor Gerwig thought the flexibility to the employees should be noted as well. She mentioned some employees in Village Hall have asked her to go back to the five day work week, because it

is a long day and they cannot work out child care on the ten hour schedule. She said there are going to be winners and losers in this, but she has to come back to the fact they are here to serve the residents.

Councilwoman Siskind understood some services were still being provided on Fridays, such as inspections, so they were not leaving people stranded for four days. Mr. Schofield indicated one common complaint was not being able to get a building inspection done on a Friday, but they have to know to call the Village as opposed to coming to the door. He said if they call on Thursday for a building inspection on a Friday, it will be done. He indicated the Utility department is there 24/7 and the Parks Department is there roughly 18 hours a day, 7 days a week, so only the schedule for Village Hall will change. He said no service is offered that residents cannot get on a Friday, but they have to call the Village because the front doors are closed. He stated on Fridays there are operators in the call center and people in Utilities to turn on water service and setup accounts.

Councilman Napoleone indicated Mr. Schofield just said that there is no service residents can get during the week that they currently cannot get on a Friday. He stated for that reason alone, there was no reason to open Village Hall on a Friday. He thought maybe they should spend their energy and resources on educating the residents that they do not have to drive to Village Hall to get something accomplished. He stated they will have to turn the whole building on, as they could not just open part of the building. He believed once they go back to a five day work week, it would be very hard to go back and streamline everything. He said he was a fan of being a good steward of the residents' money and not spending \$200,000 to open on a Friday to accomplish literally nothing. He understands that people have complained, as he talked to people and knocked on doors when he campaigned for eight months. He said he called people about this issue. He stated he has heard that the main issue is getting permits, but that is all online.

Mayor Gerwig asked about the application process for a permit, as the business consortium had mentioned it to her. Councilman Napoleone stated Mr. Tomasik told him that permitting was 100% online. Mayor Gerwig asked if the computer was generating it or if someone in the building was answering that business need. Councilman Napoleone indicated he spoke with the business consortium as well and they also talked to Mr. Tomasik. He said they understand that the permitting process is all online and it will get approved. He noted they would not get a permit on Saturday anyways.

Mayor Gerwig asked if there is a fee on Friday if someone calls for an inspection. Mr. Schofield stated for commercial builders, there is no fee on Friday if it is prearranged and there has always been a fee on Saturday. However, there are no fees for homeowners for those days.

Mayor Gerwig indicated having extended hours on Wednesday was not something she supported, because to her it was either 8:00 AM to 5:00 PM or four 10 hour days. However, when it was discussed, it did meet the need for that one person who might need to come by in person. She thought if the residents know every Wednesday is the day to come before or after work, it made sense to try it, but it may not work. She said it might let them have some flexibility with scheduling with employees to have some overlap.

Mayor Gerwig also indicated that some entities, such as Wellington Regional Hospital, have mentioned that they do not have a point of service contact on Fridays and sometimes the issue requires more than just a phone call.

Councilman Napoleone stated the Village is a not for-profit business and does not have to be

open five days a week. He said they are a government run by the people's money. He stated if they could save money by not opening to provide services the residents can already get with Village Hall being closed, they should not open on Friday.

Councilwoman Siskind stated she agreed with Councilman Napoleone, as she feels they are trying to fix something that is not broken. She believes they could be wasting resources on a public perception that Village Hall should be open five days a week. She said no one in the budget challenge survey mentioned it and she has not heard from anyone having a problem. She knows the services can be provided on Friday, so it seems wasteful. Mayor Gerwig disagreed, as she thought it was broken.

Vice Mayor McGovern thanked Ms. Quickel and Ms. Wadleigh, as their team did a tremendous job in putting this budget together. He noted Council was adopting a budget based on a TRIM rate that is the lowest this Village has had since 2009. He said they were increasing or maintaining their current level of service while lowering the TRIM rate and sustaining a 31% in reserves, so all of their bond ratings are also preserved. He believed that was the fiscal responsibility and accountability that they as Council have been given a mandate to preserve and put forward.

