

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary

Monday, February 25, 2019

4:00 PM

Village Hall - Conference Rooms 1E & 1F

Village Council Workshop

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

1. CALL TO ORDER

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

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

Council Members not in attendance: Michael Napoleone, Councilman

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.

2. PLEDGE OF ALLEGIANCE

Mayor Gerwig led the Pledge of Allegiance.

3. [19-2697](#)**EMPLOYEE OF THE MONTH FOR JANUARY, 2019 – BRANDEN MILLER**

Mr. Schofield introduced the agenda item, and announced that Branden Miller was being recognized as the Village's Employee of the Month for January. Mr. Schofield noted that this was Branden's second time receiving this award. He explained that Branden took it upon himself to apply for a Green Builder's Award for Section 24. Mr. Schofield said that Branden started his career with the Village in the Parks & Recreation Department, and went on to receive his Masters' Degree in Planning and has done a remarkable job in that department.

Ms. Cory Cramer said that Branden started in the Planning Department with Strategic Planning and then moved over to Current Planning. She said that since that time, Branden has mastered every task that he was given, and has been a great addition to their team. Ms. Cramer reiterated that Branden took the initiative to apply for the Green Builder's Award.

Branden Miller expressed his thanks for the Employee of the Month Award. He said that he loves working with Ms. Cramer and Mr. Basehart who are great leaders who share their knowledge with him. Mr. Miller said that he is fortunate that he works for Wellington.

Mr. Basehart said that Branden continues to amaze him noting that he does everything extremely well. He said he also takes the initiative to start things, which he felt is a great thing. Mr. Basehart noted that they received a full-page write-up in the Green Builder's Magazine and Council was provided with the article. He felt that receiving that award was a great recognition for

Wellington.

Mayor Gerwig expressed her thanks to Mr. Miller for his work noting how proud they were of what he had accomplished.

4. REVIEW OF COUNCIL AGENDA

Mr. Schofield presented the agenda for the February 26, 2019 Council Meeting for review.

A. [19-2690](#)

AUTHORIZATION TO AWARD KEELY SPINELLI GRANT FUNDING TO WELLINGTON SCHOOLS

Mr. Schofield introduced the agenda item. This was authorization to award the Keely Spinelli Grant funding to Wellington schools in the amount of \$70,000. He noted that \$400,000 was originally budgeted and \$330,000 was awarded. He said that this was a request to award the balance to the schools in the amount of \$60,363.00 per school.

Councilman McGovern asked if the schools would go through the Education Committee to be given the funds. Mr. De La Vega explained that when the schools applied for their grants their requests were based on receiving the full \$400,000, which had been approved by the Education Committee.

B. [19-2711](#)

A. AUTHORIZATION TO AWARD A CONTRACT TO PROVIDE CLOSED CAPTIONING SERVICES FOR ALL BROADCAST VILLAGE MEETINGS

B. APPROVAL OF RESOLUTION NO. R2019-10 (CLOSED CAPTIONING EQUIPMENT AND SERVICES)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE GENERAL FUND BUDGET FOR THE FISCAL YEAR 2019 IN ORDER TO PROVIDE FUNDING FOR CLOSED CAPTIONING EQUIPMENT AND SERVICES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was authorization to award a contract to Link Electronics, to provide closed captioning services for all broadcasted Village meetings, in the amount of \$70,250 and approval of Resolution No. R2019-10 amending the General Fund Budget for the Fiscal Year 2019 in order to provide funding for closed captioning equipment and services; and providing an effective date. Mr. Schofield explained that the Village does not currently have closed captioning noting that they have had people signing at the last Council meeting. He said that this equipment would allow them to provide closed

captioning. Mr. Schofield explained that presently they send the video off site and then closed captioning is added after the fact. He said that by having this equipment, closed captioning would happen during the broadcast.

Councilman McGovern asked if this would go back to how the videos were previously done and would they be providing closed captioning for all meetings. Mr. Schofield responded affirmatively.

Councilman McGovern said the cost was \$70,250 to purchase the equipment with a one-year warranty, but asked what was the cost going forward. Ms. Quickel said that the cost would be \$7,000 per year for the normal annual maintenance, which includes updates, etc. Mr. De La Vega confirmed that.

Mayor Gerwig asked if there was a time delay in the captioning. Ms. Quickel said that they reviewed West Palm Beach's and the delay was minimal. Councilman McGovern asked if they were compensating for that delay by tape delaying or would it be just a little bit behind. Ms. Quickel said that it is just a few seconds behind.

Mayor Gerwig said that if they did not purchase this equipment, the alternative would be not to broadcast live and have a sign language interpreter at every event that was broadcast.

C. [19-2704](#)

ORDINANCE NO. 2019-02 (AMENDMENT TO CHAPTER 72 ENTITLED "MORTGAGED REAL PROPERTY REGISTRATION" TO PROVIDE AN EXEMPTION TO ENTITIES IDENTIFIED IN 12 U.S.C. §4617(a)(7))

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CERTAIN SECTIONS OF CHAPTER 72 OF THE CODE OF ORDINANCES ENTITLED "MORTGAGED REAL PROPERTY REGISTRATION" TO PROVIDE AN EXEMPTION TO THOSE ENTITIES IDENTIFIED IN 12 U.S.C. §4617(a)(7); PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was the approval of the second reading of Ordinance No. 2019-02 amending Chapter 72 entitled Mortgaged Real Property Registration to provide an exemption to entities identified in 12 U.S.C. §4617(a)(7).

Ms. Cohen noted that this was the second reading of the ordinance. She said that it was to allay any concerns that were expressed by the General Counsel for the Federal Housing Finance Agency.

Councilman McGovern said that there were no changes from first reading. Ms. Cohen said that was correct.

Mayor Gerwig said that no one had contacted the Village about it. Ms. Cohen said that the ordinance was provided to the General Counsel and no response was received. She said that they had spoken with the vendor who supplies software for the registry and this was what most municipalities were doing who had received similar letters.

Councilman McGovern said that this ordinance does not lock the Village into anything and they could change it later or choose to enforce it differently. Ms. Cohen said that was correct. She said that could be done if it was determined that the Statute does not apply in a way it was being advanced by the General Counsel's Office. She said the ordinance did not contain any language that said they could not continue with the way the Village had previously been collecting fees. Ms. Cohen explained that they were not objecting to the registration itself, but to the payment of the fees noting that they will continue to register.

