

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

**Wellington Village Hall
12300 Forest Hill Blvd
Wellington, FL 33414**

**Tuesday, September 11, 2018
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, September 11, 2018, commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

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

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

- 1. CALL TO ORDER** - Mayor Gerwig called the meeting to order at 7:00 p.m.

Mayor Gerwig indicated the Village had difficulty advertising this Council Meeting, as their intention was to wait until Rosh Hashanah had passed before starting the meeting. She said she would entertain a motion to postpone the start of the meeting for one hour time certain from now.

A motion was made by Councilman McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0), to have Council recess for one hour.

Mayor Gerwig indicated that Council will recess until 8:00 PM.

Mayor Gerwig called the meeting back to order at approximately 7:58 pm.

- 2. PLEDGE OF ALLEGIANCE** – Mayor Gerwig led the Pledge of Allegiance.
- 3. INVOCATION** - Pastor Peter Bartuska, Christ Community Church, Wellington, delivered the invocation.
- 4. APPROVAL OF AGENDA**

Mr. Schofield indicated staff recommended approval of the Agenda as amended:

1. Add a Presentation by Jordan Ray to Presentations and Proclamations as item 5A.
2. Move Consent item 6D, Authorization to Renew an Existing Agreement to Provide General

Liability Property, Casualty and Worker's Compensation Insurance, to the Regular Agenda as item 8A.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve the Agenda as amended.

5. PRESENTATIONS AND PROCLAMATIONS

A. PRESENTATION BY JORDAN RAY

Mr. Chris Levy, with the Town-Crier, explained that three years ago Jordan Ray was a fairly typical high school student in the Village. He said she was attending Palm Beach Central and looking to go to college on a softball scholarship. He stated during one game she was playing third base when she reached down to get the ball and blacked out. He said Ms. Ray did not go to the emergency room and was not carted off the field. He stated she stayed in the game for four innings, crying and dealing with dizziness, the lights and the sound. He said she finally came out of the game, but still did not go to the hospital. He stated she went into the dugout and remained there to support her team.

Mr. Levy stated Ms. Ray was not getting any better in the coming weeks, as she was experiencing numbness and pain in her legs and arms. He said she was also having dizziness and terrible memory loss. He stated no one could figure out what was going on. He said the best her coach and trainer could say was that perhaps she hyperextended her neck and now had whiplash.

Mr. Levy stated this went on for months until Ms. Ray came in contact with a local neurosurgeon, Dr. Chaparro, who diagnosed her with a Chiari malformation. Mr. Levy explained that Chiari malformation is a swelling in the back of the brain that cuts off the cerebrospinal fluids and leads to all of these problems. He stated it is treated by cutting open the back of the head and permanently taking out a piece of the skull, so everything can swell and the fluids can again flow.

Mr. Levy indicated Ms. Ray, unfortunately, can no longer play softball. He stated there will be no scholarships and no going away to college. He said senior year is supposed to be great, but Ms. Ray had to prepare for surgery.

Mr. Levy stated, instead of sinking into a hole of misery, Ms. Ray decided to go to a local college, start her own business, document her story, and come up with a great book where patients who have chronic illnesses can document their condition and what they are going through. He said when someone has a chronic illness, people generally stop asking how they are doing when it turns into a 30-minute conversation. He stated this book is a great way to show the doctor what is going on, the medications they are taking, and where they are experiencing pain. He said it also has the therapeutic benefit of a diary, where the patient can write down their thoughts when they feel no one is listening or they are burdening people.

At this point, Mr. Levy introduced Ms. Ray.

Ms. Ray stated her product is an all-in-one lightweight medical log that maximizes one's health management at home or on the go. She said there is an essential book as well as a diabetes book and a cancer book. She stated her medical log has been a life changer for her during her health struggles the past three years. She said it gets old and tiring telling the doctors how

much pain she is in. She stated many times she was afraid to tell the doctors, because she did not want them to know she was so sick.

Ms. Ray stated she has been getting a fantastic response from her product and company. She said she has been helping so many people, which is why she is doing this. She stated she would not want to be in any other position than she is today. Ms. Ray thanked Council for their time.

Mayor Gerwig thanked the Town-Crier for Ms. Ray's story. She stated she had heard of Chiari malformation before when she was in high school. She said one of her classmates died, because they did not determine what was blocking the spinal fluid and it built up. She stated it is really interesting to hear this now and to have Ms. Ray come and share a way to map out what one is feeling for all kinds of mysterious illnesses. She said she could imagine the medical log being very useful.

Vice Mayor Drahos asked how people could get a hold of Ms. Ray or learn more about her product. Ms. Ray stated they could go to her website at www.limitlessmedicallogs.com; e-mail her at contact@limitlessmedicallogs.com; or contact her directly at Jordan@limitlessmedicallogs.com. She said a lot of people contact her directly and tell her their story. She stated she loves communicating back and forth with people.

Mayor Gerwig stated she has Ms. Ray's contact information. She said it will be available at the Village, if anyone needs it.

Councilwoman Siskind stated when she Googled the article, she also saw that Chiari Malformation National Awareness Month is September. She said she would like to add that to Council's Annual List of Proclamations. She stated it is really inspirational to hear that Ms. Ray has turned this into such a positive thing. Councilwoman Siskind indicated that her own daughter suffers from migraine headaches and the doctors tell her to journal. She said it is hard sometimes for a younger person to understand what that means, so this would be a great tool for them.

Mayor Gerwig noted that the color for Chiari Malformation National Awareness Month is purple.

6. CONSENT AGENDA

- A. 18-2070** AUTHORIZATION TO AWARD CONTRACTS TO PROVIDE LANDSCAPE MAINTENANCE SERVICES FOR FACILITIES, PRIMARY ROADS, UTILITY SITES, CANALS AND EQUESTRIAN TRAILS
- B. 18-2093** AUTHORIZATION TO AWARD A SOLE SOURCE CONTRACT FOR THE PURCHASE OF BADGER WATER METERS AND COMPONENTS
- C. 18-2096** AUTHORIZATION TO UTILIZE A NATIONAL COOPERATIVE PURCHASING ALLIANCE (NCPA) CONTRACT WITH MUNICIPAL CODE CORPORATION INNOVATIONS (MCCI), LLC FOR LASERFICHE DOCUMENT MANAGEMENT ANNUAL LICENSING, MAINTENANCE AND SUPPORT
- D. 18-2097** ~~AUTHORIZATION TO RENEW AN EXISTING AGREEMENT TO PROVIDE GENERAL LIABILITY, PROPERTY, CASUALTY AND~~

~~WORKERS' COMPENSATION INSURANCE~~ (MOVED TO THE
REGULAR AGENDA AS ITEM 8A.)

E. 18-2264 RESOLUTION NO. R2018-41 (DEERIDGE FARMS VACATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, TO
VACATE 0.25 ACRE PORTION OF A 20-FOOT WIDE WATER
EASEMENT LOCATED AT 12100 PIERSON ROAD (DEERIDGE
FARMS), MORE SPECIFICALLY DESCRIBED HEREIN; AND
PROVIDING AN EFFECTIVE DATE.

Mr. Schofield indicated no comment cards were received from the public.

Mr. Schofield stated staff recommended approval of the Consent Agenda as amended.

**A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and
unanimously passed (5-0), to approve the Consent Agenda as amended.**

7. PUBLIC HEARINGS

Mr. Schofield indicated this was one of two opportunities where Council takes comments from
the public. One person had asked to speak:

1. Bill Wheelen, 9662 Worswick Court, Wellington. Mr. Wheelen stated he met with most of the
Council members this morning and they did a fine job, especially Councilman McGovern. Mr.
Wheelen spoke about an article that was in the Palm Beach Post on Sunday. He stated he
finds it very concerning that Councilwoman Siskind, as a member of this Council, is involved
with bankruptcy proceedings. He said several other items are going on with her husband. He
stated he wondered, if one's financial life is in complete disarray, how they could make financial
decisions for the wellbeing of the residents. He said he would like Councilwoman Siskind to
address that and suggested that she recuse herself from any financial matters put before this
body.

Mayor Gerwig stated the Council takes comments but does not dialogue. She said Mr.
Wheelen can address her as the chair. She stated Councilwoman Siskind could reach out to
Mr. Wheelen if she wanted to, as they have his contact information.

Mr. Wheelen asked if those were the general rules. Mayor Gerwig explained the rules are that
anyone who speaks addresses the chair. She said Mr. Wheelen can ask her about
Councilwoman Siskind and she can meet with him, if he would like to do so. Mayor Gerwig
indicated Mr. Wheelen could also send an e-mail and ask for a meeting with Councilwoman
Siskind. Mr. Wheelen stated he would do that and thanked the Council for allowing him to
speak.

**A. 18-2233 FIRST PUBLIC HEARING FOR PROPOSED FISCAL YEAR 2018/2019
MILLAGE RATE, BUDGET AND ADOPTION OF THE FISCAL YEAR
2018/2019 CAPITAL IMPROVEMENT PLAN**

Mr. Schofield introduced the item.

Ms. Quickel indicated this was the first public hearing on the tentative millage rate, budget and

adoption for the FY 2019 capital improvement plan. She stated the total proposed budget is at \$97.3 million, including transfers. She said this a decrease of \$13.2 million from the current year's budget of \$110.4 million. She reminded Council that the Acme, Water and Wastewater, Solid Waste and Lake Wellington Professional Centre budgets and rates were adopted at their August 14, 2018 meeting.

Ms. Quickel stated the tentative millage rate of 2.55 mills went out on the TRIM notices. She said this is 0.12 mills above the current millage rate of 2.43 mills. She stated the previously adopted Acme assessment did not change and remains at \$230. She said the adopted solid waste assessments did not change. She stated the water and wastewater user rates included the annual 3.5% index, which is a monthly increase of approximately \$2.18. She noted the Saddle Trail South improvement District budget was also adopted for that debt for those users.

Ms. Quickel stated the total budget for all funds includes revenues budgeted at \$94 million and expenditures budgeted at \$97.3 million. She said the Village is using approximately \$3.3 million in reserves to balance the budget. She stated, of this amount, the general fund portion is \$662,420.

Ms. Quickel stated the governmental budget Council is considering tonight is proposed at \$61,981,580, which is a small decrease from the current budget of \$65 million. She said the general fund is basically the same; the building fund has a small increase of \$43,319, which is basically the expenditures to potentially demolish two properties; and the road maintenance fund has a small increase of \$16,536. She stated while the budget reflects savings and the debt reduction payoff done by Council approval in their June meeting, there is a small reduction in capital funds of \$622,000.

Mayor Gerwig asked Ms. Quickel to explain the demolition fund for the record. Ms. Quickel stated this fund is for properties that fall into disrepair according to code and the Village has to demolish. She said the cost is normally recovered through a process, but it has to be budgeted as an expenditure.

Mayor Gerwig asked how many properties the Village has had to demolish. Ms. Cohen believed that three properties have had to be demolished.

Mayor Gerwig stated this is for private property the Village feels has to be removed for the safety of the community. She said it has nothing to do with Village projects. Ms. Cohen stated it is for buildings that have been deemed unsafe by the Building Official. Ms. Quickel indicated Finance estimated about \$20,000 for each of the approximate two properties.

Ms. Quickel stated the general fund budget includes revenues budgeted at \$62.4 million and expenditures budgeted at \$62 million. She said the Village is using approximately \$662,420 in reserves to balance the budget.