Vice Mayor McGovern thought the residents should know about the following notable items in the budget:

- The intersections, turn lanes and drainage improvements at Big Blue and Barberry, Big Blue and Wiltshire, and Pierson and South Shore. These improvements will have a long term positive effect on the Village, both in regards to traffic flow and drainage.
- The return to the five day work week.
- Adding shade and lighting at Scott's Place, so it can be a more fully used portion of this entire complex.
- Increasing the Keely Spinelli grants, as a little bit makes a difference in their schools, which are the keys to the long term success of their community and property values.

Vice Mayor McGovern felt that adding family leave at a very low cost is a progressive step the Village should take, making them the first community in Palm Beach County to take that step. He encouraged Council to support this item. He stated it would not only cover mothers and fathers, but it would provide them with six weeks of paid leave to have that time to bond with their child and set their family on the right course after either the birth or adoption of a child. He said family leave would also help the Village keep, retain and attract better employees.

Vice Mayor McGovern thought this was a good, strong budget and these items should all be included. He stated he would be voting yes on the budget tonight.

Councilwoman Siskind stated she agreed with Vice Mayor McGovern on the family leave. She said Wellington is a family community and prides itself on putting families first. She thought if they failed to support the family leave program, they could not have it both ways. She also agreed this benefit would help attract and retain high level employees. She did not know if other municipalities had implemented this program, but she believed Wellington should be the forerunner.

Vice Mayor McGovern stated no cities in Palm Beach County provided this benefit, but it is the coming trend in many major cities and metropolitan areas around the country. He thought they should lead the way so that employees could get paid and have complete security during this important time and not have to use their leave time. Councilwoman Siskind agreed and stated

she could support the budget tonight.

Councilman Drahos indicated he has been on the fence with this issue. He stated he has listened to both sides of the argument of the family leave. He said he was moved by Councilman Napoleone's comments when he spoke about Wellington being out in front and wanting to support this important life event, but then Mayor Gerwig made a comment that was an eye opener for him. He stated it was not so much the economics, but whether or not it is appropriate for Council to prioritize life events. He said they all agreed the birth or adoption of a child is a crucial moment in everyone's life, but this plan would not cover a family member who had to miss work because their child or family member was sick.

Councilman Drahos understood this was an important issue to Vice Mayor McGovern. While he thinks Vice Mayor McGovern's heart is in the right place, Councilman Drahos was concerned with the concept. He stated he would vote in favor of the budget today with the understanding that this is going to be a policy that is going to be written and presented to this Council, and then they can discuss this again and decide whether they actually want to fund it and put it in place. Mr. Schofield acknowledged Councilman Drahos' request. Councilman Drahos stated with that proviso he was not going to vote against the budget over \$30,000, but everyone was clear on where he stands on this issue. He said he will give staff an opportunity to write up a policy for Council to discuss. He believed this conversation would bring the topic to light and the residents could contact them if they felt particularly strong about it.

Vice Mayor McGovern understood if the family leave program goes into the budget, then HR and Mr. Schofield would implement it if it is passed on second reading on September 27, 2016. Mr. Schofield stated staff will bring a policy to Council for review, but because it is a policy and Council sets policy, they may direct a change to it at any time. He indicated this is the first of two required meetings, so any requested changes will be made between now and the next two weeks. He explained normally staff will write that policy and implement it once Council provides policy direction. He said the policy will be provided to Council for informational purposes and Council can change any policy they have directed at any time.

Mayor Gerwig stated the point she made yesterday was that she does not like the concept of picking winners and losers. She said she has known friends who could not have children and worked side by side with people who had children. She also does not believe the family leave program will give the Village any advantage in hiring. She feels a good plan is offered now and it treats every situation the same. She stated the employees have the ability to use major illness leave and paid time off as well as earn time off and stack it for all kinds of different life reasons. She indicated her point yesterday was if her child was sick with leukemia that would be more important to her than the first six weeks of family bonding.

