

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

Wellington Village Hall
12300 Forest Hill Blvd
Wellington, FL 33414

Tuesday, March 12, 2024
7:00 p.m.

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, March 12, 2024, commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

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, Village Attorney; Tanya Quickel, Deputy Village Manager; Ed De La Vega, Assistant Village Manager; and Chevelle D. Hall, Village Clerk.

1. **CALL TO ORDER** – Mayor Gerwig called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE** – The daughters of Councilman McGovern and Councilman Drahos led the Pledge of Allegiance.
3. **INVOCATION** – Deacon Al Payne, St. Therese de Lisieux Catholic Church, delivered the invocation.

4. **APPROVAL OF AGENDA**

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

- 1) Add Celebration of Service and Recognition of Outgoing Mayor and Council Members as Presentation Item 5A. Item 5A will become Item 5B, respectively.
- 2) Add Amended Resolution No. R2024-05 to the Regular Agenda as Item 8B.

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

5. **PRESENTATIONS AND PROCLAMATIONS**

A. **CELEBRATION OF SERVICE AND RECOGNITION OF OUTGOING MAYOR AND COUNCILMEMBERS (THIS ITEM ADDED TO THE AGENDA)**

Mr. Barnes introduced the item.

Ms. Hall read proclamations honoring Mayor Gerwig, Vice Mayor Napoleone and Councilman Drahos into record.

The Village Council provided comments regarding the service of Mayor Gerwig, Vice Mayor Napoleone and Councilman Drahos.

Councilman McGovern and Councilwoman Siskind presented plaques to Mayor Gerwig, Vice Mayor Napoleone and Councilman Drahos.

Councilman McGovern's daughters and Councilman Drahos's daughters provided comments.

Mayor Gerwig thanked the Village Attorney, Village Manager and staff for their service to the Village Council and the Village of Wellington.

B. 24-6373 PRESENTATION OF AUDIT RESULTS FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023 (THIS ITEM FORMERLY ITEM 5A)

Mr. Barnes introduced the item.

Ms. Quickel welcomed and introduced the new auditors, Moises Ariza and Nicholas Martin, Marcum, LLP, who stated this is their first year serving as the auditor for the Village.

Mr. Ariza and Mr. Martin presented the Annual Comprehensive Financial Report for the Village of Wellington for the fiscal year ended September 30, 2023.

The Village Council provided comments and extended their thanks to Mr. Ariza and Mr. Martin, and Ms. Quickel and team for their hard work.

6. CONSENT AGENDA

- A. 24-6408** MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETINGS OF JANUARY 23, 2024, JANUARY 24, 2024, JANUARY 25, 2024, FEBRUARY 7, 2024, FEBRUARY 13, 2024 AND MARCH 5, 2024
- B. 23-6169** AUTHORIZATION TO: 1) AWARD A TASK ORDER TO PROVIDE HYDROGEOLOGIC CONSULTING SERVICES FOR PHASE V OF THE WELLFIELD REHABILITATION PROJECT; 2) RENEW AN EXISTING CONTRACT FOR WELLFIELD REHABILITATION AND MAINTENANCE; AND 3) APPROVAL OF RESOLUTION NO. R2024-13 AMENDING THE UTILITY FUND BUDGET FOR FISCAL YEAR 2023-2024 BY REASSIGNING CAPITAL PROJECT BUDGETS TO THE WELLFIELD REHABILITATION PHASE V PROJECT
- C. 23-6180** AUTHORIZATION TO CONTINUE UTILIZING A CITY OF BAYTOWN, TEXAS CONTRACT, AS A BASIS FOR PRICING, FOR UTILITY BILL PRINTING AND MAILING SERVICES
- D. 23-6190** AUTHORIZATION TO AWARD MULTIPLE CONTRACTS FOR UTILITY INSTRUMENT CALIBRATION SERVICES
- E. 24-6379** AUTHORIZATION TO 1) AWARD A SOLE SOURCE CONTRACT TO BADGER METER, INC. FOR THE PURCHASE OF METERS AND COMPONENTS AND 2) AWARD A SOLE SOURCE CONTRACT TO BADGER METER, INC. FOR THE LARGE METER EQUIPMENT REPLACEMENT PROJECT

