

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary

Monday, June 24, 2019

4:00 PM

Village Hall - Conference Rooms 1E & 1F

Village Council Workshop

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

Advisors to Council: Paul Schofield, Village Manager; Jim Barnes, Assistant Village Manager, and Laurie Cohen, Assistant Village Attorney.

2. PLEDGE OF ALLEGIANCE

Mayor Gerwig led the Pledge of Allegiance.

3. [19-3067](#)**RECOGNITION OF THE EMPLOYEE OF THE MONTH FOR MAY, 2019
- DARIN LAJOIE, ENGINEERING INSPECTOR**

Mr. Schofield announced that Darin Lajoie was the Village of Wellington's Employee of the Month for the Month of May 2019. He said that Mr. Lajoie started with the Village in 1990 as an Acme employee.

Ms. LaRocque, Utilities Director, stated that Darin has been with the Village for 29 years, and has been a very valuable member of the Utilities Department. She explained that when she started with the Village, she quickly realized that anything she assigned Darin was done accurately and with no shortcuts. She indicated that Darin's responsibilities include: engineering inspector work, inspections on development projects, and inspections on the capital improvement projects. She stated that the Village has a very large capital improvements program happening right now. Ms. LaRocque said that Darin also heads the backflow prevention and grease trap programs. She noted that the backflow prevention program, managed by DEP, protects the distribution system from contamination by non-residential customers. She said that it is a very challenging program to oversee. Ms. LaRocque said that one of the main reasons she wanted to nominate Darin for the award was because the Village has 100% compliance on that program which is unheard of from any utility. Ms. LaRocque said that Darin recently went through some serious challenges in the way the program is implemented noting that they now utilize a third party to assist with the administration of the paperwork. She said that they were the ones who advised the Village that they were one of the only utilities they had seen who had 100% compliance. Ms. LaRocque said that Darin is committed, is a team player and is Team Wellington. She said he has a lot of support from his team members who were in the audience. Ms. LaRocque said that Darin was deserving of this recognition for those reasons mentioned as well as many more.

Mr. Lajoie noted the work that he has done since his time with the Village. He

said that he was hoping to stay longer with the Village.

Council extended their appreciation to Darin for his hard work and dedication to the Village. Mr. Schofield also praised Darin for his work.

4. REVIEW OF COUNCIL AGENDA

Mr. Schofield the presented the Agenda for the June 25, 2019 Regular Council Meeting for Council's review.

A. [19-3003](#)

A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA RECOGNIZING NEW HORIZONS ELEMENTARY SCHOOL PRINCIPAL ELIZABETH CARDOZO ON HER RETIREMENT AND YEARS OF SERVICE WITH PALM BEACH COUNTY SCHOOLS AND TO THE VILLAGE OF WELLINGTON.

Mr. Schofield introduced the agenda item. This is a proclamation recognizing Elizabeth (Betsy) Cardozo, Principal, New Horizons Elementary School, on her retirement and years of service with Palm Beach County Schools and to the Village of Wellington. He said it was his understanding that Ms. Cardozo would be in attendance to accept the proclamation.

B. [19-3065](#)

MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETINGS OF MAY 14, 2019 AND MAY 28, 2019

Mr. Schofield introduced the agenda item. This is the Council approval of the Minutes of the Regular Wellington Council Meetings of May 14, 2019 and May 28, 2019. He advised Council that if they had any changes to the Minutes to provide them to Ms. Callovi who would make the changes.

C. [19-3018](#)

AUTHORIZATION TO UTILIZE A STATE OF FLORIDA CONTRACT FOR SECURITY SERVICES, DURING THE CONSTRUCTION PHASE OF THE WASTEWATER TREATMENT FACILITY RENEWAL & REHABILITATION PROJECT

Mr. Schofield introduced the agenda item. This is authorization to utilize State of Florida contract #92121500-14-01, as a basis for pricing, for security officer services with U.S. Security Associates / Allied Universal in the amount of \$65,000 per year. He said that this was included in the budget and was the best price possible. Mr. Schofield said that because of the nature of the work, full-time security would be needed to be out there during the construction process.