Vice Mayor McGovern stated he would support exploring a major medical leave plan for the 2017 budget. Mayor Gerwig indicated the Village already offers major medical leave and she did not believe the \$30,000 number being discussed was real. Mr. Schofield explained the number was based on a running average. Mayor Gerwig understood it was based on a running average, but unpaid leave was offered. So she thinks it was an apples to oranges comparison and they are going to find something completely different. She thought it might also affect the way a manager might hire someone who is 23 years old and newly married or a lady who is 47 years old and married. Ms. Cohen stated the Village does not engage in discriminatory practices.

Mayor Gerwig understood this was a push towards the European model where everybody pays, but it is not something she is interested in. She said she would rather treat all life situations the

same and let people make those choices based on what they have earned and what they have coming or take unpaid time off. She also understood if a female employee has a baby, after a certain amount of time it is considered short term disability and they could receive a percentage of their income. Mayor Gerwig stated did not agree with the family leave program, but she would vote for the budget.

Councilwoman Siskind stated the choice of not working and staying home was not available to everyone. Mayor Gerwig disagreed. She believed that people should decide for themselves what is important to them.

Councilman Napoleone stated he is in favor of the family leave program because he believes bringing a child into a home is the most significant, long term, life changing event. He did not want to force someone to pick and choose between having a child and earning a living. He believed having a child was not an illness or disability, so employees should not be taking major medical leave or going on disability. He thought employees should be at home for the first six weeks of their child's life and still put food on the table. He did not believe everyone could afford to make that choice. Councilman Napoleone believes the Village should lead the way, because it is head and shoulders above most other communities and municipalities in not only the state but probably around the country. He thinks Council should push this program through their budget, as he was going to vote in favor of the budget.

Councilman Drahos clarified he agreed that bringing a child into the world was of the utmost importance. However, his concern was sending the message to employees that if they have a child through birth or adoption the Village is going to cover them, but if they have a family member who is sick or want to spend time with in their final days of life, the Village does not deem that important enough to cover. He stated he has trouble with the family leave program from that concept alone. Vice Mayor McGovern thought that may be a reason to have a second policy. Councilman Drahos disagreed, as he believed the first policy was inherently flawed.

Mayor Gerwig stated this budget has been in formation for a long time. She said staff has relied on the Council budget workshops and discussions to get to this point. She agreed that staff did an excellent job in putting the budget together.

### Public Hearing

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

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

At this point, Ms. Quickel read the following mandatory statement into the record regarding the millage rate:

The 2.44 millage rate is 6.69% higher than the rolled back rate of 2.287 mills. The roll back rate is the rate which applied to this year's total assessed valuation of \$7.49 billion yields the same ad valorem tax revenues as the previous year or \$16.28 million adjusted for discounts. Adopting the proposed rate of 2.44 mills generates \$17.37 million adjusted for discounts or an increase of approximately \$1.21 million from last year. The proposed millage rate of \$2.44 mills for the Village of Wellington governmental budget including Acme Improvement District funds a 1.9% operating increase over the prior year. The proposed millage rate of 2.44 mills for the Village of Wellington

governmental budget, excluding Acme Improvement District, funds a 2.9% operating increase over the prior year.

**A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve the first hearing of the budget as presented.**

- B. 16-0375** ORDINANCE NO. 2016-21 (FISCAL YEAR 2016/2017 CAPITAL IMPROVEMENT 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 2016/2017 THROUGH 2021/2022 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 item. Ms. Callovi read the Ordinance by title.

Mr. Schofield indicated this Ordinance transmits the Village's amended Capital Improvement Plan to the State of Florida and does not change the budget. He stated this process was required by statute. He said the School District's Capital Improvement Plan is the bulk of it, as the Village and all other jurisdictions in the State of Florida are required to include it in their Capital Improvement Element. He explained Council was just transmitting to the state what was being adopted in the budget. Mr. Schofield stated the level of service capital projects are specified separately. He said any roads, parks or public buildings requiring a capital improvement is a level of service improvement. He indicated someone had questioned the turn lanes at Barberry and Wiltshire. He explained the turn lanes are in the budget, but they are not a level of service.