D. [19-2640](#)

STAFF UPDATE ON TOWN CENTER CONCEPT

Mr. Schofield introduced the agenda, which was an update on the Town Center concept.

Mr. Barnes explained that this was a summary and update as well as a request for consensus from Council relating to the Town Center project and the efforts that staff and consultants have taken to date.

Mr. Barnes then presented a slide presentation that included concept plans that were shown at the public information meetings as well as the results of some surveys discussed at the Lakeside event dates. He said it also included information received at the actual informational meetings that occurred between December and February. Mr. Barnes noted one correction in the third row of data under the covered walkways. He said that the percentage should be 71% and not 82% as shown in the agenda packets.

Mr. Barnes explained that the site plans were the different concepts that they looked at for the Town Center property. The plans included circulation improvements; improvements to the public realm on the property involving the expansion of the Amphitheatre area, additions, relocations, expansions of the Scotts Place playground area and surrounding area, as well as other amenities that staff felt would complement and enhance the experience for public gathering and other uses at the Town Center. He said it also included a parking structure, some retail, additional event space either at the great green or the water

front as well as better circulation throughout the site for pedestrian and vehicles. Mr. Barnes said that one of the other options involved looking at some tweaks to the circulation as well as looking at an office component that would serve as an anchor within the area providing for additional office space needs. He noted that the office would be located where the current aquatics center is.

Mr. Barnes then went through the different concept options. He said the "yellow" plan it included event space and parking closer to the water, some additional surface parking near the Community Center and some potential dining option by the waterfront.

Mr. Barnes then spoke about the "blue" conceptual plan noting that the differences in this area were not that significant noting that some related to circulation around the existing greenspace and greenspace expansion while still getting access from Forest Hill in and around the property and out to Chancellor Drive and Ken Adams Way. He said many of the uses remained the same including public realm improvements, green space, Amphitheatre expansion, playground expansion as well as additional uses that complement the office, retail and structured parking as well.

Mayor Gerwig noted that both the "blue" and "yellow" plans do not include an aquatics center. Mr. Barnes said that was correct.

Mr. Barnes then moved on to explain the "orange" plans. He said that it included some similar uses, but just a different configuration on green space options, great green options, surface parking options, tying into improvements along the waterfront, more circulation changes that gets traffic in and around Village Hall. He explained that one of the key components in looking at circulation was the ability to try and still have traffic around Town Center to function fairly well without compromising the ability to have an event in the middle of the property. He noted it has the existing office space and aquatics facility remaining with structured parking provided and some circulation alternatives to get people in and out of the property, accommodating some type of additional public gathering and event space and green space on the property.

Councilman McGovern asked if that plan would remove the boardwalk concept that is shown in the yellow, blue and orange plans. Mr. Barnes said that because of the scale it is difficult to identify the boardwalk in any of the concepts. He said that the boardwalk option could be accommodated in any of the options.

Mayor Gerwig said that options yellow, blue and orange appear to require the most amount of earthwork compared to the tan plan.as it

leaves the shoreline as is. She noted that plan also included the pool. Mr. Barnes responded affirmatively. Mayor Gerwig thought you could continue the dash line around and would still have the boardwalk on the tan option. Mr. Barnes said that the thought was that regardless of the configuration the improvements take on the property, the boardwalk would tie into the actual land/pedestrian improvements so that you would have activity, sidewalks, pathways and boardwalks throughout the entire property. He said that was something that was consistently discussed at all the public meetings. He said that the consensus was that they preferred better pedestrian circulation and connectivity throughout the property, which could be easily accommodated.

Mayor Gerwig asked if anyone had reached out to the Village regarding investing in the restaurant for the private/public partnership. Mr. Barnes said that not specifically for the restaurant which probably would not happen until they have further direction. He said that as far as a private/public partnership they have proactively made inquiries of properties such as the shopping center and Shapiro Pertnoy who owns the Chancellor office buildings. He said that, while both groups were interested, they were unable to commit due to some long-term leases. He said that they indicated that they wanted to monitor the project and stay involved; however, they would not be able to commit to any development at this point until they relook at the entire portfolio property of leases and that type of thing. Mr. Barnes said that Shapiro Pertnoy showed an interest in partnering with the Village relating to office space. He said they felt that because of their involvement in the real estate and office markets, they would be interested to construct additional office space in Wellington, particularly at this location, should the situation arise. Mr. Barnes said that they would have to solidify those commitments in writing and ultimately contractually, but they certainly are interested.

Mr. Barnes said that they presented the different site plan options at the three different public meetings that they held in December, January and February. He said that among those three meetings, there was about 340 people in attendance. He noted that the highest attendance was in December where there were stations and written comments were received. Mr. Barnes said that 70 people attended the second meeting that was held at the Village Park Gym, which was set up as table discussions with the plans and concepts. He said that the goal was to have each table arrive at some consensus. He noted that if there was a table of 10 and there was no consensus, the item was not listed as something they supported since there was no majority. Mr. Barnes said that the last meeting held in February was a Town Hall style discussion where staff presented a brief background on the project and they gave the public the opportunity to speak. He noted that there were 91 people

who attended that meeting and 23 people spoke. Mr. Barnes pointed out that 57 of the 340 people attended more than one meeting. He said that, as they have seen from other projects, people will attend more than one meeting if they are really interested in a project.

Mr. Barnes then presented the waterfront visual preference survey. He said that, prior to the public engagement meetings; a survey was developed that was visual in nature that included the different elements that could go at the site. He said that they surveyed the attendees at both Lakeside events. He said that the responses were for water sports, boardwalks, covered walkways, a cafe with outdoor seating and no change. He explained that the reason there was an irregular number of responses was that there were multiple options for each item. He explained that the first column on the slide was the responses from residents for the item and the third column was the total resident responses. Mr. Barnes said that while water sports got the highest number, one thing that they saw from this public engagement and the in-person meetings was that there was a lot of support and consensus for circulation improvements and boardwalk at the Town Center location.

Mr. Barnes then went on to discuss the next slide, which was for green space that could be used for gatherings, events, etc. He noted that it also included some adult playgrounds. The slide showed the responses for green space; creative seating; hammocks & musical swings and no change. He reiterated that there were irregular numbers because of the different options.

Mr. Barnes then showed the results for parking, which presented different options including a parking structure. He noted that there is parking on most of the site plans because they have to make up for any effort they have that expands any type of non-surface parking use on the site. He noted that there was a parking problem during the Tribute Music Festival that brought in more than 3,000 people. He noted that Regency Shopping Centers booted cars that people parked for the event.

