

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Thursday, September 10, 2015

7:00 PM

Village Hall

Village Council

*Bob Margolis, Mayor
John Greene, Vice Mayor
Matt Willhite, Councilman
Anne Gerwig, Councilwoman
John T. McGovern, Councilman*

1. CALL TO ORDER

Mayor Margolis called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Margolis led the Pledge of Allegiance.

3. INVOCATION

Rabbi Andrew L. Rosenkranz, Temple Beth Torah, Wellington, delivered the Invocation.

4. APPROVAL OF AGENDA

Mr. Schofield presented the agenda recommending approval as presented.

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

5. PRESENTATIONS AND PROCLAMATIONS**A. [15-529](#) 2015 WELLINGTON TOP COP AND TOP FIREFIGHTER AWARDS**

Mr. Schofield introduced the agenda item. He announced that the nominations were presented to the Village's Public Safety Committee who unanimously selected Deputy Scott Poritz as the Top Cop for 2015 and firefighter Eric Aho for Wellington's Top Firefighter for 2015.

Lt. Eli Shaivitz read a letter in support of Deputy Scott Poritz for the Top Cop award. District Chief Ken Sehres noted that Chief Arena was out of town, and he read the nomination letter supporting Firefighter Eric Aho for Wellington's Top Firefighter award for 2015.

Council each expressed words of congratulations to Deputy Scott Poritz and Firefighter Eric Aho on their recognition as Top Cop and Top Firefighter for 2015, and thanked them for their service to the Village.

Council presented plaques of recognition to Deputy Poritz and Firefighter Aho.

6. CONSENT AGENDA

Mr. Schofield presented the Consent Agenda for approval as presented.

Councilman Willhite requested that Consent Agenda item 6C be pulled from the Consent Agenda and moved to the Regular Agendas as 8D.

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

A. [15-383](#) AUTHORIZATION TO CONTINUE UTILIZING AN EXISTING

SOUTHEAST FLORIDA COOPERATIVE GROUP CONTRACT WITH LHOIST NORTH AMERICA FOR THE PURCHASE AND DELIVERY OF BULK QUICKLIME

This item was approved on Consent.

B. [15-577](#)

RESOLUTION NO. R2015-62 (INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO PROVIDE TRANSPORTATION (PARATRANSIT) SERVICES)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO PROVIDE TRANSPORTATION SERVICES FROM OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2017; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

PUBLIC COMMENTS

1. Eva Shea. Ms. Shea, expressed her feelings about government, law and different issues she had with Wellington.
2. Michael Mishkin, President of the Isles Community Association Inc. He spoke in support of paving 120th Street.
3. Shay Discepolo. resident of Marina Bay, The Isles. Ms. Discepolo spoke in support of paving 120th Street.

7. PUBLIC HEARINGS

A. [15-539](#)

FIRST PUBLIC HEARING FOR PROPOSED FISCAL YEAR 2015/2016 BUDGET AND ADOPTION OF THE FY 2015/2016 CAPITAL IMPROVEMENT PLAN

Mr. Schofield introduced the agenda item.

Ms. Quickel presented the staff report for the First Public Hearing and Adoption of the Fiscal Year Budget 2015/2016. She also gave a presentation on the supplemental budget information which included the unfunded capital improvement projects.

Public Hearing

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

- 1, Tomas Bueno, 15710 Chandelle Place. Mr. Bueno spoke in support of installing sidewalks in Aero Club.
2. Christian Schoemig, 15555 Grumman Court. Mr. Schoemig spoke in support of installing sidewalks in Aero Club.

3. Steven Daiagi, 15930 Boeing Court. Mr. Daigi, President of Aero Club Property Owners Association, spoke in support of installing sidewalks in Aero Club..

4. Bill Flack, 9580 Phipps Lane. Mr. Flack, President of Olympia Master Homeowners Association, noted that not all of Wellington was in the Acme District and the communities east of 441 are in the Lake Worth Drainage District. He asked if the funds coming from the Acme District would have an impact on the LWDD by putting funds in the overall budget.

There being no further public comments, a motion was made by Councilman Willhite, seconded by Vice Mayor Greene, and unanimously passed (5-0) to close the Public Hearing.

Council discussed the projects in the unfunded capital projects listing. Since they could not come to a consensus as to which projects should be funded, Mr. Schofield recommended that they fund the additional \$3.2 mm presented that would fully fund the capital and then Council could make a decision at this time or in the future. as to which projects would be funded. He noted that it would also include the funding to bring tennis in-house.

A motion was made by Vice Mayor Greene, seconded by Councilman Greene, and passed (4-1) with Councilwoman Gerwig dissenting, approving the First Hearing of the Budget for FY2015/2016 including the \$3.2 million for the unfunded capital projects as well as for tennis to be brought in-house.

