

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Monday, July 13, 2020**

**4:00 PM**

**Village Hall - Virtual**

## **Village Council Workshop**

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

**1. CALL TO ORDER**

Mayor Gerwig called the meeting to order at 4:00 p.m. via communications media technology.

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

**2. PLEDGE OF ALLEGIANCE**

Mayor Gerwig led the Pledge of Allegiance.

**3. REVIEW OF COUNCIL AGENDA**

Mr. Schofield introduced the agenda for the July 14, 2020, Regular Council Meeting for review. He said that there was nothing for Presentations and Proclamations.

**A. [19-3347](#)**

A. AUTHORIZATION TO EXECUTE A GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT FOR THE REHABILITATION OF VILLAGE PARK FIELD 21

B. APPROVAL OF BUDGET AMENDMENT R2020-19 (AMENDING THE GOVERNMENTAL CAPITAL FUND BUDGET)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE GOVERNMENTAL FUND CAPITAL BUDGET FOR FISCAL YEAR 2019-2020 BY ALLOCATING GENERAL FUND BALANCE FOR THE VILLAGE PARK FIELD IMPROVEMENTS PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He stated that this is the Authorization to execute a Guaranteed Maximum Price (GMP) Amendment to Burkhardt Construction, Inc. for the Rehabilitation of Village Park Field 21 at a cost of \$1,464,774.16; and Approval of Budget Amendment R2020-19 Amending the Governmental Capital Fund Budget. He said that this was already in the budget. He said that they had actually budgeted the repair at fields 6, 7 and 21, but fields 6 and 7 are subject to a grant application and are waiting to receive \$400,000 in grant money. He said that they cannot start the work prior to receiving that grant, so they are amending it to just do field 21. He explained that field 21 is a baseball field, so it has clay and many other things that need to be completed. He stated that fields 6 and 7 are multi-purpose fields and

they actually cost less.

Mr. Barnes explained that fields 6, 7 and 21 are located at Village Park. He said that field 21, the subject of this approval, is the baseball field and is the only high school sized regulation baseball field. The process that they are going through as the CM, allows them to work with the contractor as they were finalizing the scope and the design of the project improvements. He said that the reason Mr. Schofield noted the difference in the cost is the fact that ball fields are a little more complicated than general multi-purpose fields. General multi-purpose fields are generally just turf, irrigation and drainage. The ball field would have clay work and different types of turf in the outfields, infields, etc. He said that staff and the team have reviewed it on the operations and maintenance ends and they are recommending approval to move forward. He said that assuming they are successful in the recommendation and approval at the Council meeting, he expects the following posted timeline and the fields to be completed by January 2021.

Mayor Gerwig asked if this field has the high school length limits.

Mr. Barnes stated that was correct. He said that this would be the only field they have that has the high school regulations that can also be used by the American Legion summer play as well as the older age groups (14 and above) for travel baseball.

Mayor Gerwig asked if the field was in use now.

Mr. Barnes stated that it was not. He said that there is not any use that is going on right now as the schools are not using it and travel is not using it. They are using Olympia Park.

Councilman McGovern said that he understands that they are just breaking out what they previously approved so that they are taking the three fields essentially separately, or at least one field separately and the other two together waiting on the grant application and other than that there would be nothing new here.

Mr. Barnes stated that was correct. He said that these are the same three fields that they have been talking about for awhile now. He said that since Ms. Quickel and her team were successful in obtaining some additional grant money for fields 6 and 7, they did not want to risk losing that by starting those fields at the same time nor did they want to put off being able to start this field now given the down time they are experiencing with some of the programming. They would like to move forward with this field now.

Mayor Gerwig said that it sounds like a good use of resources and working with the grant funding.

**B.**     [19-3511](#)

**AUTHORIZATION TO RENEW AN EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND WASTE MANAGEMENT, INC. OF FLORIDA, FOR SOLID WASTE AND RECYCLABLE MATERIALS COLLECTION SERVICES**

Mr. Schofield introduced the item. He said that this is the Authorization to Renew an Exclusive Franchise Agreement with Waste Management, Inc. of Florida ("Waste Management") for the Collection of Solid Waste and Recyclable Materials, in the amount of approximately \$3,914,832 for Fiscal Year 2021. He said that this has a slight increase in it. He said that he believes they will fund the excess increase by the Solid Waste Reserves. He said that there will not be a change in rate and it extends the contract for a year.

Mr. Barnes explained that the original contract for the solid waste collection was approved in 2015 and was a five year contract with three 1-year renewal options and this would be the first of those renewal options. At the time that this was being looked at for renewal, staff was looking at it and determined that based on what they have seen in the market, they definitely wanted to pursue renewal with this contract. He said that they met with Waste Management and what they came in at versus what they have negotiated with them will be described shortly. He said that the current contract is set up with CPI increases. He said that if they just look at the CPI increases, they would see an increase of around a net of \$51,000 if they just utilized the renewal on CPI increases. After meeting with Waste Management and analyzing the contract itself, it was determined that this contract has been under-billed by Waste Management by just around \$200,000 based on the utilization of a lower unit count. The unit count is the basis for the cost of the contracts in the number of units they actually collect. He said that they are not considering going back and re-evaluating those undercharges and neither is Waste Management. He said that going forward and what they are doing currently, they have reflected an updated unit count. Based on the current unit count, which is 20,698, Waste Management is asking for a \$1 increase per unit. The Village has negotiated \$.90 per unit. Staff recommends that the Village moves forward with the project and renew for one year at the \$.90 per unit, which equates to a net increase of just under \$300,000 a year. He said that included additional franchise fees that they would collect on the gross revenues on the actual contract. He mentioned that this contract includes some of the same provisions that were in the original contract. This would include Waste Management's funding of different community efforts and events, including \$25,000 that previously was allocated across different community partners. He said

that they would have that coordinated with the Village so that they could have that determined in advance of the different programs that the money can go to.

Councilman McGovern said that as he understood, that is not new money.

Mr. Barnes stated that was correct. He said that is in the current contract of the five year term. He said that it is the same dollar value, but what is different about it is that instead of allowing Waste Management to determine who or what events it is given to on their own, the Village would be involved in the process of making those determinations. There have been several communities that have gone out for bids for solid waste service and what the Village has determined, based on our current rate, they would increase it just by the \$.90 per unit and they would still be well below the average of all of the surrounding communities within the county. This would come in with an average of \$17.00 per unit for collection, so they feel it is appropriate to move forward with this recommendation for the one year extension and exercise that option for the Village. He said that they are looking at just under the \$300,000 per year increase, including a net franchise fee. He said that this increase would not result in any rate increase for the customer but will be handled by the Solid Waste Reserve Fund.

