

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Tuesday, May 9, 2023**

**7:00 PM**

**Village Hall - Council Chambers**

### **Village Council**

*Anne Gerwig, Mayor  
Michael 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 7:00 p.m.

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

Advisors to the Council: Jim Barnes, Manager; Laurie Cohen, Attorney; Tanya Quickel, Deputy Village Manager; Ed De La Vega, Assistant Village Manager; and Chevelle D. Addie, Village Clerk.

**2. PLEDGE OF ALLEGIANCE**

Two young men from the audience led the Pledge of Allegiance.

**3. INVOCATION**

Deacon Pete Del Valle, St. Therese de Lisieux Catholic Church, delivered the invocation.

**4. APPROVAL OF AGENDA**

Mr. Barnes indicated staff recommended approval of the Agenda as presented.

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

**5. PRESENTATIONS AND PROCLAMATIONS****A. [23-5891](#) SENATOR LORI BERMAN: LEGISLATIVE SESSION UPDATE**

Mr. Barnes introduced the item.

Senator Berman spoke regarding the budget and said a large number of preemption bills were passed this legislative session. She also provided the Village Council with a briefing summarizing the actions taken during the legislative session.

The Village Council thanked Senator Berman for her attendance and gave brief comments.

**B. [23-5873](#) PROCLAMATION RECOGNIZING LIEUTENANT ELI SHIVITZ FOR HIS**

YEARS OF SERVICE WITH THE PALM BEACH COUNTY SHERIFF'S  
OFFICE DISTRICT 8 WELLINGTON

Mr. Barnes introduced the item.

Ms. Addie read the Proclamation.

Ms. Nicole Coates showed Council a video and provided background information regarding Lieutenant Eli Shaivitz.

Lieutenant Shaivitz thanked Council for the recognition.

The Village Council gave brief comments and commended Lieutenant Shaivitz for his service to the Village of Wellington.

**C.**     [23-5863](#)

RECOGNITION OF PALM BEACH CENTRAL HIGH SCHOOL AND  
WELLINGTON COMMUNITY HIGH SCHOOL STUDENTS FOR THEIR  
DANCE MARATHON FUNDRAISING EFFORTS

Mr. Barnes introduced the item.

Ms. Addie read the Proclamation.

Mr. De La Vega spoke regarding the recognition and introduced Education Committee Member Donna Baxter.

Ms. Baxter provided history regarding the Dance Marathon and the students' fundraising efforts. She acknowledged the administrators, teacher sponsors and students in the audience.

The Village Council commended the administrators, teacher sponsors and students.

**6.     CONSENT AGENDA**

Mr. Barnes stated there were no comment cards on the Consent Agenda.

Mr. Barnes indicated staff recommended approval of the Consent Agenda as presented.

**A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve the Consent Agenda as presented.**

At this point, Mr. Barnes indicated a request for public forum had been submitted.

**Public Forum:**

1. Helena Munoz, Alina Armas, Carole Hoydick, and Flora Perez spoke regarding Airbnbs in their neighborhood.

The Village Council and Mr. Barnes gave comments.

- A. [23-5887](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF APRIL 11, 2023  
This item approved on Consent.
- B. [22-5396](#) AUTHORIZATION TO UTILIZE MULTIPLE CONTRACTS FOR THE PURCHASE OF INFORMATION TECHNOLOGY SYSTEMS EQUIPMENT  
This item approved on Consent.
- C. [22-5544](#) AUTHORIZATION TO UTILIZE A SOUTHEAST FLORIDA COOPERATIVE CONTRACT FOR THE PURCHASE AND DELIVERY OF SWIMMING POOL CHEMICALS  
This item approved on Consent.
- D. [22-5549](#) AUTHORIZATION TO UTILIZE A SOUTHEAST FLORIDA COOPERATIVE CONTRACT WITH MULTIPLE VENDORS FOR THE PURCHASE AND DELIVERY OF SODIUM HYDROXIDE  
This item approved on Consent.
- E. [22-5604](#) AUTHORIZATION TO EXECUTE A GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT FOR VILLAGE PARK FIELD 22 RENOVATIONS  
This item approved on Consent.
- F. [23-5875](#) RESOLUTION NO. R2023-22 (OUTSIDE LEGAL FEES AND COSTS)  
  
A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FISCAL YEAR 2022/2023 GENERAL FUND LEGAL DEPARTMENT OPERATING BUDGET TO ALLOCATE UNASSIGNED FUND BALANCE OF \$80,000 FOR ADDITIONAL OUTSIDE LEGAL SERVICES AND RELATED EXPENSES; AND PROVIDING AN EFFECTIVE DATE.  
This item approved on Consent.