- F. 24-6351** RESOLUTION NO. R2024-07 ADOPTING THE VILLAGE OF WELLINGTON'S UTILITY WATER FACILITY PLAN FOR THE IMPLEMENTATION OF THE ADVANCED METERING INFORMATION SYSTEM PROJECT AS RELATED TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING FUND (SRF)
- A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING FUND (SRF), ADOPTION OF THE WATER FACILITY PLAN FOR THE IMPLEMENTATION OF THE ADVANCED METERING INFORMATION SYSTEM PROJECT, EFFECTIVE THIS DATE
- G. 24-6322** AUTHORIZATION TO EXECUTE A GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT FOR PUBLIC WORKS FACILITY STORAGE BUILDING AND SITE IMPROVEMENTS
- H. 24-6324** AUTHORIZATION TO AWARD A CONTRACT FOR THE GREENBRIAR PARK OFFSITE FORCE MAIN EXTENSION PROJECT
- I. 24-6371** AUTHORIZATION TO RENEW EXISTING CONTRACT FOR ROADWAY STRIPING AND PAVEMENT MARKING SERVICES
- J. 24-6344** AUTHORIZATION TO UTILIZE A SOURCEWELL CONTRACT AS A BASIS FOR PRICING FOR THE PURCHASE OF MICROSOFT SOFTWARE, LICENSES AND MAINTENANCE
- K. 24-6375** RESOLUTION NO. R2024-12 (WELLINGTON GREEN MUPD B ABANDONMENT)
- A RESOLUTION OF WELLINGTON'S COUNCIL ABANDONING A PORTION OF THE 12-FOOT WIDE WATER AND SEWER EASEMENT, TOTALING APPROXIMATELY 1,943 SQUARE FEET, LOCATED WITHIN WELLINGTON GREEN MUPD B, MORE SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE
- L. 24-6380** STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM: 13469 FOUNTAIN VIEW BOULEVARD
- M. 24-6382** APPROVAL OF AGREEMENT AMENDING QUITCLAIM DEED USE RESTRICTIONS FOR SECTION 24
- N. 24-6409** RESOLUTION NO. R2024-15 (STATEWIDE MUTUAL AID AGREEMENT)
- A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A STATEWIDE MUTUAL AID AGREEMENT BETWEEN THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT AND THE VILLAGE OF WELLINGTON FOR CATASTROPHIC DISASTER RESPONSE AND RECOVERY; UPDATING THE PREVIOUS

AGREEMENT DATED MAY 22, 2018; AND PROVIDING AN EFFECTIVE DATE

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.

7. PUBLIC HEARINGS

- A. 24-6413** ORDINANCE NO. 2024-03 (DESIGNATING THE PALM BEACH COUNTY CANVASSING BOARD AS THE VILLAGE CANVASSING BOARD FOR THE MARCH 19, 2024 WELLINGTON MUNICIPAL ELECTION)

AN ORDINANCE OF WELLINGTON'S COUNCIL DESIGNATING THE PALM BEACH COUNTY CANVASSING BOARD TO SERVE AS THE VILLAGE CANVASSING BOARD FOR THE MARCH 19, 2024 WELLINGTON MUNICIPAL ELECTION AND ANY REQUIRED RUNOFF ELECTION; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Mr. Barnes introduced this item.

Ms. Addie read the Ordinance by title.

Ms. Cohen presented this item.

Public Hearing

A motion was made by Vice Mayor Napoleone, seconded by Councilman Drahos, 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. 2024-03 (Designating the Palm Beach County Canvassing Board as the Village Canvassing Board for the March 19, 2024 Wellington Municipal Election) as presented on second reading.

8. REGULAR AGENDA

- A. 24-6323** AUTHORIZATION TO 1) EXECUTE A GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT WITH WHARTON-SMITH, INC. FOR CONSTRUCTION OF THE AQUATICS FACILITY; 2) AMEND AN EXISTING AGREEMENT WITH OHLSON LAVOIE CORPORATION, TO PROVIDE CONSTRUCTION PHASE SERVICES FOR THE AQUATICS FACILITY; AND 3) AWARD A SOLE SOURCE CONTRACT TO WJN, LLC., FOR THE PURCHASE AND INSTALLATION OF A NINJA CROSS SYSTEM AND 4) APPROVE RESOLUTION NO. R2024-14 AMENDING THE GENERAL FUND AND SALES SURTAX CAPITAL FUNDS FOR FISCAL YEAR 2023-2024 BY ASSIGNING

FUND BALANCES AND RESERVES, AND REASSIGNING CAPITAL PROJECT BUDGETS TO THE AQUATICS CENTER CONSTRUCTION PROJECT.

Mr. Barnes introduced this item.

Mr. De La Vega briefly spoke regarding the request and the approvals that are needed. He introduced Sam Elsheikh from Ohlson Lavoie Corporation who conducted a presentation regarding the Aquatics Facility.

The Village Council asked questions and provided comments regarding slides, restrooms, colors, appearance of the facility, multipurpose room, concession stand, vendors, Ninja Cross system, pool, sound system with the ability to make announcements, maintenance requirements, how the facility and system would operate, landscaping, illumination requirements, swim meets, rental fees, amenities, when the pool would be ready to open and hours of operation.