Mr. Schofield stated staff was recommending approval as presented.

#### Public Hearing

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

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

**A motion was made by Vice Mayor McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0) to approve Ordinance No. 2016-21 as presented on First Reading.**

- C. 16-0372** ORDINANCE NO. 2016-20 (BUILDING HEIGHT ZONING TEXT AMENDMENT [ZTA]):

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL  
AMENDING SECTION 6.10.6 - TABLE B OF THE WELLINGTON LAND

DEVELOPMENT REGULATIONS RELATED TO THE DEVELOPMENT  
STANDARDS IN THE EQUESTRIAN OVERLAY ZONING DISTRICT;  
PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY  
CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. Ms. Callovi read the Ordinance by title.

Mr. Basehart explained this amendment was written to allow owners of large lot properties to design a feature or focal point into the design of their residence and exceed the building height limit. He stated this basically applies to the Equestrian Overlay Zoning District (EOZD) where the building height limit is 35 feet. He said this amendment will allow people to add an entry feature or architectural element to their residence as an esthetic improvement, so long as certain limitations are met:

- The property is at least five acres in size;
- The architectural feature does not include habitable rooms;
- The architectural feature may exceed the roof line by up to 25%, with a cap of 50 feet;
- The architectural feature cannot be more than 10% of the ground floor area or roof area of the home, whichever is less. He noted this was the one change Council requested at first reading.

Mr. Basehart stated staff believes the predominant benefit of this amendment is that people will be able to make their homes more attractive. He indicated no comments or objections have been received since first reading.

Public Hearing

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

1. Jeff Kurtz, 12012 South Shore Blvd, Wellington. Mr. Kurtz stated he represented Cedar Crest Stables. On their behalf, he thanked the Village staff for seeing an issue, recognizing it as a problem, and proactively recommending and amending the code to make it better. He believed positive things would come from this and encouraged Council to vote in favor of it. He also thanked the Village Manager for his help.

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

**A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Ordinance No. 2016-20 as presented on Second Reading.**

- D. 16-0323** RESOLUTION NO. R2016-46 (THE EQUESTRIAN CLUB PUD - TRACT J-1):  
A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL,  
APPROVING A MASTER PLAN AMENDMENT (PETITION NUMBER 16-64 / 2016-26 MPA 7) FOR CERTAIN PROPERTY KNOWN AS THE EQUESTRIAN CLUB PUD; CONSISTING OF APPROXIMATELY 149.79 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF 120<sup>TH</sup> AVENUE AND ON THE NORTH SIDE OF LAKE WORTH ROAD, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO MODIFY THE

DESIGNATION OF THE 5.1 ACRE PARCEL KNOWN AS TRACT J-1 FROM A COMMUNITY EQUESTRIAN WORKOUT AREA TO ONE (1) SINGLE FAMILY DWELLING UNIT AND EQUESTRIAN USES, KNOWN AS LOT 11A; INCREASING THE RESIDENTIAL UNITS FROM 148 DWELLING UNITS TO A TOTAL OF 149 DWELLING UNITS AND TO AMEND CONDITIONS OF APPROVAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item, Ms. Callovi read the Resolution by title, and Ms. Cohen swore in those individuals who would be testifying on this item.

#### Ex Parte Communications

**Councilman Napoleone:** Councilman Napoleone disclosed he met with the attorney for the applicant. He stated the discussion was on the general purpose of this proposal, which is to eliminate the common element. He said it has not been used as a common element and has been converted into a residential parcel.

**Councilman Drahos:** Councilman Drahos disclosed he had no ex parte communications.

**Mayor Gerwig:** Mayor Gerwig disclosed that she had spoken to the representative for this party and discussed the options here. She mentioned she had seen this item when it came before Council a couple of years ago.