Mayor Gerwig asked if they feel this is the best option instead of going out to bid right now.

Mr. Barnes stated that they believe so. He said that this is based on what the other communities have had their bids come in at.

Mayor Gerwig stated that they did not have any complaints about the service.

Councilman Napoleone asked if this is the last year of the renewal term.

Mr. Barnes stated that this was actually the first renewal term. He said that there are two additional renewal options that they can exercise in the future. He said that the service has been very agreeable and complimentary. He said that they have been able to generally work out any concerns or issues with Waste Management and their team. He mentioned that one thing that will be in this contract that was not in the prior contract is the issue of pickup on the day after Thanksgiving and day after Christmas. Waste Management has agreed that they will handle those routes that would normally be skipped due to the holidays and they would bring in additional trucks to handle that.

Councilman McGovern stated that he believed that was a very good change. He asked Mr. Barnes to explain the section of the increases in the contract that stated "The revisions to the contract amount to a \$296,000 increase." He said that he saw an amount of \$223,000 and an \$88,800 amount and he is wondering how they arrived to the \$296,000 total.

Mr. Barnes apologized and said that he did leave something out of his discussion. He explained that the original contract calls for increases based on Consumer Price Index (CPI). In the course of negotiations, Waste Management believes and staff does not necessarily disagree after some research that in lieu of using CPI, which uses many factors, they are utilizing a different index. They are using the Water, Sewer and Trash Index (WST) and that increase, in lieu of the CPI, ends up being an \$88,000 difference. So, it would be taking the \$.90 times the number of units, which is 20,698 times 12 (months) brings you to \$223,538.40 and the estimated increase is the \$88,800, which brings it to \$312,338.40. He said that they also get a 5% Franchise Fee returned to the Village on gross revenues, so the net additional revenue that is being shown here would amount to around \$15,616.

Councilman McGovern said that they are just subtracting that amount out and that is how they are getting less than the \$300,000.

Mr. Barnes stated that was correct and that is how they get to the \$296,000.

Mayor Gerwig asked if they are "trued up" as in they have an accurate service count.

Mr. Barnes stated that was correct. He said that the unit count was correct and going forward they have checks in place.

Councilman McGovern asked about the comment of "we do not necessarily disagree." He wanted to know if they came up with the CPI versus the WST other than to get the \$88,800 and what is the point of it.

Mr. Barnes stated that some contracts utilize CPI, some contracts utilize WST and some contracts utilize a hybrid version where you take 90% factor of CPI and a 10% factor for fuel costs. He said that there are many ways to come up an annual index by which you would evaluate your unit costs to reflect costs of goods going up, costs of services going up, etc. He said that having not used WST before, they did do some research into it and it is not unheard of to utilize these types of contracts. He said

that it is also utilized in some of the other work in the Utilities Department because it is Water, Sewer and Trash. He said that it is something that they would not necessarily not consider and when they looked at it, they felt that it would not be an unfair change to make in this particular extension given that while there are provisions that they needed to come back to us sooner, they are all negotiating in good faith. He said that they are not revisiting any values of the past that were under billed and similarly they have agreed to our reduced unit cost increase of \$.90 versus \$1.00.

Mayor Gerwig asked what the contract calls for specifically. She asked if it called for a certain index to be used for the CPI.

Mr. Barnes stated that the original contract was CPI.

Mayor Gerwig asked if staff did not think that WST was appropriate before.

Mr. Barnes stated that it was really more of a matter of the contract drafters and the original negotiating process they went through at that point. He said that they employed an outside contractor, David Dee, outside legal council, to assist with the Village in the RFP process as well as the contract drafting. At that point, that was the recommendation and so they went with that. He said that some other contracts down in Broward use WST.

Councilman McGovern asked what other Palm Beach County municipalities for Waste Management use WST.

Mr. Barnes stated that he is not sure and would have to double check that and get back to them. He said that he is not aware of any that do that now, but he could be wrong.

Councilman Drahos asked if they are under any obligation to change the terms of this deal and invoking this renewal option or can they just insist they are honoring the last five years of the contract and in the next three renewals they expect the same terms.

Mr. Barnes stated that Waste Management has agreed that technically the Village could tell them to forget the requirement that they are asking for and increase us the negotiated renewal amount and that would equate to a close to \$51,000 increase, which is the result of the CPI increase around \$54,000 with 5% in Franchise Fees returned back to us, which is just shy of \$3,000. He said, however, that going forward for the additional two years that they could consider renewal options on, just like

they now would have the options to not exercise those options. He said that in order to exercise those options, Waste Management would have to agree to those terms and he is pretty certain that they would not agree to those same terms for the second and third renewal options.

Mayor Gerwig mentioned that there was a benefit of setting this standard now and moving forward.

Mr. Barnes stated that was correct.

Councilman Drahos asked how does the Village know that Waste Management will not come back to us next year and ask for more or honor the same deal and will the Village then go out to bid. He asked if those would be the three options.

Mr. Barnes stated that would be correct. He said that without knowing the future, there is a chance that the Village and Waste Management would be in the situation that there would be some substantial contract revisions where the recommendation would then be to go out for bid. He said that without some major changes, one of the key components in the contract has the cost of the services not being ideal for everyone is the equipment replacement provision. As of right now, they are seven years and so next year, a requirement of all new equipment would be put in for the new terms. This is something they probably have not factored in, but it was in the same contract originally. He said that it could be likely that they go out to bid for the next term.

Councilman McGovern stated that he feels that Waste Management has done a generally good job and they have been pleased with them. He feels that they negotiated a very good deal five years ago. He said that he is still very unclear why they are switching to this other index other than to shift money to them.

Councilman Napoleone asked what the dollar differences are between the two indexes.

Mr. Barnes stated that with the WST it is \$88,800 and with the CPI it is \$54,000, so it is approximately a \$34,000 difference.

Mayor Gerwig asked if there would be a mechanism for them to decide to go back and audit and collect for the under-billed units.

Mr. Barnes informed the Council that at this point, with the provisions of the contract, that time has passed so they would not be able to go back on that and they understand that as well.



Mayor Gerwig asked if there was any talk about losing any of the recycle services.

Mr. Barnes stated that there was not.

Mr. Schofield stated that one way or another, they would most likely be out for a bid next year. He said that the Village's current rates are significantly lower than those in surrounding communities and they are lower than the County contracts. He said that between now and when this contract expires, they are going to talk to Waste Management about some middle-ground, but his expectation is that when they go out to contract again they are going to be looking at rates that are closer to normal than what they are currently paying. He said that he feels Mr. Barnes did a good job in getting this negotiation done to this point where they can continue it because when they started this, they were looking to go out now. He said that if they go another year, then they have a year to figure out how to keep those rates as low as they can before they end up re-bidding.

