

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Monday, April 10, 2017

3:00 PM

Village Hall - Conference Rooms 1E & 1F

Village Council Workshop

*Anne Gerwig, Mayor
John T. McGovern, Vice Mayor
Michael Drahos, Councilman
Michael J. Napoleone, Councilman
Tanya Siskind, Councilwoman*

1. CALL TO ORDER

Mayor Gerwig called the meeting to order at 4:00 p.m.

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

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

2. PLEDGE OF ALLEGIANCE

Mayor Gerwig led the Pledge of Allegiance.

3. REVIEW OF COUNCIL AGENDA

A. [17-1100](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF MARCH 14, 2017

Mr. Schofield introduced this item. This item is for the approval of the Minutes of the Regular Wellington Council Meeting of March 14, 2017.

There were no changes recommended.

B. [17-1078](#) A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA COMMENDING THE FLORIDA ASSOCIATION OF CITY CLERKS FOR ITS 45TH ANNIVERSARY

Mr. Schofield introduced this item. This item is for a presentation of a proclamation commending the Florida Association of City Clerks (FACC) for its 45th Anniversary.

He said that the Village has 2 certified Municipal Clerks; Chevelle Nubin and Rachel Callovi.

At this point, Councilman Drahos joined the meeting.

Mayor Gerwig said that providing the community with the duties and the scope of work of the Village Clerk would be very interesting. Mr. Schofield said he would contact the Communications Department to obtain a short video to show. Ms. Nubin explained that she was the president of the FACC and that FACC has a video that indicates and explains the activities and duties of the Clerk. She said that the video could be shown at the Council meeting.

Mayor Gerwig said she would like to have Ms. Callovi and Ms. Rodriguez attend the meeting when the video was shown.

Vice Mayor McGovern suggested showing the video at the April 12th Council meeting because it was a short meeting.

Ms. Nubin explained that a week in May is Municipal Clerks' Week.

Mr. Schofield suggested maintaining the proclamation under consent but during the month of May, Council could provide the Clerks with recognition and show the video at that time. Mayor Gerwig said she agreed to Mr. Schofield's suggestion and wanted all 3 Clerks to be present: 1) Awilda Rodriguez; 2) Rachel Callovi; and 3) Chevelle Nubin.

There were no changes recommended.

C. [17-0709](#)

AUTHORIZATION TO EXECUTE A LEASE AGREEMENT BETWEEN ACME IMPROVEMENT DISTRICT AND J. ALDERMAN FARMS, INC. FOR THE K-PARK SITE

Mr. Schofield introduced this item. This item is for the authorization to execute a lease agreement between Acme Improvement District and J. Alderman Farms, Inc. for the K-Park site in the amount of \$40,000 annually.

He said staff's recommendation was for a 1 year lease with 2 one year renewal extensions in the amount of \$40,000 along with making the annual property tax payment.

Mr. De La Vega said in 2015 the rate was reduced from \$830 to \$600 per farmable acre because Palm Beach County's rate was \$500 per farmable acre for agricultural leases. He indicated that the annual property taxes were approximately \$16,000.

There were no changes recommended.

D. [17-0938](#)

AUTHORIZATION TO RENEW AN ANNUAL AUDITING SERVICES CONTRACT WITH GRAU AND ASSOCIATES

Mr. Schofield introduced this item. This item is for the authorization to renew an annual auditing services contract with Grau and Associates, for three years, in the amount of \$70,000 (2017), \$72,000 (2018) and \$74,000 (2019).

Ms. Quickel said that Ms. McIntosh from Grau and Associates was present and noted that staff has been very pleased with their services. She explained as the Village moves forward with a major Village wide project, ERP (Environmental Resources Programming), the process would start March 2018, and would impact every department. She said that the three 3 year extension would be helpful to the Village by not having to change the auditor in the middle of the ERP transition.

At this point, Ms. Quickel provided Council with a spreadsheet with the history of the previous auditing firms that provided auditing services to the Village.