Vice Mayor Drahos said that Council received a number of complaints regarding the booting of cars. He asked if that was always done during events. Mr. Barnes said that booting has occurred over the last several years. He explained that the company has a staff person on site who will boot the car if they see someone park there and then leave the car at the site. He noted that people have the option to pay to remove the boot or it would be towed.

Mayor Gerwig pointed out that Regency has signs that are more visible from the back. Vice Mayor Drahos said that they are not advising the

Village that they would be booting people on a particular day. Mr. Schofield explained that there are entrances to the shopping center, which advises people not to park there. He said, in addition, when you come out of the Regency Shopping Center and into the Amphitheatre, there is also a large sign that cannot be missed. He also noted that an announcement is made about not parking there prior to the start of the event. Mr. Schofield said that the Village is doing everything they can to make sure this does not happen. Mr. Schofield said that the company has been consistently booting for the last several years.

Mayor Gerwig thought this really only happens during events that bring in large crowds like the Tribute Band series. She said that she was at the event and there were some available parking spaces, but people think it is easier to park at the shopping center rather than driving around Village Hall and walking. She said that she thought they had people who had not come to any previous events or a crowded one. Mayor Gerwig said that if the 62,000 residents all wanted to come, there would be no parking regardless of where it was.

Mr. Barnes explained that the bank does not boot because it is a separate piece of property. Mayor Gerwig said she hoped residents would understand that businesses are open in that shopping center and parking is needed for the customers. Mayor Gerwig said that Chancellor lets the residents use their parking space because they are mostly office space and they do not need the spaces at night. Mr. Barnes pointed out that they actually formalized an agreement where they provide them with a Certificate of Insurance for the event and the parking lot is cleaned before and after the event. He noted that they have a good relationship with them. Mr. Barnes highlighted the locations where patrons can park.

Vice Mayor Drahos asked if they had ever done a study that indicated the maximum number the parking area could hold. In response, Mr. Barnes said if they went strictly by the number of parking spaces, they would be far under the capacity at any of the facilities.

Mayor Gerwig spoke about the large number of people that were at the event. She said that there were transit options that the Village could offer; however, they cannot tell people it is okay to park in private parking lots.

Mr. Schofield said that he had spoken to the Sheriff's Office after this had happened who said there are "no parking signs" telling people they cannot park there. He said that the Village would do as much as possible to ensure the signs are posted, that they make repeatedly announcements that cars can get booted if they park in the shopping

center. He said that Chancellor has been remarkably cooperative noting that there are spaces available at that location. He said that this has happened at almost every event over the past several years; however, you don't see it at events that are under 1,000 because there are parking spaces at Village Hall and at Chancellor.

Mr. Barnes said that any time they consider any type of expansion to the green space and any other improvements that eliminates existing surface parking, there is no way you can have a conversation without looking at structured parking. He noted that the slide showed the structured parking alternatives. Mr. Schofield noted that the "No Change" option was numerically close to every other option.

Mayor Gerwig thought that the reason for that was that structured parking really was not very attractive. She said that they are about ten times more expensive than surface parking. She said that she had residents tell her to turn the green space into parking which they had originally discussed when they moved the tennis courts. Mayor Gerwig thought that parking on green space was difficult because you had to have a parking attendant. She thought if they had a rental for the Community Center for the past Friday or Saturday night, there would have been no place for them to park. Councilman McGovern said even if they had a valet there would have been no place to park. Mr. Barnes said that was the juggling they presently perform in scheduling and planning events versus regular repeat use of the Community Center as well as specific rentals. He said that they could not have a Tribute Music Festival or other major event and a wedding at the same time. Mr. Barnes said that while you think there could be additional programming at the Community Center, when you look at the usage in the Community Center, it is almost being programmed as a whole with the entire site.

Mr. Barnes said that in this case you had almost divided responses concerning a parking structure more than any kind of improvement. He said that a parking structure provides more of an urban feel when which was some of the visual reaction that people have as was reflected in their responses.

Mayor Gerwig asked what the options would be besides the parking structure. She thought they could do things like run shuttles and things like that which would be a lot less expensive than constructing a parking garage. Councilman McGovern said that people also do not like the option to shuttle.

Mayor Gerwig said that the reason the Amphitheatre events are popular was that they are laid back, fun and free. She thought if it might be

different if they had someone on site who was providing food instead of the food trucks who take up half the parking lot. Mr. Barnes said that it is all inter-related because if you take out one piece, another piece falls. He believed that some of the attendees come because of the food trucks so they may lose some of them. Mr. Barnes said that the biggest thing to figure out is that you cannot look at any one element because they are all inter-related. .

Mr. Barnes then presented the next slide noting that after the November survey, they changed some of the options for the Water features. He said that these responses were from people who were on site. He said that there appeared to be support for a recreational amenity-type pool and aquatic playground, fountains and splash pads.

The next slide that Mr. Barnes showed was the responses regarding Ken Adams Way. He said that they looked at circulation options to work better together within the site while still maintaining event sites. He said that they looked at some uses and use types that would provide a walkable environment that might not be there now. He said that as you look at the Regency Shopping Center, you would notice the setback of the building much closer to the road so that people walking are closer. Mr. Barnes said that there would be more uses and other related uses along the roadway, and they would provide a walkable environmental having more of an exponential retail component.

Mayor Gerwig said she found the numbers shown to be confusing. Mr. Barnes said that these numbers were only gathered at the Lakeside survey. Mr. Schofield said that one of the questions was resident responses versus non-resident responses. He said that the percentages being shown were what number responses were residents. He noted that none of these responses reflected those gathered at the Town Hall meeting.

Mr. Barnes then spoke about slides 6 and 7: Civic Center and Performing Arts Center. For the Civic Center, they provided different options for a civic center-type concept. For the meeting in December, they showed the performing arts concept. He said that they did not limit that particular improvement whether it was a civic center or performing arts center use. He explained that they advised people that this would not be limited to just this location. Some of the residents raised concern that it should be looked at a different location within the Village based on the size.

Mr. Barnes explained what caused staff to look at the site and some of the uses and think of what was the next evolution for the Town Center. He

said residents saw this site evolved from the Wellington Club East with a pool, tennis, racquetball, golf, etc. Mr. Barnes said that the question was if you build it, would they come and will they come back. He said that they built the Town Center in 2009/2010 without a master plan or big picture to see how each of the pieces fit together. He said that they have been able to make them fit, people are coming back, and they are ready for the next evolution. Mr. Barnes said that based on that, they look at the current trends.

