

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Thursday, October 13, 2016

7:00 PM

Village Hall - Council Chambers

Village Council

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

Advisors to the Council: Paul Schofield, Manager; Laurie Cohen, Esq., Attorney; Jim Barnes, Assistant Manager; Tanya Quickel, Director of Administrative and Financial Services; and Rachel R. Callovi, Clerk.

2. PLEDGE OF ALLEGIANCE

The Girl Scouts and Boy Scouts in attendance led the Pledge of Allegiance.

3. INVOCATION

Pastor Jay Carrero, Blueprints Church, Wellington, delivered the invocation.

4. APPROVAL OF AGENDA

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

5. PRESENTATIONS AND PROCLAMATIONS

A. [16-0458](#) PROCLAMATION PROCLAIMING OCTOBER 23-31, 2016 AS "RED RIBBON WEEK" IN THE VILLAGE OF WELLINGTON

Mr. Barnes introduced the item. Ms. Callovi read the proclamation. Mayor Gerwig indicated this proclamation would be given to Adriana Quartarolli of the Young Marines of the Palm Beaches.

B. [16-0581](#) USA FIELD HOCKEY ASSOCIATION 2016 NATIONAL FIELD HOCKEY FESTIVAL REQUEST FOR CO-SPONSORSHIP

Mr. Barnes introduced the item.

Mr. George Lindley with the Palm Beach County Sports Commission spoke about the 2016 National Field Hockey Festival taking place November 24-27, 2016 at the International Polo Club (IPC).

Mr. O'Dell indicated the co-sponsorship included providing the mobile sound stage, Village Park for parking, and overtime for events happening Thanksgiving Day, so the Village would be contributing about \$1,500.

A motion was made by Councilman Drahos, seconded by Vice Mayor McGovern, and unanimously passed (5-0), to approve the co-sponsorship as presented.

C. [16-0431](#) FY 2017 KEELY SPINELLI GRANT AWARDS

Mr. Barnes introduced the item.

Mr. De La Vega stated, as part of the FY 2017 budget, the Village Council once again approved funding for the Keely Spinelli Grant. He said this year's budget includes a total of \$297,000 or \$27,000 for each of the eleven public schools serving Wellington residents. Council distributed the grant checks to the school principals.

Dr. Frank Rodriguez stated he brought greetings from the Superintendent, Dr. Avossa, and Deputy Superintendent, Dr. Christiansen. Ms. Marcia Andrews thanked the Village for their partnership in making a difference in the lives of the children who live in the Village.

Council reiterated their commitment to investing in education and in the children attending Wellington schools. They honored and remembered Keely Spinelli. They also thanked the principals, teachers and educators of their children.

6. CONSENT AGENDA**A. [16-0577](#) MINUTES OF THE REGULAR WELLINGTON VILLAGE COUNCIL MEETING OF SEPTEMBER 13, 2016**

This item was approved on consent.

B. [16-0430](#) AUTHORIZATION TO: 1) UTILIZE A NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS (NASPO) CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE OF CISCO UCS BLADE SERVER EQUIPMENT; 2) UTILIZE A NATIONAL JOINT POWERS ALLIANCE (NJPA) CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE OF ADDITIONAL BACKUP STORAGE EQUIPMENT; AND 3) DISPOSE OF AN EXISTING DATA STORAGE SERVER

This item was approved on consent.

C. [16-0472](#) AUTHORIZATION TO UTILIZE TWO CITY OF WEST PALM BEACH CONTRACTS WITH HINTERLAND GROUP, INC. AND T.V. DIVERSIFIED, LLC FOR LIFT STATION REPAIRS AND REHABILITATION

This item was approved on consent.

D. [16-0515](#) AUTHORIZATION TO AWARD A TASK ORDER FOR ENGINEERING DESIGN SERVICES FOR THE WASTEWATER TREATMENT FACILITY BLOWER BUILDING AND ADDITIONAL DIGESTERS

This item was approved on consent.

E. [16-0428](#) AUTHORIZATION TO RENEW AN EXISTING AGREEMENT FOR

LOBBYING SERVICES

This item was approved on consent.

F. [16-0432](#)

RESOLUTION NO. R2016-73 (WELLINGTON SENIORS CLUB AGREEMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A CONTRACT FOR SENIOR CITIZENS SERVICES BETWEEN WELLINGTON AND THE WELLINGTON SENIORS CLUB, INC.; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on consent.

G. [16-0503](#)

RESOLUTION NO. R2016-70 (SPECIAL USE PERMIT FOR THE SMOKE INN WELLINGTON CIGAR LOUNGE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A SPECIAL USE PERMIT FOR BURN ANOTHER ONE, LLC D/B/A SMOKE INN WELLINGTON CIGAR LOUNGE OUTDOOR EVENTS UTILIZING AMPLIFIED MUSIC LOCATED AT 11924 FOREST HILL BOULEVARD, SUITE 7; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on consent.