Vice Mayor McGovern said that the requested rates for auditing services was well below the rate that the Village paid in 2009. He asked if the following year's rate decrease and afterwards, would the rates increase in increments. Ms. Quickel replied affirmatively.

Councilman Napoleone asked if there was a best practice regarding the amount of time that the same auditor should be kept. Ms. Quickel said the general amount of time before changing an auditor was for a 10 year span.

Vice Mayor McGovern asked if the firm of Caler, Donten, Levine, Porter & Veil, P.A. was used for more than 5 years as listed on the spreadsheet. Mr. De La Vega said there was another firm that the Village used from 2002 to 2007 but he could not recall their name.

There were no changes recommended.

E. [17-0714](#)

AUTHORIZATION TO NEGOTIATE A CONTRACT TO PROVIDE A HOUSING AND ECONOMIC IMPACT STUDY

Mr. Schofield introduced this item. This item is for the authorization to negotiate a contract with Strategic Planning Group, Inc. to provide the Village with a housing and economic impact study.

He said that 8 firms were interviewed and the Selection Committee provided a short list with 3 firms.

Mr. De La Vega said that the selection committee provided a short list of 4 firms but one of the firms, The Chesapeake Group, Inc. withdrew from the consideration. He explained afterwards the selection committee interviewed and ranked the 3 remaining firms: 1) Strategic Planning Group, Inc.; 2) F.I.U. Metropolitan Center; and 3) Xicon Economics. He indicated that their recommendation was to enter into a contract with Strategic Planning Group, Inc.

Mr. Schofield noted that the Housing Study was priced at \$36,236 and the Economic Study was priced at \$71,474. He explained the funds were in the budget under the category of Outside Planning Services.

Mayor Gerwig asked for the purpose of the studies. Mr. Schofield said the studies would provide updates on: 1) Village's housing stock; 2) economic impact on businesses; and 3) economic impact on home based businesses. He explained that the Village has not had a study done for several years.

Mr. O'Dell explained each year Palm Beach County distributes and provides the equestrian economic impact study which was for the county only. He said that staff asked the consultant to focus on what the equestrian industry means for the Village and the total economic impact.

Vice Mayor McGovern asked when was the last time a study was done. Mr. O'Dell said there has not been an economic or housing study in the Village. There have been pieces done in the past but not a complete package in order to view the total impact. Mr. Schofield said that in 2010 FAU conducted a business study.

Mayor Gerwig said the FAU 2010 study was good and asked to have a copy provided to Council to review. Mr. Schofield said he would provide the information to Council.

Councilwoman Siskind said the Palm Beach Sports Commission provides an equestrian sports economic impact study.

Vice Mayor McGovern said that the study she was referring to only provides county wide figures.

There were no changes recommended.

F. [17-0713](#)

AUTHORIZATION TO RENEW AN EXISTING AGREEMENT WITH COMMUNITY CHAMPIONS TO PROVIDE FORECLOSURE REGISTRY SERVICES

Mr. Schofield introduced this item. This item is for the authorization to renew contract #020-13/ED with Community Champions to provide foreclosure registry services to the Village.

He said that the amounts vary from year to year and the Village uses the information provided by Community Champions for the code enforcement process. He explained that the services were funded with the collection of fees obtained from the foreclosed homes.

Mr. Koch explained that the revenue was decreasing due to the decrease of foreclosed homes. The current amount of foreclosed homes in the Village was 291 and in 2010 the amount was 2000. He said that the information provided from Community Champions was used to contact the preservation companies in order to notify them that the grass and hedges need to be maintained, which has been very successful.

There were no changes recommended.

G. [17-0718](#)

AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR MULCH, PINE STRAW AND GROUND PREPARATION MATERIAL

Mr. Schofield introduced this item. This item is for the authorization to renew existing contracts with a primary and secondary vendor for mulch, pine straw and ground preparation in the amount of approximately \$88,000.00 annually.