Mr. Barnes stated that one of the factors of discussion, between what they asked for and what was in the original contract regarding the renewal option, is the large volume of vegetation waste. He said that they do a good job of picking that up. He said that they have not really enforced a limit on vegetation waste. He mentioned that Wellington residents do an aggressive job with maintenance on their properties and that they are seeing in the upwards of \$200,000 a year of vegetation waste removal in overages that are not reimbursed. He said that based on the formula that is used by the Solid Waste Authority, there is a process by which they are paid based on the volume and it always exceeds those. He said that this was factored in when they opted to use WST versus the CPI. He said that they are not enforcing that limit as of now.

Mayor Gerwig informed Mr. Barnes that she was told by some residents that they were told they were being too aggressive in their trimming and that they had to have their greenery removed privately as they were over the limit. The residents had done the work themselves and she said that it was not right for the Village to do that.

Mr. Schofield stated that there were two things being factored here. He said that normally Wellington is at about 20% above whatever other communities generate, especially when they get into the equestrian area. He said the other thing that has happened is that people have been home with COVID-19 and the amount of vegetative waste has gone up

yet again. He said that they have always been over, but they are over more yet again. He said that they are not looking at it this year as this is an anomaly year, especially in the equestrian preserve or Little Ranches where they can put out large amounts of vegetative waste at a time. He said that they would very rarely say anything to the residents, but the last few months have been different because it has been so overwhelming all across the county. It is not just Wellington that is experiencing this.

Mr. Barnes mentioned that he was curious to find out what happened where they have had to have the waste privately picked up. He said he would like to know whether it was handled by the homeowners.

Mayor Gerwig stated that it was the homeowner that took care of it, but it was Code Enforcement that told them that it was too much to have picked up by the Village. She said that she would get the information to Mr. Barnes.

Councilman McGovern asked if this was moving more toward a "Zero Tolerance" plan and will that begin with this contract or more after this upcoming year.

Mr. Barnes stated that he believed it would be after the upcoming year. He said that they can decide how to do that before they put it out for bids. He said that it is certainly a Code issue more than a Waste Management issue.

Councilman McGovern asked what else did Waste Management ask for other than the \$1 that was negotiated to \$.90.

Mr. Barnes stated that they started out with the \$1 and then they realized that the Village was not going to do much more than that. They negotiated the \$.90 and then they moved on from that to the WST index versus the CPI. He said that was it.

Mayor Gerwig said that they are thinking that CPI is not a valid analyzer for the cost.

Mr. Barnes stated that it is and it is not. He said that you could find data support for and against whether you were to use CPI, WST or whatever they decide to use. He said what they saw was a give and take. He said that they did not want to go to a zero tolerance on vegetation in this contract; going from no enforcement to 100%. He said that they felt this was a good middle ground.

Councilman McGovern asked about the \$.90 equating to \$223,000

annually.

Mr. Barnes stated that was correct.

Councilman McGovern asked if it had been the \$1 would it have been around \$247,000.

Mr. Schofield stated that it would be about \$22,000 more.

Mr. Barnes stated that was correct.

Councilman McGovern stated that it seemed to him that it would have been a better deal to give them the \$1 and not go to the WST.

Mr. Barnes stated that they could certainly do that.

Councilman McGovern asked if Mr. Barnes could tell him what other communities in Palm Beach County use the WST versus the CPI.

Mayor Gerwig stated that the other important thing that was added to the contract are the days after the holidays.

Mayor Gerwig stated that they could pull it for the next meeting.

Councilman McGovern stated that he was not ready to do that until he talked to Mr. Barnes between that time and the next meeting.

Councilman Drahos stated that he may consider pulling it as well. He said that he has a few more questions that he needed to consider that evening before the meeting.

**C.**     [20-3775](#)

**AUTHORIZATION TO AWARD A CONTRACT FOR THE WATER TREATMENT PLANT CLASS I INJECTION WELL SYSTEM MECHANICAL INTEGRITY TESTING**

Mr. Schofield introduced the item. He said that this is the Authorization to Award a Contract to Southeast Drilling Services, Inc. for the Water Treatment Plant Class I Injection Well System Mechanical Integrity Testing, in the amount of \$68,500.00. He said that this is required by the State of Florida and they must be tested every five years. He said that it has been five years since the last time they completed the last mechanical integrity test. He mentioned that the budget for this was \$240,000 and the actual cost is \$170,000. He said it mainly checks to see if the wells are functioning as they should.

Ms. LaRocque informed the Council that the Injection Well at the Water Plant is used to dispose of the reject water from our membrane treatment plant. The Village's Department of Environmental Protection (DEP) permit requires a testing every five years to ensure that the well integrity has not been diminished. She said that staff prepared specifications and put it out to bid. She said that the low bidder was Southeast Drilling Services, Inc. in the amount of \$68,500. She said that they are recommending going forward with Southeast Drilling. She said that this is pretty standard and there is nothing concerning or challenging as it relates to this. She said that the budgeted amount is \$75,000. She said that there would have to be some modification of the plant while this is being performed, but it should not interfere with getting water to the residents.

Mr. Schofield stated that he apologized and the numbers he gave previously were from another item on the agenda.

Councilman McGovern asked if this was last done five years ago.

Mr. Schofield stated that was correct.

Ms. LaRocque stated that was correct and it was actually done in October and they will do the same this year. She said that they will have it done and renew their permit at the same time once they complete the tests. She said that they expect the job to come in as less than what is proposed, but they are budgeting for any possible situation, should it happen. They do not expect it as the operating data that has come in over the last five years has been very good.

Mayor Gerwig asked if the Village has used this firm before.

Ms. LaRocque stated that they are a very prominent well drilling firm and they do integrity tests and well construction/rehabilitation. She said that it is very likely that they have had them on a contract at some point in time.

Councilman McGovern asked what she meant by some modification of the plant.

Ms. LaRocque explained that currently all the reject water goes down this injection well, during that period of time it will not be able to, so they will send the reject water to the deep injection well at the water reclamation facility. She said over the past year, they have been working very hard to make sure that system is 100% functional in anticipation of this work to happen.

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**D. [20-3784](#)**

**AUTHORIZATION TO RENEW AN EXISTING CONTRACT FOR THE**

**PURCHASE AND DELIVERY OF SPORTS UNIFORMS**

Mr. Schofield introduced the item. He said that this is the Authorization to Renew an Existing Contract with Scotty's Sport Shop, Inc. for the Purchase and Delivery of Sports Uniforms in the amount of approximately \$78,000 annually.