D. [19-2847](#)

AUTHORIZATION TO AWARD A SOLE SOURCE CONTRACT FOR THE PURCHASE AND DELIVERY OF A TINYLINEMARKER

Mr. Schofield introduced the agenda item. This is the authorization to award a sole source contract to Pioneer Athletics for the purchase and

delivery of a TinyLineMarker, for \$37,827.68. He said that this is an automatic system, which uses a GPS system to automatically mark the lines. Mr. Schofield said that he looked at what it was costing the Village to presently do that work and they are spending slightly over \$21,500 per year, which takes three employees about three weeks of the year to do that. He said this would reduce that to one employee for a week. Mr. Schofield said that the machine costs \$37,827.68, payback period is 1.9 years over the five-year minimum, saving the Village about \$57,000.

At this time, a video was shown illustrating how the Tinyline Marker operates.

E. [19-3039](#)

RESOLUTION NO. R2019-31 (GRAND PRIX VILLAGE TRAFFIC AND PARKING ENFORCEMENT AGREEMENTS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AGREEMENTS FOR TRAFFIC CONTROL AND PARKING ENFORCEMENT JURISDICTION BETWEEN THE VILLAGE OF WELLINGTON AND THE GRAND PRIX VILLAGE PROPERTY OWNERS ASSOCIATION; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was the approval of Resolution No. R2019-31 approving standard agreements for traffic control and parking enforcement for the Grand Prix Village Property Owners Association.

Mr. Schofield said that this item came as a request from the Grand Prix Village Property Owners Association. This agreement allows the Palm Beach County Sheriff's Office to patrol the roads within the Grand Prix Village subdivision for the purposes of enforcing traffic circulation and parking regulations. He noted that the Sheriff's Office currently cannot patrol the roads and enforce traffic circulation or parking regulations in that community because the roadways therein are private.

In accordance with Village policy, the Grand Prix Village Property Owners Association had an engineering study conducted to ensure that all traffic markings, signals and signs were in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), and it was determined that traffic controls meet applicable federal, state and local standards, including MUTC.

F. [19-3005](#)

AUTHORIZATION TO NEGOTIATE A CONTRACT TO PROVIDE CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR THE TOWN CENTER BOARDWALK PROJECT

Mr. Schofield introduced the agenda item. This is authorization to negotiate a contract with Burkhardt Construction, Inc. to provide

Construction Manager At Risk Services for the Town Center Boardwalk project.

Mr. Schofield said that they are getting into the design and they wanted the contractor on board so that there is nothing in the design that cannot be built that they would have to go back and change. He said that Mr. Barnes and Mr. De La Vega had more details.

Mr. De La Vega reiterated that this was authorization to negotiate the contract, which will come back to Council once negotiated. He said that they were hoping to bring the contract back to Council for approval at the July 9th meeting. He said that he has a meeting scheduled for Wednesday, subject to Council's approval to negotiate. He pointed out that the Engineer was already on board, so they wanted to get also bring in the contractor to start working. Mr. De La Vega said that this is a very qualified contractor who has been in business since 1975, has delivered over \$160 million in Construction Management At Risk projects, and has done boardwalks in Kissimmee, Hollywood, Boynton Beach, Fort Pierce and are working on one in City Place. He said that they were very comfortable in contracting with them, and hoped to come back with a negotiated contract on July 9th.

Mayor Gerwig said that she appreciated going with the Construction Management at Risk because they get a much better product. She felt that it brings in design options and constructability the entire way.

Mr. Barnes said that much of the time and investment that is given up front hopefully saves problems in the end.

