

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, December 5, 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

Palm Beach Central High School and Wellington Community High School Students led the Pledge of Allegiance.

3. INVOCATION

Deacon Bob Rodriguez, 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 Consent Item 6F, Resolution No. 2023-64 (Florida Department of Environmental Protection's Florida Recreation Development Assistance Program (FRDAP) Grant) and Resolution No. R2023-65 (Florida Department of Environmental Protection Grant Funds) to the agenda.

2. Add Consent Item 6G, Resolution No. R2023-66 (Vote Processing Equipment Use and Election Services Agreement with the Palm Beach County Supervisor of Elections) to the agenda.

3. Postpone Public Hearing Item 7A, Ordinance No. 2023-13 (Vacation Rentals Zoning Text Amendment), to a date certain of January 16, 2024.

4. Move Item 7D, Ordinance No. 2023-16 (FY 2023/2024 Annual Capital Improvements Element Update of Wellington's Comprehensive Plan), to Public Hearings as Item 7C. Former Item 7C will become 7D, respectively.

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. [23-6200](#) RECOGNITION OF WELLINGTON RESIDENT AUSTEN MACMILLAN

Mr. Barnes introduced the item.

Ms. Addie read the proclamation.

Ms. Coates showed Council a video and gave comments.

Palm Beach County Sheriff's Office (PBSO) Lieutenant Bobby Humphrey gave comments and referenced the Medal that Austin had received. In addition, Palm Beach County Fire Rescue (PBCFR) Battalion Chief Amanda Vomeron provided comments and an award to Austin MacMillan. Chief Kennedy also gave comments to Austin MacMillan. Crew Engine and Rescue 30 (the crew that responded to the call that day) were present as well.

The Village Council commended and congratulated Austin MacMillan and gave various comments.

B. [23-6199](#) PRESENTATION AND RECOGNITION OF FOOD COLLECTION CHALLENGE WINNER

Mr. Barnes introduced the item.

Ms. Paulette Edwards, Community Services Director, introduced Gus Ponce and James Smith. She discussed food collection for families in need. Ms. Edwards provided background information regarding the First Annual Food Collection Challenge and stated enough food was collected for 300 families. This year's winner was Palm Beach Central High School.

Mr. Reginald Myers, Principal of Palm Beach Central High School, thanked the Village Council for their support.

The Village Council commended both Wellington Community High School and Palm Beach Central High School for their participation. In addition, they recognized and congratulated Palm Beach Central High School on the win.

C. [23-6239](#) PRESENTATION OF THE FLORIDA PLANNING ASSOCIATION 10TH ANNUAL GREAT PLACES IN FLORIDA PEOPLE'S CHOICE AWARD

Mr. Barnes introduced the item.

Whit Blanton, FAICP, President and Jarrell Smith, Emerging Planners Group, American Planning Association (APA) Florida/Executive Committee Members, provided an overview of the Florida Planning Association Annual Great Places in Florida People's Choice Award and read an excerpt of the Village's application and presented the award to the Village of Wellington.

Mr. Barnes accepted the award on behalf of the Village.

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 amended.

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

- A. [23-6237](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF NOVEMBER 7, 2023
This item approved on Consent.
- B. [23-6168](#) AUTHORIZATION TO 1) EXECUTE A GMP AMENDMENT FOR THE WATER TREATMENT PLANT (WTP) RAW WATER MAIN INTERCONNECT AND REPLACEMENT PROJECT AND 2) EXECUTE A TASK ORDER FOR CONSTRUCTION PHASE SERVICES FOR THE WATER TREATMENT PLANT (WTP) RAW WATER MAIN INTERCONNECT AND REPLACEMENT PROJECT
This item approved on Consent.
- C. [23-6175](#) AUTHORIZATION TO CONTINUE UTILIZING A CITY OF PLANTATION CONTRACT, AS A BASIS FOR PRICING, WITH ALLIED UNIVERSAL CORPORATION, FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE
This item approved on Consent.
- D. [23-6179](#) AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR PLANNING, ZONING AND BUILDING INSPECTION SERVICES

This item approved on Consent.

- E. [23-6171](#) AUTHORIZATION TO AWARD A CONTRACT FOR TRAFFIC ENGINEERING SERVICE FOR A VISION ZERO ACTION PLAN

This item approved on Consent.