Mr. Barnes explained that this is a local vendor that they have utilized from a bid. He said that this is the existing contract and they are renewing it. He said that this is the last renewal and they utilize Scotty's for several of the sports that they operate internally for sports uniforms and related accessories.

Councilman McGovern asked when this contract begins. He asked if it is October of this year to October of next year.

Mr. Barnes stated that was correct.

Councilman McGovern asked if this was a contract where if they do not use it, they do not pay or is there a minimum they are guaranteed to get.

Mr. Barnes stated that there was no minimum spend on the contract. If the Village buys uniforms, they pay for them. He said that last year they spent approximately \$74,000 and they have \$78,000 budgeted. They budgeted that amount assuming they will have all the programs with the same numbers as in the past.

Councilman McGovern asked if programming has decreased because of COVID-19 and that does not happen, then there is nothing about this contract that requires the Village to spend the money.

Mr. Barnes stated that was correct. It is just the opportunity to use the vendor and they are ready when the Village does need the services.

Mayor Gerwig stated that he is a good local partner and she mentioned she was happy to see this item.

**E. [20-3815](#)****AUTHORIZATION TO AWARD CONTRACTS FOR PALM TREE PRUNING AND ROOT PRUNING**

Mr. Schofield introduced the item. He said that this is the Authorization to Award a Palm Tree Pruning Contract and a Root Pruning/Barrier Installation Contract to Multiple Vendors, in the amount of approximately \$50,000 annually. He said that this is actually being approved for two contractors: a primary and a secondary.

Mr. Barnes explained that in the past they have had one vendor do the

pruning and the root pruning/barrier installation. He said that last year they only spent around \$30,000. He mentioned that one of the issues of why they put it back out to bid is that one of the vendors they used to have would only come out when they had a big enough job. When they had smaller jobs, they had to handle it through alternate purchasing methods. He said that they put this bid out this year to be able to address all sized projects and they believe the vendors they now have will be able to address those.

Councilman McGovern asked who is the vendor now.

Mr. Schofield stated that the vendors right now are MainGuy Landscape Services and Duffy's Total Care Lawn Service for root pruning and for palm tree pruning. Duffy's is the primary and MainGuy is the secondary.

Councilman McGovern stated that is under the new proposed, but asked what about the current vendor.

Mr. Barnes informed the Council that they had Bartlett for root pruning and that is who they had the issue with. He said that with the proposed contractors, he believes they will correct this issue. He said that they actually have \$75,000 budgeted and they only had \$30,000 on the contract last year because the contractor refused to come out for small projects.

Mayor Gerwig stated that this was important because they need to maintain the sidewalks and it is important maintenance.

**F.**     [20-3851](#)

**AUTHORIZATION TO AWARD A SOLE SOURCE CONTRACT FOR THE WATER RECLAMATION FACILITY DRYER REHABILITATION PROJECT**

Mr. Schofield introduced the item. He said that this is the Authorization to Award a Sole Source Contract to AIT Services, Inc. for the Water Reclamation Facility Dryer Rehabilitation project, in the amount of \$170,704.00. He said that the budget for this is \$240,000.

Ms. LaRocque explained that the dryer was constructed in 2012 at a cost of around \$4 million. Since that time, staff has been doing in-house general maintenance on the dryer. She said that it has been functioning fine, but due to its criticality of operation, she said she thought it would be a good idea to bring in a third party to inspect the equipment. She said that it is a very large, complex piece of industrial equipment and it really extends beyond our internal maintenance to do the items that are outlined in the agenda item. She said that the people with AIT are actually the same individuals that patented the dryer, designed the dryer and built the dryer system under the contract of a general contractor, so they felt that

they were the most qualified to do the work. She said that to ensure that there was not anyone else that wanted to do the work or was qualified to do the work, Purchasing put out a solicitation for a week. This was basically a request for information. She said that they received no information and so they decided to move forward with AIT. She said that it is in the amount of \$170,704.00 and will require them to take the dryer out of service for around three to four days. She stated that they will have to work operations around that. She said that this is a line item within their budget to perform this work. She said that given the criticality of this, they need to move forward on this right away. Ms. LaRocque stated that the alternative to this is to take it to the Solid Waste Authority for our emergency hauling contract that Council approved several months ago and that would be very expensive and would quickly exceed the \$170,000 that it costs the Village to just repair the dryer at this time.

**G.**     [20-3853](#)

APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND THE TREASURE COAST REGIONAL PLANNING COUNCIL FOR STATE ROAD 7/441 CORRIDOR – MALL AT WELLINGTON GREEN ANALYSIS

Mr. Schofield introduced the item. He said that this is the Approval of An Interlocal Agreement Between the Village of Wellington and the Treasure Coast Regional Planning Council for State Road 7/441 Corridor - Mall at Wellington Green Analysis for a Not-to-Exceed Fee of \$119,375.00. The amount to pay Treasure Coast Regional Planning Council is just under \$115,000 and there is about \$5,000 in there for things that they may identify during the interim.

Mayor Gerwig asked if she should recuse herself from the discussion because she is on the Treasure Coast Regional Planning Council.

Ms. Cohen stated that she should recuse herself.

Mayor Gerwig stated that she is on the Treasure Coast Regional Planning Council and knows that there is no benefit to her and is not paid for that position. She said that based on the County code, she was to recuse herself from the discussion. She left the meeting.

Mr. Schofield informed the Council that they have been talking for some time about making sure that, as they deal with the problems that the Mall at Wellington Green is having, those problems have been compounded recently with the fact that they have defaulted on another \$600 million worth of loans.

Councilman McGovern asked if that was all at the Mall at Wellington Green. He asked if that was across all their properties.

Mr. Schofield stated that it was across all their properties. He said that in the discussions, one of the things they are absolutely needing was an outside review so that when they are making decisions, the information is not solely provided by the property owner.