G. [19-3051](#)

ORDINANCE NO. 2019-04 [ARTICLE 5 OF THE LAND DEVELOPMENT REGULATIONS (LDR)]

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO MODIFY ARTICLE 5, IN ITS ENTIRETY, AS CONTAINED HEREIN; TO ESTABLISH SPECIFIC STANDARDS RELATED TO THE DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

H. [19-3052](#)

RESOLUTION NO. R2019-15 (DEVELOPMENT REVIEW MANUAL)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, ADOPTING THE DEVELOPMENT REVIEW MANUAL, AS MORE SPECIFICALLY

DESCRIBED HEREIN, TO PROVIDE FORMS FOR PLANNING AND ZONING APPLICATION TYPES, SUBMITTAL REQUIREMENTS, REVIEW CRITERIA AND DETAIL THE PROCESS FOR DEVELOPMENT APPLICATIONS AS REQUIRED IN ARTICLE 5 OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS AND TO COMPLY WITH FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield said that they were coming near the end of the process they have been in for nearly two years to rewrite and simplify the Land Development Code. He then announced the agenda items: (1) the approval of Ordinance No. 2019-04 to modify Article 5 in its entirety of the Land Development Regulations; and (2) the approval of Resolution No. 2019-15 to adopt the Development Review Manual. He indicated that Mr. Basehart and Ms. Cramer would review the items. He said staff expects to bring the entire Code back towards the end of the summer for final adoption.

Mr. Basehart said that they had written and adopted Article 5 before anything else, which they have been using for two years. He said that as they went through and wrote the subsequent articles of the Code, references and sections changed, so the primary purpose of this amendment was to bring it into sync with everything else they have subsequently done. Mr. Basehart said this was before Council for approval on First Reading and then it would be presented with all of the articles that are waiting for adoption. He noted that when they bring the final two articles, 6, Development Standards and 3, Definitions, they will then be in a position to approve the entire new Code. Mr. Basehart said that staff has also made some improvements to the Development Review Manual, which has been successful and one that people were really using. He said that it is a "how to" guide to everything in the Code.

Ms. Cramer directed Council to page 198. She said that she had created a table that listed those changes that were made from the time this was previously adopted by Council. She said that she also provided the highlighted version of the ordinance so they could tell where the item was. Ms. Cramer said that she also planned to do that with the rest of the articles that Council had previously looked at for First Reading. She said that when they bring everything back, they will see the changes in about 10 pages. Ms. Cramer reiterated Mr. Basehart's comments that the only thing that they had done was to update Article 5 to include any of the ERP changes because many had to do with the number of copies or submittal requirements.

With regard to the Development Review Manual, Ms. Cramer said that

they were able to add some of the landscape standards, update the signage pictures and graphical information to better assist the residents and agents so they can better understand the meaning of the terms when they submit their applications. She added that nothing had really changed from the previous manual, except for some additions.

Mr. Basehart said that three things were done (1) streamlined the Code; (2) made it easier to read and understand; and (3) provided illustrations. Mr. Schofield added that staff listened very carefully to what Council wanted over the years, which was for it to be clear and understandable. In terms of the manual, he said that there is no standard that would be applied that someone will not be able to get and read prior to coming to the Village.

Mayor Gerwig wanted the public to understand that they are not simplifying this down to the point that they don't need professional help. She felt that in working with local residents and contractors, they said they wanted to know ahead of time what was required, so they did not find out half way through a project that there was something they did not do.

Mr. Schofield said that they have simplified this a great deal; however, he did not want Council to have the impression that someone could get through these processes without professional help. He explained that the things that required engineers, architects or contractors will still require that. He said that they have written it in a way that it is not confusing so that you don't look at two sections of the Code and question if they say the same thing. Mr. Schofield said that the duplications have been removed. He said that they clearly understood Council's direction that there would be no place someone has a guide or manual at their desk that the public does not have access to. Mr. Schofield said if staff uses it as a review process, it is publicly available. He said that when they looked at the original Article 5, the things that were required to get a permit were not clear. Mr. Schofield said it would be August or September when they do the final adoption of everything. Mr. Basehart added that they were looking to go to PZAB in August and then Council in September for the final adoption.

Mayor Gerwig said that she appreciated that the changes were highlighted. On page 201 where it said application and escrow fee, Mayor Gerwig asked if it they were separated to clarify that the two fees are separate. Ms. Cramer said that was correct noting that was a clarification. She said that they did not want people to think that the application fee and escrow fee was one fee, so they separated it. Ms. Cramer said that Planning and Zoning is no longer on cost recovery and

the application fee is a set fee; however, they have the ability to refund any remaining escrow to the applicant.