**Vice Mayor McGovern:** Vice Mayor McGovern disclosed he met with the agent for the applicant who walked him through the petition, much like Mayor Gerwig and Councilman Napoleone have said. He said that meeting was held several weeks ago.

**Councilwoman Siskind:** Councilwoman Siskind disclosed she had no ex parte communications.

Ms. Cohen asked Council, notwithstanding any ex parte communications they may have had, if they can be fair and impartial in considering this application. Council responded affirmatively.

Mr. Basehart stated looking back at the record, Council did not support the initial application. He said the reason given at the hearing was that the HOA Board had voted to support the amendment, but there was no indication the general membership of the association had any input, so that concerned Council at the time.

Mr. Basehart indicated, since then, the association put the question to all members and there were no objections to making changes to the homeowners' documents to basically allow the release of this property, known as parcel J-1, as a community equestrian facility providing stable space and workout space for anyone in the community who wanted to use it. He said it would be predominantly oriented at the estate lots where the conventional, single family size lots occupy most of the dwelling units that are a part of this project. He stated the survey was done and the documents have been revised to specifically provide for the elimination.

Mr. Basehart noted the original documents allowed for up to two stalls on every individual lot, which specifically were not allowed for the housing of horses but as a resting place for those using parcel J-1. He said with the elimination of J-1, the ability to have the stables on the individual single family lots will go away as well, which is reflected in the condition of approval.

Ms. Cory Cramer stated the Equestrian Club PUD is located off Lake Worth Road. Mr. Basehart indicated the eastern portion has 138 conventional, about 1/3 acre, single family lots. He stated the western portion has 10 ranchettes, which are basically equestrian lots with stables, covered arenas and homes. He said that brings the total on site to 148.

Mr. Basehart indicated parcel J-1 is the parcel in question. He stated the request is to release that from use as a common area equestrian facility and allow it to be developed with a single family home and equestrian facility. He said that will add one unit to the overall project. He noted the eastern portion has a facility with a pool and clubhouse for use by the residents.

Mr. Basehart stated staff had not received any input from the community. He indicated the Equestrian Preserve Committee (EPC) reviewed the application in 2012 and unanimously supported it. He stated additional lots were being created in the 2012 application and there are no new lots in this application, just the additional dwelling unit. He said the Planning and Zoning Board recommended approval unanimously. He stated staff was recommending approval of the application, which is an amendment to the Master Plan to allow the additional unit and eliminate the common equestrian facility subject to the conditions they discussed and the conditions that are in the proposed resolution.

Ms. Cramer reviewed the conditions with Council. She stated the summary of conditions indicates:

- One additional lot for the overall project totaling 149 lots, 138 of which will be estate lots, and 11 of which will be ranchette lots.
- Clarification on the equestrian uses that are allowed on the ranchette section and not allowed on the estates section of the PUD.
- New lot J-1 will now be known as 11A and will provide one acre of dedication towards the equestrian use area.
- The ranchette lots have an area that is dedicated specifically for equestrian use and limits the type of structures that can be constructed within that area, to keep within the character of that same element of the ranchette lots by also dedicating an acre of the five acre parcel for that same use.
- Deletion of any conditions already met through the PUD.

Councilman Napoleone asked if lot J-1 was originally designated as an equestrian common element that was never actually utilized, and if a vote was taken of all the homeowners and not one objected to converting the non-existing equestrian common element to a residential lot. Mr. Basehart stated that was correct.

Assuming that ultimately a single family home is built on J-1, Councilman Drahos asked if that owner would enter and exit through the existing entrance and exit off the Equestrian Club. Mr. Basehart indicated there are two entrances and exits to the project. He said the main entrance is in the area where the conventional lots or estates are located and is available to anyone who has a home in there. He stated deliveries of equestrian products and horse trailers utilize the western entrance, which would be available to the owner of the new lot as well.

Councilman Drahos understood Council would not be creating a new entrance or exit by approving this Resolution. Mr. Basehart stated that was correct.