Councilman McGovern asked how much the Village had in reserves. Ms. Quickel stated at the end of the September 30, 2017 audit, which was the last audit, the total reserves were approximately \$32 million and unassigned reserves were a little over \$16 million.

Councilman McGovern asked if the \$600,000 to balance the budget was out of that \$16 million. Ms. Quickel stated that was correct.

Ms. Quickel stated the property values and tax revenue provide \$20.2 million, using the 2.55

millage rate, in the proposed 2019 budget of \$97.3 million. She said significant other revenues include utility charges, Acme assessments, intergovernmental use and fuel taxes, permits, fees and engineering fees.

Councilman Napoleone asked, regarding the tax revenue, if the Village has taken into account the potential loss in revenue if the additional homestead exemption passes. Ms. Quickel stated Finance has estimated that to be approximately \$800,000, but it will not come into play until the 2020 budget.

Ms. Quickel reviewed the governmental budget changes for all funds which include: the early payoff of the debt service in June, a reduction of approximately \$1,126,000; a small reduction in capital projects of \$632,000; the net personnel costs being reduced by \$594,000 with the elimination of seven full-time positions, two supplemental positions, and 2,410 part-time hours as well as a 3% across the board increase and up to a 1% merit increase for staff; and the law enforcement contract increasing by 3% or \$278,000. She stated the primary changes in the departmental expenses overall include an increase of \$251,000 for surface water quality monitoring, pump station roof assessments, and chemicals for aquatic weed control.

Ms. Quickel stated the capital projects include some of the Village's new projects and the total capital projects across all funds amount to \$15.8 million. She said the three new major one-time projects total approximately \$4.8 million. She stated the first project is the major road and drainage improvement at Forest Hill and the C-8, which totals approximately \$2.8 million. She said this 2019 budget includes the final funding for this project.

Ms. Quickel indicated Greenbriar Park is a major new park and is the second major new project. She said it is currently budgeted for an additional \$3 million this year, but it has carry forward funding primarily from the sales surtax funds for a budget of \$10-\$11 million for the entire park.

Ms. Quickel stated the third project is the beginning of the Lake Wellington Waterfront Development. She said this 2019 budget includes funding of \$1.2 million, but the total project is estimated to be approximately \$25 million. She noted they have ongoing programs of \$2,763,000 and utility capital projects of \$8,220,000.

Mayor Gerwig asked Ms. Quickel to explain how utility capital projects are funded. Ms. Quickel stated utility capital projects are funded solely by the users of the utility. She said that budget was approved at the August 14, 2018 Council Meeting and no general fund dollars are associated with funding utility capital projects.

Ms. Quickel stated the CIP has \$7.6 million budgeted for governmental capital projects. She said the Village reallocated \$5.1 million from completed or deferred projects to carry forward and the sales surtax project funding is identified for Greenbriar Park and the Lake Wellington waterfront improvements.

Ms. Quickel stated the utility projects for intangible personal property shows \$8.2 million, which is solely funded by utility users. She said new assets include shade structures, lighting in parks, pressure washer trailer, and utility plant maintenance vehicle and equipment.

Ms. Quickel stated, regarding the millage options, the millage rate that went out on the TRIM notices was 2.55 mills. She showed Council the rollback rate of 2.332 mills, the majority maximum and the 2/3 vote rate. She stated each one-tenth (0.10) of a mill is \$790,000 and each one hundredth (0.01) of a mill is \$79,000.

Mayor Gerwig stated the rollback is basically the same amount of what they would collect to get the same total budget. She said the Village is required to print that in this document.

Ms. Quickel showed Council a chart with comparative information for Wellington and Acme rates as well as the utility, solid waste, total budget, number of positions and population. She indicated Wellington's average millage rate from 2000-2018 is 2.51 mills.

Ms. Quickel showed Council a sample tax bill that indicates the change for a homesteaded property at an average of \$306,300. She said the change at the 2.55 millage rate is an additional \$37. She noted there is no increase for solid waste or Acme on the proposed tax bill.

Mayor Gerwig asked if the additional assessment for Acme was for another five years. Ms. Quickel stated that was correct, as they are half way through that additional assessment of \$30. Mayor Gerwig said that assessment will end after five more years and go back down to \$200.

Ms. Quickel showed Council the tax bill changes. She said Finance understands the challenges of this budget and that it is hard to look at the millage increase, but Finance has strived to give Council accurate information to help them make the best decisions. She stated Finance continues to review options and has heard the discussions Council has had with staff. She said the chart provided compares the changes to the current 2.43 mills for homesteaded versus non-homesteaded properties: at 2.55 mills there is a \$37 increase, at 2.50 mills there is a \$22 increase, and at 2.47 mills there is a \$13 increase.

Mayor Gerwig stated all of these numbers are dependent on what one's property value has actually done. Ms. Quickel stated that was correct, as this was based on the average.

Ms. Quickel stated staff is proposing three changes to lower the millage rate from 2.55 mills to 2.50 mills to fund the budget:

- 1) Staff proposes the elimination of three more full-time positions, which would be a total reduction of ten full-time positions, plus the two supplemental positions and 2,410 part-time hours. She said Mr. Schofield says this is a change in thirteen positions, which is accurate.
- 2) Staff has negotiated an overall reduction in the health insurance annual premiums of 1.4% from the proposed changes by going to a consumer driven health plan. She said they will still have very good insurance, remain with the same carrier and remain with the same network of doctors. She stated there is no change in employee deductions, but the 1.4% reduction is a hard reduction in administrative overhead and results in a change in the programming.
- 3) Staff recommends reducing the outside services funding in the Legal Department by \$50,000.

Ms. Quickel stated the budget calendar indicates, after tonight's meeting, the final public hearing will be held on September 25, 2018.

Councilman McGovern stated they discussed at Agenda Review yesterday, in the recommendations from staff to move from 2.55 to 2.50 mills, they are eliminating three additional positions. He said he wanted to be very clear that these are positions that they essentially are not filling. He stated they are not laying off employees, firing anyone or anything of the like. Ms. Quickel said that was correct, as it will happen through attrition.

Councilman McGovern asked how much that was, in regards to the savings for employee health insurance, in the millage rate savings. Ms. Quickel indicated it was approximately two-hundredths (0.02) of a mill.

Councilman McGovern asked, to save that two-hundredths (0.02) of a mill or approximately \$160,000, if there is any increase at all to the employees. Ms. Quickel stated there will be a change in the deductible or total out-of-pocket maximum. She indicated there is a \$500 change for single coverage and a \$1,000 change for family or dependent coverage that the employees will be responsible for.

Mayor Gerwig asked if that change was covered in the Health Savings Account (HAS). Ms. Quickel stated it was not, as the employee will have to pay that out of pocket.

Mayor Gerwig stated there are many ways to bring this down to 2.5 or 2.43 mills. She said it would not be her first inclination to do what staff is presenting, but that is what the Council as a body is there to do. She stated the Council is to tell staff if they feel there are items in the budget that are not important. She indicated when she ran for mayor her sign said Responsible Leadership, so that is her thing. She said she did not necessarily agree that this is the responsible way to go.

Vice Mayor Drahos asked if the \$50,000 reduction in the Legal Department budget could be sustained while still providing the same level of service. Ms. Cohen stated she believed so. She said legal over the last several years has budgeted more than they have actually expended. She stated they have done a good job of keeping the outside legal expenses down, as they have handled a lot of appeals in-house. She said in 2017 they budgeted \$280,000 and expended \$200,908. She stated for 2018 they budgeted \$290,000 and they only expended \$161,070 through September 5, 2018. She said they feel they can reduce that budgeted number. She noted they may have to do a budget transfer if there is any unforeseen litigation, but they are not projecting that at this time.

Councilman McGovern asked if there had been any calls to the Village, since they sent out the TRIM notices as required by law at 2.55 mills. Mr. Reyes stated one call was received regarding a substantial increase in property values after purchasing a house and the amount of taxes that had to be paid. He said it had nothing to do with the 2.55 mills.

Mayor Gerwig stated when she walks people through the tax notices most think the Village is getting all of the money. She said only a small portion goes to municipal taxes.

Mayor Gerwig stated when the Village previously contracted out the Legal Department, they were at \$425,000 for that expense, plus additional expenses. She said her recollection is that when they brought legal in-house, the IMLA study said by the time they have two attorneys on staff and one full-time paralegal, they would be spending significantly more than they were on the contract. She asked in estimation if that was true and if legal was doing more work in-house.

Ms. Cohen stated that legal is doing more work in-house. She also thought a level of service was being provided by the department that is appreciated by the rest of the Village. She stated she did not have those numbers, as Ms. Quickel or Ms. Wadleigh may have them. She said they could certainly provide Council with a comparison between what the Village was spending on outside counsel versus what it is now spending on in-house counsel. She stated over her

tenure they have been able to resolve a lot of litigation and settle a number of claims that they otherwise would not have received funds for. She said they have recovered over \$300,000 in claims that had not been filed. Ms. Cohen stated there may be an increase in expenditure, but the value the Village is getting has also increased.

Councilman McGovern asked how many employees on average have not gotten the merit increase in the last year or last several years. Ms. Quickel indicated for the last fiscal year two employees, out of approximately 300, received no merit increase.

Councilman Napoleone asked what amount of reserves is the Village required to maintain. Ms. Quickel stated the Village has a policy to maintain unassigned reserves between 25% and 30% of the next year's general fund expenditure budget. She said they currently exceed that amount, as \$16 million is approximately 37%.

Mayor Gerwig indicated the Village has that policy to retain its bond rating in case they need to borrow money. Ms. Quickel stated it was also for emergencies.

Mayor Gerwig stated, at this point, carrying reserves does not leave the Village in a position to need to borrow money very often. Ms. Quickel indicated the Village is debt free, as Saddle Trail is only for those people who are in that area.

Mayor Gerwig stated the Village keeps enough reserves so they do not have to necessarily borrow money. Ms. Quickel said she would make that statement a little differently, as it depends on the projects the Village has in front of them. She stated they have discussed a five and ten year capital program, particularly for utilities, and depending on what the projects that are out six to ten years are estimated at, there may be a need.

Mayor Gerwig asked if they indexed the utility rate, so they could do these projects. Ms. Quickel stated that was part of it, but also the annual indexing was a recommendation from the 2008-2009 Utility Study.

Mayor Gerwig stated her point is that utility bonds are separate from the general fund bonds. Ms. Quickel stated that is true. She said there were years in which the Village did not do the annual indexing, so they have resumed that and updated the rate study.

Councilman Napoleone asked if they could get to a 2.50 millage rate by keeping Village reserves closer to 30% versus 36%. Ms. Quickel stated they could.

Councilman McGovern asked why staff would recommend against reducing the reserves. Mr. Schofield stated a discussion was started in 2016 about having to change the service delivery model for the Village, as it would spend through its reserves by 2021. He said the service delivery model has been changed significantly, in part by employee reductions. He stated more of that will be seen in the coming years, as the new ERP modules are brought online and it becomes more efficient to contract out as opposed to keeping employees on staff. He indicated, with the model that is in place at this moment, the Village will have spent through those reserves by 2025. He stated more things need to be done, so they are going to need to change that. He noted staff used the least amount of reserves this year to balance the budget.