Mayor Gerwig noted that when they first opened the Amphitheatre, the programming was so bad and people did not come back. She recognized Mr. Piconcelli for the good job he has done determining how to bring in food trucks and entertainment. She said that she had asked for a breakdown on that, which she had not yet received. She thought the Village has about \$85,000 worth of programming in the budget for the Amphitheatre, which she felt was not a significant amount of money for the programming that is there.

Mr. Barnes said that Mr. Piconcelli and the Parks & Recreation staff have been able to balance revenue from another source that being food trucks. He said that there are some rentals, but it was amazing that all of the other Village events are free, i.e., Friday night movies, etc. He thought that it was pretty much break even for the music events because they have to cover the cost of the concerts, sound engineers, etc. Mr. Barnes said that they needed to look at the next trend because no one would have thought food trucks would be a trend. He said that what has changed from the time Wellington was Acme, is that the same forces that drove the development are changing. He said that elsewhere in the State, 75% of the population would be changing to under 35 or over 65 between now and 2030. He said that window that had been driving Wellington's growth the way they previously delivered services was not going to be the majority of the population. He noted that was a trend they were seeing at the national, state and now local levels. Mr. Barnes said that the family look would be different.

Mr. Schofield said that the baby boomers drove the growth of Wellington from the late 70's to the 90's and even early 2000's; however, they are now becoming Wellington's senior population. He said that people of his generation view things very differently, and as they see the switch from the Gen-X, they will begin to see more and more Millennials in that mix. He said that even the Village's own workforce shows that. Mr. Schofield said that 35% of Wellington's workforce are millennials and there are far fewer baby boomers than they had a decade ago as they are living the workforce. He said that the midpoint of Baby Boomers are now turning 65 and they are leaving the workforce. Mr. Barnes said that they have

their first set of millennials who are now senior managers in the Village. He said that they are starting to see Gen-Y people, after the millennials, who are the people that will drive Wellington for the next 20 years. He said that they have very different wants and desires than Baby Boomers had. He said that Baby Boomers are less likely to go out or demand entertainment close by, which are things that Gen-X and millennials want. He said that they do not want to drive to do entertainment things. Mr. Schofield said that when you look at some of the concerts, they are predominantly boomers. He said that they are trying to find a way to look at the people who will drive Wellington's vitality over the next 20 and 30 years.

Mr. Barnes said to that end, there are a few different items folded out in the agenda item that tie into how we got here and what we are now requesting. He said that they now needed to look at the entire site and provide some direction to move forward by putting out an RFP. He said that would allow them to get a team on board to take it from planning to those steps in the plan that have merit so they can get past the conceptual planning stage into design. Mr. Barnes said that they would at least like to get a team so they can proceed rather than being limited by what they can do based on procurement limitations.

Councilman McGovern said that they will address cost estimates and some of the things people have been saying since they have been discussing this. Mr. Barnes said that was correct. He said that once they have an actual team in place, they can conceptually get some better cost estimates and they will have different disciplines in place.

Mr. Schofield said that they were now at the point where they cannot move forward with this without Council consensus. He said that there were some things that staff heard very clearly; particularly enhanced pedestrian circulation and a boardwalk. Mr. Schofield said that they have been talking about a boardwalk for at least a decade. He said that was one thing that could be done that does not limit anything else. He said that they know that people also want the events at Town Center to continue and are willing to see additional amenities. However, they have heard that a good number of people want to leave the property as is because of their concerns about the surrounding communities, i.e., Mayfair as well as the protection of businesses. He said that the other thing that they clearly heard from residents and Council was that there had to be specific yes/no decisions once it got to Council. He said they had to take into account the views and needs of their users and residents that they did not have phasing or costs. Mr. Schofield said that the one thing that was not clear to residents was that this is not a plan that was going to happen overnight, but one that will take 10-15 years to develop.

He said that if it looks exactly like the plan when the last brick is laid, that would be something that never happened before because there will be changes to it. Mr. Schofield said that staff was looking for the ability to go out and prepare a plan that ties in with the recreation master plan, and lets the Village move forward with a boardwalk. He said that it was also suggested that they consider utilizing proceeds from leasing the Lake Wellington Professional Centre for a public/private partnership so they can deal with businesses that are there and not have to relocate them outside of Wellington. Mr. Schofield said they are also looking for consensus to initiate user group meetings with such groups as Mayfair residents, aquatic facilities; people at the Lake Wellington Professional Centre and then to develop phasing plans and have very specific costs to tell people where that money is coming from.

Mayor Gerwig said that the only problem she saw with the boardwalk as the first amenity, was that it should include floating docks, which she believed the boaters had been asking for because the present ones are not usable. Mr. Schofield said that would be one of Council's yes/no decisions. He said that his recommendation was, based on everything they have seen, was to put in the boardwalk. He said if they want to do something for the boaters, none of that gets done without a contract that comes to Council for approval.

Mayor Gerwig said that her other concern was that as they do the boardwalk, she still saw the water being a problem for sound traveling across the lake. She wondered if the boardwalk could not incorporate a sound break. Mr. Schofield said instead of just having a railing, it could be solid and go back a little bit. Mayor Gerwig thought if they were going to do something, it could also help to alleviate some of the problems. She felt that they needed to think about the sound as they activate the space more.

Mr. Schofield said that as they talk to people it would be about expanding the Amphitheatre, which he did not know how that would work but that would involve moving Scotts Place. Regarding the location of the current Amphitheatre, he said that most people do not know that when the Cultural Trust ended, the Village received about \$750,000 in County bond money for the Amphitheatre so they put it in the place that was most likely to work. He said that at that time, they did not look at how the sound worked.

Mayor Gerwig said she did not want them to do something and then find that if they had done something differently it would have helped the other problem. She reiterated that as they moved forward she wanted to think about the quality of life on the lake.

Councilman McGovern said that was part of all of this as they would be incorporating the quality of life on the lake as well as taking into account the Mayfair folks. He said that they were also talking about what accumulated in the Lake Wellington Professional Center account to allow those people to move to a place that would be more effective and newer in a public/private partnership or some other way. He said that this was the next phase of this discussion. Councilman McGovern said planning this in a way that had not previously been done where they did one item in a parking lot, next item in a parking lot and then so on.