Mr. Jon Schmidt, agent for the applicant, introduced himself. He thanked staff for a thorough

analysis, as a lot of work and depth had to go into this because of its age. He stated they were in agreement with the Staff Report included in the agenda tonight as well as the seven conditions of approval.

Mr. Schmidt indicated the location is just over five acres. He stated there was a unanimous approval by the Board of Directors from the Master Association, which covers the entire planned unit development. He also said 99 individual lot owners voted and zero opposed. He stated the two sub-associations, which included the 138 single family lots, voted 93 in favor and zero opposed. He said of the ten equestrian lots, six owners approved in favor and zero opposed. Mr. Schmidt thought the issue that came up in 2012 had been addressed thoroughly. He indicated there was a restriction to have a one acre reserve for equestrian use only within this lot, which is not unlike the other previous ten lots that were in there.

Mayor Gerwig asked if there was a benefit to the homeowners of this HOA with this change. Mr. Schmidt stated there was a benefit not only to the POA, but also to the Village. He said the lot becomes a taxing lot now, which will be contributing to the overall cost and to the HOA, so it will bring their percentage down and provide additional funds.

Vice Mayor McGovern stated the application talks about the developer agreeing that the subject property will be developed as a privately-owned equestrian facility with accessory residential uses, including a potential single family residence desired by the lot owner. Ms. Schmidt said the plan is to sell this lot and put a single family home there as well as additional equestrian facilities, such as a barn. He believed a preliminary site plan was in Council's packet. Vice Mayor McGovern stated it talks about a single family residence, barns, stables and three paddocks. Mr. Schmidt stated that was correct.

Vice Mayor McGovern understood the traffic entering to access the barns, stables, and paddocks would not come in through the main entrance of the Equestrian Club but through the entrance located on the corner of the property further to the west. Mr. Schmidt stated that was correct. Vice Mayor McGovern asked what would ensure that was happening. Mr. Schmidt explained the front main entrance is gated. He said the ten lots, and hopefully soon to be eleven, would all have unlimited use of the service drive.

Vice Mayor McGovern stated Mr. Basehart's staff was recommending approval. He said this application went to EPC and PZAB back in 2012 and asked why it did not go back to them this time. Mr. Basehart stated the applicant requested an expedited review, which is provided for in the code. He explained the project was not increasing in size, had no measurable external impacts being created by the change, and was previously approved by Council. He stated only those types of applications can come in as an expedited position. He said Council approved the PUD initially, so it was existing, and the changes were basically de minimus, so the application met the criteria for expedited review. He noted the applicant requested the Village Engineer and PZB director to sign off on that, which they did, and it was processed as an expedited application.

Mayor Gerwig asked if the applicant could have requested that in 2012. Mr. Basehart stated that could not have happened in 2012, because lots were being added. Mayor Gerwig said there was only one unit. Mr. Basehart stated no new lots were being created, but the existing J-1 parcel will now be allowed to have a house.

### Public Hearing

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and

unanimously passed (5-0) to open the Public Hearing.

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

**A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution No. R2016-46 as presented.**

## **9. REGULAR AGENDA**

**A. 16-0400** RESOLUTION NO. R2016-62 (FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FUNDS):  
A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF RECEIVING A GRANT UNDER PROVISIONS OF THE RECREATIONAL TRAILS PROGRAM FOR THE BROWN TRAIL CONNECTOR PROJECT; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2016-63 (BUDGET AMENDMENT TO ALLOCATE THE GRANT):  
A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FISCAL YEAR 2015-2016 CAPITAL FUND BUDGET FOR FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FUNDS AWARDED TO THE RECREATIONAL TRAILS PROGRAM FOR THE BROWN TRAIL CONNECTOR PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item.

Ms. Quickel stated a notification of grant award was received from the FDEP. She said this was for the Brown Trail connector project that will construct approximately 1,000 feet of equestrian trail from Wellington Trace Blvd south along the C-11 canal to connect the trails between Paddock Park II and the Saddle Trail Park neighborhoods and along the C-15 canal. She indicated Council received a graphic earlier in the day. Ms. Quickel explained the Village has to match this \$200,000 grant, so the total project is \$400,000. She said staff will continue to pursue grants and they are very pleased to include this in the budget process.