He said this would be the last and final renewal available with the current contract and the renewal was not reflecting a price increase.

Mayor Gerwig asked what was the pine straw used for.

Mr. Barnes said the majority of the pine straw was used at Section 24. He explained that the mulch was used throughout the Village: 1) rights of ways; 2) Village property and; 3) planting beds. He noted that the mulch was additionally used for water conservation measures.

Mayor Gerwig said currently Palm Beach County was in a water draught and she hoped that the public was aware of the situation. Mr. Barnes said that SFWMD has provided press releases in order to make the residents aware of the situation.

Vice Mayor McGovern said that the Village has sent out the information by using social media. Mr. Barnes said as soon as SFWMD provides the Village with information, staff updates the web sites and social media pages.

Mr. Schofield said the Village's water levels were in far better condition than expected, 11.7 or 11.8 feet. He said that other communities were experiencing more problems because of the lack of rainfall for several months.

There were no changes recommended.

H. [17-0719](#) AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR THE PURCHASE AND DELIVERY OF FILL MATERIALS

Mr. Schofield introduced this item. This item is for the authorization to renew existing contracts with a primary and secondary vendor for the purchase and delivery of fill materials in the amount of approximately \$43,000 annually.

He said staff was requesting approval to exercise the last renewal option with the vendors.

There were no changes recommended.

I. [17-1033](#) AUTHORIZATION TO UTILIZE EXISTING CONTRACTS FOR THE 12TH FAIRWAY AND PINEWOOD EAST DRAINAGE SYSTEM PROJECTS

Mr. Schofield introduced this item. This item is for the authorization to utilize previously awarded contracts for two drainage system projects, not to exceed \$202,000.

He said part of the project was for the storm water retention lakes. He directed Council to pages 80 and 82 which provides the full description of the project. He explained tree and stump removals would need to be done with barges in order to remove vegetation that was currently causing problems.

Councilman Napoleone asked if the residents were aware of the tree removals occurring behind their homes. Mr. Lundeen said the residents have been notified. Councilman Napoleone asked how has staff notified the residents. Mr. Lundeen explained that one of the main trees that would need to be removed was located where the red circle was on the diagram. He indicated that the green lines on the diagram indicated areas where the vegetation was wrapped around the existing pipes. He explained that some of the pipes have been damaged and staff may have to replace the ends and add a head wall in order to support the areas.

Mayor Gerwig asked who owned the property with the red circle around it on the diagram. Mr. Lundeen said that area was located in the Village's drainage easement. Mr. Schofield said that the property was owned by Palm Beach Polo Holdings but the Village owns the canal rights-of-ways.

Councilman Drahos asked if Palm Beach Polo Holdings was notified. Mr. Lundeen replied affirmatively and explained in order to set the barge in the lake, it would be brought in through the northwest easement which was part of the C-17.

Councilman Drahos asked if the area where the barge would be placed was in the vicinity of the area of the lawsuit. Mr. Schofield said that was the easement in question and explained when the easement was asked to be used or when they applied for permits for different projects, the Village has never denied the use of the easement.

Ms. Cohen asked if Mr. Schofield was discussing the Birkdale access.

Mayor Gerwig said the Birkdale access was on the same property but on the

other side; towards the east side of the area as shown on the diagram.

Councilwoman Siskind asked if the HOA monitors the trees being installed in that area.

Councilman Drahos said there was not an HOA in the area.

Mr. Schofield explained the Village only removes trees or vegetation that was being a nuisance, safety issue or bothering one of the Village's structures. He said that the residents would be notified before the removal starts.

Vice Mayor McGovern asked if the residents were aware of the issue by means of staff contact. Mr. Schofield said his understanding was that staff have contacted the residents but he would verify this.

Councilman Drahos asked if staff knocks on the property owners' doors. Mr. Lundeen said that staff does knock on the doors.