- F. [23-6255](#) RESOLUTION NO. R2023-64 FOR FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S FLORIDA RECREATIONAL DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT FOR THE TOWN CENTER PHASE II PROJECT AND RESOLUTION NO. R2023- FOR A BUDGET AMENDMENT TO ALLOCATE THE GRANT

RESOLUTION NO. 2023-64 FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF RECEIVING A GRANT UNDER PROVISIONS OF THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) FOR THE TOWN CENTER PHASE II PROJECT; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 2023-65 (FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FUNDS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FISCAL YEAR 2023-2024 CAPITAL FUND BUDGET FOR FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FUNDS AWARDED FOR THE TOWN CENTER PHASE II PROJECT; AND PROVIDING AN EFFECTIVE DATE.

This item added to the agenda.

This item approved on Consent.

- G. [23-6252](#) RESOLUTION NO. R2023-66 (VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES AGREEMENT WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT FOR VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS FOR THE 2024 MUNICIPAL

ELECTION; AND PROVIDING AN EFFECTIVE DATE.

This item added to the agenda.

This item approved on Consent.

7. PUBLIC HEARINGS

- A.** [23-6211](#) ORDINANCE NO. 2023-13 (VACATION RENTALS ZONING TEXT AMENDMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, MODIFYING ARTICLE 6 OF THE LAND DEVELOPMENT REGULATIONS RELATED TO VACATION RENTALS BY AMENDING VACATION RENTALS IN TABLE 6.2-1: USE REGULATIONS SCHEDULE AS A SPECIAL USE; AMENDING SEC.6.2.2.A BY AMENDING SUPPLEMENTARY REGULATIONS FOR VACATION RENTALS; CREATING SUSPENSION AND REVOCATION PROVISIONS, AND ESTABLISHING A SPECIAL USE PERMIT REQUIREMENT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

This item postponed to a date certain of January 16, 2024.

- B.** [23-6210](#) ORDINANCE NO. 2023-15 (CHANGES TO CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS OF WELLINGTON CODE OF ORDINANCES)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL RELATING TO BUILDING CODES AND THE ADOPTION OF THE FLORIDA BUILDING CODE 8th EDITION (2023) AS REQUIRED BY STATE STATUTE; ADOPTING A LOCAL ADMINISTRATION SECTION AS PROVIDED FOR IN THE STATE BUILDING CODE BASED UPON THE BUILDING CODE ADVISORY BOARD OF PALM BEACH COUNTY MODEL AND BUILDING OFFICIALS ASSOCIATION OF FLORIDA MODEL; AMENDING SEC. 5-1 REGARDING THE ADOPTION OF THE GROUP OF CODES KNOWN AS FLORIDA BUILDING CODE 8th EDITION (2023), INCLUDING THE: BUILDING, RESIDENTIAL, EXISTING BUILDING, ACCESSIBILITY, MECHANICAL, PLUMBING, FUEL GAS, ENERGY, NATIONAL ELECTRICAL CODE, THE FLORIDA FIRE PREVENTION CODE AS AMENDED BY PALM BEACH COUNTY, INTERNATIONAL PROPERTY MAINTENANCE CODE; REPEALING AND READOPTING SEC. 5-2, WELLINGTON BUILDING CODE ADMINISTRATIVE CODE, IN ITS ENTIRETY; AMENDING SEC. 5-3 AMENDMENTS TO THE FLORIDA BUILDING CODE TO REFERENCE THE CHANGED SECTION REFERENCES OF THE STATE BUILDING CODE AND ADOPTING WINDSPEED MAPS;

PROVIDING FOR CODIFICATION; PROVIDING AN ADOPTION DATE; PROVIDING A CONFLICTS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Ordinance by title.

Mr. Tomasik presented this item.

Council asked questions regarding the changes.

Mr. Tomasik provided answers to Council's questions.

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 Councilman Drahos, and unanimously passed (5-0) to close the public hearing.

A motion was made by Councilman McGovern, seconded by Vice Mayor Napoleone, and unanimously passed (5-0) to approve Ordinance No. 2023-15 (Changes to Chapter 18 Buildings and Building Regulations of the Wellington Code of Ordinances) on second reading.