Mr. Schofield noted Council will see this item one more time when staff brings the contract back to award it for construction.

**A motion was made by Councilman Drahos, seconded by Councilman Napoleone, and unanimously passed (5-0) to approve Resolution No. R2016-62 as presented.**

**A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0) to approve Resolution No. R2016-63 as presented.**

## **10. PUBLIC FORUM**

Mr. Schofield stated no comment cards were received for the Public Forum.

## 11. ATTORNEY'S REPORT

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

- She stated summary judgements were obtained in two pending cases, the flooding case and the permit case, in favor of the Village. She said the other parties would have an opportunity to appeal, but she would keep Council informed.

## 12. MANAGER'S REPORT

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

- The next regular Council Meeting will be held on Tuesday, September 27, 2016, at 7:00 p.m. in the Council Chambers, which will include the final adoption of the budget.
- He will be out of the office on Wednesday, September 14<sup>th</sup>, and Thursday, September 15<sup>th</sup>. Mr. Barnes will be available in his absence.
- As a reminder, Mr. Schofield indicated residents can find information on Zika and the mosquito spraying schedule on the Village website. He explained the Village sprays a chemical called Control 44, which is misted from a truck. He stated a map on the website shows which days spraying is done in certain neighborhoods. He said spraying starts about 10:00 PM at night, but it is stopped if they see anyone. He indicated if someone has an allergy or reaction to the chemical, they can call the Public Works Department to be removed from the spraying area. In addition to fogging, Mr. Schofield noted the Village places chemicals/larvicides in standing water. He said they have not yet started using or spraying the chemical specific to Zika, as there has been no indication of the Village having those mosquitos. He pointed out that they bite in the morning. He indicated if or when the Village uses that chemical, the employees will be in hazmat suits and everybody will be notified. He said the chemical currently being used is applied in the mid-range of what the manufacturer recommends. He stated the application rate is between .6 and 2.5, and it is applied by the Village at about 1.5.

Mayor Gerwig noted the residents should be careful and wear long sleeves, using what they feel comfortable using, and empty any standing water. Mr. Schofield agreed. He said simple things such as a dog's bowl of water, mosquitos larvae will develop. He stated the Village does misting, but they only spray from public roads, as they were not going behind homes.

Councilman Drahos clarified the Village was not spraying by air, as that was being done by the County. Mr. Schofield confirmed the Village does not spray by air. He stated the chemical they have seen in many of the social media posts is not a chemical used by the Village. However, the chemical for Control 44 is a pesticide and it will kill mosquitos, black flies and midges. He stated they should avoid contact if at all possible.

Councilman Napoleone indicated the Village has always done mosquito spraying, so this was not something they were doing in response to Zika. He said people are thinking the Village is spraying for the first time in response to Zika and using a powerful chemical that has never been used before. Mr. Schofield stated Wellington has been spraying for mosquitos for the twenty years it has been incorporated, so it is not new.

Councilman Napoleone thought the people needed to know that because they are concerned without a basis to be concerned. He said the Village was not doing anything out of the ordinary, other than just spraying more frequently. Mr. Schofield stated the Village was spraying on the published schedule, but they are not going to spray if it is raining or the wind is over 10 or 15 mph.

He stated it was a very highly regulated chemical. He said their licenses are on the line if it is not done right. He reiterated they will stop fogging if they see anyone and go past them at least 100 feet before they start again.

Mayor Gerwig stated she appreciated the interaction because it has been difficult and everyone is fearful. She said no one has had Zika in Wellington, but other diseases are borne by mosquitos that are equally dangerous, and they are very dangerous to livestock and other things as well. She thanked staff for being so responsive.