H. [16-0523](#)

RESOLUTION NO. R2016-72 (SPECIAL USE PERMIT FOR THE JUST WORLD INTERNATIONAL FUNDRAISING EVENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A SPECIAL USE PERMIT FOR THE JUST WORLD INTERNATIONAL FUNDRAISING EVENT UTILIZING OUTDOOR AMPLIFIED MUSIC TO BE HELD AT 3206 AND 3224 OLDE HAMPTON DRIVE ON JANUARY 13, 2017; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on consent.

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

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), approving the Consent Agenda as presented.

7. PUBLIC HEARINGS

A. [16-0529](#)

ORDINANCE NO. 2016-08 (MIXED USE COMPREHENSIVE PLAN TEXT AMENDMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL;

APPROVING A COMPREHENSIVE PLAN TEXT AMENDMENT (PETITION NUMBER 15-80 / 2015-47 CPTA) TO THE VILLAGE OF WELLINGTON COMPREHENSIVE PLAN LAND USE ELEMENT POLICY 1.3.25. MIXED USE; AMENDING THE REQUIREMENT FOR PARCELS WITH MIXED USE FUTURE LAND USE MAP DESIGNATION, REQUIRING BOTH COMMERCIAL AND OFFICE LAND USE FOR MIXED USE PROJECTS MORE THAN 30 ACRES, DELETING THE 60 ACRE MAXIMUM LAND AREA AND REQUIRING FIVE (5) LAND USES FOR MIXED USE PROJECTS MORE THAN 60 ACRES; AUTHORIZING THE MANAGER TO AMEND THE COMPREHENSIVE PLAN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced items A and B, and indicated they were companion items. Ms. Callovi read both Ordinances by title.

Mr. Basehart explained one ordinance is a comprehensive text amendment, because the comprehensive plan has provisions for mixed use developments. He said the other ordinance is an amendment to the zoning code text, as some requirements are also in the zoning ordinance. He stated this application would amend the mixed use portions of both the comprehensive plan and the zoning text.

Mr. Basehart reviewed the changes and responded to Council's questions regarding retail space vs. office space, density, single parcel vs. single project, and the advantages of mixed use.

Mr. Basehart stated these amendments were taken to the Planning, Zoning and Adjustment Board, which recommended approval. He said staff was recommending approval as well.

Mr. Carlson introduced himself for the record and stated he was representing the property owner. He stated they were in accord with and in support of what staff was doing, as they went through some iterations together and arrived at what is now in front of Council.

Mr. Carlson responded to Council's questions regarding when the property owner would be presenting the project to Council and the merging of retail and commercial.

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Ordinance No. 2016-08 (Mixed Use Comprehensive Plan Text Amendment) as presented on first reading.

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Ordinance No. 2016-09 (Mixed Use Planned Development District Zoning Text Amendment) as presented on first reading.

Mayor Gerwig asked when the second reading would be held. Mr. Basehart indicated it may come back at the second Council Meeting in October or first

meeting in November. Mayor Gerwig thought that would allow time for any public comments not made tonight.

B. [16-0532](#)

ORDINANCE NO. 2016-09 (MIXED USE PLANNED DEVELOPMENT DISTRICT ZONING TEXT AMENDMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL; APPROVING A ZONING TEXT AMENDMENT (PETITION NUMBER 15-80 / 2015-46 ZTA) TO THE VILLAGE OF WELLINGTON LAND DEVELOPMENT REGULATIONS ARTICLE 6, ZONING DISTRICTS, CHAPTER 8 PLANNED DEVELOPMENT DISTRICT REGULATIONS, SECTION 6.8.7. MIXED USE PLANNED DEVELOPMENT DISTRICT (MXPDP); AMENDING THE REQUIREMENT FOR PARCELS WITH MXPDP ZONING DESIGNATION, DELETING THE 60 ACRE MAXIMUM LAND AREA AND REQUIRING FIVE (5) LAND USES FOR MXPDP PROJECTS MORE THAN 60 ACRES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced items A and B, and indicated they were companion items. Please see item A for the discussion summary of both items.

C. [16-0273](#)

ORDINANCE NO. 2016-19 (AMENDMENT TO CHAPTER 2, ARTICLE IV, SECTION 2-198 "HEARINGS"; SECTION 2-199 "FINES; IMPOSITION OF LIENS"; AND SECTION 2-201 "SERVICE OF NOTICE; METHODS")

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 2, ARTICLE IV, AMENDING SECTION 2-198 ENTITLED "HEARINGS"; AMENDING SECTION 2-199 ENTITLED "FINES; IMPOSITION OF LIENS"; AMENDING SECTION 2-201 ENTITLED "SERVICE OF NOTICE; METHODS"; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. Ms. Callovi read the Ordinance by title.

Ms. Cohen stated this Ordinance revises some of the provisions relating to code enforcement. She reviewed the revisions with Council regarding motions for rehearing or reconsideration, the financial ability of the violator to pay their fine, and Notice of Violation.