Mr. Stillings explained that they started these conversations with Treasure Coast shortly after they received the Starwood Proposal. He said that the Village wanted to get their own understanding of what the marketplace might provide as well as what might be viable long term in the corridor, not only at the mall but on some remaining parcels to the north, south and to K-Park. He said that the scope is to analyze the physical as well as the market and real estate conditions and help us identify some of the development potential in terms of scenarios so they can decide and define what is best for the Village. He said that within that, look at our own regulatory framework, including the Comprehensive Plan and see what changes they might want to consider to best anticipate those changes and position ourselves for that future. He said that a lot has happened since they have started those conversations, so this scope of work will take up to 12 months. He said that one of the key things about working with Treasure Coast is that they have the flexibility to work with the Village. They are a partner with municipalities and local governments throughout the region. He said that he felt that as compared to a consultant who just may want to get the job done, they are going to work with the Village to push and pull this as they need to based on what is happening with COVID-19 and some of the other things in the marketplace. He said that in his personal experience with working with them on other projects, it may look like a fairly significant price tag but it is definitely less than could be seen with a private consultant. He said that they tend to work with the Village on what the scope changes might need to be throughout the process versus just simply wanting to bring us back and make contract changes and scope adjustments by price. He said that it is a strong partnership that they have developed throughout the years and one that will provide the Village with a good product and a good deliverable at the end of this.

Mr. Schofield mentioned that Mr. Stillings provided the Council with links to the work that Treasure Coast has done. He said that the work the Treasure Coast did with Palm Beach Gardens was very good and it will give us an idea of what they are looking at. He said that part of that scope of services is that they talk with the municipalities around us, taking a look at the development patterns so that we are not making that decision based solely on today, but one that takes a realistic look into the future. This would allow the Village to make some land use decisions for a property that is going to undergo major changes in the next decade.



Councilman McGovern stated he had two questions. He asked in light of the COVID-19 situation, is this something the Village should be doing now. He said that we do not know what the scope of this is and where we are going to be at the end of COVID-19. He asked if this is something we should be waiting on. He said that we do not know what the current status is of the mall proposal. He asked if the mall proposal was being withdrawn or not moving forward at this time for whatever economic reasons, would the Village still want this study.

Mr. Schofield stated that he would absolutely still want the study even if the mall proposal was going to be changing because right now, the only data we have is information we believe we know based on the experience of the State Road 7 Corridor. He said that before we make decisions based solely on what the mall wants to do or what they think they want to do, we need to know what the market is in the State Road 7 Corridor. He said that we know at some point, they want to ask for potentially two hotels and may want to ask for potentially at least another 1400 units and they want to look for some other changes. He said that those are things that they want, but they do not know whether they will work or not and to make a decision based simply on what they are telling the Village without any data to back it up, he feels it is important to have that data upfront. He stated that he believes the effects of COVID-19 may be felt for a couple of years. He said that regardless of where we are with COVID-19, they are going to have to find something to do with that property and now is a good time to do this because he does not want to see the Village in a position where there is no alternative for a major piece of property at a major intersection for 30 years.

Councilman Drahos asked for clarification as to what some of the things meant. He wanted to know about the three phases. He said that it says in Phase 1 is the estate market analysis and also in Phase 2 and 3. He asked why there are three different phases and what are they looking at. He also asked about the stakeholder interviews. He wanted to know who picks the stakeholders and what kind of stakeholders are they talking about and is the Council involved in helping to identify the stakeholders. Councilman Drahos asked for a little more detail for these items.

Mr. Lanahan, Treasure Coast Regional Planning Council Executive Director, explained that they identify the stakeholders as those working in conjunction with Village staff as well as Council. He said that the Council is typically among that group of stakeholders that they will do interviews with and then identify more with Village staff. He said that sometimes there is a secondary group that gets identified when interviewing known stakeholders. He said that as far as the different types of real estate analysis, they will contract with a consulting firm to assist them with this.

He said that they are a national firm, but they do a lot of work in Florida. He said that they worked on the Palm Beach Gardens project and a number of other projects in the area. He stated that there are different levels of analysis that they do. He explained that Phase 1 is the demographic overview, economic profile and evaluation of the real estate market conditions, which is the existing stage. Phase 2 looks at market potentials, relevant case studies and best practices. With Phase 3, it would be an economic impact analysis, which would basically be driven by concepts that come out through the process of evaluating what are good uses that could go on that site or in that area. Mr. Lanahan said that they will then test those uses or concepts against the market potentials.

Councilman Drahos stated that residents will ask why they do not try to get particular restaurant chains. He said that the simple answer has always been that the numbers have not always been that great and the chains are not interested. He asked if they will be doing that kind of analysis as to how appealing the Village would be to particular tiers of restaurant chains or commercial businesses or is this a general broad strokes overview of the market.

Mr. Lanahan stated that it could include categories. He said that he knows that they have looked at different hotel levels and said that restaurants could come into play as well. He said that different ones such as high quality, sit down and fast casual are some categories and they do get involved at that level. He said that he does not believe they get into individual brand names, more of categories. He said that if there was a particular "piece" that they are wanting them to look into, then just let them know and they could probably get them to look at them now.

Mr. Schofield stated that one thing is that they do not very often let these kinds of contracts go. The Chief Executive of this organization who is doing it has a significant amount of local experience. He informed them that Mr. Lanahan was the Greenacres Planning Director for a number of years.

Councilman Drahos asked who does the conceptual design scenarios that are mentioned. He asked if it was an in-house person that does that.

Mr. Lanahan stated that they do have people on their staff, Dana Little and Jessica Seymour, who are both very experienced Urban Designers. Ms. Seymour is a registered architect and Mr. Little has urban design experience all over the country. Mr. Little has worked for national consultants, but has been with the Treasure Coast for a long time. He said that the Council has done development planning all over the region

and State. He said that is a local capability that as they get into projects they will scale up, if need be. He said that they will bring in others that they work with all the time, some of who used to be on staff there.

Councilman McGovern stated that when he looked at Attachment A/Project Description, it talks about develop design scenarios for Village owned parcels consistent with the market setting. He asked first what Village owned parcels are they talking about and second, what kind of design scenarios are they talking about. He said that he did not know they were looking for that.

Mr.O'Dell stated that K-Park was one parcel that the Village had on the State Road 7 Corridor that they will be looking at where they might be able to do that scenario. He said that they will be looking at how they might be able to develop that in different fashion. He said that they know residential is one component, but they know another component could be adding to our scenarios associated with the medical arts district and the medical components as well. He said that different scenarios and what they are looking at is in the marketplace and what they see missing from our overall employment type activities.

Councilman McGovern asked when they intend to start this if this is approved at the next meeting.

Mr. Lanahan stated that the schedule shows August, so they would have to get the contracts executed and then get underway.

Councilman McGovern asked how they expect that to get impacted by COVID-19.