### **13. COUNCIL REPORTS**

**COUNCILMAN NAPOLEONE:** Councilman Napoleone presented the following report:

- He appreciated the turnout for the 9/11 Memorial. He thought it was an important to recognize this every year and what it means not only to their country, but to the world. He appreciated all of the first responders, police officers and military that were there. He said everyone made comments and it was a very nice, respectful ceremony. He stated the rain did not keep people away and staff did a great job keeping people dry.
- He also appreciated the fact that they as Council members could disagree and still get along. He said just because they have a disagreement on a position or a policy, does not mean they have taken it personally. He stated they were not supposed to vote everything 5-0, because that is not why they are there. He said they can have a robust debate and disagree, and when they are done they can get on with their lives and still be friends. He thought it was very important and what makes this Council really excellent. He stated he respected all of their opinions even though he disagreed with some of them, but he thought it was important to have those discussions.

**COUNCILMAN DRAHOS:** Councilman Drahos presented the following report:

- He agreed Council was not always going to agree on everything. He thought this was the first time they had an open debate on some sensitive issues, but he has full faith in his fellow members that if he is wrong they will get it right. He stated people were expecting them to debate issues and they will continue to do that in a respectful manner. He said he appreciated the debates.

**VICE MAYOR MCGOVERN:** Vice Mayor McGovern presented the following report:

- He thanked staff for putting the 9/11 Memorial together on this very important 15<sup>th</sup> anniversary, and their quick response to the rain made it a much more meaningful event. He was glad so many people attended.
- He thought Detective Murray and Lieutenant Garay were exemplary of all those who work here in Wellington as first responders. He stated the residents were much appreciative of the safety and work that is provided by those at the Palm Beach County Sheriff's Office and Palm Beach County Fire Rescue. He said they cannot thank those folks enough.
- He asked if the Village had officially submitted its list to the County regarding the potential Wellington projects for the potential one cent sales tax.

Mr. Schofield stated the list has been submitted. He explained the confusion came when the Village submitted the original list of all of the projects that would be using the funds and the county did not want a leveraged list. He said they submitted a revised list and Council was provided that information in an AT. Mr. Schofield indicated the list was available to the residents on the Village website under the One Cent, One Plan. Vice Mayor McGovern hoped as they get closer to November, with the presidential election and important Palm Beach County election, that people

will be informed on all that goes into what would happen if that one cent sales tax is passed.

- Vice Mayor McGovern reminded everyone that the Planning, Zoning & Adjustment Board (PZAB) will meet the next day in the Council Chambers at 7:00 PM, when the Winding Trails project will be discussed. He said many of the Council members have heard from a lot of folks, but coming to the Village Board and Committee meetings is the first step in that process. He hoped the residents would come and be heard.

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

- She echoed that agreeing to disagree is what they are there to do. She stated this was the only forum where they can have these discussions and discover what each other is thinking. She thought tonight was very interesting, and they will still be friends when they walk out of this room.
- She reminded everyone that the International Coastal Cleanup will be held at Tiger Shark Park this Saturday, 10:00 AM to Noon. She stated they can register as a volunteer at the event. She said it will be fun for the kids as well.
- She stated she will be following up with the applicant who is applying for the Construction Board, as that could be her appointee. She said she will keep Council posted on that.
- She mentioned the Wellington Chamber is trying to get each school in Wellington involved in Winterfest, which is Saturday, December 3, 2016. She stated they were looking for all the schools to participate through choir, dance, musical performances, and it will take time to coordinate everything.

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

- She said this Saturday was Jaidyn Brody's mini golf tournament, "Putting Fore Patients," for the Leukemia & Lymphoma Society. She stated Jaidyn is an awesome little girl who is a bundle of energy and has a passion for curing leukemia, because her grandfather has it. She hoped someone from Council could make it, since she was going to out of town. Vice Mayor McGovern stated he planned on attending the tournament as well as the Coastal Cleanup.
- She mentioned the Murder at the Masquerade event at the Community Center was sold out.

#### 14. ADJOURNMENT

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

**Approved:**

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**Anne Gerwig, Mayor**

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**Rachel Callovi, Clerk**