Mayor Gerwig preferred they take out the 80% rule and put it back on the magistrate like it was before. She said a lot of difficult situations happen to families and their financial needs end up being discussed. Therefore, she rather staff and the magistrate handle this, because of the serious nature of some conversations. She thought empowering the magistrates to do their job was appropriate for Council to do.

Vice Mayor McGovern thought for the purposes of discussing the criteria for

reduction, keeping in the financial ability to pay maybe something they want to do. If someone comes in asking for a reduction, they could take advantage of whichever criteria they want to or not.

Councilman Napoleone stated the purpose of the fine is to bring people into compliance not punitive. So when they get into compliance, they can come in and choose to say they are asking for a reduction for whatever reason, including their financial situation.

Mayor Gerwig asked if they would leave in what was struck on lines 22 and 23 of page 201. Ms. Cohen suggested they just reject the changes on those two lines.

Ms. Cohen stated she would bring a revised ordinance to the second reading.

A motion was made by Vice Mayor McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0) to approve Ordinance No. 2016-19 (Amendment to Chapter 2, Article IV, Section 2-198 "Hearings"; Section 2-199 "Fines; Imposition of Liens"; and Section 2-201 "Service Of Notice; Methods") as written, except for lines 22 and 23 on page 201. These lines should not be changed and the original language should be used.

D. [16-0493](#)

ORDINANCE NO. 2016-22 (BOARDS AND COMMITTEES)

AN ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, 2-292 ENTITLED "REMOVAL OF BOARD AND COMMITTEE MEMBERS"; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. Ms. Callovi read the Ordinance by title.

Ms. Cohen indicated this Ordinance would add an additional basis for considering what constitutes an excused absence for a board or committee member. She said the only change being proposed is to add subsection V that states "absence resulting from events reasonably beyond the control of the board or committee member," which could constitute an excusable absence.

Council supported the additional language of subsection V, but agreed it should be funneled through one person for standardization.

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0) to approve Ordinance No. 2016-22 (Boards and Committees) as presented on first reading.

Ms. Cohen asked if Council had any direction on bringing back the 80/20 policy for consideration. Mayor Gerwig suggested they discuss it at their next Agenda Review. She asked Ms. Cohen to provide the background, how it came about, how it has worked, how many times it has been used. Councilman Napoleone asked for a copy of the policy.

8. REGULAR AGENDA

There were no Regular Agenda items to discuss.

9. PUBLIC FORUM

Vice Mayor McGovern indicated no comment cards were received for the Public Forum.

10. ATTORNEY'S REPORT

Ms. Cohen reminded Council about the shade session on October 25, 2016, at 6:00 PM.

11. MANAGER'S REPORTS

In Mr. Schofield's absence, Mr. Barnes reported on:

- The next regular Council Meeting will be held on Tuesday, October 25, 2016, at 7:00 p.m. in the Council Chambers.
- Wellington's Green Market opening for the season on Saturday, October 22, 2016, from 9:00 AM to 1:00 PM, next to the Amphitheater.
- The Fall Festival taking place on Saturday, October 22, 2016, from 6:00 PM to 10:00 PM at Village Park.
- The Annual Wellington 10 Miler and Sebastian's 5K Run/Walk on Sunday, October 23, 2016.

12. COUNCIL REPORTS

COUNCILWOMAN SISKIND reported on:

- She thanked the Boy Scouts and Girl Scouts for coming out tonight.
- She congratulated the recipients of the Keely Spinelli grant.
- She invited everyone to attend the Binks Forest carnival on Saturday, November 5, 2016, from 11:00 AM to 5:00 PM. She thanked Councilman Drahos for sponsoring some of the games.

VICE MAYOR MCGOVERN reported on:

- He thanked Mr. Barnes for joining Council on the dais tonight.
- He also congratulated Mr. Barnes on giving a great presentation at the Central Palm Beach Chamber today.
- He thanked staff and all residents for preparing for Hurricane Matthew and taking it seriously.
- He noted the Town Hall Meeting with Commissioner McKinlay on October 26, 2016, in the Council Chambers.
- He reminded everyone about early voting, which begins October 24th and runs to November 6th.
- He indicated the Planning, Zoning and Adjustment Board will meet in the Council Chambers on Monday, October 17, 2016, at 7:00 PM.
- He wished Mayor Gerwig the best and much success with her daughter's wedding this coming weekend.

COUNCILMAN DRAHOS reported on:

- He reassured the residents the Village was prepared for Hurricane Matthew.
- The Young Professionals of Wellington hosting "Wicked" at the Wanderers on October 29, 2016.

COUNCILMAN NAPOLEONE reported on:

- Council meeting on Thursday instead of Tuesday in respect of Yom Kippur.

- The Village and residents needing to prepare for hurricanes off the coast of Florida.
- Taking any leftover food from preparing for the hurricane to the Palm Beach County Food Bank.

MAYOR GERWIG reported on:

- She thanked everyone for the well wishes regarding her daughter's wedding.
- She commended the residents for participating and reacting to the precautions for Hurricane Matthew.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned.

NOTICE