Mr. Schofield said it would be getting someone to take a complete look at it as opposed to the piecemeal looks they have taken at it. He said that part of it would also be to sit down with each member of Council. He said that in looking at this, there are places where visual and sound barriers are needed, particularly along Mayfair and the apartment complex that is immediately adjacent to Town Center. He said they are looking at how you do something to break up the sound that comes out of the Amphitheatre and hits the water. Mr. Schofield explained that when it hits the water, it starts to reflect in a way that it doesn't when it gets across the street to the French Quarter.

Mr. Schofield said that was where they were at and what they will be asking of Council.

E. [19-2720](#)

HOMELAND ANNEXATION

Mr. Schofield introduced the agenda item. This was consideration of the request for annexation of the Homeland Subdivision.

Mr. Barnes explained that Homeland is located off of 50th Street and SR7, and abuts Section 34 (Wellington Preserve). He said that, during the 15 years he has worked for the Village, the Homeland community approached the Village multiple times with interest to annex. Mr. Barnes said that several years ago, they had inquiries from some existing board members within Homeland as well as other residents. He said that a few residents actually continued to follow-up relating to annexation and inclusion within the Village limits. Mr. Barnes further explained that what Council had in front of them was what has culminated after almost two years of effort on their part with information that they received from staff as far as their options, how they operate after annexation and incorporation into the Village limits should that be approved by the residents. He explained that staff would be following the Florida Statutes Uniform Method for Annexation. He further explained that, in this case, a referendum would be required among the resident electors within the community. He said this would be done after the Village conducts the

appropriate meetings and hearings with its Village committees, and ultimately receives Council's final approval of the annexation process.

Vice Mayor Drahos said the referendum would be for those resident electors within the Homeland community. Mr. Barnes indicated that was correct.

Mr. Barnes said that, before Council, was Homeland's request from their representative that was directed by the HOA Board of Directors. He said they have also attached a revised annexation agreement that reflected some discussion between Homeland's representative and Ms. Cohen. Mr. Barnes noted that one item that was part of this process that had been discussed with Homeland's representatives was that, should they be successful in being annexed into Wellington, it was their desire to have the Village, through a union with Acme, perform some maintenance that is performed currently by the Homeowners Association. He noted that the maintenance was not something they expect the Village or Acme to assume as part of the annexation, but that it would be funded by a special assessment. Mr. Barnes said that they do not see them coming into Acme for drainage purposes so they would not have that component, similar to Olympia and other communities that are within the Lake Worth Drainage District.

Mayor Gerwig said that those residents would continue to pay the \$50 per unit assessment that they pay to LWDD rather than the \$230.00 to Acme. Mr. Barnes said that was correct; however, once they are in the Village limits, Wellington would have the ability to create a unit of development where they would be assessed specifically for the benefit they are receiving, i.e., road maintenance, aquatic weed control, etc. Ms. Quickel added that it would be comparable to Saddle Trail. Ms. Cohen added that Acme's boundaries would include their canals, roadways and bridle paths, but we would not be providing drainage. She said that they are within the Village utilities service area although they do not receive utilities.

Vice Mayor Drahos asked if, after annexation, Homeland would be automatically connected to Wellington's utility system. Mr. Schofield indicated that they would not. He explained that there are places in Wellington that have neither water nor sewer from the public systems that are predominantly in the Equestrian Preserve Overlay Area and Equestrian Preserve noting that some have them and some don't. Mayor Gerwig noted that her neighborhood, Paddock 1, does not have water or sewer. Ms. Cohen said that they would have to expand Acme to the extent that the Village would be able to take an ownership interest in their roadways, canals, and bridle paths so that they could create the unit of

development and retain the roadways as private roadways versus public roadways.

Mr. Schofield said that the Village has gone as far as they can at this point without Council consensus to move forward, which is what they were asking of Council. He indicated that approval at this point does not approve the annexation agreement; it does not approve the subarea as they still have to go to committees. He explained that what it does do is say that the Village has looked at this and have gone through the basic mechanics noting that there was some fine tuning to each document that needs to be done, but still has to go on the ballot for a general election. He noted that if it does not pass, the annexation does not happen.

Ms. Cohen explained that although Council was being asked to move forward, there is an annexation agreement that is part of the packet. She said that she and Mr. Barnes had met that morning with Mr. Kurtz and they revised some of the provisions. She noted that it was possible that Council could receive some further revisions between today and tomorrow. She said that they have requested that Council approve the annexation agreement as part of Council's decision at the Council meeting, but that was up to Council.

Vice Mayor Drahos felt that was very different from what Mr. Schofield had described to them. Mr. Schofield said that they are basically in agreement on the form. He said if they approve the annexation agreement in its form, Council would still have the opportunity to amend it should that need to be done. Ms. Cohen said that Council could also back out of it. Vice Mayor Drahos said that this was the first time it was presented to Council, so he needed 100% assurance that the Village will come out in this in the positive and not negative. He said that there were many things that were being asked of Wellington at this time, which throws out red flags. Vice Mayor Drahos said that he could not imagine that by tomorrow night he would be in favor of committing the Village to an annexation agreement.

Councilman McGovern said that everyone has used the term move forward; however, it was unclear to him as to what that actually meant. He asked if that meant he was supposed to go home tonight and study and say what he thinks of all of it by tomorrow. He said they would then get a different version ten minutes prior to the meeting. Councilman McGovern did not believe that was fair to Council or to the residents.

Ms. Cohen said she wanted to explain what the agreement provides and the overarching policy issue that Council was being asked to make. Ms. Cohen said that the overarching policy question was whether Council

thought it was a good idea for the Village to create a unit of development to assess for benefits conferred upon property owners either where an HOA used to exist or where an HOA wants to dissolve..

Councilman McGovern asked if that was the second step after annexation. Ms. Cohen said that it was not as it was a policy question. Mr. Schofield explained that they have to have that worked out prior to the final annexation.

With regard to that policy question, Mayor Gerwig said that it would not necessarily mean that they would be setting a precedent that would be the same in any other situation. Ms. Cohen said that was correct. Mayor Gerwig thought this was a little similar to Rustic Ranches and Little Ranches when they came in. She said that they came in with the original borders of Wellington, but they had their own neighborhood standards. She said that this is that on steroids as it captures the money along with the neighborhood standards that might not be the same as the rest of the EOZD.