C. [23-6241](#)

ORDINANCE NO. 2023-16 (FY 2023/2024 ANNUAL CAPITAL IMPROVEMENTS ELEMENT UPDATE OF WELLINGTON'S COMPREHENSIVE PLAN)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, UPDATING THE WELLINGTON COMPREHENSIVE PLAN BY INCORPORATING THE ANNUAL REVIEW AND REVISIONS TO THE CAPITAL IMPROVEMENTS ELEMENT TO REFLECT THE 2023/2024 THROUGH 2028/2029 FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR LEVEL OF SERVICE PROJECTS; UPDATING POLICY CI 1.2.5 TO ADOPT THE SCHOOL DISTRICT OF PALM BEACH COUNTY'S FISCAL YEAR 2023/2024 10-YEAR CAPITAL IMPROVEMENTS SCHEDULE BY REFERENCE; PROVIDING FOR CONFLICT AND SEVERABILITY; AUTHORIZING THE MANAGER TO UPDATE THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

This item formerly Item 7D.

Mr. Barnes introduced this item.

Ms. Addie read the Ordinance by title.

Mr. Stillings presented this item.

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 Councilman McGovern, 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. 2023-16 (FY 2023/2024 Annual Capital Improvement Element Update of Wellington's Comprehensive Plan) as presented on first reading.

D. [23-6219](#)

ORDINANCE NO. 2023-14 (MULTIPLE USE PLANNED DEVELOPMENT ZONING TEXT AMENDMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING WELLINGTON'S LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT (PETITION 2023-0002-ZTA) TO MODIFY THE STANDARDS FOR MULTIPLE USE PLANNED DEVELOPMENT (MUPD) ZONING DISTRICT IN ARTICLE 6, SECTION 6.5.6, TO INCLUDE CONSERVATION AS A PERMITTED USE TYPE, AND TO AMEND THE MAXIMUM PERCENTAGE ALLOWED FOR A SINGLE USE WITHIN A MUPD, AS MORE SPECIFICALLY CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

This item formerly Item 7C.

Ms. Addie read the Ordinance by title.

Mr. Tim Stillings presented this item and answered Council's questions.

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 Councilwoman Siskind, seconded by Vice Mayor Napoleone and unanimously passed (5-0) to approve Ordinance No. 2023-14 (Multiple Use Planned Development Zoning Text Amendment) on first reading.

E. [23-6220](#)**RESOLUTION NO. R2023-63 (LOTIS 1 MASTER PLAN AMENDMENT)**

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A MASTER PLAN AMENDMENT [PETITION NUMBER 2023-0002-MPA] FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON 1, A MIXED-USE PROJECT, TOTALING 64.02 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY HALF A MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; REMOVING THE CONDITIONAL USES FOR A CONGREGATE LIVING FACILITY (TYPE 3) AND GENERAL DAYCARE FACILITY, AS APPROVED BY RESOLUTION NUMBER R2020-48; APPROVING AN INCREASE OF MULTI-FAMILY RESIDENTIAL DWELLING UNITS FROM 191 TO 378, AN INCREASE IN THE MEDICAL OFFICE FROM 40,000 TO 50,000 SQUARE FEET, TO DEDICATE A 0.84-ACRE CYPRESS PRESERVE AND RECREATION AREA AS CONSERVATION, TO ADD A PUBLIC DOG PARK, TO MODIFY THE LAKE AND PUBLIC GREENWAY TRACTS, AND TO AMEND CONDITIONS OF APPROVAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Resolution by title.

Ms. Cohen stated that the item is quasi-judicial and swore in the persons who wanted to speak on this item.

The Village Council disclosed their ex parte communications for this item.

Mr. Damian Newell entered the file into record and presented this item.

Mr. Brian Terry (Agent) and Mr. James Gielda (Lotis Group) were present.

Staff and the applicant representatives answered Council's questions.

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 Councilman Drahos, seconded by Vice Mayor Napoleone, and unanimously passed (5-0) to close the public hearing.

A motion was made by Vice Mayor Napoleone, seconded by Councilman Drahos and unanimously passed (5-0) to postpone to a date certain of January 3, 2024.