Mr. Schofield stated local government, unlike the state or federal government, is required to have a balanced budget, as they may not do deficit spending. He said even if they borrow, the Village must show their revenue streams will allow those debts to be repaid. He stated they certainly can use reserves now to do that, but that would severely limit some things the Village is going to do in the future. He said it is not his recommendation to deplete all of that reserve this year, because over the next six to seven years they are looking at using those funds to pay for projects.

Mr. Schofield stated one problem is that they have seen much higher funding for some of the projects in the original 2008-2009 capital plans. He indicated they just funded a utility project for \$17 million that in 2008 was budgeted at \$14 million. He said the difference in the cost of construction over that ten years has gone up.

Mr. Schofield stated the government inflation rate over the last hundred years has averaged about 3% and this is what staff has projected in the future. He said he never likes to project what the economy is actually going to do, but they have been in a recovery cycle for a number of years. He stated, at some point, he expected they will see some adjustment and it would be better to have some additional reserves. He said they look to keep the basic operating reserve between 25% and 30%, which is really an emergency reserve. He stated the amount over that is where they have project savings or unspent money in the budget. He said this year they will have underspent their budget some. He stated he did not have the exact number, but a good deal of that is preparing for staff reductions and not refilling positions. He said it does not make sense to fill a position that is going to be eliminated.

Mayor Gerwig stated the reserves for storms and hurricanes are separate from this. Mr. Schofield stated that was correct, as the basic operating reserves are unassigned. He said the utility operating reserve and disaster reserves are assigned reserves. He stated the Village did use some of those reserves, but they will be replenished. He said the problem with using disaster reserves is that it generally takes three to five years to get the FEMA reimbursements.

Vice Mayor Drahos indicated all of the comment cards on this agenda item are specific to the Lake Wellington issue. He stated before the Council opens it up for public comments, he wanted to address something that Ms. Quickel said that took him by surprise. He asked where the \$25 million estimate came from and how many years it will take to spend that money. Ms. Quickel stated that was a preliminary estimate for the full phasing of the project that they discussed during the visioning process.

Mr. Schofield stated he thought, on the quick side, it would be ten years. Councilman Napoleone said that is if they did everything possible. Mayor Gerwig stated Phase I is \$10 million. Ms. Quickel said it would be approximately \$8 million, as \$1.2 million was included in this budget to start consideration.

Vice Mayor Drahos stated he wanted to be very clear about the \$1.2 million that is in this budget. He asked if they were setting aside funds within that \$1.2 million to allow for public comment and public meetings. He stated he would like to do something like the K-Park Town Hall, where they gauged the interest of the residents. He said if there is no interest in this, there is no need in pursuing it. He stated if there is interest, they will know early and soon, so they can decide whether or not this is the appropriate course. Ms. Quickel indicated that it would be included.

Councilman Napoleone stated he has spoken with the Chamber president and with Mr. Schofield about setting up public forums on the lakefront, so people can come and give their input. He said he assured the Chamber that even if money is allocated in the budget, not a dime of it will be spent until they have a Council Meeting and it is noticed. He mentioned that \$20 million was just spent on the wastewater plant renewal and refurbishment and, every time that money was spent, there was a publicly noticed meeting where Council approved it. He stated just because money is allocated in the budget, it does not mean anything is actually happening. He said if Council does not vote to spend the money, not a dime of it will be spent.

Mayor Gerwig stated the \$1.2 million is an estimate to demolish the building and for the project design. Ms. Quickel indicated it is a preliminary design.

Mayor Gerwig stated permitting is preliminary, but the Village has to know what they want. She said she has been opposed to the process from the first time it was presented. She stated she gave Mr. Schofield a write up with what she thought were the fatal flaws in the design and could not be overcome with what they were looking at.

Mayor Gerwig stated she did not think they should be putting \$1.2 million for demolition, design and permitting in the budget, when they have not decided what benefits the Village. She thought that was putting the cart before the horse, as public comment should come before formulating that number and budgeting for it.

Mayor Gerwig stated she is willing to accept all kinds of conversations about what Council thinks is good, but she does not support several things in this budget. She said one is the Lake Wellington waterfront plan; however, she believes there are things they can do on this site. She stated Council has done some microplanning, but they have not master planned. She said they have microplanned the parks and they are doing the same thing here. She suggested taking a step back and figuring out what benefits the community, as she does not think they are even close. She said the plans she has seen are nowhere near what she thinks benefits the community. She stated she has had major questions that have never been answered.

Mayor Gerwig stated if they plan to do a couple of million dollars' worth of filling and adding land to build a restaurant where there is now water, they do not have anyone as a partner for the restaurant. She thought that was putting the cart before the horse. She said she wants to know who wants to partner with them to do the restaurant and how they are going to manage it. She stated other cities that own restaurants have not been successful. She said they have had difficulty getting vendors to operate them, like Royal Palm Beach and Pahokee Marina, or if they have a successful venue, like Harborside, it becomes problematic to the neighborhood.

Mayor Gerwig stated she did not support taking out imaginary positions to balance the budget. She said she believes they should not be spending money on things that have not yet been decided. She stated she wanted to see public input before a plan is put in front of Council. She said they should be asking people what they want instead of telling them.

Councilwoman Siskind stated she and Mr. Schofield were talking about the timeline today and why this phase needed to be the budget now. She said they do not have a restaurant or plans on the table, but they could possibly take public input.

Mr. Schofield stated in terms of the budgetary process, the government is unique. He said the Village cannot enter into contract where they do not have money in place, so no design contracts or the like can happen.

Mr. Schofield stated he and Councilwoman Siskind discussed what the Village would be assuming if this was approved in the budget. He said the first discussions would not happen until after October 1, 2018. He stated there would then be an RFP and a request for qualifications for professionals to come in and do the community meetings and the programming. He said they now have very conceptual programming with no details. He stated given the timeframe, it would probably be sometime into November before the consultant could be retained and February or March before the Village would have anything to do. He said they would have to go through the South Florida permit process, which would take five to seven months, because the Village is not exempt from permitting.

Vice Mayor Drahos stated staff has told Council that upwards of \$1.8 million in improvements need to be made to this 35-year-old building in order to sustain it. He asked how much longer they were going to band aid this building if ultimately they do not see that being the long term concept for that site. He stated he did not see the harm in setting aside the money, so they have the availability and versatility to do what they need to do if the public supports this. He said if the public does not support it, the Village is not spending the money or committing to anything other than giving the public options.

Mayor Gerwig asked how much has been spent on Barth & Associates thus far for the conceptual plans, as they have looked at three or four different versions. Ms. Quickel estimated that \$20,000 to \$22,000 had been spent for the preliminary site planning that was done for the visioning.

Mayor Gerwig recalled, when Barth & Associates was brought in, this was the firm that did the Kissimmee River Waterfront design, which is one reason the Village hired them. She said she thought the Village was doing this completely backwards. She stated they have a nice community space, but she does not think it is similar to the Kissimmee waterfront in any way. She said she does not think the Village is going to add boats, as only electric motors are on the waterway and it is a retention pond. She stated she does not agree with the vision that has gotten them to this point. She said she has to make this public statement here, because in visioning she was told she does not get it and she does not think big. She stated she does not appreciate that because she thinks she is being realistic about what they are dealing with.

Mayor Gerwig stated she wants a community space, but she does not see anything in this waterfront plan that meets the needs of the community and she sees things that can be detrimental to the community. She said that has been her opposition all along. She stated she also has an opposition to a couple of million dollars in signage changes to the major entry signs. She said, in the discussions this Council has had, she is just in disagreement. She stated she does not think they can compete with the developers and that she does not feel pressure from Arden or Westlake. She said the Village is a city or municipality, not a developer, and the Village is different. She stated that is where she is not on the same page. She said she is being obstinate, because that is what she was elected to do.

Vice Mayor Drahos stated he was unclear with Mayor Gerwig's vision with this particular issue. He asked where she saw this property in five years and if she saw them putting potentially \$1.8 million into this building to keep it viable or ultimately taking it down.

Mayor Gerwig stated that was one reason she did not support buying it in the first place. She said they did not make that statement and they had no inclination of why they were buying it. She stated they told the public when they spent \$5 million on that property that they were land

banking it with ten days due diligence. She said, in the meantime, she does not know where they are with the building. She stated she does not think taking down Lake Wellington Professional Centre to put in a kayak rental facility and a parking lot makes any sense whatsoever. She said she is not saying anything different than what she has said from the first day she was shown this project.

Councilman McGovern suggested that Council take the public comments and then come back to this.

Vice Mayor Drahos read the following comment cards into the record:

	NAME / ADDRESS	FOR	AGAINST
1.	Ted Muraskin, 1300 Crown Point, Wellington.		X
2.	Jennifer Markee, 13000 Blue Lake Drive, Wellington		X

Vice Mayor Drahos called upon the following individuals who wished to speak:

	NAME / ADDRESS	FOR	AGAINST
1.	Ilene Tognini, 1106 Stagmore Street, Wellington and a tenant at the Lake Wellington Professional Centre.		X
2.	Marion Frank, 13725 Greentree Trail, Wellington and a tenant at the Lake Wellington Professional Centre. Ms. Frank also requested that Councilwoman Siskind recuse herself from any financial matters concerning the Village.		X
3.	Stuart Hack, 10280 Trianon Place, Wellington and a tenant at the Lake Wellington Professional Centre.		X
4.	Nicholas Milana, 2430 Wellington Green Drive, Wellington and a tenant at the Lake Wellington Professional Centre.		X
5.	Bruce Tumin, 752 Lake Wellington Drive, Wellington.		X
6.	Dermot MacMahon, 601 Cypress Crossing, Wellington and a tenant at the Lake Wellington Professional Centre.		X
7.	Richard S. Tolbert, 3602 Moon Bay Circle, Wellington and a tenant at the Lake Wellington Professional Centre.		X
8.	Gene Villa, 1918 Derby Trail, Wellington and a tenant at the Lake Wellington Professional Centre.		X

Mayor Gerwig stated they had some other issues and they needed to address the pool. She asked if any other Council members were interested in building a pool elsewhere that the swim teams could use. Mr. Schofield stated staff was having on again/off again discussions with the Palm Beach County School District about putting competition pools at one of the high schools. He said the Village is looking at having to make a significant investment in its pool in the near future. He indicated the pool is forty years old and a lot of renovations have been made to it over time, but the pumps and the mechanical systems need to be done. He stated a couple of years back they redid the pool house and put a new liner in the pool. He said the slides are in good condition, but the sprayground needs to be replaced.

Mr. Schofield explained that when they started looking at the waterfront plan, it was not just putting kayaks and a beach out there. He stated those were artifices the designer used, as he specializes in high use facilities of that type. He said that overall plan looked at the pool,

creating additional green space, and perhaps replacing some of the existing surface parking with a parking garage to create more opportunities for gathering spaces. He stated the Village was looking between \$4 and \$7 million to completely renovate the pool, whether Council approves the waterfront or not. He said the money for the pool is in that \$25 million.

Mayor Gerwig stated that would probably be a different number if they did not renovate it and put in a different pool. She said they are back to the situation that the pool is heavily used for competitions. She stated they care about the kids being able to do swim meets and having a place for the community to gather. She said, that is her problem, she does not know where the pool is going. She stated Coral Springs has a huge aquatic complex and asked if Coral Springs was about the size of Wellington.

Mr. Schofield stated he believed Coral Springs was about the size of the Village in population but was geographically smaller. Mayor Gerwig indicated Coral Springs has a Performing Arts Center, an Aquatic Center, and some things the Village is not really interested in.