Vice Mayor Napoleone asked about the same clarification on page 207 where they added the language "a rehearing of an appeal is not permitted." He said that is not currently permitted, but clarifies that if people have a complaint the remedy is for them to go to court.

Councilman McGovern referred to page 204, 5.2.4a noting that it said "submitted" but it should actually be "submittal." Ms. Cramer said that was correct.

Councilman McGovern asked staff to go through the changes that were indicated on page 208. Ms. Cramer explained that this was a reasonable accommodation section. She said that as they were going back through this from the first time it was brought forward, they were trying to ensure there was nothing they could not simplify. She said they realized that section was not in the table. She said that the text was already in the reasonable accommodation section, but it needed to be added to the table because it was part of the appeal section of the Code. She explained that reasonable accommodation was a little different than the Village's process. Ms. Cramer explained that it was more legally-based, so it was a clarification that they were not leaving it off so that someone who was looking at the table could not say they did not see where there is an appeal process or appeal body for the reasonable accommodation if they missed it in the text. Ms. Cramer said that because of that, they added it to the chart.

Mayor Gerwig asked if they had addressed the timeframes that State Law had built in. Mr. Schofield explained that the State laws won't go into effect in 2020 were principally with the Building Department and Planning and Zoning. He said that with typical building permit, the Building Department has 15 days from the day they received them to either approve them or provide comments. He said that cuts the timeframe in half and a late revision cuts that to 10 days. Mr. Schofield said that cuts down the amount of time that staff has to review things. He said that applies to all departments noting that when a building permit comes in, it may also require review by engineering, utility and planning who must complete the reviews in the same timeframes, there are no exceptions not even for fire review. Mr. Schofield said that the timeframes that the Village imposes on itself are shorter than the State-mandated timeframes.

Mr. Basehart said that when this is all completed, the Code will go from about 1,200 pages to 900 pages and will be simpler to read and

understand, and will better fit Wellington and its needs. Mr. Schofield added that, the Code as it exists today, lays out an application and appeal process for every type of application, but the process is nearly identical for every one, which is why there was one guide that says what might need to be different on each thing. He said that in some cases, there were appeal processes that don't exist. He said that it just makes the appeal process something that is more understandable and there is no confusion between sections.

Ms. Cramer pointed out that Council has not yet seen Article 6 because as they have gone through the rest of the articles and made all of the corrections, the meat and potatoes of the Code which is the zoning section is all in Article 6 so there were so many cross references that weren't available in the other sections so they did not have a lot of cleanup. She said that they are now finding conflicts so they have to go back and look at all those so they have a clear path of where they are going in Article 6 which is a cumbersome process.

Mr. Basehart said that they wanted to forewarn Council that codes are complex and you can't foresee every possible glitch that could happen. He said that typically when new codes are adopted, glitch bills usually come about six months to a year after they are adopted. Mr. Basehart explained that glitch bills are all those things they didn't expect which they want to try to keep to a minimum. He said that the County has been doing glitch bills every six months ever since they adopted the code in 1988.

Mr. Schofield said that even when they were going through a Code that was written in plain English, they were not in complete agreement because there were some things that needed to be complex because they might have a situation they don't cover. He said that since they can't cover everything, they would rather deal with uncertainty in a document that is written in plain English than one that is written in legalese.

Ms. Cramer said that they made some changes based on legislation that was passed that was effective on July 1st. Mr. Basehart said that codes are dynamic documents and you can't adopt a code and say this is it forever. He said that new things keep coming up that no one thought about before.

Mr. Schofield noted the new sections to vegetable gardens. Mayor Gerwig asked if the State has defined the section about vegetable gardens. Mr. Schofield said that they were going to deal with two conflicting State ordinances. He explained that there was a State law that was passed a number of years ago that said that local governments as

well as HOAs and local property associations, are required to approve vegetation plans for Florida-friendly vegetation. He said that it is broader than just Florida native vegetation or xeric as it is a bit broader than that, but they have the ability to stop bare lawns.