Councilwoman Gerwig was opposed to the approval of the budget because she felt that Council needed to tell staff what the projects are and they needed to have a discussion regarding bringing tennis in-house prior to putting \$850,000 into the budget.

Mayor Margolis stated that Council will make clear determinations on capital improvement projects at the September 24, 2015 meeting

At this point, Ms. Quickel read the required language into the budget.

B. [15-648](#)

ORDINANCE NO. 2015-11 (CIVIL RIGHTS)

AN ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING CHAPTER 1 OF THE VILLAGE'S CODE OF ORDINANCES ENTITLED "GENERAL PROVISIONS", BY CREATING SECTION 1-13, TO BE ENTITLED "CIVIL RIGHTS", PROVIDING FOR NON-DISCRIMINATION WITHIN THE VILLAGE OF WELLINGTON AND ALL OTHER ACTIVITIES PROMOTED OR SPONSORED BY THE VILLAGE OF WELLINGTON; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. Ms. Callovi read the ordinance by title.

Ms. Cohen said that this was the first reading of the ordinance that incorporated those elements that were requested by the Human Rights Council, and adopts the County's process

Public Hearing

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

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

A motion was made by Councilman Willhite, seconded by Councilman McGovern, and unanimously passed (5-0) to approve Ordinance No. 2015-11 on First Reading as presented.

C. [15-626](#)**ORDINANCE NO. 2015-04 (OFF-STREET PARKING AND LOADING)**

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING ARTICLE 7, SITE DEVELOPMENT STANDARDS, CHAPTER 2, OFF-STREET PARKING AND LOADING OF THE LAND DEVELOPMENT REGULATIONS OF THE VILLAGE OF WELLINGTON; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. Ms. Callovi read the ordinance by title.

Mr. Bob Basehart presented the staff report. Mr. David Flinchum was present to address any questions.

Public Hearing

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

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

A motion was made by Vice Mayor Greene, seconded by Councilman McGovern, and passed (4-1) with Councilman Willhite dissenting, to approve Ordinance No. 2015-04 on First Reading as presented.

D. [15-630](#)**ORDINANCE NO. 2015-08 DRIVEWAY AND ACCESS REQUIREMENTS FOR AERO CLUB SUBDIVISION ZONING TEXT AMENDMENT**

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING SECTION 7.7.2.A.1 OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS RELATED TO DRIVEWAYS AND ACCESS REQUIREMENTS TO PROVIDE FOR ADDITIONAL ACCESS WAYS WITHIN THE AERO CLUB SUBDIVISION; PROVIDING A CONFLICTS CLAUSE; PROVIDING FOR

CODIFICATION; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mr. Schofield introduced the agenda item. Ms. Callovi read the ordinance by title.

Mr. Bob Basehart gave the staff presentation; Mr. Flinchum was also present to address any questions.

Public Hearing

A motion was made by Councilman Willhite, seconded by Mayor Margolis, and unanimously passed (5-0) to open the Public Hearing.

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

A motion was made by Councilwoman Gerwig, seconded by Vice Mayor Greene, approving Ordinance No. 2015-08 with the following amendment: changing "Aero Club" to "One Acre Minimum Lot Subdivisions."

8. REGULAR AGENDA

This was

- A. [15-660](#) RESOLUTION NO. R2015-70 (SADDLE TRAIL PARK (SOUTH) NEIGHBORHOOD IMPROVEMENT PROJECT – NOTICE OF INTENT RESOLUTION FOR SPECIAL ASSESSMENT AND NOTICE OF PUBLIC HEARING RESOLUTION FOR THE SPECIAL ASSESSMENT)

A RESOLUTION OF THE VILLAGE COUNCIL FOR THE VILLAGE OF WELLINGTON REPEALING RESOLUTIONS 2015-17, 2015-18 AND 2015-27; DECLARING ITS INTENT TO IMPOSE SPECIAL ASSESSMENTS UPON THE HEREIN DESIGNATED REAL PROPERTY; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THOSE IMPROVEMENTS WHICH COST IS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE IMPROVEMENTS TO BE DEFRAID BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS MAY BE PREPAID; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; AUTHORIZING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR A PUBLIC HEARING TO CONSIDER THE ADVISABILITY AND PROPRIETY OF SAID SPECIAL ASSESSMENTS AND THE RELATED

IMPROVEMENTS; PROVIDING FOR NOTICE OF SAID PUBLIC HEARING; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. Ms. Callovi read the resolution by title.

Mr. Riebe presented the staff report.

A motion was made by Councilman Willhite, seconded by Vice Mayor Greene, and unanimously passed (5-0) to approve Resolution No. R2015-70 as presented.