Mayor Gerwig stated if the Village is going to turn it into a resort style pool, because it would be a more usable for the residents than a competition pool, it would not be multipurpose like it is now. She said she would have to know where the competition pool is going and who would be accommodating that. She stated she does not see the school district jumping up and saying they want to build a pool.

Mayor Gerwig asked how much was spent when the Village redid the pool in 2010. Mr. Schofield stated he did not have that number, but he would have it for Council tomorrow.

Mayor Gerwig stated they reopened the pool and raised the deck, so they would have the depth. Mr. Schofield said making it a competition pool worked essentially for the competitions for the two high schools and the swim team. Mayor Gerwig indicated that it turns into a regional use when they have swim meets. Mr. Schofield stated the swim meets involve one of the two high schools or the private combined swim team with athletes from both schools.

Vice Mayor Drahos stated he has not heard about plans specific to the pool. He said every time the pool is mentioned, it is long term. He said he would not be in favor of doing anything with the pool, unless there is a solid backup plan.

Vice Mayor Drahos thought part of the problem tonight, and since the concept of the waterfront first came up, is that the rumors spiral out of control so fast. He stated what they have discussed, in previous Council Meetings as well as tonight, is the future of Wellington and where they see it in five to twenty years. He said Wellington is a beautiful town with a beautiful space, but they need to continue to look for ways to enhance what they have.

Vice Mayor Drahos stated in visioning Council talked about what they can do to continue to elevate the experience of Wellington. He explained the Midtown project is the property where this Village Hall is located on 22 acres of land. He said they have an opportunity to create a green space where people can come and gather in the central part of town and enhance their experience. He stated no one is saying they are going to spend \$25 million in one to five years. He said he understood it would take a course of ten years, if the Village did everything they wanted to do.

Vice Mayor Drahos stated he understood where the residents were coming from. He said everyone who spoke about the Lake Wellington Professional Centre issue are current tenants.

He stated he sympathized with them, as their businesses are potentially at risk with this decision. He said it is not a decision this Council is going to take lightly or one they are going to decide tonight. He indicated the Village has renewed the tenants' leases for one year, which gives them some level of stability.

Vice Mayor Drahos stated there is some foundation to this concept of activating the waterfront, as the interest level at the lakeside events was much higher than the statistics provided by Mr. MacMahon tonight. Vice Mayor Drahos said people were using the kayaks all day long and the vendors had waiting lists of people who did not get out on the lake. He stated there seemed to be some competing information.

Vice Mayor Drahos wanted to address the issue that the Village should have been upfront with what they wanted to do with the building. He indicated four of the five current Council members were not on Council when the decision was made to buy this building. He stated when the prior Council made the decision to buy the building, there was plenty of upfront discussion on their plans to consider it as a land bank. He said not one Council member stated they wanted to buy the building so it could be a business incubator into the future.

Vice Mayor Drahos stated this Council inherited this 35-year-old building. He said he has been told by staff that the building will require \$1.8 million in work in order for it to go into the future. He stated Council has a responsibility to be fiscally conservative and to make proper decisions with the residents' money. He said he has been hesitant to continue putting money into this building, if they are not looking at it as a long term (five to twenty year) investment. He stated he did not want to spend \$1.8 million of the public's money on a 35-year-old building.

Vice Mayor Drahos stated, ultimately if it is the will of the Council and the will of the public to take this building down so they can activate the waterfront, he would like to have a solid backup plan for all of them. He said talks went into this weekend with a private investor who was interested in bringing executive suites to Wellington. He stated, based on his efforts, there is a tremendous amount of interest in bringing that type of business here.

Vice Mayor Drahos stated the Village can either keep the tenants in a 35-year-old building and talk about how much they have to invest to keep it viable or they can talk about how much they are currently investing to offer the level of service the tenants are receiving and enhancing those options at the price they are currently getting. He asked if the tenants wanted to stay in a 35-year-old building or stay in a state-of-the-art executive suite offered by a private investor. He said, from his standpoint, the government should not be in the landlord/tenant business. He stated he would not have been in favor of buying this building when it was purchased five years ago for \$4 million, but he has now taken on this building as part of his obligation as a Council member. He said in order for this Council to make this decision, they all have to work together: the Council, the public and, in particular, the tenants of this building.

Vice Mayor Drahos stated the rumors that go back and forth is not productive for anyone. He said every time there is a story in the media about the impact of this building, he hears 170 tenants are going to be displaced.

Councilman McGovern indicated Ms. Quickel's memo states there are currently 60 virtual tenants. He asked if they could move those virtual tenants, for example, to Village Hall tomorrow. Ms. Quickel stated they could.

Councilman McGovern stated there are 74 permanent tenants and 60 virtual tenants, totaling

134 clients at the Lake Wellington Professional Centre. Ms. Quickel indicated the virtual offices primarily receive a mailbox, receptionist service, and conference rooms.

Vice Mayor Drahos stated if only two or three tenants are going to be significantly impacted, that will be considered by this Council. He said the Council needs to weigh their options on what to do with this building and whether it is responsible for them to spend the money. He stated they will need to spend to keep it viable and offer the tenants the services they are currently getting or potentially open it up for a whole new service to the public. He indicated the current virtual tenants commit themselves to \$79 per month over a three month contract.

Mayor Gerwig clarified that virtual tenants get other services such as copiers and fax machines. She said they need other services that are not easily provided by Village Hall or the Community Center.

Vice Mayor Drahos stated the point he is trying to make is that the headline in the media states that 170 businesses are going to be displaced. He said the reality is that 74 physical tenants have full-time leases and some of the 60 virtual tenants are on three month contracts. He stated he wanted to make sure the public at large was getting an accurate sense of what the Council was looking at.

Vice Mayor Drahos stated one resident commented that they were surprised about the \$1.8 million estimate. He said it is not a pie-in-the-sky number, but one that came about through analysis. He stated he is considering it quite significantly in terms of what is the responsible thing to do. He asked Ms. Quickel to explain to the public the basis of this estimate.

Ms. Quickel stated it includes an estimate of \$220,000 for roof replacement. She said that was included in the 2017 budget and was actually bid out, but the work was not performed.

Vice Mayor Drahos stated a \$220,000 investment means putting a new roof on this building. He said the Village would not put a roof on a building unless they intended to keep it for ten to fifteen years.

Ms. Quickel stated storm window replacement is estimated at \$400,000. Vice Mayor Drahos asked if every building the Village builds currently has storm windows or if this was a luxury. Ms. Quickel indicated the standard now includes installation of storm windows. Mayor Gerwig noted that this was required by law.

Vice Mayor Drahos asked if this was the only Village owned building that does not have storm windows. Mr. Schofield stated the Village is not required by law to do that, but any new construction or retrofit has to meet the standards. He said during a storm, Public Works boards and unboards those windows. He stated that and shutters meet code, unless renovations of more than 30% are done.

Ms. Quickel stated the storm door replacement is estimated at \$50,000 and the fire sprinkler system is estimated \$250,000. Vice Mayor Drahos asked why the building would need a fire sprinkler system. Ms. Quickel stated the building is wood frame structure.

Mayor Gerwig asked if Palm Beach County indicated the fire sprinkler is required. Mr. Schofield stated the sheet indicates it is an optional item.

Ms. Quickel stated the HVAC replacement and upgrade is estimated at \$75,000. Vice Mayor

Drahos asked about the age of the HVAC system in the building. Ms. Quickel believed it was at least ten to twelve years old.

Ms. Quickel stated electrical upgrades are estimated at \$85,000. Vice Mayor Drahos asked about the age of the wiring in this building. Ms. Quickel said it was very old, as it is original.

Ms. Quickel stated the parking lot repaving is estimated at \$55,000. Mr. Schofield indicated that number could go higher, as it was based on just mill and overlay and assumes no underlying problems with drainage or subgrade.

Ms. Quickel stated the estimate for additional insurance is \$13,000 and is currently included with the Village policy. She said under the umbrella policy, a refresh of the interior is estimated at \$400,000, which is approximately \$20.00 per square foot for 20,000 square feet.

Vice Mayor Drahos asked, other than for some spot refurbishments, if it was essentially original flooring in this building. Ms. Quickel stated that was correct.

Ms. Quickel stated there is a 20% contingency of approximately \$309,000 on a total estimate of \$1,857,000.

Vice Mayor Drahos stated if they take out the optional \$250,000 sprinkler system and the \$309,000 contingency, it is still well over \$1 million. He said with the \$200,000 profit and \$1 million suspected to be spent on this building, it would take five years to break even on what they need to do to bring this building up to speed.

Councilman McGovern stated that would be before the Village paid back any of the purchase price. Ms. Quickel said that was correct.

Councilman McGovern indicated he was a tenant at the Lake Wellington Professional Centre for a year when he began his law firm. He said the Professional Centre had a significant roof leak after the storm last year and a portion of the roof collapsed inside. He asked for the cost of that repair. Ms. Quickel stated it cost \$12,000 to \$15,000 to make that repair.

Councilman McGovern stated the point is, if the Village was operating that building as one of their office buildings, it would make all of these repairs at the cost of \$1.8 million. He said that is the standard to which the Village would operate that building.

Councilman McGovern stated he agreed with all of the speakers, as Steve, Val and Sheila are great, dedicated and hardworking people who have not only worked well at the Lake Wellington Professional Centre, but have been employees of the Village for a long time. He said the fact is Council is not making these decisions tonight. He stated the \$1.2 million line item is for the repairs needed at that building, but it could go to any number of additional projects going on in the Village. He said this Council is saying that \$1.2 million should be spent to explore the activation of the waterfront, but they could decide to change course and do something else.

Councilman McGovern stated he and Mayor Gerwig do not agree. He said for the three years he has been on this Council, he has talked about the fact that their community has to be doing things to stay current, stay fresh, and be a place where families want to come to work, live, play and thrive. He stated they must continue to look forward and for ways to keep their community on the cutting edge for families. He said having \$1.2 million in the budget for projects such as this, or any other, is a good idea and something they should do.

Mayor Gerwig stated that was not true. She said she did not believe that they should not be encouraging people to live, work and play here. She stated if they take away this many businesses, they are not encouraging that in any way.

Councilman McGovern stated they would not be taking the businesses away by passing this budget today. Mayor Gerwig said she understood that very well. She stated if they wanted to do something for their community that makes it a more long term, lively, sustainable, forward thinking community, the plan in front of her is not it. She said this plan does not encourage businesses to grow here. She stated she would support a different plan on the waterfront. She said she would be the first person to tell everyone in the Lake Wellington Professional Centre that there is a very good reason for the Village to take the building down. She stated she did not think they were there, as this plan is not even close.

Councilman Napoleone stated Vice Mayor Drahos must have read his notes, as he covered a lot of what he was going to say. Councilman Napoleone thanked those tenants who came to speak and share their views. He said he did not want to minimize the fact that there are 60 virtual and only 79 real people at Lake Wellington, because that is 79 real people with businesses.

Councilman Napoleone stated no members of this Council decided to buy this building. He said he did not think it was purchased for the purpose of operating it in perpetuity or that it was this Council's obligation to do so. He agreed that government should not be in the business of competing with the private sector and that is what they are doing here.

Councilman Napoleone stated, much like Vice Mayor Drahos, his intent is to never displace anyone in Lake Wellington, unless there is a viable alternate place to put them within Wellington. He said he too has been talking to private investors, including the Business Development Board, for alternative places in Wellington where the tenants can go for comparable space, comparable quality, and comparable price points.