Vice Mayor McGovern asked what was the procedure if the person does not answer the door. Mr. Schofield said staff would continue to knock on the doors and afterwards, contact them by mail.

Councilman Drahos said that he would not want the residents to be contacted on the same day the project starts.

Mr. Barnes explained that the project has been in the review and analysis phase 2 public works directors ago. There has been a large amount of public contact with the affected residents. He said that if a resident was seen planting new vegetation in the area, staff would contact them and provide outreach if necessary.

Mayor Gerwig said the 12th Fairway section has been subject to a large amount of flooding during the past years and the residents were sensitive to the problem. Mr. Schofield said the 12th Fairway was one of the areas in the Village where a pump was used to pull water out. Mayor Gerwig said keeping the pipes clear would assist the area greatly.

Mr. Barnes explained that Mr. Lundeen's concern with the location was if the project does not move forward, the pump station would be of no use to the residents in those communities because the water cannot go through.

Mr. Schofield explained that the following component of the project was the Pine Wood East drainage infrastructure. He said the infrastructure was over 30 years old and has not been cleaned since the original installation. He said the total cost of that project was \$113,343.50 and referred Council to page 82 for the list of work that would be preformed. He noted that funds for both projects were part of the current public works budget and said that all the residents would be notified long before the project commences.

There were no changes recommended.

J. [17-1030](#)

AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING SERVICES FOR THE C-23 CANAL IMPROVEMENTS AND PIERSON ROAD/SOUTH SHORE

BOULEVARD INTERSECTION MASTER PLAN DEVELOPMENT

Mr. Schofield introduced this item. This item is for the authorization to approve a task order to Mock Roos and Associates, Inc. not to exceed \$49,871.00, to provide engineering services to develop a master plan and estimated project cost for the C-23 Canal Improvements and Pierson Road/South Shore Boulevard intersection improvements.

Ms. Cohen explained that Mayor Gerwig would be recusing herself. Mayor Gerwig said that the engineering firm that she works with has outside contracts with Mock Roos and Associates, Inc and because of the Palm Beach County Code of Ethics she was recusing herself. At this time, Mayor Gerwig left the room.

Mr. Schofield explained that there was a pipe that was located in the C-23 canal and goes under Pierson Road and it was not large enough to carry the amount of water currently needed.

Mr. Lundeen said that the pipe that needed to be replaced was underneath Pierson Road/South Shore Boulevard intersection and referred Council to the 2 red lines on the diagram. He said that the projects would be broken into two separate projects: 1) piping the canal; and 2) intersection improvements. He said currently he was discussing with the developer the addition of a left turn lane and having him work on the projects the same time as staff.

Vice Mayor McGovern said that discussion has been going on for a long time. Mr. Schofield replied affirmatively and said that the project could not continue to be delayed. Current discussion with the contractor included having to give back money that he had committed to use to move forward with the project and give to the Village. The Village would then take those monies and do all of the work at one time.

Vice Mayor McGovern asked for contractor's reply to the request. Mr. Schofield said the contractor has not replied to the request. He said if the contractor does not move forward with the request, the work would need to be done to repair the pipe at that intersection. Mr. Schofield reiterated that he does not want to have to work on the intersection twice.

Councilman Napoleone asked for the length of time of the project from start to finish. Mr. Lundeen said the project would take 9 months and said the traffic would not be effected if the pipe work was done first. Afterwards, a temporary roadway would be built for the maintenance of the traffic in the area.

Councilman Drahos said that the project would need to start immediately otherwise, the project would run into the next season. Mr. Lundeen said if everything goes perfectly, he would like to start the pipe work in January or February 2018.

Vice Mayor McGovern asked if it was imperative that both projects be done at the same time. Mr. Lundeen said that the pipe work could be done first and afterwards the intersection work could be done during the off season.

Councilman Napoleone asked for the length of time that traffic would be impacted. Mr. Lundeen said the traffic would be impacted for 6 months.