Mr. Barnes, Mr. De La Vega, Mr. Juckett and Mr. Elsheikh responded to the Village Council's questions.

Public Hearing

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

Public Comment:

1. Jennifer Metz commented regarding the swim team and the new proposed pool.
2. Peter Smith commented regarding the personal impact of an aquatics facility.
3. Laura Nuudi asked that the current pool be kept open while the new pool is being built. She spoke regarding the new pool.
4. Tyson Elliot spoke regarding being a member of the swim team.

Vice Mayor Napoleone read the cards of Caleb Da Silva, Dillon Metz, Michael Dengerud and Nikolina Dengerud, who did not wish to speak, into the record.

There being no further 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 Drahos, seconded by Vice Mayor Napoleone, and unanimously passed (5-0) for Authorization to Execute A Guaranteed Maximum Price (GMP) Amendment with Wharton Smith, Inc. for Construction of the Aquatics Facility in the Amount of \$27,964,904; 2) Amend in Existing Agreement with Ohlson Lavoie Corporation to Provide Construction Phase Services for the Aquatics Facility in the Amount of \$434,809.16; and 3) Award A Sole Source Contract to WJN, LLC, for the Purchase and Installation of A Ninja Cross System in the amount of \$935,000.

A motion was made by Councilman Drahos, seconded by Vice Mayor Napoleone, and unanimously passed (5-0) to Approve Resolution No. R2024-14 (Amending The General Fund and Sales Surtax Reserves, and Reassigning Capital Project Budgets to the Aquatics Center Construction Project) as presented.

B. AMENDED RESOLUTION NO. R2024-05 (A RESOLUTION OF WELLINGTON'S COUNCIL SUPPORTING THE RELOCATION OF THE WELLINGTON ATHLETICS RECREATIONAL FACILITY TO VILLAGE PARK; ACCEPTING A MONETARY DONATION FROM VARIOUS PROPERTY OWNERS TO DEFRAY THE COSTS ASSOCIATED WITH THE RELOCATION OF THE PROPOSED RECREATIONAL FACILITY; EXPRESSING THE COUNCIL'S COMMITMENT TO LIMIT THE USE OF WELLINGTON COMMUNITY PARK AS SET FORTH HEREIN; REQUIRING A SUPERMAJORITY VOTE OF THE VILLAGE COUNCIL TO AMEND THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE) (THIS ITEM ADDED TO THE AGENDA)

Mr. Barnes introduced the item and discussed the primary modification to the amended resolution regarding the super majority vote of the Village Council. He briefly referenced the impacted Homeowner Associations' request regarding a deed restriction. Mr. Barnes and Ms. Cohen stated staff does not recommend a deed restriction. The final monetary commitments have not been finalized.

In addition, Ms. Cohen stated specific associations were removed because there may be opportunities for individual property owners to donate directly to the Village.

The Village Council asked questions and made comments regarding the revised resolution in terms of baseball fields, lighting, maintenance and financial donations.

Mr. Barnes suggested having all grass fields for open play.

There was further discussion regarding what the next steps would be if the resolution is passed and the deadline for a decision to be made with the homeowner associations.

A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve the amended Resolution No. R2024-05.

9. PUBLIC FORUM

Mr. Barnes stated there were no comment cards submitted for Public Forum.

10. ATTORNEY'S REPORT

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

- Ms. Cohen stated she had no report.
- Ms. Cohen stated it had been an honor and privilege to serve with the Village Council and wished those who were leaving all the best. She stated she looks forward to working with those who remain on Council.

11. MANAGER'S REPORT

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

- The Next Regular Council Meeting will be held on April 9, 2024 at 7:00 pm. The celebration and swearing in of new the Village Council Members will take place at that meeting. He stated if there is a runoff, it will occur on April 2, 2024.

Mayor Gerwig asked if that will allow time for certification.

Councilman McGovern inquired about certification, vote by mail ballots and the April 2, 2024 Runoff (if necessary).

Ms. Hall responded to their questions and stated she would follow up with the Palm Beach County Supervisor of Elections regarding vote by mail ballots for the runoff.

Mr. Barnes stated for the Council members who are leaving it is “bye” for now not forever as he is sure they would still be around the Village.

12. COUNCIL REPORTS

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

- Councilman McGovern encouraged everyone to either vote during the early voting period or vote on Election Day on March 19, 2024.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

- Councilwoman Siskind waived further comment.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

- Councilman Drahos waived further comment.

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

- Vice Mayor Napoleone waived further comment.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig stated she would attend the April 9, 2024 Village Council meeting to hand the gavel over to the new mayor.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 9:49 PM.

Approved:

Anne Gerwig, Mayor

Chevelle D. Hall, Village Clerk