B. [15-661](#)

RESOLUTION NO. R2015-71 (SADDLE TRAIL PARK (SOUTH) NEIGHBORHOOD IMPROVEMENT PROJECT PUBLIC HEARING FOR THE SPECIAL ASSESSMENT)

A RESOLUTION OF THE VILLAGE COUNCIL FOR THE VILLAGE OF WELLINGTON SETTING A PUBLIC HEARING TO BE HELD AT WELLINGTON'S REGULARLY SCHEDULED COUNCIL MEETING STARTING AT 7 P.M. ON NOVEMBER 10, 2015, AT ITS MUNICIPAL OFFICE BUILDING LOCATED AT 12300 FOREST HILL BLVD., WELLINGTON, FL 33414, FOR THE PURPOSE OF HEARING PUBLIC COMMENT ON THE LEVY OF NON AD VALOREM SPECIAL ASSESSMENTS ON CERTAIN ASSESSABLE PROPERTY WITHIN THE VILLAGE OF WELLINGTON PURSUANT TO ITS CHARTER 3 CODE OF ORDINANCES AND CHAPTER 170, F.S.

Mr. Schofield introduced the agenda item. Ms. Callovi read the resolution by title.

A motion was made by Councilwoman Gerwig, seconded by Vice Mayor Greene, and unanimously passed (5-0) to approve Resolution No. R2015-71 as presented.

C. [15-674](#)

DISCUSSION OF THE VILLAGE MANAGER'S EMPLOYMENT AGREEMENT

Mr. Schofield introduced the agenda item.

A motion was made by Councilwoman Gerwig, seconded by Mayor Margolis appointing Mayor Margolis to negotiate the Village Manager's contract with Mr. Schofield on Council's behalf.

The motion failed 2-3 with Vice Mayor Greene, Councilman Willhite and Councilman McGovern dissenting.

A motion was made by Vice Mayor Greene, seconded by Councilman McGovern, and passed (4-1) with Mayor Margolis dissenting, appointing Councilman Willhite to negotiate the Village Manager's contract with Mr. Schofield on Council's behalf.

D. [15-683](#)

HORSES HEALING HEARTS, INC.

Mr. Schofield introduced the agenda item.

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (5-0) approving Horses Healing Hearts with the use of the Village of Wellington logo conditioned on the Special Use Permit for Global Dressage being active and in place.

9. PUBLIC FORUM

There were no public comments.

10. ATTORNEY'S REPORT

Ms. Cohen presented the following report:

1. She reminded Council that a Public Forum was scheduled for Tuesday, September 29, 2015 at 7:00 p.m. at Village Hall regarding the proposed Charter Review questions and revisions.

11. MANAGER'S REPORTS

Mr. Schofield presented the following report:

1. The next Regular Council meeting is scheduled for Thursday, September 24, 2015 at 7:00 p.m. in the Council Chambers.
2. The Village will hold a 9/11 Remembrance Ceremony beginning at 6:00 p.m. at the Patriots Memorial.
3. The Annual Jeff Annas 5K Run/Walk will take place on Saturday, September 12th beginning at 7:30 a.m. at the Amphitheater.
4. The Rotary Club will host its Annual World Peace Day on Sunday, September 20th beginning at 3:00 p.m.
5. He announced he would be out of town until September 22nd.
6. Based on where the Village is with the budget, they will need to respond to Binks. He said he would be putting this on the agenda on September 24th.

Ms. Cohen indicated that Binks was also waiting on the Purchase and Sale Agreement.

Councilman Willhite asked if the appraisals have come back to the Village. In response, Mr. Schofield said that the Village has at least one, and were waiting for another to come back. He noted that there was not enough money to purchase Binks at the price they were asking in the \$3.2 million that was set aside for capital projects. He said that his understanding of Council's direction was to do this as either a bond or a financing noting that either one will take months to do.

Council consensus was to place this on the September 24th agenda for discussion.

12. COUNCIL REPORTS

Councilwoman Gerwig presented the following report:

1. She reported that several residents contacted her who reside in the south end of Wellington where the roadway was being raised. They expressed concern about the increase in vermin noting that they had to call for special removal of raccoons, possum and other similar animals. She asked if staff

recalled having that problem during other road projects.

Mr. Schofield said that this was the first he was hearing about this road work. He said that the last time that was an issue was when the Water Management District was constructing Stormwater Treatment Area 1E.

Ms. Gerwig thought it could be related to the change in the drainage that was done there. She advised the residents to contact Mike O'Dell with any concerns. She said their concern was more about the possum than the raccoons as their feces could be poisonous to horses.

2. Councilwoman Gerwig reported that she would be attending Parents Weekend at the University of Central Florida and would not be able to attend the Rotary Club's World Peace event. She further noted that she would be attending the 9/11 event for a short time as she had another event to attend.