Vice Mayor McGovern asked Mr. Lundeen to describe the scope of the impact. Mr. Lundeen explained that his vision was to shift the entire intersection towards the north, over the top of the pipe or in the area where the canal was being piped. Instead of having one single left turn lane, he felt that the following was needed: 1) dual left turn lanes were needed coming from the west; 2) dual left turn lanes coming from west to north bound and 3) extending the right turn lane on South Shore Boulevard heading northbound to eastbound to Pierson Road; and 4) east side intersection where Pierson Road comes into South Shore Boulevard was a confusing intersection which needs to be improved by extending the turn lane.

Councilman Napoleone asked Mr. Lundeen to provide Council with a visual diagram of the changes that he was describing. Mr. Lundeen said he would have to discuss his ideas with the engineer first. Mr. Schofield directed Council to the diagram and said that the canal would not be located where the 2 red lines were.

Councilman Drahos asked how would the traffic move once construction was started in the area. Mr. Lundeen said the green line on the diagram indicated where the pipes would be installed and a temporary road would be built on top of the proposed pipe. Traffic would be switched over to the other side while the intersection was rebuilt on the south side of the green line.

Vice Mayor McGovern asked if the temporary road was going to be a dirt road. Mr. Lundeen said the road would be a paved road and asphalt would be applied.

Councilman Drahos said that the process would be similar to the process used for the Forest Hill Boulevard project; traffic was on one side of the street and when that side of the street was completed the traffic was moved to the other side of the street. Mr. Lundeen replied affirmatively.

Mr. Barnes said that was the benefit of handling the project in 2 phases. He said that the engineer would provide detailed recommendations and cost estimates before the project moves forward with detailed design and construction.

Councilman Drahos asked in the event that the left hand turn was not constructed at the same time and staff must move forward with the Village's project would there be 2 separate traffic interruptions. Mr. Schofield replied affirmatively.

Vice Mayor McGovern asked if the cost of the engineering services was included in the amount specified. Mr. Schofield said the engineering services were not included. He indicated that the construction company would need to complete the project by October. Mr. Barnes said that the Village does not have the ability to force the construction company to work with the Village and complete the project together. He explained that the Village does have the ability to make them complete the project due to the existing conditions of approval along with the set time limit requirements for completion of the project. He said it would be more beneficial for the residents and everyone that travels within the area to have one project.

Councilman Drahos asked what has been done to make them aware of the

issue. Mr. Schofield said that staff has spoken to them and reminded them of the permit deadlines which was for October 2017. Mr. Barnes said currently there was an existing contract and staff determined that it would be beneficial for everyone to combine the projects and have the Village undertake the work. Mr. Schofield said if the Village handles both projects, it would be designed in such a way that it would provide the least disruption.

Councilman Napoleone asked if October arrives and they have not completed their project what would the Village have to do to force them to complete their project. Mr. Schofield said the Village would have a Section 11-5.9 hearing for revocation of their approval which was contingent on the work being done. If they want to post a cash bond, the cash bond would meet the requirements and the Village would use the money to do the work.

Mr. Schofield said he was not sure if the requirement was for the construction company to complete or start the project by October 2017. He would obtain the information and provide to Council. He noted that the time limit just to do the turn lanes, would be 90 to 100 days.

Mr. Drahos said that all that Council could do was to give staff the direction to lean on them in order for them to comply with their contract.

There were no changes recommended.

At this point, the Mayor Gerwig joined the meeting.

K. [17-1058](#)

DISCUSSION OF THE VILLAGE ATTORNEY'S EMPLOYMENT AGREEMENT

Mr. Schofield introduced this item. This item is for Council discussion of the Village Attorney's Employment Agreement.

Mr. Drahos said after having discussions with Ms. Cohen he has 2 different proposed contracts for Council to consider: 1) Contract A - his original proposal; and 2) Contract B - Ms. Cohen's counter contract. He said that he would be making a motion to approve his contract but the rest was up to Council.