Mayor Gerwig asked what the difference was between Florida zero-scape and Florida friendly. Mr. Schofield explained that the legislation is now Florida friendly whereas they used to require xeric vegetation which required no water and was Florida native and has expanded it beyond that. He said that the definition to Florida friendly is vegetation that requires less water and not necessarily native vegetation, but is something that is neat and orderly. Mr. Schofield said they have now said that you can have vegetable gardens in your front law. He said that they are going to look at that and if it is something that produces something that you can consume in your household then they will deal with it that way, but it is not some type of vegetation that has no use beyond the fact that you like it.

Mayor Gerwig said that some vegetation have noxious odors and things like that. Mr. Schofield said that the Village will deal with that although he did not think they would have a lot of it. Mayor Gerwig asked if rulemaking would cover some of this. Mr. Schofield said if it has gone to DEP they are not the people who have jurisdiction over land use rules. He said the place for that would have been the Department of Economic Opportunity and Florida Division of Land Planning. He said that they will see where it is at, but they will interpret it as vegetable gardens that produce those things for consumption. He said that they are not looking at it as a commercial enterprise.

5. WORKSHOP

Mr. Schofield said that he has asked two of the Village's planners to bring Council up to date on what they can do with golf carts. Planners, Branden Miller and Ryan Harding introduced themselves.

Mr. Harding said that there had been some discussion at the Directions Workshop about looking into multipurpose paths, and they have come back with some preliminary findings. He said that they will go over it with Council and get direction as to how to proceed and also to receive their recommendations.

Mr. Harding though it was helpful to review the definition of golf cart versus low speed vehicle which would make a difference where these types of vehicles would be allowed. He said that a golf cart is defined by State Statute as a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes, and is

not capable of exceeding speeds of 20 mph. Mr. Harding further explained that golf carts by State Statute can only be operated on a municipal street that has been designated as such by a municipality. He then stated that a low-speed vehicle by State Statute is any four-wheel vehicle whose top speed is greater than 20 mph, but not great than 25 mph. He said that low-speed vehicles may be operated on streets where a posted speed limit is posted at 35 mph or less. Mr. Harding said that certain safety modifications have to be made and must be licensed in order to be a low-speed vehicle. Mr. Harding said that low-speed vehicles have to have headlights, reflectors, brakes, rear view mirrors, and seat belts. Mr. Schofield added that they must be operated by a licensed driver 16 years of age or older. Mr. Harding showed a map where they would be allowed. He showed that most of the internal neighborhoods and EOZD would allow them. He said the thoroughfares, such as Big Blue, Greenview Shores, Aero Club are all 40 mph or more. Mr. Harding then showed a map of the existing pathways that are at least 8 feet wide which is the State minimum to be allowed for a pathway for golf cart use. He said that there was a 2011 study done by Engineering that recommended at least 10 to 12 foot pathways.

Mayor Gewig questioned that wide of a golf cart. Mr. Harding indicated that it was four feet wide. Mayor Gerwig said that you could get golf carts to pass it other on a 10 foot path. Mr. Harding responded affirmatively.

Vice Mayor Napoleone asked if there were sections that were more than 8 feet. Mr. Harding said that the norther part of Flying Cow was 10 feet, and they vary slightly but for the most part they are 8 feet.

Mr. Harding showed a map of the parks pointing out that Pierson Park would be difficult to get to, but for the most part, the parks and schools are reachable by these 8 foot pathways.

Councilman McGovern said this does not allow golf carts to go up and down Pierson Road. Mr. Harding said that was correct. Mr. Schofield added that the pathways on Forest Hill are only five feet so they would are wide enough.

Mr. Schofield explained that Branden and Ryan are very good at compiling data and information, so he tasked them with looking at the neighborhoods and look at the pathways that are 8 feet or wider because the State Statute that municipalities can allow golf carts on pathways that are 8 foot or wider. He said that allows the Village to do that with some regulations. Mr. Schofield said that the first thing was to look at where you have 8 foot pathways. He said the problem with 8 foot pathways is that theoretically you can get two golf carts down there, although one or the

other will be off the pathway. He said that in almost every place where they have an 8 foot pathway, they would not have a problem recommending that with some regulations they allow golf carts with some exceptions, and some of them are where they desperately need the golf carts. Mr. Schofield said that he would recommend that if they allow golf carts with a maximum speed that bicycles and pedestrians have the right of way where the golf cart would have to pull over and yield. He said that part of the place on South Shore where the wall is there is not enough room to do that. He said that other places where they would have a problem with in terms of the width would be at Wellington Landings. Mr. Schofield said that pathway is simply not wide enough with the traffic and the foot traffic it has. He said that once they get at the school, there is not a practical way to do something and they would have to work with the school; however, they have the ability to widening it getting to the school. He said that one would have to be 10 to 12 feet wide and they have the ability to do that.