Mr. Lanahan stated that they have had agreements over the course of the year that were written in a different time than they are now. He said that with what they are in now, they have had to get dynamic and do virtual workshop sessions, which have gone well. He said that this agreement has had the advantage of having been written after part of this whole COVID-19 issue started, so he does not think it will impact them getting underway. He said that it is conceptualized with a lot of this activity happening remotely. The interviews will not be face to face and the data gathering their consultants can do that remotely. He said that he does not think it will slow them down, at least initially. He stated that there is a "circuit breaker" in between each of the phases that when they find things out, the Village can say that there is so much uncertainty that they can request to look at things a different way or explore something different. He said that they will certainly work with the Village on that. He said that a lot of this data is historical data and they try to project from it. He said

that there will be pieces that will be best effort and there is a lot of experience coming to bear on this. He said that they will be able to get underway.

Councilman Drahos stated that he thought Councilman McGovern's concern about doing this during the COVID-19 era is well put. He said that we do not know what is going to happen to the mall and COVID-19 could be the "nail in the coffin" for that property. He said that he would like to be able to hit the ground running by having a study available for when we reach that point. He said that his concern is that this study includes K-Park and our residents have already been through this sort of exercise in Town Hall meetings and expressing their wishes for the property. He said that being five years from that, he thinks it would be helpful to have a refresher but whatever data was obtained from those other K-Park meetings should be available to them as they start this process.

Mr. O'Dell stated that they will be providing all the data that they have on both K-Park and the Wellington Green Mall.

Mr. Stillings stated that one of the reasons that they wanted to include K-Park was to illustrate what would happen if one variable was put on the mall, what might that do to the market capability at K-Park or vice versa. They would like to see what impact something would have in either direction.

Councilman Napoleone stated that those two parcels need to harmonize because they are only a couple hundred yards apart.

Mr. Schofield stated that the properties are too big to not consider.

Vice Mayor Siskind stated that since it had been five years since the K-Park community discussions, the timing is probably really good right now to have a study and see where they are at. She mentioned an effort to get something going on that property that was being discussed on social media. She suggested that the committee take part in the study. She said that she is concerned about spending money at a time like this, but she does see the reasoning behind it and thinks that there could be a lot of value coming out of it.

Councilman McGovern stated that he felt that if they were going to do this, the committee should wait until the study is done.

Councilman Napoleone mentioned that the experts should talk first.

Mr. Schofield stated that he told the resident that whatever happened in K-Park would not happen until after adoption of this year's budget and they would not be into anything until the 2022 budget for looking at something in 2023. He said that the focus group is definitely people they need to talk to once they get the data. He said that the K-Park is too important to the corridor. He said that the K-Park property could stay agricultural or become agri-tourism. It varies on how they look at State Road 7 and even other things come into play that are going on now. He said that Palm Beach County collected nearly \$900,000 in impact fees for improvements on State Road 7, which they did not talk to the Village about, so they are in discussions with Department of Transportation about keeping them in the budget.

Councilman Drahos thanked Mr. Lanahan for being there to answer questions.

Mayor Gerwig returned to the dais after the discussion of the item was over.

H. [20-3874](#)

A. RESOLUTION NO. R2020-28 (COMMUNITY DEVELOPMENT BLOCK GRANT CARES ACT FUNDS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND ADOPTING AN AMENDMENT TO THE FIVE YEAR CONSOLIDATED PLAN AND ANNUAL ACTION PLAN TO ALLOCATE CDBG FUNDING UNDER THE CARES ACT; AND PROVIDING AN EFFECTIVE DATE.

B. RESOLUTION NO. R2020-27 (BUDGET AMENDMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CARES ACT FUNDING)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND ADOPTING AN AMENDMENT TO THE FY 2019/2020 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CARES ACT FUNDING, AUTHORIZING THE VILLAGE MANAGER TO FORWARD THE AMENDMENT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AMENDING THE FISCAL YEAR 2019/2020 GENERAL FUND BUDGET; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He stated that this is the Approval of Resolution No. R2020-28 Approving and Adopting an Amendment to the Five-Year CDBG Consolidated Plan and Fiscal Year 2019/2020 Action Plan, to allocate funding under the Cares Act, and Approval of Resolution No. R2020-27 Amending the Fiscal Year 2019/2020 General Fund

Budget for the CDBG Cares Act Funding. He said that one item in the Community Development Block Grant (CDBG) is in the amount of \$249,868 and the second item through that grant is in the amount of \$171,436. The Village is required to take action on these grants in order to collect the grant money and then they need to do the budget amendments to add that money into the budget. These resolutions are to have Council action authorizing the Village to accept and distribute the funds and then the resolution to put the funds into the budget in the appropriate areas.

Mayor Gerwig stated that they want to make sure to make the most of them so she appreciates what they are looking at. She said that summer camp scholarships was there and asked if that is for next summer.

Ms. Quickel stated that it would actually move forward later in the year with the Boys and Girls Club for some of their other programs that they offer.

Mayor Gerwig asked if they were still going to be able to get them and use them. It will be through the Boys and Girls Club, but it will not necessarily be a summer camp.

Ms. Quickel stated that was correct.

Mr. Barnes stated that it will be for camps, whether they be for the Village camps or for programs with the Boys and Girls Club. It could be used for camps over winter break, spring break, etc. so they can continue them on and not just be used for the summer.

Mayor Gerwig stated that she liked the 26 passenger bus idea. She said that it would be a benefit to the community to move larger groups of kids around. She asked if they keep it.

Mr. Barnes stated that was correct. They would actually be purchasing the bus.

I. [20-3877](#)

ORDINANCE NO. 2020-10 (COVERED ARENAS IN SUBAREA F OF THE EQUESTRIAN OVERLAY ZONING DISTRICT (EOZD) ZONING TEXT AMENDMENT (ZTA))

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING SECTION 6.8 OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS TO ALLOW COVERED AREAS WITHIN SUBAREA F OF THE EQUESTRIAN OVERLAY ZONING DISTRICT; PROVIDING SETBACKS FOR COVERED ARENAS WITHIN SUBAREA F; PROVIDING A CONFLICTS CAUSE; PROVIDING A

**SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

Mr. Schofield introduced the item. He said that this is the Approval of Ordinance No. 2020-10, a Zoning Text Amendment to Amend Table 6.8-2, EPA Setback Table, of the Land Development Regulations (LDR) to provide setbacks for Covered Arenas in Subarea F of the EOZD; and Section 6.8.9, Supplementary Standards for Principal and Accessory Equestrian Structures and Uses of the LDR to allow Covered Arenas in Subarea F of the EOZD. He said that he was not sure if between now and the next meeting he could get a request in to move that.