Councilman Napoleone asked if the only difference between the two contracts was the deferred compensation. Councilman Drahos replied affirmatively and said that Ms. Cohen dropped the family insurance benefits paid by the Village.

Mayor Gerwig asked for the dollar amount of the deferred compensation benefit for the first year.

Councilman Drahos asked Ms. Quickel to provide the figures of Contract A and Contract B by tomorrow night's Council meeting. Ms. Cohen said the amount was approximately \$10,000. Ms. Quickel said she would provide Council with the information.

There were no changes recommended.

4. WORKSHOP

None.

5. ATTORNEY'S COMMENTS

Ms. Cohen said that she received a request from the Human Rights Council to bring forward an ordinance that would ban the practice of conversion therapy for minors. She noted that she has done some research on the issue and was asking for Council's direction on moving forward with the ordinance.

Mr. Schofield explained that he spoke with Mr. Hoch and advised him that the earliest agenda meeting that the item could be addressed would be the last meeting in May for the first reading and June for the second reading.

Ms. Cohen said Mr. Hoch would have a speaker that has a large amount of background with the conversion therapy and was asking for additional time for her to speak.

Vice Mayor McGovern said that Council received an email regarding the issue along with the attachment that holds the proposed ordinance from West Palm Beach, Lake Worth and other cities. He asked Ms. Cohen if she reviewed that version of the ordinance. Ms. Cohen said she reviewed the ordinance and was asking Mr. Dunlap to conduct additional research on the issue. She explained that she felt comfortable with Council adopting the ordinance if that was the direction that Council wanted to take. Vice Mayor McGovern asked Ms. Cohen to provide Council with her recommended version of the ordinance and the results of her research for discussion at the next agenda review meeting. Ms. Cohen said that she would provide Council with the information requested.

Mayor Gerwig said the research should include who actually regulates psychology and psychiatry and who determines what was appropriate or inappropriate regarding any type of therapy. She explained that she met with Judge Hoch and stated that she was not going to agree with his opinion because the Village was not able to regulate any type of therapy or tell people what to do with their families or situations. She asked Mr. Dunlap to also research HB17 regarding the issue and how it would apply. Mr. Dunlap said he would do the research and provide to Council.

Councilman Drahos said that the issue was similar to the current puppy mill ban and pain clinic moratorium and asked Ms. Cohen to provide Council with the research and the ordinances. Ms. Cohen said that she would provide Council with the information requested.

Ms. Cohen said that the issue was regarding minors and would not apply to adults.

6. MANAGER COMMENTS

Mr. Schofield said he would provide Council with an update regarding the adding of fluoride to the Village's water at Wednesday night's Council meeting. He said the target date was May 15, 2017 and the notices would be added to the water bills, placed on Channel 18, the Village's website and added to the Manager's Weekly Updates report. He explained the last billing cycle does not get sent out until early May.

Mayor Gerwig said that her concern was that there were residents that have allergic reactions or strong feelings against the procedure and they needed to

be aware before the the fluoride was added.

Councilman Napoleone said the residents need to know beforehand in order to prepare for the change.

Ms. LaRocque said that May 15th was the approximate date that was added to the news release but the fluoride would not be added until 2 weeks after that date, which was June 1, 2017. She said she would make sure that all the residents receive 2 mailing cycles before the fluoride was added to their water.

Mayor Gerwig reiterated that the change would only effect the residents that receive their water from the Village of Wellington utility department. The residents of Olympia have always had fluoride in their water because their water comes from Palm Beach County.

Mr. Schofield said the residents that live east of SR 7 have fluoride in their water because their water comes from Palm Beach County, which would include: 1) Buena Vida; 2) Village Walk; and 3) Isle Verde.