**7. PUBLIC HEARINGS**

- A. [23-5877](#) RESOLUTION NO. R2023-23 (PRELIMINARY TRIM RATES FOR WELLINGTON SOLID WASTE COLLECTION AND RECYCLING ASSESSMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATES FOR SOLID WASTE COLLECTION AND RECYCLING SERVICE FOR TRUTH-IN-MILLAGE ("TRIM") PURPOSES WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Resolution by title.

Ms. Quickel presented the item.

The Village Council asked questions regarding the increase, contract and fund balance.

Ms. Quickel discussed the fund balance and responded to Council's questions.

Public Hearing

**A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to open the public hearing.**

**There being no public comments, a motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to close the public hearing.**

**A motion was made by Councilwoman Siskind, seconded by Vice Mayor Napoleone, and unanimously passed (5-0) to adopt Resolution No. R2023-23 (Preliminary Trim Rates for Wellington Solid Waste Collection and Recycling Assessment).**

- B. [23-5845](#) ORDINANCE NO. 2023-11 (MUNICIPAL ELECTION DATE)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL MOVING THE DATE FOR THE MUNICIPAL ELECTION TO BE HELD CONCURRENT WITH THE PRESIDENTIAL PREFERENCE PRIMARY; AMENDING THE CANDIDATE QUALIFYING PERIOD; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Ordinance by title.

Ms. Cohen explained the Village has an election date set by Charter. However, due to the municipal elections being held in conjunction with the Presidential Preference Primary on March 19, 2024, the Supervisor of Elections has asked that qualifying close no later than December 15, 2023. She stated the Village can amend their qualifying dates, but they must do so by ordinance.

Ms. Cohen indicated that the ordinance would set the election date for March 19, 2024, and set the qualifying period to run from 12 noon on November 7, 2023 to 12 noon on November 21, 2023.

Public Hearing

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

**There being no public comments, a motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0), to close the Public Hearing.**

**A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Ordinance No. 2023-11 (Municipal Election Date) as presented.**

**C. [23-5862](#)**

**ORDINANCE NO. 2023-10 (RESTAURANT OUTDOOR DINING AREAS - ZONING TEXT AMENDMENT)**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING WELLINGTON'S LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT (PETITION 2023-0001-ZTA) TO MODIFY THE SUPPLEMENTARY STANDARDS FOR RESTAURANTS IN ARTICLE 6, SECTION 6.2.2.B.17, TO PROVIDE STANDARDS FOR OUTDOOR DINING AREAS, AND TO ALLOW DOGS WITHIN DESIGNATED RESTAURANT OUTDOOR AREAS WITH APPROVAL OF A SPECIAL USE PERMIT, AS MORE SPECIFICALLY CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Barnes introduced the item.

Mr. Stillings presented the item. He stated there have been no changes since first reading.

Jared Taylor, on behalf of the Lazy Dog Restaurant, stated he is present to answer any questions.

Mr. Stillings and Mr. Taylor responded to Council's questions.

There was discussion regarding the special use permit.

Public Hearing

**A motion was made by Councilman McGovern, seconded by Vice Mayor Napoleone, and unanimously passed (5-0) to open the public hearing.**

**There being no public comments, a motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to close the public hearing.**

**A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and passed (4-1; Councilman Drahos dissenting) to approve Ordinance No. 2023-10 (Restaurant Outdoor Dining Areas - Zoning Text Amendment) as presented on second reading.**

**D. [23-5865](#)**

ORDINANCE NO. 2023-08 (MONCADA COMPREHENSIVE PLAN AMENDMENT (CPA))

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) OF WELLINGTON'S COMPREHENSIVE PLAN (PETITION NUMBER 2023-0001-CPA), TO MODIFY THE LAND USE DESIGNATION FOR CERTAIN PROPERTY KNOWN AS MONCADA FROM PALM BEACH COUNTY RURAL RESIDENTIAL 10 (RR/10) TO WELLINGTON'S CONSERVATION LAND USE DESIGNATION, TOTALING 45 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF FLYING COW ROAD, APPROXIMATELY 3.35 MILES SOUTH OF SOUTHERN BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He recommended that there be one concurrent staff presentation since the items (Ordinance No. 2023-08 and Ordinance No. 2023-09) are related; with a separate motion for each

item.