Councilman Napoleone indicated, when talking to the Chamber president and executive director, he committed to not spending any money on doing anything on this project until they have had the public forums. He stated has also has been to the lakeside events. He said they have been well attended and people have been on the water. He stated he did not agree with a beach concept, because the beach invites one to go into the water physically as opposed to a kayak. He said he does agree with some sort of activation of the lakefront, whether that is more docks and the like.

Councilman Napoleone stated he thought this was a project worth investigating and developing, because the Village cannot stay complacent and still be relevant as a community going forward. He said they have to stay vibrant and relevant, and this is one way to do it. He stated every component may not be perfect, as some will need to be adjusted and changed. He said they will hold public forums to find out what people like and do not like and what the Village should or should not do.

Councilman Napoleone stated if they could harmonize the business and recreational component, then the people who are there full-time might eat in a restaurant or café while working or meeting clients. He said there is way to harmonize the vision for this project without people thinking they are being thrown out on the street. He stated the building will only be torn down when there is a viable alternative for the Wellington residents who operate businesses

there. Mayor Gerwig noted that her point about the pool was very similar, as they cannot take the pool out until there is a replacement.

Mayor Gerwig stated she did not agree completely with Councilman Napoleone, as it was not their obligation. She said if she thought taking the building down was for the community's benefit, she would gladly do it. She stated the Village should not be in the landlord/tenant business.

Mayor Gerwig stated the Village has already fixed the roof that caused the ceiling of the Lake Wellington Professional Centre to collapse and they are now looking at a \$2 million investment. She said if staff cannot hold a public meeting to get public input from the residents, she will do it. She stated they could find out what the people want without an RFP, just like they did for K-Park. She said they showed the residents some items, asked them what they wanted, and talked about what this community needs. She stated she was a little offended about being accused of not being forward thinking or not understanding her job. She said she understands her job and she wants the Village to be the best place to live, work and play. Councilman McGovern stated he did not think anyone was saying that someone does not understand their job.

Mayor Gerwig stated she thinks their jobs are to do what works for the residents. She said their jobs are not to find new residents, because there are no homes for sale in Wellington. She stated she perceived the pressures differently. She did not think it was fair to say that she does not want the Village to be competitive and a great place to live, because she absolutely does.

Mayor Gerwig stated the lakeside events are fun and draw people in, but the Village is not charging for the kayaks. She said she fears they will have to program it or hold an event to get people there, as it will not happen organically, and it would be a huge responsibility to take on.

Mayor Gerwig stated the amphitheater is a draw, as it is a place where people want to be. She said she wants people to come and be a part of what the Village is doing, whether they live here or not, because that is what they are talking about. She stated if they are so attractive that a councilman from Royal Palm Beach comes to the Village amphitheater instead of his own, Wellington is doing things right.

Mayor Gerwig said she thinks it is too early to be putting this kind of money in the budget. She stated she understood they are one of two municipalities in Palm Beach County that is even considering raising the millage rate. She indicated the other municipality has been doing government light for a long time and needs money for their roads and drainage issues. She said the Village is not in that situation. She stated they have a half cent sales tax coming, they have money to spend, and she does not agree with raising taxes for things like this when they do not even know what the public wants. She said she does not agree with taking down a building to put in a kayak facility.

Vice Mayor Drahos stated he was not clear on Mayor Gerwig's position and asked where she saw the Village in five years. He asked if she wanted to put \$1 million into this building or if she thought they were eventually going to have to take it down. Mayor Gerwig stated she thought the building's life span was probably similar to the community center, as at some point they decided they had to take it down and rebuild it. She said they spent \$12.4 million between the community center and tennis center to provide new recreational services for their residents by tearing things down and building them up. She stated she expected they will have to do that in a lot of ways.

Mayor Gerwig stated she disagreed a bit with the discussion about the business incubator. She said when Lake Wellington Professional Centre was purchased, it was discussed as a business incubator. She stated the people who live, work and play here are limited and she applauds everyone for working on ways to make it a more workable community. She said her 2½ minute commute to work is a major benefit to her life. She stated it makes a major difference for their residents if they can work, provide a service, and stay in the community. She said it is a quality of life issue that she thinks is worth the Village's investment. She stated she would rather see it done privately, but they are now in the middle of it without a clear master plan.

Mayor Gerwig stated she thought when Council sat down the first time to look at the site, they wanted to retain some elements, such as the amphitheater, and then master plan the rest of the site. She said that should have been done twenty years ago, as it would have cost much less than everything they are talking about now. She stated it is better late than never, so maybe they need to do that. She said she did not see anything in this plan that the residents would want, desire or pay for.

Vice Mayor Drahos stated it is impossible to put forth a plan the residents want and desire without getting their input first. He said everyone on this Council is saying they want to have those input meetings, so they can develop a plan. He stated they cannot do that for free, as it is going to cost some money to be able to have a vision that they can actually carry forward. Mayor Gerwig stated she considered the \$20,000 the Village already spent down the drain, because she did not think it hit the mark in any way.

Councilman McGovern stated there appeared to be a general consensus among Council for the \$1.2 million to stay in the budget. He thought, if that was the case, they needed to return to discussing the budget as a plan, keeping in mind that any expenditure over \$25,000 comes back to Council and is voted on. He stated the budget will come back to Council and be voted on again in two weeks. He said he thought they needed to start talking about what the millage rate in Wellington is going to be and the budget. He asked, if the millage rate is not going to be the staff recommendation of 2.55, what is Council going to bring it down to and how are they going to get it there.

Vice Mayor Drahos stated it was important for him to be able to provide some stability to the residents in terms of what the millage rate is going to be this year, next year and the year after. He said the selling feature for him was the fact that if they went to 2.5 mills, or in that neighborhood, they would not need to increase it over five years. He stated if they decide to kick the can down the road and stick with the status quo, they may need to increase the millage in three or four years at a much higher rate.

Councilman Napoleone stated they have been talking about the fact of eventually running out of money. He said, at some point, the millage rate will have to be adjusted up.

Councilman McGovern reminded Council there are things they can do as a community that this Council and predecessor Councils have chosen not to do. He said they could spend down reserves, sell K-Park, take on bonds, etc. He stated the Village is a debt free community and not many other communities are. He said they are talking about responsible, fiscal planning for the future.

Councilman McGovern indicated, looking at the available online proposed tax bills for the five Council members, if Council passed the municipality millage at 2.55 for Wellington, the Gerwigs

would pay an extra \$85. Mayor Gerwig indicated that was also because their property values went down. Councilman McGovern stated the McGovern's property value went down more than the Gerwig property value, as the McGoverns would also pay \$85 more. He said the Drahos property values also went down and they would pay \$88 more. He stated the Napleones would pay an additional \$107 and the Siskinds would pay an additional \$210.

Councilman McGovern stated they were talking about \$8 a month or less. He said he thinks the community, because of strong fiscal planning in the past and a deep commitment to the things they hold dear: neighborhoods, parks, a strong recreation program, supporting their schools, the residents would rather have this \$1.2 million in the budget and any number of other things in the budget, and pay an additional \$4 to \$6 more a month. He stated they could stay at 2.43 or bring the millage to some dramatically lower number, but he did not think the residents would be happy about the services that would be eliminated to get there.

Councilman McGovern stated Council has talked a lot about their great Wellington employees and the great services they provide every day, as they have heard that from residents tonight. He said Council discussed a 3% raise and a 1% merit increase. He indicated cutting that raise from 3% to 2% would save two hundredths (0.02) of a mill. He stated bringing the \$400,000 budgeted for the Keely Spinelli grants down to \$300,000 would save one hundredth (0.01) of a mill. Mayor Gerwig said she thought the \$309,000 was \$27,500 per school.

Councilman McGovern stated they could eliminate or lower the Great Neighborhood Grants and eliminate the merit increases to staff. He said they could go through this budget and do a lot of things. He stated they have to ask themselves if they want to do those things or if the residents would be willing to pay what they are paying now and maybe \$2 to \$4 more a month. He said if they do not want to do that, they have to decide which items to cut.

Mayor Gerwig stated she has been clear about what she is willing to cut, but she did not know if they were going to agree. She said she also has been clear about what the residents have been telling her. She stated she appreciated the person who said she is connected to the community, because she really is and has always been. She said it is nice to hear that from the public.

Mayor Gerwig stated the residents tell her they do not feel safe and this budget does nothing to increase safety in the community. She explained the Beautiful Wellington Grant helps with safety. She said when standards are kept up and things look good, it helps with safety. She indicated they can provide barriers through the Beautiful Wellington Grant to cutoff access for safety. She said it does not have to be the PBSO contract. She stated the residents are telling her they are very happy with the level of service they have now, but they do not have that hometown feeling they have noticed in the past. She said they do not necessarily feel comfortable out at night.

Mayor Gerwig stated if she is going to raise the budget from 2.43, it has to meet the needs of the residents and not the other things they are not sure of yet. She said before she spends \$10 million or \$1.2 million, they have to know what they want with permitting. She stated she feels they are premature with the \$1.2 million on the design of this project, as they have not workshopped it with the public and have only workshopped it in a very limited setting among themselves.

Mayor Gerwig stated she is the only person at the table, besides Mr. Schofield, who has done anything with a marker and tracing paper. She said, as much as her fellow Council members

bring to the table, they do not bring the same thing she brings. She stated she thinks the discussion has to be about what they are looking to add here. She said they need that gathering place, a beautiful promenade along the water to connect the amphitheater to the waterfront, and some floating docks. She stated she thought those kinds of things would add to the community, but she did not see them in any of the plans. Councilman McGovern indicated that keeping the \$1.2 million in the budget would allow Council to have a discussion about exactly that.

Councilman McGovern noted that Mr. Hack's comment was that every one of the Council members is active in the community. Councilman McGovern stated every one of them has been elected and every one of them has a role to play. He said their votes are equal and deserve equal credence.

Mayor Gerwig stated they were going to disagree on that as well. She said she has sat through election cycles and has knocked on doors. She stated two of the members sitting on this Council were appointed outright, at least at the beginning. She said she has never been appointed to anything.

Councilman McGovern stated Mayor Gerwig's vote was not more entitled than any of their votes. Vice Mayor Drahos agreed.

Mayor Gerwig stated she was out campaigning for Vice Mayor Drahos. Vice Mayor Drahos stated he disagreed with that, as he never asked anyone to campaign for him. He said he campaigned for himself.

Councilman Napoleone stated they were getting far off field. Mayor Gerwig said they could get as far off field as they would like, as she is the Chair of this Board. She stated she has worked very hard for this position and is in connection with her community. She said she does not see that in this plan. She stated it is not personal about any of them, but they are attorneys and a PTA mom. She said this was out of their realm and they need to work on it together.

Councilman McGovern stated he thought Mayor Gerwig just insulted the residents, the voters and each Council member, and it was out of line.

Vice Mayor Drahos stated that no one on Council has gotten personal except for Mayor Gerwig. He said it was unfortunate and that he does not want to go down that road. He stated there was no need to talk about their qualifications. He said all of the Council members are equally qualified and they all love their community very much.

Mayor Gerwig asked why Councilman McGovern thought what she said was demeaning. Councilman McGovern stated that she said she was more in touch with the community than the rest of the Council members and it is not true.