Mr. Schofield explained that when you put into perspective what is the overall policy for Wellington, about half of the Village's homes are in gated communities and all of the roads and drainage are all privately maintained. He said that the Village does not have their tax structure set up to pay for those. He said that while homeowners associations, for the most part, are solvent, are well run and don't have any interest to being turned over to the Village, there are some that have ceased to exist for whatever reason. Mr. Schofield said, as a matter of policy, the Village was not in the position to say they are going to up their ad valorem tax rate to cover half the roads in the Village that they never anticipated maintaining. Mr. Schofield said that they are looking at a mechanism that addresses how the Village provides services to these residents that is in a way that does not affect every other resident in the Village, which is where the unit of development comes in. He said that what it does say is that these are the exact services that the Village will provide that cost a certain amount of dollars, which will be assessed to the homeowner. Mr. Schofield said that as part of the Homeland annexation, the Village, for the first time, would set up where facilities that are private are maintained through an assessment.

Vice Mayor Drahos said that he wanted to go back to the elementary question that being whether this was good for the Village or not. Councilman McGovern thought that this was a larger policy than just applying to Homeland. Mr. Schofield said that was correct. Mayor Gerwig voiced her disagreement because she felt that this decision would not mean that they would automatically be doing that any time an

HOA went defunct. She said that this policy question had been previously presented to Council. She said that she did not want to dump all of the policy decisions into this annexation. Mayor Gerwig said that when they look at the dollar value, she felt that this was something they should consider in this process because they are very expensive properties that would be added to the millage rate. Mayor Gerwig believed that they should be looking at the entire picture. She asked if that was included in the document before them.

Mr. Barnes said that it was not included in the document, but would be part of the annexation process when they come in for the public hearings.

Mayor Gerwig said that she had done her own analysis that day looking at a property and the exemptions they had and figured the amount of the ad valorem that would come in. Mr. Barnes added that the total ad valorem that would be coming in would be approximately \$252,000.

Mr. Schofield addressed Vice Mayor Drahos' question whether this was good for Wellington. He said that he believed that it is good for Wellington because it is a community that is immediately adjacent to the Village; it is a large-lot equestrian community that is tied to Wellington through their use as they participate in Wellington equestrian events. He felt that bringing the community into Wellington is a very good thing as it takes an equestrian community and makes them a part of Wellington as the Village is always looking for ways to strengthen the equestrian presence. Mr. Schofield said that there is no financial downside because all of the costs for maintenance and any costs the Village would pick up would be assessed to the property.

Councilwoman Siskind asked Mr. Schofield if he felt it was going to be a financial wash by providing the service. Mr. Schofield said that the property owners would be paying for the maintenance.

Vice Mayor Drahos noted that PBSO would be increasing their rates to protect more people. Mr. Schofield noted that in this coming year's budget, he was going to ask for additional funds for law enforcement services. He said that he talked with Captain Silva who did not believe it was going to be an additional strain. Ms. Cohen said that any additional services provided would be collected in the ad valorem.

Vice Mayor Drahos asked Ms. Cohen to explain the issues she outlined in her letter. Ms. Cohen said that there were a number of issues. She said that there were certain activities within their restrictive covenant that are prohibited. She said if those restrictive covenants go away, then regulations of those matters would then be under the proposed subarea

H regulations that were attached to Mr. Kurtz' letter. Ms. Cohen believed that the residents needed to be made aware of the fact that, given the current state of the law, the Village may not be able to enforce some of those regulations. She thought that could be done at town hall meetings or something of that nature. Ms. Cohen said that there might be certain expectations that the residents expect that the Village may not be able to deliver. She said the agreement outlines the process, and if there are changes to the agreement, she did not expect them to be major ones. She said that she believed the association was looking to obtain a vote from their membership sometime in March while everyone is in town. She said it would be a determination whether to dissolve the association and amend the declarations so that it would be converted to a declaration of easements. Ms. Cohen explained that the residents have to approve that by 2/3 affirmative vote and if that was not approved, then there would be no further discussion and no sense to move forward.

Councilwoman Siskind asked if they could not take that vote without the Village entering into an annexation agreement. Ms. Cohen said that they could.

Councilman McGovern said that it still had not been explained to him what moving forward means. Ms. Cohen explained that moving forward would mean: (1) that it's a good idea; and (2) approving the proposed annexation agreement presented to Council at this meeting with some possible revisions at the meeting tomorrow. She explained that agreement does nothing other than lay out the process and procedure for how this could occur. Ms. Cohen said that the community would have to have an initial vote as to whether they wanted to dissolve their HOA, which would be contingent upon the annexation becoming effective. She noted that there are certain reports that would have to be prepared by their engineer, one by the Village, an annexation ordinance would then be presented to Council for two readings. She said that if the ordinance was passed, there would then be a referendum for the electors of the community.

Councilman McGovern asked that Ms. Cohen walk him through the process. He asked if was correct that at the Council meeting, the first step is a general sense of yes or no and move forward with the agreement which is the specific road map. Ms. Cohen indicated that was correct. Councilman McGovern then asked what happened after that. Ms. Cohen said that the HOA would go back to its members and request a vote to determine if they wanted to resolve the HOA and amend the restrictive covenants. Mr. Barnes said had nothing to do with the annexation process, but it was some residents still believe it is a benefit to come to Wellington, and part of their process would be that

they want to annex and have the ability to dissolve that association at the same time. He explained that without coming into Wellington, the County would not take over the activities they want to be taken over and assessed.

Vice Mayor Drahos asked what would happen next should the residents vote yes. Before addressing Vice Mayor Drahos' question, Mayor Gerwig asked if it would be a vote by property owner or resident. Mr. Barnes said it is a vote by property owner as this is an HOA vote and not the annexation referendum. Mayor Gerwig asked what would happen if two people owned a home together in Homeland and had differing opinions on annexing into the Village. Mr. Schofield explained that the vote on the HOA documents is done based on property owners and it is one vote. He said that the vote to annex is based on registered voters who go out to vote. He pointed out that it is 2/3 vote to change the HOA documents and the actual annexation is 50 plus one.