F. [23-6221](#)

RESOLUTION NO. R2023-62 (LOTIS 2 MASTER PLAN AND CONDITIONAL USE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A MASTER PLAN [PETITION NUMBER 2022-0001-MP] AND CONDITIONAL USE [PETITION NUMBER 2022-0002-CU] FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON 2, TOTALING 52.44 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY HALF A MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; APPROVING A MASTER PLAN TO ALLOW A MIXED-USE PROJECT CONSISTING OF INDOOR/OUTDOOR ENTERTAINMENT WITH 36-HOLE MINIATURE GOLF AND 8,000 SQUARE FEET OF RESTAURANT, EVENT SPACE AND RETAIL, 1,030 SQUARE FEET GENERAL OFFICE, A 18,000 SQUARE FEET DAYCARE FACILITY FOR UP TO 210 CHILDREN, 72 MULTI-FAMILY RESIDENTIAL DWELLING UNITS, 100 SINGLE-FAMILY RESIDENTIAL DWELLING UNITS, 4.24-ACRE DEDICATED CONSERVATION AREA WITH RECREATION AREA, AND 13.21-ACRE OPEN SPACE AND RECREATION AREAS INCLUSIVE OF A LAKE AND GREENWAY WITH A MULTI-USE PATHWAY OPEN TO THE PUBLIC FOR PUBLIC

RECREATION LAND DEDICATION; APPROVING A CONDITIONAL USE FOR INDOOR/OUTDOOR ENTERTAINMENT MINIATURE GOLF, AND GENERAL DAYCARE FACILITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Resolution by title.

Ms. Cohen stated that the item is quasi-judicial and swore in the persons who wanted to speak on this item.

The Village Council disclosed their ex parte communications for this item.

Mr. Damian Newell entered the file into record and presented this item.

Mr. Brian Terry (Agent) and Mr. James Gielda (Lotis Group) were present.

Staff and the applicant representatives answered Council's questions.

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 Councilman McGovern, 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 Resolution No. R2023-62 (Lotis 2 Master Plan and Conditional Use) as amended.

8. REGULAR AGENDA

A. [23-6178](#) DIRECTION ON PURCHASE AND SALE AGREEMENT FOR K-PARK

Mr. Barnes introduced this item.

Jon E. Schmidt, ASLA, LEED AP Principal, from Schmidt Nichols Landscape Architecture and Urban Planning showed a conceptual plan

rendering for K-Park and model examples.

Jim Ward, Ward Real Estate, LLC, stated they have been doing this for 46 years. He feels this is something Wellington needs and stated they follow through.

The Village Council discussed the agreement and referenced information received from the Related Group.

Ms. Cohen and Mr. Ward responded to Council's questions.

There was consensus of the Village Council to bring this item back for a date certain of January 16, 2024.

A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind and unanimously passed (4-1; Mayor Gerwig dissenting) to extend the meeting to 11:30 p.m.

B. [23-6218](#)

SOUTHERN BOULEVARD ANNEXATION

Mr. Barnes introduced this item. He briefly discussed the item and stated the first and second reading of the ordinance will be held in January and February 2024, respectively.

Ms. Cohen reiterated that the ballot language is due to the Palm Beach County Supervisor of Elections by December 15, 2023 and if adopted tonight, cannot be changed.

Vice Mayor Napoleone asked Mr. Barnes to explain how the Village came up with the idea to annex the areas.

Ms. Cohen discussed the challenge by the County. She stated if the County's property is not included she feels it would eliminate the County's challenge.

Mr. Basehart discussed the origin of the annexation.

There were two Public Comments.

A motion was made by Councilman Drahos, seconded by

Councilman McGovern and unanimously passed (5-0) to approve the ballot language for the Southern Boulevard Annexation.

9. PUBLIC FORUM

Mr. Barnes indicated that there were no comment cards received for Public Forum.

10. ATTORNEY'S REPORT

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

Ms. Cohen provided an update regarding the Corepoint Properties.

Ms. Cohen stated she needs a shade session with the Village Council regarding BreFrank before December 19, 2023.

11. MANAGER'S REPORT

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

Mr. Barnes waived comment.

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 wished everyone happy holidays and happy new year. He also wished Mayor Gerwig a happy birthday.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

Councilwoman Siskind waived comment.

MAYOR GERWIG: Mayor Gerwig presented the following report:

Mayor Gerwig waived comment.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 11:26 P.M.