Vice Mayor Drahos stated the bigger point is that making populist statements are not productive. He said the last time Council discussed millage rate issues, Mayor Gerwig stated she did not like the plan because residents do not feel safe and it does not address that point. He asked Mayor Gerwig for her vision and what she wants to put into this budget to make the residents feel safer.

Mayor Gerwig stated that is what she is asking this Council to work on. Vice Mayor Drahos said she just told them she was the Chair of this Board, so if she is critical of this budget, what is her

specific plan to address safety.

Mayor Gerwig stated she thought more lighting in public places would be a good start. She said the Village has replaced street lights with LEDs that are like spotlights. She stated they are trying to do the right things, but it is not working.

Mayor Gerwig stated she is talking about the sense of community. She said she does not feel safe when going to the movies at the Marketplace Plaza in Wellington, because a lot of teenagers are running around. She thought programming would help with the safety in the community. She said a lot of things can be done - even on this very site - that will lead to safety.

Mayor Gerwig thought it was irresponsible for this Council to put forth this plan and take a down a building to put in a kayak rental facility, when nine people rented and paid for kayaks. Councilman McGovern stated this budget does not put forward any plan. Mayor Gerwig said that it absolutely does put forward a plan. She explained staff has been driven by this Council and their visioning, as to what to put in the budget. She stated she wants the Village to do something here, but this is not it. She said the whole time she has been saying that the other four Council members have been ignoring her. She stated she was sorry if that sounded personal.

Councilwoman Siskind stated she thought Mayor Gerwig felt the other Council members had a lack of respect, when it was just a difference of opinion. She said she hoped that did not come across that way, because they all respect one another.

Councilwoman Siskind stated she thought that by leaving the money in the budget, the Village will have money to do another project if Council overwhelming hears this is not the plan that people want. She said she thinks that at 2.50, the Village will be sustainable for five or six years and not have to be reactive or have a major swing in the millage rate.

Mayor Gerwig asked what Council was taking out of the budget to get to the 2.50. Councilman McGovern thought they had discussed earlier that the average millage rate in Wellington has been 2.51 mills since 2000. He indicated Mayor Gerwig told Council at the last meeting that she would be in favor of 2.50 mills. Mayor Gerwig stated she said that is the most she would ever accept.

Mayor Gerwig asked Council to go back and discuss the half-cent. She said this project is to spend the half-cent. She asked why they were raising taxes to spend money the Village is getting from another source.

Councilman McGovern stated the half-cent in part is going to Greenbriar, the waterfront, and South Shore Park improvements and baseball fields. Mayor Gerwig said Council looked at the baseball fields and adding a gym. She indicated they are adding a large amount of money and nothing looks at K-Park. She stated they are still microplanning and not master planning, and that is not the way to move forward. She said they need to look at K-Park and the ten acres behind the mall.

Mayor Gerwig stated none of the Council members want to have a conversation about investing in the business community by adding a 400 seat banquet space that businesses could run for offseason uses with those two hotels on site. She said it would encourage business investment in the community. She stated she wants the residents to have fun while they are here and for it

to be pretty and all of that, but the Village has to find something to invest in that will bring business to the community and add value. She said she did not want to just put kayaks out there for people who might feel like coming out, because the programming behind that will be expensive and unsustainable.

Vice Mayor Drahos stated he did not want to talk in circles, but Mayor Gerwig keeps mentioning the kayaks. He said if the public hates the kayak idea, there will not be a kayak area at the waterfront. He stated it is just a concept. He said they are ultimately talking about giving themselves the versatility to make a decision on the future of this 22 acres, the property the Village Hall is sitting on, and whether or not it will be converted into green space and a park the entire public can use or into a 400 seat banquet facility.

Councilman McGovern stated a 400 seat banquet facility is really a cover for a performing arts center, which he does not think is financially sustainable in this community. Mayor Gerwig indicated that it was not a cover, as it was for ancillary use.

Councilman McGovern stated if this Council wants to go to 2.50, he is not in favor of changing the health insurance where the employees are left with an additional \$500 or \$1,000 of expenses each year. He said he did not think that was something they needed to do at this time nor was it something their residents would want their workers to have to do.

Councilman McGovern proposed, to get to 2.50 mills, not filling the additional three full-time positions or deleting them through attrition, which is .02; decreasing outside legal by at least \$50,000, which is .01; and combining comprehensive planning consulting and strategic planning consulting into one line item of \$50,000, which is .01. He indicated that would get them to 2.51.

Councilman McGovern asked about the linkage study for \$75,000. Mr. Schofield stated the linkage study would look at the areas of redevelopment and apply fees to whatever units are there for the pathways, trails, etc.

Councilman McGovern asked if there was any urgency in having to spend \$75,000 on the linkage study. Mayor Gerwig stated the study would gain the Village taxes in the long run, as it determines how to assess for pathways. Mr. Schofield explained when the Village does redevelopment, the infrastructure has to be changed and the linkage study looks at how to place a cost on the new units to pay for those changes. He said it is important to do, but they could put it off for a year or two, but not much longer.

Mayor Gerwig thought they needed to leave in the linkage study, because it looks for ways to get more income for their long term projects. She suggested that amount be carved out somewhere else. She said if the Village does not do the study, its linkage will be lacking.

Mayor Gerwig suggested they look at the unassigned fund balances, because the Village has taxed their residents for that money and it has not been assigned. She said they can take .01 from that fund. She stated she was not one to overtax her residents, whether it is \$88.00 or \$2.00 per year. Mr. Schofield indicated, if they took something like \$70,000 from the unassigned fund balances, it would not significantly change where the Village would then be out of funding in the future.

Councilman McGovern stated with the Great Neighborhood Grants, the resident has to match the money the Village has allocated to that \$250,000. He asked, in the two years the Village has had this grant, if they have reached the \$250,000. Ms. Quickel indicated that it has not

been reached, as the maximum has only been \$150,000.

Mayor Gerwig asked if the grant was for the public signs or roadway streetscape. Ms. Quickel stated it was more for hedges, etc. Mayor Gerwig said hedges have been a major complaint of the residents.

Ms. Quickel stated the problem is with the matching part of the program, as it is hard for people to meet the requirements. She said they have been successful at the \$150,000 level.

Ms. Cohen stated her understanding of the Great Neighborhoods Grant program is that it assists homeowners in funding improvements to their homes to make them more livable. Mr. Schofield indicated it was formerly the Beautiful Wellington Grant, so it has been in that guise for the last couple of years. He stated the Beautiful Wellington Grants are matching grants that have been around for as long as he has been in Wellington. He said they do have difficulty getting people to match them. He stated the Beautiful Wellington Grants are designed to leverage the money and let people do more, as neighborhoods and homeowners can use them. He said he did not recall ever reaching the maximum.

Ms. Cohen stated her office just prepared the documents for the Great Neighborhoods Grant program. She said her understanding is the matching program is for improvements to the home and there would be a mortgage on the property that would be forgiven over a period of five years. She stated it may be an iteration of the Beautiful Wellington Grant that used to be, but it is being applied in a different way.

Councilman Napoleone stated some of these programs help enhance property values and communities. He said he thought it was money well spent.

Mayor Gerwig stated the residents often complain about the hedges, white fly, and the thoroughfare look on private property. Councilman McGovern said it was also about air conditioning and roofs, etc.

Mayor Gerwig asked about the Community Development Block Grant (CDBG) for the elderly. Ms. Cohen stated they were two different grants, but similar. She said both are intended to improve private property, as one is matching funds and the other is just strictly CDBG.

Mayor Gerwig asked if the Beautiful Wellington Grant has an income requirement. Mr. Schofield stated it did not. He indicated the CDBG grants require a specific code violation in order to get money.

Councilman McGovern stated he is a full supporter of the Great Neighborhoods Grants, but the Village does not need to budget \$250,000 if they have only reached \$150,000 in the past.

Mr. Barnes explained the Beautiful Wellington Grants of years past were generally applied for and obtained by HOAs. He said it was matching and, in some cases, it was matched by in-kind services or at other times it was matched by actual funding. He stated the funds were generally applied to landscape beautification improvements, entrances, and signage at HOAs.

Mr. Barnes stated Mr. Schofield is correct, as the Village has renamed the Beautiful Wellington Grant in the last few years the Great Neighborhoods Grant. He said they are matching those improvements to owner occupied structures that include the home and surrounding property. He stated the CDBG funds referenced are similar to the Great Neighborhood Grants, except

there is no matching requirement. He said the Great Neighborhood Grants have a matching requirement the homeowner or property owner needs to make.

Councilman McGovern stated, if someone is going to get an air conditioner for \$10,000, the homeowner has to put in \$5,000 as well. Mr. Barnes said that was correct on the Great Neighborhoods side. He stated for the CDBG, which is very similar as far as the accomplished goals, there is no matching requirement. He indicated Ms. Cohen is correct in that both programs have a buy down over the course of five years. He said if the property owner moves out before that timeframe, they do not get the benefit and have to pay it back.

Mayor Gerwig stated the CDBG is income qualified, whereas the Beautiful Wellington Grants are not. Mr. Schofield indicated the Village does not have problems getting the CDBG money. Mr. Barnes stated they still look at other requirements; however, CDBG passes specific federal guidelines and has to meet a certain percentage of low and moderate income households.

Councilman McGovern stated his point was that if the Village is budgeting an amount that they cannot seemingly find residents to qualify for, that is an adjustment they could make. He said he thought they were all saying they support this grant at the number it is at, so they should leave it.

Councilman McGovern thought, if all employees are essentially getting a 4% raise this year, while the Village maintains the health insurance as it is, Council could consider not giving the employees who make more than \$75,000 the additional 1%. He believed 3% for the employees making more than \$75,000 a year was probably fair and saved another .01 mill.

Councilman Napoleone stated that would total 2.50 mills. He indicated this takes two readings. So if Council passes it at 2.50, staff can give Council the exact numbers of what they just conceptually discussed when it comes back to them.

Ms. Cohen stated she would need to look at whether the Council could actually make a decision on an increase based on current salary.

Ms. Quickel thought they were where they needed to be. She said, reducing the overall across the board and merit by 1%, for a total of 3% instead of 4%; eliminating three additional positions; deleting a study; and decreasing the legal budget, that brings them to 2.50.

Vice Mayor Drahos stated the Village was not firing people, as they were not rehiring for those positions. Mayor Gerwig said they were doing that at the rate of thirteen instead of ten.

Vice Mayor Drahos asked if this reduction would allow the Village to continue to provide the same level of insurance; however, they may make changes to the way it is provided. Ms. Quickel said that was correct, as the Village will still fund the insurance for staff.

Councilman Napoleone stated the Village is able to not fill some positions due to the increased efficiencies in the way staffing has been handled and the new ERP that is coming online. He said the new system will further increase efficiencies and lower costs as well as give the Village the ability to shift more people around to different positions. Ms. Quickel indicated that was a two to three year outlook as the ERP system is implemented.

Vice Mayor Drahos stated he thought this seemed like a very workable plan.

Ms. Quickel stated they were looking at a millage of 2.50. Mayor Gerwig said it will not surprise anyone that she will be a “no” vote on that, because it does not represent what she thinks is responsible for this community. She stated she did not mind being a “no” vote, as she thinks that is why she is there sometimes and that is just the way it is.

Councilman McGovern asked if Mayor Gerwig had any other changes to suggest that Council is not considering, other than the \$1.2 million for the waterfront. Mayor Gerwig stated there are a lot of things, as she has discussed them, but it is a waste of time because Council is not willing to consider them.