Mayor Gerwig said that 604.50 was true whether they were in Wellington or not in Wellington. Ms. Cohen said that was not necessarily so. Mayor Gerwig asked if the decision to coordinate was only bearing on Wellington. Mr. Schofield explained that it is bearing on municipalities and counties and not on HOAs. Mayor Gerwig said that dissolving their HOA would trigger it. Mr. Schofield explained that it does not matter what they do in terms of the HOA or the documents or anything else, the Village cannot and will not enforce the provisions of restrictive covenants. He said that if you go into one of those communities that says you cannot build x, y or z, the Village will not enforce them if it is not in its regulations. He said that it is a broader issue than 604.50, but it is whatever is in the covenants and restrictions,

Ms. Cohen said that currently that community has these restrictive covenants and if they vote to dissolve them, they need to understand the limitations currently imposed on Wellington by law. Mr. Schofield said that the residents would be advised of this and that the subarea H plan has to be adopted. He said that the Village would only enforce those things written in the subarea plan.

Ms. Cohen said that after the residents vote, there would be reports prepared by their engineer, one by Wellington's engineer, which have to be prepared according to the statute. Vice Mayor Drahos asked what those reports focus on. Mr. Barnes explained it is a public facilities report that looks at the different services as outlined in Chapter 171 of the Florida Statutes that is basically the annexation report prepared by the Planning staff. He further explained that it is a companion to the item presented to the Equestrian Preserve Committee, Planning, Zoning &

Adjustment Board, and ultimately the Village Council. He said that the report, according to Chapter 171, looks at the different urban services that will be provided, if any, they have to be adjacent to the Village's corporate limits, and that type of thing. Mr. Barnes said that it will include drainage, that is provided by the Lake Worth Drainage District, and water and sewer is provided through well and septic tanks.

Mayor Gerwig said if the law changes and they are required to convert them, the Village would have to manage that. Mr. Schofield said that it would have to be the Village. Mr. Barnes said if the community decided to fund improvements on their own like other communities. Mr. Schofield noted that Pinewood East was looking to put in sewers. He said that they have been given the approximate cost, but the Village will not pay for that out of ad valorem dollars, but each lot will be assessed at about \$43,000. He noted that the people were assessed for the road in Saddletrail, which wasn't something that they could put on every taxpayer.

Vice Mayor Drahos asked what was the purpose of the reports. Mr. Barnes explained that the engineering report is a component of the annexation report. He said it is a minor component as it really looks at planning requirements and Chapter 171. Mr. Barnes said that the engineering report plays more into the special district for the special unit of development, which is later in the annexation process. He indicated that many times when a unit of development is created within special districts it is for greenfield development. He said that in this case they are really looking at maintenance work that will be completed through the unit of development created through Acme so they would need an initial engineering report that is really a technical memorandum that provides the status of existing improvements. Mr. Schofield said that they will be looking at where it is in its life cycle. He said that as they set up the 5 and 10-year budget projections, they will need to know where the canals, roads and drainage systems are in terms of their life cycle structure. He said that one of the things Council approves regularly are such things as lining the pipe under the canal, and when they see those types of things they want to know where they are in that process. He said that the assessment needed to be made so that those things are being paid for contemporaneously with the costs being developed. Mr. Barnes said that was the second required component of the report pursuant to the state statute on Special Districts and units of development where you have the engineer and those components that are more detailed that will set forth some of those initial schedules.

Vice Mayor Drahos asked why the Village would have any obligation to maintain those roads if they are going to remain private. Mr. Schofield said that the Village has no obligation to maintain the roads; however, if

that is part of their request, then there needs to be a mechanism to fund it. Vice Mayor Drahos questioned why Homeland was making that request. Mayor Gerwig said that without an HOA, they would not have a mechanism to do that. Vice Mayor Drahos questioned why they were then choosing to keep their roadways private. Mr. Barnes said that the Village has some existing HOAs within Wellington that have approached the Village for the same thing. He said that it is because either they have had a bad experience with their HOA or they believe the Village is more efficient, so elect to being assessed for the improvements.

Mayor Gerwig thought that the problem with them was that they intend to keep the gate. She said that the Village's discussions have been with ungated communities. Ms. Cohen said that would be one of the reason why the Village would require conveyance or ownership interest by Acme in the gate and roadways in order to undertake and create the unit of development so that it benefits the property owners. She said that as part of the process, the primary roadway, Homeland Road, would be conveyed to Acme and then the other roadways, which are easements and owned by the abutting property owners, the maintenance responsibility would be conveyed by the association to the Village. She said that, in that way, if the Village had an ownership interest in them and if the Village was accepting for them, it could remain as private roadways with a guard gate. Ms. Cohen said that the Village would not be paying for them with ad valorem taxes explaining that people who did not have access to the community would not be bearing the cost to maintain the guard gate or the roadways.

Mr. Schofield said that in terms of roadway paving overlaying, the Village would get a better price for that than the Homeowners Association. He said that they were not looking to add any costs to the General Fund for this as they will all be dedicated dollars. Ms. Cohen added that it is different than Pine Tree as it would not be reflected on the gas tax map as it would be private roads that service a private community who will pay the full cost to maintain them.

Councilman McGovern went back to the process for the annexation. He said that there would be engineering reports due from both sides. Mr. Barnes noted that Homeland would pay for the initial engineering report that is funded by them through the Village's process. Mr. Schofield said that they do not adopt the ordinance until those things are done.

Councilman McGovern then asked what the next step was after the engineering reports that were paid for by Homeland. Mr. Cohen said that the ordinance would then be presented to Council for two readings. Vice Mayor Drahos asked what the ordinance was going to say. Ms. Cohen

said that the ordinance would be the question regarding annexation. Councilman McGovern asked what would happen if the ordinance failed. Ms. Cohen explained that if Council decided not to adopt the ordinance, then it does not move forward and there is no referendum. Councilman McGovern said that if that occurred, then Homeland would be out the money that they paid for the engineering reports, etc. Ms. Cohen said that was correct.

Ms. Cohen continued stating that after the two readings of the ordinance, it then goes to a referendum of the electors for a vote of 50 +1. Councilman McGovern said that it switched from landowners to electors. Ms. Cohen said that was correct. She noted that it could also be people renting the properties. She said that the effective date of the annexation would be sometime after the actual vote, which would provide for sufficient time for some of the other things needed to be done prior to it becoming effective. She thought it would probably be somewhere around 180 days. Ms. Cohen said that assuming the referendum passed, Acme would then have to undertake certain things possibly expanding its powers and boundary, and creating the unit of development, which takes some time. Ms. Cohen said that most likely, the Village would have to amend the Water Control Plan. Mayor Gerwig questioned that because the Village does not provide them with water. Mr. Schofield explained that the units of development are included in the Water Control Plan. Ms. Cohen added that properties that are benefitted have to be part of the Village's Water Control Plan. She noted that there is currently a provision in Acme that says it is anticipated to provide for the exclusive use of roads within a unit, written consent from the owners of 75% of the lands within the unit is required. She said that is in the governing documents, but they can be changed.