Mr. Stillings explained that this was a privately initiated request to amend the Land Development Regulations. He said that basically this is two sections. One would be a table and the other is a section related specifically to Subarea F. He said that the primary change is to delete the prohibition of covered arenas within Subarea F and then in the table, adding in the appropriate setbacks and making language changes associated with that. In addition, some general cleanup in both sections to address these changes but also to improve some of the clarity of the language. He said that when the project first came forward as Winding Trails and Subarea F was established, the general development standards were created and one of the concessions at that time was to prohibit covered arenas. Since the applicant, in their justification that was included in their packet, indicated that a number of buyers indicated a desire to have covered arenas and it has been one of their challenges in selling their properties, they wanted to come to the Council to see if that was a possibility. The applicant will be presenting a presentation at the next meeting and they just found out that day that they will have some renderings to show what the covered arenas will look like on the properties. He said that will be helpful for all. Mr. Stillings said that what they have received earlier are the approved site plans for each of the lots and they show the riding rings within each lot and those are the general locations of the covered arenas. The average size is about 80 ft. by 120 ft. and the setbacks range from as little as 25 feet to as much as 120 feet from the roadway depending on the lot configuration and the location.

Mayor Gerwig asked if they will see the whole presentation at the next meeting.

Mr. Stillings stated that was correct.

Mayor Gerwig asked if public comment was going to be taken, would it be done through Zoom as well.

Ms. Quickel stated that there was the direct dial in telephone line if they wished to give public comment. Council will hear them and they can also

submit written comments to the Clerk and have them read into the record if they wish. There is an email and an online form for that.

Councilman McGovern asked if they could make sure that all of the information goes out on social media.

Ms. Quickel said that staff would place the information on social media.

Councilman McGovern asked if this item would require two readings.

Mr. Schofield stated that was correct.

Councilman McGovern asked if this already went to the Equestrian Preserve Committee (EPC) and the Planning, Zoning and Adjustment Board (PZAB).

Mr. Stillings stated that it went to EPC on June 3, 2020 and there was a vote of 5-2 in favor, two abstaining. It went to PZAB on June 10, 2020 with the unanimous recommendation of approval 7-0.

Councilman Drahos asked why did two members abstain and who they were.

Mr. Stillings stated that he did not recall the names of the members, but generally they did not feel that they had enough information to take a position, but in the absence of a vote, it is considered a no.

Councilman Drahos asked if someone could get him the names of the two that abstained, because if it was his appointee, he wants to find out why.

Councilman McGovern stated that he was ok with having this on first reading on a Zoom meeting in the summer, but he does not want the second reading back on this until Council is back in live meetings.

Mayor Gerwig asked how long do they have to hold that second reading.

Ms. Cohen stated that there was no time frame for the second reading. It may have already been advertised for a second reading and if that is the case, it can just be put on an agenda for Council to postpone it so there is no re-advertising fee. She said that she is not sure if Mr. Stillings would know if it was advertised for both readings.

Mr. Schofield stated that regardless of what happens when they visit in considering it at the next meeting and they move it forward to second



reading, the Council can be very specific about when they move it forward and that would take care of the problem of constructively noticing it.

Councilman Drahos asked what kind of notice was provided to the Lakefield South residents. He asked if it was one of those posted signs or did they get mailers directly to their homes.

Mr. Schofield stated that anyone within 500 feet got a mailer - a registered letter.

Mayor Gerwig mentioned that the registered letters is a mechanism that comes from that change in the Land Development Regulations.

Mr. Schofield stated that it is in Chapter 163.

Councilman McGovern asked if as of now, all of the residents of Lakefield South received a registered letter.

Mr. Stillings stated that this is a legislative item for LDR amendments, so they would not have received a mailer.

Mr. Schofield told him to check, and call him in the morning. He said he thought that the zoning changes were noticed.

Councilman Napoleone suggested that they find that out because they have the letter from the HOA Board that says they approve it. He said that he does not know how much beyond the members of the board that have noticed and discussed it.

Councilman McGovern asked if that letter was from the Board or just the President or what led to that letter.

Mr. Barnes stated that the letter was provided by the applicant. He said that she reached out to the HOA Board to get their support and that is what was submitted. It was sent on behalf of the association by the board.

Mr. Stillings stated that the two members who abstained were Annabelle Garrett and Glenn Fleischer.

Ms. Cohen informed the Council that Florida Law prohibits Board members from abstaining. If there is an actual conflict of interest, then you recuse yourself, just as the Mayor did, but there is no provision that would permit them from abstaining from voting.

Councilman Napoleone asked if that was explained at the EPC meeting.

Ms. Cohen stated that she did not attend the EPC meeting. She said that she does not attend those meetings unless there is a quasi-judicial matter on their agenda. She said that it is part of the Board member training.

Mayor Gerwig stated that it was a part of the Ethics Training too. It should have been self-corrected or known from the training that they have to have before they can be seated.

Ms. Cohen stated that was correct and it is in both the Board Member handbook and a part of their Ethics Training.

Ms. Cramer stated that they did document that in the minutes that there were two members that abstained and that was equivalent to a vote for denial.

Mr. Stillings stated that it will be clear for them in any future meetings if that is not something they can do. It was their first meeting as a new board.

Councilman McGovern stated that neither of them are new members.

Mayor Gerwig stated that they live in those rules and it is good to have that staff interaction and encourage interaction when needed. She said that Council is elected and they are on a payroll to a point, whereas these boards and committees are not. They have been trained and whether or not they realize it, when it is in front of them is another issue. She said that staff can make that clear in the future - the difference between a recusal and an abstention.

Councilman Drahos asked Mr. Schofield if he said something earlier about this item being moved. He wanted to know if he was referring to putting it on another agenda or did he mishear him.

Mr. Schofield stated that he had spoken to the applicant on that past Friday and there had been an issue about some of the things that were in the HOA document. He said that technically the HOA documents are for them to amend, but Council requires them to approve here. He said that they had a question about coming back and doing a second amendment. He mentioned that they may recall the HOA documents contained a provision that said stalls can only be rented to people who live in the Lakefields. He said that the applicants are considering asking for that to

be removed. He advised the applicants that if they wanted to do that then they needed to do these together and he was not inclined to have major decisions put in front of Council by piecemeal.

Councilman Napoleone stated that based on his discussion with the applicant around 3:00 pm earlier that day, it did not sound like she had any intention of pulling it from the agenda, but maybe she does.

Mr. Schofield stated that he told the applicant that he would call her before 6:00 pm that evening or first thing in the morning to discuss it with her.

Councilman McGovern stated that he agreed if there was going to be that kind of change, they should do it at one time and letting any residents that want to be heard come to one set of meetings instead of having this come up at multiple meetings.