Councilman McGovern asked, other than the \$1.2 million, which line item changes she would like to make. Mayor Gerwig stated the signage. She said she would have to go back to their TRIM rate adoption program to get to the items she would cutout. She stated it did not matter, because the Council is not going to do that.

Councilman Napoleone stated he did not think any of Council members have been unwilling to discuss anything. He said they have discussed just about everything.

Mayor Gerwig stated, if the Village is getting an extra half-cent sales tax and spending more on capital improvements, she is not going to agree with that. She said they are raising taxes on the residents and she did not think the budget was doing the right things with those numbers. She stated it is alright for this Council to not agree. She said she did not think that unassigned fund balances were the magic key to the long term stability of the Village, even though staff is presenting it that way. She stated she believed, if there was unassigned money the Village did not need and that does not qualify the Village for its bond rating, they are overtaxing the residents.

Vice Mayor Drahos stated that Mayor Gerwig indicated earlier that she would be willing to go to 2.50 mills. Mayor Gerwig indicated she thinks this budget provides for things she thinks are wasteful and not appropriate for Council to be moving forward with without public input. She stated she did not want to spend more money on public input, as that was the most ridiculous thing she had heard all night. She thought as a community they could charrette, come together and talk about what zones would be great for encouraging business development.

Mayor Gerwig said if they want to get personal about it, she has had a lot of input from the residents about an economic driver for this community. She stated Councilman McGovern downplays that a banquet facility is some kind of cover project. She said it is truly not, because other communities are seeing it change the nature of their community. She stated the arts are something that attract intelligent people. She said if they look at the presentation “Arts Means Business,” it is the kind of investment that can change a community in the long term. She stated it has not been something that this Council has been willing to vision together, as it is something that only she talks about. She said she cannot vision by herself.

Vice Mayor Drahos asked, if Mayor Gerwig was telling the residents they should spend \$25 million (hypothetically) on a Cultural Arts Center. Mayor Gerwig stated maybe long term and certainly over a waterfront or kayak rental facility that takes away facilities the residents use now.

Councilman Napoleone thought the cost to operate a Cultural Arts Center would be a lot more going forward than it would be to operate lakeside events and a kayak rental facility. Mayor Gerwig indicated Coral Springs wrote a profit in year four and has written a profit every year

since. She said it is possible, but it is certainly not possible for her to roll this Council up a hill. She stated she was frustrated, because communities are doing this and it is changing their dynamics. She said it is not her project or what is going to have her name it, as she could care less whose name is on it.

Mayor Gerwig stated she wants this community to do things for the long term growth of its businesses and residents. She said they heard the 441 corridor discussion about people not wanting to go east anymore. She stated Wellington is poised in the middle of the communities around them. She said as much as this Council might consider Westlake or Arden to be a threat to Wellington's housing, they are either going to be a benefit or detriment to the activities and recreation that Wellington offers. She stated they can continue to see everyone from Arden come to their amphitheater, but if there are ticket sales involved and there is money and investment in the community, there is a benefit to the community that they are not capturing through anything she sees here.

Public Hearing

At this point, Ms. Cohen noted that the Council did not open a formal public hearing, but they did take public comments.

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

Ms. Cohen recommended that Council take the prior comments and incorporate them into the Public Hearing as part of the testimony. Council agreed to Ms. Cohen's recommendation.

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

Councilwoman Siskind stated she would like Ms. Cohen to address the comments made earlier about asking her to recuse herself from this vote.

Ms. Cohen indicated the state and local ethics laws would require Councilwoman Siskind to recuse herself from voting on this item if there was anything in the budget that would create a special financial benefit to her or her family members, her business or her clients, or another board of which she is a board member. Ms. Cohen stated voting on a budget like this, there is not anything that would become a special financial benefit to Councilwoman Siskind that would not also enure to the benefit of the general public. Ms. Cohen said she did not believe there was any conflict in Councilwoman Siskind voting on this budget.

Councilman McGovern stated in fact, absent that conflict, Councilwoman Siskind has to vote.

Mayor Gerwig clarified that the Council members are not allowed to recuse themselves. She said if that were the case, anytime something became controversial, they would just recuse themselves and then hard decisions would not be made. She stated she understood the public's question, but it is not relevant to this at all.

Vice Mayor Drahos asked, if this budget included \$1.2 million for the development of a Cultural Arts Center, if Mayor Gerwig would vote in favor of the 2.50 millage rate. Mayor Gerwig stated she would not, because they have not laid out what that investment would be. She said if she is spending \$1.2 million for something, she has to know what that is. She stated the Council has

not done anything in that regard and \$1.2 million is not going to get them a design of anything significant in that regard. She indicated her main concern with this budget its capital improvement items is that they do not meet the needs of this community and she just does not support it.

Councilman Napoleone clarified that the Council is not spending \$1.2 million, as they are putting it in the budget. He said Council is not spending a dime of it, unless they vote on it. He stated, like a majority of the budget, they have to vote anytime they want to spend more than \$25,000. He said nothing is being spent by passing the budget. He stated the Village is creating a budget and allocating funds. He said if they want to spend them, Council has to vote, which will be more public comment.

Councilman Napoleone stated he did not anticipate any problem with Mr. Schofield and staff setting up public forums to discuss a vision and concept of a lakeside development project. He said he had no concerns with staff being able to handle that project, so Mayor Gerwig would not have to take that on herself.

A motion was made by Councilman Napoleone, seconded by Vice Mayor Drahos and passed (4-1), with Mayor Gerwig dissenting, to approve the budget (Proposed Fiscal Year 2018/2019 Millage Rate, Budget and Adoption of the FY 2018/2019 Capital Improvement Plan) as discussed at 2.50 mills.

B. 18-2273 ORDINANCE NO. 2018-09 (FY 2018/2019 ANNUAL CAPITAL IMPROVEMENT ELEMENT UPDATE OF WELLINGTON'S COMPREHENSIVE PLAN)

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 2018/2019 THROUGH 2023/2024 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. Nubin read the Ordinance by title.

At this point, Councilman McGovern thanked Ms. Quickel and her team for working extensively with the Council on the budget. He said they will continue to work on it over the next two weeks.

Mayor Gerwig thanked Ms. Quickel and her team for a great job on the social media. She said she appreciated all of the interaction.

Councilman Napoleone stated all of Council echoed those comments.

Mr. Schofield stated the Village is required every year to do a comprehensive plan amendment, but it is not really a comprehensive plan amendment as it incorporates the School District's annual budget and that part of the Village's capital budget that only deals with concurrency

items. He stated some items listed in there, that when finally adopted, will not be there. He said the Village really only gives them the things related to actual levels of service, like turn lanes, etc. He stated the Village does it at the same time they do their regular budget, as it is a formality and the Village is required to do it. He said they try to get it done while they are adopting the budget. He indicated one year they adopted the budget, but they did not adopt the plan to send it to Tallahassee. He said there was no particular penalty, but it is state law that the Village include the School District's Budget, the Capital Budget, and the Village's concurrency items only.

Mayor Gerwig stated they were interested in complying with state law.

Mr. Basehart indicated this done every year, as it is effectively a reporting exercise.

Mayor Gerwig asked if they needed to add any other information to the reading. Ms. Cohen indicated that Council needed a public hearing.

Public Hearing

A motion was made by Councilman 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 Vice Mayor 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 adopt Ordinance No. 2018-09 (FY 2018/2019 Annual Capital Improvement Element Update of Wellington's Comprehensive Plan).

8. REGULAR AGENDA

A. 18-2097 AUTHORIZATION TO RENEW AN EXISTING AGREEMENT TO PROVIDE GENERAL LIABILITY, PROPERTY, CASUALTY AND WORKERS' COMPENSATION INSURANCE (*FORMERLY CONSENT ITEM 6D.*)

Mr. Schofield introduced the item and indicated Mayor Gerwig needed to recuse herself, as she sits on the Board for the Florida Municipal Insurance Trust (FMIT). Mayor Gerwig left the Chambers at this time.

Mr. Schofield stated this was the renewal of the Village's general liability, property, casualty and workers' compensation policy. He said the initial number was very high and the insurer was told the Village was not even going to look at that number. He indicated the insurer came back last week with an increase of \$142,000 and again was told the number was too high and that the Village wanted to rebid it. He noted that the number in Council's packet is \$142,000, because that is the number staff had. He stated the insurer came back earlier this week with a value at \$94,000. He said he believed if the Village put this out for RFP, they could probably get a one year improvement on that number, but he did not think they could sustain it in the long term.

Mr. Schofield stated the \$94,000 increase does not reflect the refunded premium. He said everyone statewide was seeing increases due to claims that were paid out for Irma, as that is a significant part of this. He stated that sometimes this insurance from the Florida League of

Cities refunds any unspent monies in their insurance pool. He said typically the Village will receive \$40,000 or \$50,000 in refunded premium, which is not something that would be available from another insurer. He stated it was staff's recommendation that Council renew this insurance, as it is the most cost effective policy the Village will be able to acquire. He indicated staff looked at other companies, which is why they think they could get a one year reduction but not a long term reduction.

Councilwoman Siskind asked if the \$94,000 increase could be significantly less with the money back from the insurance company. Mr. Schofield stated if the insurance company does not spend it all, the Village will receive a premium return, which has typically been over \$40,000.

Councilman Napoleone commended staff for doing a good job in getting this number down and then lowered again. He said it takes a lot of effort, as it is not just a phone call. He stated he appreciated the efforts. He said he believes the Village benefits from being with FMIT in the long term.

Vice Mayor Drahos stated he defers to staff's judgement on something like this. He said if staff feels like this is a good deal, particularly since they have been involved in the negotiations, he is willing to accept it, as it seems reasonable to him.

Councilman McGovern thought it should be noted that the Village is going to want, just as they did this year, the sharpened pencil every year going forward. He said he appreciated staff and the insurance representative for staying with them until this late hour.

Mr. Schofield stated one reason that factors into this is the Village has been with this insurer for a long time. He indicated there is a term the federal government likes, called de-obligation, when it comes to FEMA funds. He explained, as the Village was looking at probably \$500,000 in de-obligation from FEMA after Wilma, FMIT said whatever it is, stay with them, as they will cover cost. He said the Village stayed with FMIT and they never heard another word from them. He stated that was not something the Village would get from another insurer.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0), with Mayor Gerwig recused, to approve the Authorization to Renew an Existing Agreement to Provide General Liability, Property, Casualty and Workers' Compensation Insurance.

Mayor Gerwig returned to the Chambers.

9. PUBLIC FORUM

Mr. Schofield indicated no public comment cards were received.

10. ATTORNEY'S REPORT

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

- She updated everyone on Flying Cow and indicated the applicant filed for bankruptcy. She said the Village had obtained an order from the court allowing the Village to use the funds that have been deposited to process the application. She stated, after that order was issued, the court enter an order requiring the debtor to either assume or reject the land sale contract by a date certain. She said on the day of the deadline for doing so,

the debtor/applicant filed an appeal of that order and other orders and simultaneously asked the court to grant their motion to assume the contract. She stated the court denied the motion to assume the contract, so currently things are on appeal. She stated the Village yesterday received a demand from the debtor's attorney that the Village continue processing the application. She said because legal has a question in their mind as to whether the debtor actually now has standing to do so, legal is going to seek another order from the court clarifying whether, in light of those subsequent orders, the debtor still has standing to move forward and whether the Village can use the funds that are on deposit to pay for the processing of that application.