Ms. Cohen said that all of that has to occur during the period where the annexation is not yet effective. She said that also during that time, Homeland would have to undertake winding down its affairs. She said that a mechanism would have to be provided for ensuring that the Village does not have any liability for pending lawsuits. She said that under Chapter 617, the HOA could continue to operate after they have dissolved in order to wind up their affairs. Ms. Cohen said that she was going to look at Homeland's attorney's opinion that stated that during the winding day process they would still have the power to assess the residents in the event there was some financial obligation relating to those lawsuits. She said that was reflected in the annexation agreement.

Vice Mayor Drahos asked if the Village would be added to a lawsuit if one was filed in the winding down process arguing some sort of technical deficiency in the winding down or how this thing was done. He said, if that

was the case, what could the Village do to insure that they are indemnified. Ms. Cohen said that the Village would probably not be included regarding the dissolution of the HOA and the amendments to the declaration because that does not involve the Village. She said that the Village could become a party if there was some defect in the procedure or process by which the annexation was done, which they would have to defend.

Ms. Cohen said that Homeland would wind down its affairs, Wellington would process the land use and zoning changes. Councilman McGovern asked if at that point in time the Village and Homeland were "married." Ms. Cohen said that they are married but it was not consummated. She said that Wellington would process the required land use changes and text amendment through first reading and then it would finalize whatever expansion of Acme's powers were necessary in the creation of the unit of development. Councilman McGovern said at this point all of this is procedural. Ms. Cohen said that was correct, but there is a provision in the annexation agreement that provides that if these things do not occur, then Homeland could apply to de-annex from the Village. Councilman McGovern's asked what was the Village's options. Ms. Cohen said that the Village already agreed through the agreement to the annexation.

Vice Mayor Drahos said that his understanding was that the Village's last shot at getting out of the annexation was at the second reading of the ordinance. Mr. Schofield said that was correct.

Ms. Cohen said that after the expansion of the powers, the unit of development, the uniform method of assessment, then Homeland would convey its interests to the Village in the roadways, canals, bridle paths and that sort of thing. She said at that point, after the conveyance. The annexation would become effective. She said they would then have the second reading of the land use ordinance. She said that they have also asked that the portion of the code of ordinances Section 70.2b be amended to address canals and things like that which is a very minor amendment that would apply only to their waterways.

Ms. Cohen said that is a general overview of how the process would work. She said there could be a breakdown at any stage and up until the annexation. She said if Acme voted not to create the unit of development, then they may decide they don't want to be a part of Wellington and wanted to maintain their restrictive covenant.

Mayor Gerwig asked if Homeland could decide they wanted to maintain their restrictive covenant, keep their POA, but wanted to be part of Wellington. Ms. Cohen said that is perfectly possible.

Vice Mayor Drahos asked where that would occur in the process if that was their decision. Mr. Barnes said that it would be annexation without the other parts of creating a unit of development and dissolving their HOA.

Ms. Cohen thought it would be valuable to have some public meetings so that the residents understand the annexation. Mr. Schofield said that was one of the things that they will need to do.

Councilman McGovern asked who would host the informational meetings. Mr. Barnes said that the meetings are traditionally hosted by the actual municipality which is an open house type of setup. Mr. Barnes said that about a year ago, he and Mr. Basehart attended a homeowners association meeting where they held their vote for the new board and answered questions related to zoning, land use, etc. He said that they also held an actual meeting where they presented and answered traditional questions from their residents. Ms. Cohen said that the reason for wanting to ensure the residents understand this is because if the restrictions go away and if somebody comes in and wants to build a 10 stall barn on one of the parcels, they will be looking to Wellington's elected officials to protect them and they need to know the limitations that exist under Florida Law. She said if they weren't talking about resolving their restrictions, it would not be necessary to even have that conversation.

Mr. Schofield indicated that he was less concerned about that. He said that part of the discussion they are going to have to have is do they free themselves of their covenants and restrictions which they will have to vote on as a community. He said that they will have to vote it out of existence which takes a majority vote. He said that if they vote to dissolve them, people who bought under those covenants and restrictions, can go back to court and say this is how they bought. He said that the Village has had experience with that explaining that when the school was looking to build in Paddock Park II, one of the resident said he signed those covenants and restrictions. Mr. Schofield said that given the sophistication of the people who own in there, he was not worried that they were not going to understand that. He said that the Village will make sure that they communicate that effectively.

Ms. Cohen said that the annexation agreement is a road map as to how this would all occur. She said that Council would be informed at every stage, there will be public hearings, and all types of things that will occur, where Council can make these decisions. She said this agreement does not do that as it only lays out the process to get to that end result if that is

what everyone wants and the electors vote to do.

Mr. Schofield noted that there will be four public hearings: EPC, PZAB, and two readings before Council. He said that there will also be the first reading of the land use, and then then it is ready to go after the second reading of the annexation ordinance.

Councilman McGovern asked who the Council would be hearing from on behalf of the Homeland Board at the Council Meeting. Ms. Cohen believed they would hear from their authorized representative. Councilman McGovern hoped that members of their board would be present and not just their representative. Mr. Barnes believed that the board members would be present.

Ms. Cohen said that she hoped to have some definitive answers by tomorrow on some of the things that they discussed: winding down of the association, and having Mr. Edwards identify anything that needed to be added regarding the unit of development. She said that they could see a few tweaks. Councilman McGovern asked Ms. Cohen where she

5. WORKSHOP

None

6. ATTORNEY'S COMMENTS

Ms. Cohen advised Council that Pine Tree unilaterally elected to dismiss its lawsuit without prejudice. She said that she did not know what went into their decision.

Mayor Gerwig said that she still wanted to have a position paper. Ms. Cohen said that she drafted something and Mr. Schofield is reviewing it. He said that the entity that is responsible for operating the roads and drainage system in there is Pine Tree Water Control District. He explained that Pine Tree was created specifically for doing that. He said that the paper will include how they got there and why the Village was out.

Mayor Gerwig felt that information needed to be out there for the residents to understand.

7. MANAGER COMMENTS

No comments.

8. COUNCIL COMMENTS

No comments

9. ADJOURN

There being no further business to come before Council, the meeting was adjourned at 6:05 p.m.