Ms. Cohen stated the rezoning item is Quasi-Judicial and swore in the individuals who wished to speak on this item.

The Village Council disclosed their Ex-parte Communications.

~~Mr.~~ Addie read Ordinance No. 2023-08 and Ordinance No. 2023-09 by Mr. Stillings presented the item.

Public Hearing

**A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to open the public hearing.**

**There being no public comments, a motion was made by Councilwoman Siskind, seconded by Councilman McGovern, and unanimously passed (5-0) to close the public hearing.**

The Village Council gave comments.

**A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Ordinance No. 2023-08 (Moncada Comprehensive Plan Amendment [CPA]) as presented on second reading.**

**E. [23-5866](#)**

**ORDINANCE NO. 2023-09 (MONCADA REZONING)**

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A REZONING (PETITION NUMBER 2023-0001-REZ) TO MODIFY THE OFFICIAL ZONING MAP OF WELLINGTON FOR CERTAIN PROPERTY KNOWN AS MONCADA FROM PALM BEACH COUNTY AGRICULTURE RESIDENTIAL (AR) TO WELLINGTON COMMUNITY FACILITIES (CF), TOTALING 45 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF FLYING COW ROAD, APPROXIMATELY 3.35 MILES SOUTH OF SOUTHERN BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

This item was discussed in conjunction with Item 7D.

Public Hearing



A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to open the public hearing.

There being no public comments, a motion was made by Councilwoman Siskind, seconded by Councilman McGovern, and unanimously passed (5-0) to close the public hearing.

The Village Council gave comments.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Ordinance No. 2023-09 (Moncada Rezoning) as presented on second reading.

## 8. REGULAR AGENDA

### A. [23-5892](#)

A. AMENDMENT NO. 2 TO COMPREHENSIVE AGREEMENT FOR THE DESIGN, DEVELOPMENT, CONSTRUCTION AND OPERATION OF WELLINGTON COMMUNITY PARK

B. AUTHORIZATION OF BOND COUNSEL ENGAGEMENT FOR WELLINGTON COMMUNITY PARK PROJECT

Mr. Barnes introduced the item.

Ms. Quickel presented the item.

Ms. Quickel and Mr. Barnes responded to Council's questions.

Mr. Brian M. Seymour, ESQ., Shareholder for Gunster Yoakley & Stewart P.A., and Ms. S. Kaitlin Guerin, ESQ., Associate for Gunster Yoakley & Stewart P.A., on behalf of Wellington Athletics, spoke regarding the agreement and project.

Mr. Dan Morton, Vice President of Pre-Development Services with The Sports Facilities Companies, spoke regarding their forecast and analysis for the facility.

Adam Kerr, Kimley Horn & Associates, spoke regarding the traffic studies.

There was continued discussion between Council, staff, and the Wellington Athletics Team regarding the project, Phase Two, fields,

monies and traffic.

**A motion was made by Vice Mayor Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), to approve Amendment No. 2 to the Comprehensive Agreement for the Design, Development, Construction and Operation of Wellington Community Park Improvement Project and to Authorize Mr. Skip Miller from Greenspoon Marder as Bond Counsel.**

**B. [23-5858](#)**

AUTHORIZATION TO ENTER INTO MASTER MARKETING AGREEMENT WITH ARCADIA INFRASTRUCTURE I, LLC

Mr. Barnes introduced the item.

Mr. Stillings presented the item.

Ms. Cohen stated Mr. Lepore was available via Zoom if necessary.

There was discussion between the Village Council and staff regarding the changes to the agreement.

Sam Johnston, Arcadia Towers, spoke regarding the "Out Clause" in the agreement.

Mr. Stillings, Ms. Cohen, Mr. Johnston and Mr. Lepore responded to Council's questions.

Public Comment:

1. Ryan Maloney, on behalf of SBA Towers X, LLC, subsidiary of SBA Communications Corp., spoke in opposition of the agreement.