Mayor Gerwig mentioned that they will see the whole presentation at the next meeting and take public comment on it.

**J.**      [20-3888](#)

RESOLUTIONS ADOPTING PRELIMINARY TRIM RATES FOR WELLINGTON, THE ACME IMPROVEMENT DISTRICT AND THE SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT AS FOLLOWS:

A. RESOLUTION NO. R2020-29 (ADOPTING THE PRELIMINARY AD VALOREM MILLAGE RATE FOR WELLINGTON FOR TRUTH-IN-MILLAGE ("TRIM") PURPOSES WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE PRELIMINARY AD VALOREM MILLAGE RATE FOR WELLINGTON FOR TRUTH-IN-MILLAGE ("TRIM") PURPOSES FOR THE MUNICIPALITY'S FISCAL YEAR 2020-2021 BUDGET WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON; AND PROVIDING AN EFFECTIVE DATE.

B. RESOLUTION NO. AC2020-01 (ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATE FOR ACME IMPROVEMENT DISTRICT FOR TRIM PURPOSES)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT ADOPTING THE DISTRICT'S PRELIMINARY NON-AD VALOREM ASSESSMENT RATE FOR TRUTH-IN-MILLAGE ("TRIM") PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

C. RESOLUTION NO. R2020-30 (ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATES FOR THE SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT FOR TRIM PURPOSES)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATES FOR THE SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT FOR TRUTH-IN-MILLAGE ("TRIM") PURPOSES WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He said that this is the Approval of the Following Resolutions setting TRIM Rates for Ad-Valorem Taxes and Non-Ad Valorem Assessments for Solid Waste and Recycling in Wellington, Acme Improvement District and Saddle Trail Park South Neighborhood Improvement District as required by Law: A.

RESOLUTION NO. R2020-29: Ad Valorem Millage Rate Proposed at 2.47 Mills (No Change from the Current Year Rate, and 2.24% Above the Rollback Rate of 2.42 mills). B. RESOLUTION NO. AC2020-01: Non-Ad Valorem Assessment for the Acme Improvement District Proposed at \$230.00 Per Unit (The Same as the Current Year). C. RESOLUTION NO. R2020-30: Non-Ad Valorem Assessment Rates for the Saddle Trail Neighborhood Improvement District for TRIM Purposes according to the attached Assessment Roll. He informed the Council that they would get a longer presentation on this at the next meeting. He explained that Resolution R2020-29 adopts the TRIM rating and reminded them that this is just the maximum that they can go. He said that they can reduce it, just not increase it. He said that they are recommending that the TRIM rate remain unchanged. For the Wellington Acme Improvement District, they recommend that the assessment rate remain at \$230, exactly where it is today. He said that the final item is the non-ad valorem assessment rate for Saddle Trail Park South Neighborhood Improvement District and that rate is simply the rate required to make the required bond for this year. He stated that the Council will get a longer presentation at the next meeting, but there is no increase in the TRIM rates proposed. He reminded the Council that TRIM is Truth in Millage and the maximum rate they can charge and the rate cannot go higher once they pass it at the next meeting. The rate can stay the same or go lower.

Mayor Gerwig mentioned that it is always a good presentation of a first glance into the budget to give the public. She said hopefully people will be watching on Zoom or on their television channel at home so that way they have some idea of what the staff is working on.

**4. WORKSHOP**

None.

**5. ATTORNEY'S COMMENTS**

None.

**6. MANAGER COMMENTS**

Mr. Schofield stated that he had no comments, but they were to have an EOC meeting after this meeting. He said that it is not a public meeting as there is sensitive information that will be discussed.

**7. COUNCIL COMMENTS**

Mayor Gerwig said she had a couple discussions she wanted to touch on for the workshop. She asked about manure and if there was a clear plan on that for this season.

Mr. Schofield stated that they are working on a plan. He said at this moment, they do not have another place to go. He mentioned that they are waiting to hear if U.S. Sugar will be accepting applications at the end of the horse season, until then, nothing is finalized. He said that there are other places they are looking at as well.

Mayor Gerwig stated that she just wanted to make sure the Village is not "backed into a corner" and would like to see us work with Solid Waste again and see if they can get a dedicated lane during season or some other option. She said that this is not just a Wellington problem and she thinks that Solid Waste does have a bit of an understanding of that. She said that there are a lot of courses in this County and there may be some kind of benefit that they could help the Village with in that regard.

Mr. Schofield stated that the issue is not getting them into the facility. He said that there is already a way to get to the scale and they can get there quickly. He said that the problem is when they get to the incinerator building, once the trucks are queued, they are queued for the entire process. He said that is where they are running into the problem and they will work on them with that, but as of right now, they do not yet have a solution.

Mayor Gerwig stated that the other issue was fireworks. She said that this came up over the holiday, particularly in the Equestrian Preserve area. She said that there was a lot of bashing of this Council for not having something in place, but she said that she did not know how they

could possibly have read the minds of the legislature to know what kind of home rule issue could come up. She just wanted to put it out there for discussion for everyone and thinks it is a discussion they need to have with the Village's lobbyist. She said that it makes no sense to her why they cannot have an exemption for an area that is an agriculture area, considering the letter that everyone signed who purchased illegal fireworks said they were doing it to protect their crops. She said that she does not know why our "crops", which are horses, cannot be protected in some like manner. She said that in looking forward, she just wanted to put that out there and let everyone know it is on the Village's radar. She said that the public has an interest in this and it is a safety issue.

Mr. Schofield mentioned that he spends time late into the evenings answering those questions. Most people are understanding with the Legislature. He said that one thing he wanted to point out was that the horse that was posted on Facebook that was killed by fireworks was at least two years old and was taken in England.

Mayor Gerwig stated that was correct and the photo was not taken here.

Mayor Gerwig stated that her Senior Advisory Committee Member Appointment is Alan Bottorff. She said that he had an application in and it is kind of confusing as it looks as if he is just asking to be on the committee, but she has actually recruited him, so that appointment goes forwards because it is her right to make it. She said that at the next meeting, if there are other seats that need to be filled that are At-Large, they will be ready to have that conversation.

Councilman Napoleone asked if they could get a report on what seats are still open, who needs to fill them and what current applications they have.

Councilman McGovern informed them that they just received that in an Administrative Transmittal about 10 days ago. He said that it is the Architectural Review Board, the Construction Board and the Tree Board.

Mayor Gerwig suggested that the list be re-circulated to the Council so that they can be prepared to fill those appointments at the next meeting.

## **8. ADJOURN**

There being no further business to be discussed by Council, the meeting adjourned at 5:32 p.m.