Mayor Gerwig thought that golf carts having to leave the pathway for someone to pass is part of the golf cart deal. Mr. Schofield said that would be true except on South Shore where there is no grass. He said what happens in that area is if someone is forced onto the street they may be going against the traffic. He said that the problem is that the place where they have the room to expand is on the side where they have to cross people over use it, and then they would have to cross back.

Councilman Drahos said he thought it was said you have to be 16 years and older for low-speed bicycles, and asked if there was a minimum age for golf carts. Mr. Harding said the age is 14 years. Mr. Schofield said staff would not recommend that, but 16 years old. Councilman Drahos said that the Village has the ability to impose their own restrictions. Mr. Schofield responded affirmatively. Council agreed that they did not support the 14 years old age.

Mr. Schofield said that as they get ready to bring the recommendations back to Council, staff wanted Council to see where they were at, and see where the pathways are. He said one of the things they will see on the map is that as you get east of SR7, they have appropriately sized pathways along Stribling, Lyons Road, Forest Hill Blvd and SR7; however, he did not think it was a good idea to have any system where golf carts are crossing on SR7. He said that while they might not have any problem with them operating inside Olympia or Village Walk, he would not recommend them on SR7.

Mayor Gerwig asked about the battery life. Mr. Schofield said that they would have no problem going from anywhere east of SR7 into the Mall,

but they did not know if the Mall would allow them in there.

Councilman Drahos pointed out that some of the HOAs were beginning to ban them as well. Mr. Schofield said that the Village would not control how they operate inside a gated community.

Mr. Schofield said that as they look at these things, he said that they will say where they have problems today. He said that they have problems getting in and around Wellington Landings, they are being used at New Horizons and they have the ability to use them there. He said that they also have a problem with them at Greenview Shores at the high school as they are only 8 foot wide pathways, and the foot traffic there makes that problematic so that may be an issue.

Mr. Schofield said that in some cases there may be a way to put them on to the Village's canal rights-of-way. He said that one of the places that they looked at in relation to Wellington Elementary and Binks. However, when they do that, Mr. Schofield said that they would be putting golf carts behind people's homes where they weren't before, so there would be push back with this. Council felt that they needed to avoid that.

Mr. Schofield asked staff to go through the present recommendations.

Mr. Harding outlined staff's present recommendations from the 2011 study:

- * 12 feet minimum for bi-directional traffic
- *15 mph speed limit
- *on public roads with 300 average daily trips or 50 peak hour trips and nothing higher than that.
- *provide signage, ordinance and requiring insurance and the safety standards.

Councilman Drahos asked how the Village would be able to enforce any of that.

Mr. Schofield said that when they do this, they would have to post regulations. He said if they consider this, the speed limit of a golf cart would be under 15 mph. Councilman McGovern asked what was the maximum speed of the golf cart. Mr. Schofield said that in order to be classified a golf cart, it has to have maximum speed of under 20 mph; however, he said that the golf carts that are being put out today go much faster. Councilman McGovern said that most of them don't have a speedometer. Mr. Schofield indicated that was correct. Councilman McGovern asked how that would be regulated.

Councilman Drahos said he would rather have some kind of reckless standard where someone was acting in a way that the officer deemed too dangerous. Mr. Schofield said it now has to be an objective measurable. He said that the standard in order to be enforceable cannot be subjective. He explained if an officer sees someone now that has an open container, if they are going to fast, run a stop sign and they will be able to stop them now. Mr. Schofield said that part of what they are writing is understanding that at any given time, they have 14 police officers patrolling 46 square miles with 63,000 residents so they will miss things. He said that one of the things that he wanted to recommend be done at the schools is that they have crossing guards that they be provided with the same enforcement as the code enforcement officer. Mayor Gerwig didn't agree with that noting that they are not even enforcing the helmet law. Vice Mayor Napoleone said that he did not want the crossing guards to be handing out tickets. Mayor Gerwig felt that they have enough to do.