Mr. Schofield said that the Directions Workshop follow up summary would be completed by staff in a couple of days. He stated once Council receives the summary, he would start to schedule follow up sessions on the individual items at agenda review meeting and individually. He explained that the goal was to complete the follow up process by June 1, in order to incorporate the information into the budget.

Mayor Gerwig said that she would like to have the entire Council meet together for a couple of hours to tackle the items. Mr. Schofield said that he would provide Council with the recommended schedule.

Mr. Schofield said that Council needed to review the April 25th land use meetings. In the past, the EPC and the PZAB meetings concluded in one day but the council hearings took 3 days. He noted if the meeting starts to move into extended time, Council would need to consider having several long day meetings or hold evening meetings only.

Vice Mayor McGovern said that Council needed to consider the public and hold the meetings when they were available to participate. He asked Mr. Schofield the status of the submission of the site and master plans. Mr. Schofield said staff indicated to the applicant that the site and master plans needed to be submitted before the first hearing.

Councilman Drahos asked when would the Equestrian Preserve Committee be able to review the preliminary site plan. Mr. Schofield said that would depend on when the applicant submits the formal application. He explained that the applicant committed to submitting applications for a master plan approval very quickly in order for the actual master plan and preliminary site plan to be available.

Mayor Gerwig said that all the plans would be brought to Council on second reading. Mr. Schofield replied affirmatively.

Ms. Cohen said the master plan would go to EPC and then to PZAB. She explained by the second reading of the development order, both applications

would be seen together.

Councilman Drahos said by the time Council sees it for the first time, the site plan would not have been reviewed by EPC or PZAB. Mr. Schofield replied affirmatively and said that he felt that it was important for the people to review early in the process what the project was all about. The applicants were aware of the Village's request and have agreed to the requests.

Mayor Gerwig said that before anything gets permitted, the applicant would need to go through the permitting process, which was separate from the current procedure. Mr. Schofield replied affirmatively. Mayor Gerwig said due to her concerns, her suggestion was to allow 3 full days for the hearings during that week.

Councilman Drahos said currently he was not able to commit to 3 full days due to having a full schedule.

Mr. Schofield asked Council to check their schedules because they needed to be aware and prepare for the issue.

Mayor Gerwig requested the meetings not continue after 10:00 P.M.

Vice Mayor McGovern said he had a conflict on Thursday, April 27.

Mayor Gerwig said due to Council's schedules, she felt that the best time for the hearing to be held would be during the evening time.

Councilman Drahos suggested changing the meeting start time to 5:00 P.M. instead of 7:00 P.M.

Mayor Gerwig said 5:00 P.M. could be difficult for the public.

Vice Mayor McGovern asked if there were other agenda items on the agenda. Mr. Barnes said there were a couple of proclamations on the agenda and few items on the consent agenda. Vice Mayor McGovern said they could save some time if the meeting started at 6:30 P.M.

Mayor Gerwig said she would agree to starting the meeting start at 6:00 P.M. if that was what everyone agreed to.

Councilman Drahos said he would go back to his office and try to move his appointments around in order to be available Wednesday evening.

Councilman Napoleone suggested having the meeting in the evenings in order for the residents to attend without having to take time off from work especially if they wanted to speak. His suggestion was to start the meeting at 5:00 P.M. or 6:00 P.M. and have it run as long as was needed on Wednesday if Mr. Drahos' schedule permits. He said he would not agree to having the Tuesday meeting go later than 11:00 P.M.

Ms. Cohen said that Mr. Basehart just reminded her that the legal ad for the April 25th meeting has already been sent out with the start time of 7:00 P.M. She reminded Council that there were 2 interested parties.

Mayor Gerwig said their plan was to have the meetings in the evenings.

Councilman Napoleone said that they needed to agree with the schedule and dates at Wednesday night's Council meeting.

Councilman Drahos said he would work on his schedule and report back at the Council meeting.

Ms. Quickel suggested providing Ms. Kelly with their availability.