2. Joseph Goldstein, Shutts & Bowen, on behalf of Verizon Wireless, spoke regarding the agreement.

There was brief discussion regarding the towers and agreement.

**A motion was made by Councilman McGovern, seconded by Councilman Drahos, and unanimously passed (5-0) to approve Resolution No. R2023-24 as amended.**

**C. [23-5857](#)**

PRESENTATION BY THE NORTH LONDON COLLEGIATE SCHOOL

Mr. Barnes introduced the item.

Luis Garcia de Brigard provided a background of the institution and

summarized the project.

Bernardo Fort-Brescia, FAIA, Principal/Arquitectonica, spoke regarding schools and showed the Village Council the site plan for North London Collegiate School (NLCS)-Wellington.

Mr. Garcia de Brigard and Mr. Fort-Brescia responded to Council's questions.

Public Comment:

1. Jim Mantrozios spoke regarding the town halls relative to K-Park.

There was consensus of Council to continue discussion for the school.

**D. [23-5870](#)**

**DISCUSSION AND DIRECTION REGARDING AN UNSOLICITED PROPOSAL RECEIVED FROM PROJECT LIGHTHOUSE**

Mr. Barnes introduced the item.

Mr. De La Vega referenced the 90-day schedule and stated Project Lighthouse representatives are present to make a presentation to the Village Council. He said staff received an unsolicited proposal from Project Lighthouse.

Steven Traynor conducted a presentation for Project Lighthouse. He stated representatives from Song + Associates, Inc. and Blue Road were present tonight.

Representatives from Blue Road provided their background information.

Jill Lanegan, Song + Associates, Inc., spoke regarding the project.

There was discussion between Council, the Village Attorney and Project Lighthouse regarding the funding for operations, the concept, and concern about the revenues for the performing arts center.

**A motion was made by Councilman McGovern, seconded by Vice Mayor Napoleone, and passed (4-1; Mayor Gerwig dissenting) to extend the meeting past 11:00 p.m.**

Public Comment:

1. Vice Mayor Napoleone and Councilman Drahos read the cards into the record of Mary Marder, Robin Shecter, Jim Mantrozios, Jaycie Cohen, Rollin Mcgrail, Michelle Marton, Anthony Aimpos, Zailyn

Martinez, Robert ? who support the project but did not wish to speak.

2. Steve Traynor spoke regarding the project.

Mr. Barnes stated there are statutory requirements to follow for the proposal and spoke regarding the LOI.

Ms. Cohen commented regarding the proposal and stated in her opinion it does not meet the requirements of the Florida Statutes.

There was Council consensus to place the LOI item on the May 30, 2023 Council Meeting.

## **9. PUBLIC FORUM**

There were no additional comment cards submitted for public forum.

## **10. ATTORNEY'S REPORT**

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

Ms. Cohen briefly discussed yesterday's shade session.

## **11. MANAGER'S REPORT**

**MR. BARNES:** Mr. Barnes presented the following report:

The next Council Meeting will be held on Tuesday, May 30, 2023 at 7:00 p.m.

Mr. Barnes stated he would email his comments to Council.

## **12. COUNCIL REPORTS**

**VICE MAYOR NAPOLEONE:** Vice Mayor Napoleone presented the following report:

Vice Mayor Napoleone waived comment.

**COUNCILMAN DRAHOS:** Councilman Drahos presented the following report:

Councilman Drahos waived comment.

**COUNCILMAN MCGOVERN:** Councilman McGovern presented the following report:

Councilman McGovern waived comment.

**COUNCILWOMAN SISKIND:** Councilwoman Siskind presented the following report:

Councilwoman Siskind congratulated the high school graduates.

**MAYOR GERWIG:** Mayor Gerwig presented the following report:

Mayor Gerwig stated she has been asking for a meeting with Lake Wellington residents regarding the water concerns.

Mr. Barnes stated Ms. Aldrich is setting up a meeting.

Ms. Cohen inquired if Council wanted to do an appraisal as discussed in agenda review yesterday on the property the Mayor mentioned.

There was Council consensus to do the appraisal.

### **13. ADJOURNMENT**

There being no further business to come before the Village Council, the meeting was adjourned at approximately 11:50 P.M.