Mr. Schofield said that as they are putting together standards, he wanted Council to think about this and provide staff with their suggestions. He said that as a minimum they will post any pathway, and if it is not posted, you can't use it there. They be held to a maximum speed of 15 mph. They must be operated by someone who is at least 16 years old and has a driver's license. He said that as a staff they had talked about was requiring a sticker be placed on the cart if they are going to operate on a Village pathway so they know that it is allowed there. Mr. Schofield said that it is done with the boat ramps. Councilman McGovern voiced his support of that.

Mayor Gerwig said that seniors have told them that they would prefer taking a golf cart somewhere as they safer.

Councilman McGovern said that there also needed to be a rule that there would have to be a spot for every person riding in the golf cart.

Mr. Schofield continued with his recommendations in that golf carts have to yield to pedestrians and bicycles even if that means stopping. He said that on local streets there has to be an engineering study saying that they can operate safely. He said that from the 2011 study that streets that have a posted limit of under 25 mph or less, their total traffic volume is under 300 per day and their peak hour is 50 or less than they know they will operate safely. He said that they don't have many residential streets that exceed that and they will have to show the streets that can do that. He said that was why they had been looking at the registration sticker because they have acknowledged those rules. Mr. Schofield said that

beyond that, they will find the pathways they feel are usable today and the ones that aren't, they will see what they can do and then provide options on what they have to do to make them usable.

Councilman McGovern thought is on South Shore it can't be done because the wall is there, then he did not believe they should be forcing it in. He thought they could start where they feel comfortable and then add as they go.

Mr. Schofield said that the ones where they know they will come back tell them that if they go down the path to make golf carts usable on public street and public sidewalks, they will provide a list of the pathways they think can be improved fairly quickly. He said that immediately those are in and around Wellington Landings and at Wellington Elementary School. He said at that school there is one side of the street that can be widened and the Village owns the right-of-way there. He said that they had talked to the School Board about dedicating that part of the roadway to them but they have not been interested in taking it.

Councilman Drahos said that there is construction at Wellington Landings, and asked if it might be a good time to address that with them. Mr. Barnes said that the parking construction was happening now.

Vice Mayor Napoleone felt that addressing the golf carts was a little overdue finding ways to encourage responsible use of alternate transportation to get around town. He said that they should try to find a way to set the rules, make it legal and liked the idea that if someone wanted to operate a golf cart on a pathway you have to get a sticker and come in and sign to obey the rules acknowledging the rules. He said also to find the pathways where you can do it now and those that can be widened. He said that the situation at the Landings is a nightmare.

Mr. Schofield said he wanted Council to see where they were at and that they had not forgotten this. He said they will provide Council with an administrative transmittal. He said that once they get the AT, and they would incorporate their comments once they get them back. He said that he wanted to be back to Council in 60 days with the progress and would get a better idea of what the cost would be in those areas where they think immediately need attention.

6. ATTORNEY'S COMMENTS

NONE

7. MANAGER COMMENTS

Mr. Schofield advised Council that the Village gave one of the buildings that they wanted to demolish up until 5:00 p.m. tomorrow to come up with a plan. Ms. Cohen added that it was for the Pineacre property and they are to come up with a realistic timeframe and plan for implementing that.

Mayor Gerwig asked if it came from the bank that owned it. Ms. Cohen said that it was from the attorney for the bank. She said that they will see if they come forward because that is a lot to digest for Tuesday at 5:00 p.m., but they have had and acknowledged the notice.

Mayor Gerwig asked if the other house had already been demolished. Ms. Cohen said that they held off so that they would both be demolished at the same time.

8. COUNCIL COMMENTS

NONE

9. ADJOURN

There being no further business to be discussed by Council, the meeting was adjourned at 5:05 p.m.