7. COUNCIL COMMENTS

Mayor Gerwig said she would be out of town due to an MPO workshop and would not be able to attend the Cerebral Palsy Wellington 5K event on Sunday, April 23, at 7:30 A.M. She would need someone to stand in for her and run and push the wheel chairs. She noted that the event was sponsored by the Rotary Club of Wellington and the event was a very moving event.

Councilwoman Siskind said that she had planned to attend the event and she would substitute for Mayor Gerwig and the duties that she had agreed to provide.

Vice Mayor McGovern said that he needed to check his calendar but he thought that he would be able to attend.

Vice Mayor McGovern said he was reading the litigation status report from Mr. Riedi and asked Ms. Cohen if the orders were submitted following the enforcement. Ms. Cohen said the orders were submitted: 1) the closing argument; and 2) proposed orders.

Mr. Schofield said that he asked Mr. Delaney to address the email regarding rescheduling games around school testing dates.

Mr. Delaney provided an overview of rescheduling games around school testing dates: 1) approximately 10 weeks of school testing which starts in March with various grades levels and subjects; 2) baseball season starts at the end of February through the second week in May; 3) due to rainouts there was an extra 5 weeks added to the schedule; 4) when a change was made, staff would then have to displace another team; 5) 500 children participate in the sport; 6) 380 children were from grades 3 and up; 7) several teams would have to be moved; and 8) the game starts at 6:30 P.M. and ends at 8:30 P.M.

Mayor Gerwig asked if baseball has a time limit. Mr. Delaney said that staff made sure there was a time limit in order for the game to end by 8:30 P.M.

Mr. Delaney explained that the issue was regarding a 7th or 8th grade student and the age group was 12 - 13 year old players.

Mayor Gerwig asked if younger children were playing the same night. Mr. Delaney replied affirmatively.

Mr. Delaney noted that middle school students start school at 9:30 A.M. and everyone needs to make their own decisions. He explained that staff was not forcing decisions on the parents because each family needs to make their own decisions.

Mr. Schofield said that the Village has nearly 600 children in the program from ages 6 to 16 and moving one game would be a cascading effect. He explained in the past, staff has tried make changes to accommodate issues but the situation becomes disastrous.

Councilwoman Siskind asked if the dates were noticed upon signing up for the leagues. Mr. Delaney said that the dates were based upon the number of enrollment but before the program starts, the schedule was made public. He said that changes were only made in the event that there was a problem with one of the facilities, a field unplayable due to an issue, or weather related issue.

Vice Mayor McGovern asked if the schedule was provided to everyone before the season started. Mr. Delaney replied affirmatively. Vice Mayor McGovern asked if any other changes have been made to the schedule other than for the reasons he mentioned earlier. Mr. Delaney said that no other changes have been made to the schedule.

Mayor Gerwig asked when were the testing dates publicly noticed by Palm Beach County School District. Mr. Delaney said the testing schedule was provided at the beginning of February and explained that the schedule was a general schedule and does not indicate the testing dates for each grade level. He stated toward the end of February, the Palm Beach County School District sent out a schedule with more testing information but the Village's schedule was already finalized.

Mayor Gerwig said that there was no studying required for FSA tests.

Vice Mayor McGovern said there were two core issues: 1) Schools; and 2) VOW Parks and Recreation program and were very important to the Village. He said that the games should be over by 8:30 P.M. and middle school starts at 9:30 A.M., and Council was mindful of the issue.

Mr. Delaney said that he has not heard from any other parent, not even the parents of the younger children. He said that he wanted Council to understand the issue because his department takes on everyone's opinion but there were certain things that he was not able to accommodate without substantial repercussions.

Vice Mayor McGovern said that Council was mindful of the issue, read the emails, has taken the information very seriously and several have had discussions with staff. He explained that Council wants the parents to make the decision that is right for them and for their children and their children's performance on the standardized tests and participation in the recreational activities.

8. ADJOURN

The meeting was adjourned.