Ms. Cohen stated Council will receive their updates through the Manager's office and they will see this item on there. She said she felt it was necessary to get another order from the court clarifying in light of the subsequent orders, because there is a bankruptcy provision that says that a municipal/local government cannot discriminate against an entity on the sole basis that they filed bankruptcy. She indicated the allegation was made by the attorney for the debtor that if the Village holds up the application and refuses to process it, the Village could incur some liability, so she wants to get clarification from the court.

Mayor Gerwig asked how much time that would take. Ms. Cohen stated she was asking for an expedited hearing. She said the last time the debtor's counsel actually sought the initial order allowing the Village to use the funds, it probably took two or three weeks for that order to be issued. She did not think it would be too long. She stated she did not know what the court will rule, as it may say "yes, until the appeal is decided they can move forward" or the court may say "no, they no longer have standing."

- Ms. Cohen reminded everyone that the Wellington Historical Society is having a mixer on Thursday, September 20, 2018, at Devine Bistro from 5:30 p.m. to 7:30 p.m.

11. MANAGER'S REPORT

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

- The next Regular Council Meeting will be held on Tuesday, September 25, 2018, at 7:00 p.m. in the Council Chambers.
- Scott's Place will be closed on Wednesday, September 12, 2018, for maintenance and should re-open on Thursday, September 13, 2018.
- The first of the upcoming Lakeside Family Fun Events will take place on Saturday, September 15, 2018, from 9:00 a.m. to 1:00 p.m. at Lake Wellington.
- Mr. Schofield stated the Village received a call from Palm Beach Polo, Holdings or Inc. (the owner of the golf courses) last week about removing some ficus hedges with white fly along Forest Hill. He said Palm Beach Polo started that work today, as they can do maintenance on about 30% of it without a permit according to Village code. He stated staff is looking at it and he has taken calls from the POA. He suspected that Council would hear about this and that he will keep them updated on what staff knows. He stated Code officers are out making sure Palm Beach Polo is staying in compliance. He noted that if Palm Beach Polo removes it, they have to replace it.

Council asked how soon the hedges had to be replaced, because that is where they run into a problem. Mr. Schofield stated they also have to look at what constitutes removal,

the debris, etc.

Mayor Gerwig hoped they were getting white fly resistant hedges replaced in the process, which will cause a difference in appearance. She said there are a lot of issues here and Council would like Palm Beach Polo to work with the Village. Mr. Schofield stated they were trying. He indicated there are much better treatments for white fly than there used to be.

12. COUNCIL REPORTS

Mayor Gerwig stated she asked Mr. Schofield to discuss the public meeting held by the developer, Thirteenth Floor, with the residents. She said the developer discussed their proposed project on the North Course. She indicated Saturday morning a resident asked her if that was on her agenda for Tuesday night, because they consider public meetings to be a part of Council's process. She said she explained to the resident that this has nothing to do with Council's process, as it was a private meeting, the developer rented the room, and three Council members attended it, but it did not meet Village requirements for any kind of public discussion.

Mr. Schofield stated the Thirteenth Floor has not submitted any applications and the Village has not seen anything from them officially. He said the developer had a meeting at the Wellington Community Center and rented it like anyone can. He stated some representations were made in that meeting about what could be done, as they talked about gas stations and other things. He said the Village Planning Director has since sent them a communication saying the developer cannot do any of the things they talked about. He stated the property was designated as OSR Golf Course on the Master Plan, which means it was approved as a golf course. He indicated there are commercial uses that are permissible on golf courses. He said they tend to be the clubhouse and things that go along with it. He stated in order for them to have any commercial use on that facility, it has to be related to and in support of the golf course, and they can only operate when the golf course is actually open and functioning. He said there is no application and there is no time when the staff expects it to come back. He stated, if the developer does submit an application, the Village will notify anyone who has asked to be notified. He said this project will require comprehensive plan amendments, master plan amendments and zoning. He stated, if the developer ever does submit, at least five public hearings will be held.

Councilman Napoleone stated there is nothing to consider at this point. Mr. Schofield said that was correct. Mayor Gerwig stated there were things to consider, as she told the resident she was not there because it could be considered prejudicial if the Council members attended these kind of meetings. She said she told the resident they should not presume that she was not interested in the process or in any of it, because she was not there. She stated she has been to many League trainings where they say not to do anything that can compromise the long term approvals, especially when they are dealing with groups that are not shy of litigation and especially when attorneys are presenting the projects. She said her non-attendance should not be thought of as her not being interested in the process but as her willingness to preserve it in the end.

Mayor Gerwig stated the residents along Polo West and some other areas, including those on the North Course, are saying that the grass is getting higher and higher. She said they have asked her to do something and she explained the code enforcement process to them. She asked if that was their only tool or if the Village can mow the grass.

Mr. Schofield stated they cannot mow the grass, as it is private property and the Village has been told by the owner to stay off of the property. He said the Village is going through the code enforcement process on the North Course, Polo West, and Dunes Course within Polo. He stated the code enforcement process is governed by Chapter 162 of the Florida Statutes. He said the Florida code enforcement process is setup to protect the property owner and not necessarily the government. He stated the Village is following the code and state law as written. He indicated everything is scheduled for the magistrate. He stated there will come a point when those things are in place. He said he is assuming they will be appealed and at some point staff will ask Council for permission to foreclose, if the Village gets the liens in place.

Mr. Schofield stated he puts a spreadsheet in Council's weeklies and staff can make that available for the public to see. Mayor Gerwig said it seems to be a common question from the community. Councilman Napoleone thought this issue needed a dedicated link on the website, so that people can go right to the updates.

Mayor Gerwig asked if this issue could be represented to their residents in a way that demonstrates home rule issues. She asked if the Village's hands were tied inappropriately in this process.

Ms. Cohen stated she did not know if it was inappropriate. She said the Village has the ability to take advantage of the provisions of Chapter 162. She stated they could possibly consider an abatement if it is sufficiently egregious enough to be a threat to health, safety and welfare.

Mayor Gerwig stated that was her question, because the residents are saying they are afraid of the rats and critters. She said they cannot see them because of the height of the grass. She asked, if it comes to health, safety and welfare, if there is something different that can be done.

Ms. Cohen stated if it rises to the level of a nuisance, the Village can abate the nuisance. She said typically they reserve that for life safety issues, like if there is a pool that is exposed. She stated they have mowed lawns in the past but that is a different process. She indicated the Village would have to provide the proper notice and then go in to abate the nuisance. She stated the property owner would then have the right to appeal within a time certain to the magistrate. She said that is something code enforcement could look at.

Mr. Schofield indicated the Village code is specific on how they do abatement. He said, generally speaking, it applies to abandoned properties. He stated he will look at it and give Council some options, if any. He said staff is using every tool they currently have at their disposal.

Vice Mayor Drahos asked if the property owner has given a reason as to why they suddenly stopped cutting the grass. Mr. Schofield stated no reason has been given.

Mayor Gerwig asked Mr. Schofield to be creative. She said if there is some way the Village can work with the property owner and encourage it, they would like to do that.

Mr. Schofield stated he will reach out to the property owner to find out if there is a way they can work together, at least on the things they can agree on, like the grass needing to be cut.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

- She stated she would like to address the article that was mentioned tonight and written in the Palm Beach Post. She said it references some ongoing litigation involving her husband and some businesses that he has been involved in, in the past. She stated she wanted to make it perfectly clear that she has no involvement nor has she ever been involved in any of those cases or businesses whatsoever. She said even though the article was written to imply that she does, that is false. She stated she was not interviewed or asked one question for that article, so she does not feel the need to comment right now after the fact, except to say that she has nothing to do with her husband's law practice or business interests. She said she wanted to reassure everyone that she will continue to do her job on this Council as she has always done and her priority has and always will be working for the betterment of Wellington and volunteering in the community.
- She said the 9/11 Remembrance Ceremony this morning honored the thousands of lives that were lost seventeen years ago. She stated Public Works did a great job, as it was a beautiful ceremony. She thanked everyone for coming out. She hoped everyone got to honor the memory in some way somewhere in the community, if they were not able to attend.
- She congratulated the Rotary Club on the First Responders 5K on Saturday. She said it was a really successful race and fun event. She stated many people came out for that as well. She thanked the Rotary Club and everyone who sponsored the event.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- He stated he had a lot to say based on some comments that were made this evening, but he was opting not to say anything and waiving his comments.

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

- He hoped to see everyone at the Lakeside Event this Saturday from 9:00 am to 1:00 pm.
- He thanked everyone for coming out this morning to the 9/11 Remembrance Ceremony. He also thanked the Public Works Department and staff for putting on the event.
- He stated they were very excited to see Officer Bob Keating, School Resource Officer at Wellington Landings, return to work.
- He said they send their wishes for safety to everyone in the path of Hurricane Florence, which seems to be on a dead course into the Carolinas.

VICE MAYOR DRAHOS: Vice Mayor Drahos presented the following report:

- He stated the World Equestrian Games start today. He said they like to tease the folks in Tryon, NC about a rivalry, but they wish the best for them. He stated he hopes that the hurricane swings out of their way, so they can put on a successful and safe event.
- He stated he enjoyed the 9/11 Remembrance Ceremony today. He said he thought it was really well done. He thought his fellow Council members did an excellent job conveying the sensitivities and heartfelt comments about the loss on that day.
- He stated he expected coming into tonight that it was going to be a sensitive point and that there would be a lot of debate. He said this Council has been very effective over the last two years, even when they disagree on things. He stated he had no hard feelings when his fellow Council members disagree with him on things. He said he understands they all have a job to do and that they are going to have different viewpoints. He stated he thought that was why this Council is so effective. He said they all bring different

perspectives and he values them all, even when he disagrees. He stated he expects them to continue to move forward and do the best for Wellington.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- She stated the 9/11 Remembrance Memorial went very well today. She said it was nice to see Nicole back, as it reminded her of Nicole's efforts of building the memorial. She stated she was glad they were able to get some of the people who carried the steel back in the picture. She said one resident was handing out a beautiful picture that was taken before the Twin Towers and has a naval carrier saying "I Love New York" on it. She stated she did not know the date of it or when it was taken. She said she did not get his name, but it is an amazing photograph. She stated he went to a lot of effort to have it with him and pass it out to the residents. She shared the photograph with her fellow Council Members. She said it is a nice moment and one they will not see again.
- Mayor Gerwig stated she met with Jennifer Vail, WGI, and some of her team. She said they offered some pro bono design services for some low impact ways to improve the Village's signage. Mayor Gerwig stated the designs met what she was looking for in the process and the team's ideas of ways the Village could do some inexpensive enhancements throughout the community. She said she has printed copies for Council and it can be downloaded as well. She stated she appreciated Ms. Vail for her time.
- Mayor Gerwig stated she and Councilwoman Siskind attended the Mayor's Literacy Luncheon sponsored by the Palm Beach County Literacy Coalition. She said she told them that Wellington was not going to be very competitive this year. She indicated the "Read Palm Beach County" book for adults is entitled "Best State Ever – Florida Man Defends His Homeland" by Dave Barry. She said it is very funny. She stated the children's book is called "Maybe Something Beautiful." She said Council was going to have fun with this book. She asked Mr. Schofield to make sure the Village orders the books for Read for the Record, which is October 25, 2018.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 11:00 PM.

Approved:

Anne Gerwig, Mayor

Chevelle D. Nubin, Village Clerk