Vice Mayor Greene presented the following report:

1. He reported he would not be attending the 9/11 event because he would be flying up to St. Louis to celebrate his parent's 60th wedding anniversary as well as his uncle's 90th birthday. He said that he was not afraid to fly on 9/11 despite the scare tactics that it is not safe to fly on that day by those who do not like the freedom that Americans enjoy. He thanked all of the men and women who serve and protect their county. He also said his heart went out to those families who lost loved ones on 9/11.
2. He stated that the Village received a request from Palm Beach Central High School for Project Graduation. He asked what the Village's sponsorship level was for that event.

In response, Mr. Schofield said that it the Village sponsorship level was \$500.00

3. He wished his Jewish friends and residents a Happy Rosh Hashanna.

Councilman Willhite presented the following report:

1. He thanked staff and residents who came out for the parade recognizing the two sports teams which he said was unprecedented. He said this type of celebration only occurs in small, hometown communities. He wanted to see the Village continue to hold similar celebrations in the future. He also suggested having valedictorians, debate teams and other school groups come to the Council meetings and get more involved in government.
2. He reported that the Jeff Annas 5k run/walk was coming up which has over \$1,000 participants. He said he was proud of his wife for running noting that this is her second year. Councilman Willhite said the run is named after a firefighter he had worked with. He also noted that the Rotary Club was sponsoring a 5K run/walk to benefit Cerebral Palsy.
3. He thought the World Peace Day event was a good event which recognized spreading world peace. He said it was great that the Village has the Peace Park which set them apart from other communities.
4. Councilman Willhite addressed the Wellington Green Market which he felt has not sustained the Village's standards and the products that are produced here. He said that there has been a difference of opinion as to its operation, but thought that its vendor level has dwindled. He said that the Village needs to discuss either having the current operator doing better, a new operator or it be operated by the Village.

5. He said that he would be attending the 9/11 ceremony and was happy to involve some residents. He noted some things that still happen at this location, for example a family had a family friend from out of town visit who recognized her grandfather's name on the wall. He noted that there was even a wedding ceremony at the Memorial. He was happy they have it and all of the naysayers have gone away since it was first erected.

Vice Mayor Greene stated that he thought the Green Market was going to be discussed at this meeting. Mr. Schofield said that he met with the staff about this, and he believed their recommendation was to bring it inhouse. Vice Mayor Greene thought that vendors like participating in this, but there has been concerns raised about it in the community. Mr. Schofield said that the September 24th meeting was going to be busy and said that he would put it on the agenda for the first meeting in October.

Councilman McGovern voiced his support for having the discussion about the Green Market because he hears regularly that it does not match the Wellington standard.

Councilman McGovern presented the following report:

1. He congratulated Liz Nunez on being promoted as the Village's Public Information Officer. He thought she would do a great job, and hoped that the residents will get to know her.
2. He announced that he appointed Tanya Siskind to the Village's Education Committee to replace Sherry Derrevere who had recently resigned. He noted that Ms. Siskind will be a good addition as she is the President of Binks' PTA, also sits on the PTA Board for Palm Beach County, and has children at multiple Wellington public schools.
3. He stated that he would not be able to attend the 9/11 ceremony. He said that 9/11 is a very somber day and one that should always be remembered. Councilman McGovern said that the Village's Patriot Memorial is a great place and it is wonderful to have it in the Village.

Councilwoman Gerwig said that she had neglected to include this in her report, but Christina Cooney from Vinceramos participated in the Special Olympics and won a bronze and silver medal. She was going to be recognized on Saturday at Vinceramos. She said that several residents have asked if the Village would also recognize her at one of the Council meetings. She asked if that was something that could be arranged. Council agreed to have Ms. Cooney recognized at a Council Meeting.

Mayor Margolis represented the following report:

1. He wished all his Jewish friends a Happy and Healthy New Year.
2. He said that he had planned on attending the Rotary's medical meeting, and wanted to publicly apologize to them that he had not advised them that he could not attend due to some circumstances that had occurred that were beyond his control. He hoped that they were planning another such meeting which he would like to attend.
3. Mayor Margolis said that Ms. Cohen had done some research on the composition of canvassing boards which had been provided to Council. He said that it appeared that the Village was in the minority as to the process that they follow. He said he knew that would require an amendment to the Charter in order to change it, so he would be bringing it up at their next Charter Workshop. He noted that out of 37 municipalities, only three or four have the

same process as the Village while most others following the State or other forms.

Ms. Cohen pointed out that the meeting on September 29th was a public forum to discuss the changes that had been proposed. She said that she had taken the liberty since she could not get input from Council, to revise it to include the State law; however, Council can direct her to change that if that was their desire.

Councilman Willhite thought that Council directed Ms. Cohen to draft language on that item.

Ms. Cohen advised Council that she had sent out several memos that day, and she included one that had all of the revisions requested by Council with the actual language changed in the Charter as well as the two policies that they had asked her to draft.

13. ADJOURNMENT

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