

## MINUTES

### REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

Wellington Village Hall  
12300 Forest Hill Blvd  
Wellington, FL 33414

Tuesday, January 16, 2024  
7:00 p.m.

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, January 16, 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; and Michael Drahos, Councilman.

Council Members absent: 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. Addie, Village Clerk.

1. **CALL TO ORDER** – Mayor Gerwig called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE** – Cub Scout Pack 125 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 Resolution No. R2024-05, Wellington Athletics, to the Regular Agenda as Item 8C.
- 2) Move Item 7C, Ordinance No. 2023-17 (Southern Boulevard Annexation), to the first item under Public Hearings as Item 7A. All other Public Hearing Items will move to become 7B And 7C, respectively.
- 3) Move Item 8B, Direction on Letter of Interest/Best and Final Offer for Wellington Green Park and Authorization to Execute a Purchase and Sale Agreement for Wellington Green Park, to Presentations and Proclamations as Item 5A. All other Presentations and Proclamations will move to become 5B, 5C, 5D, and 5E, respectively.
- 4) Add Resolution No. R2024-06, Lawsuit Challenging Form 6 Requirement, to the Regular Agenda as Item 8D.

**A motion was made by Councilman McGovern, seconded by Vice Mayor Napoleone, and unanimously passed (4-0), to approve the Agenda as amended.**

**5. PRESENTATIONS AND PROCLAMATIONS**

- A. 24-6296** DIRECTION ON LETTER OF INTEREST/BEST AND FINAL OFFER FOR WELLINGTON GREEN PARK AND AUTHORIZATION TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR WELLINGTON GREEN PARK FORMERLY **(THIS ITEM FORMERLY ITEM 8B)**

Mr. Barnes presented the item. He indicated based on the results of the Closed Attorney/Client session, staff recommends that the Village Council cancel the Letter of Interest.

Ms. Cohen briefly discussed Council's direction regarding a settlement agreement.

**A motion was made by Vice Mayor Napoleone, seconded by Councilman Drahos, and unanimously passed (4-0) to cancel the Letter of Interest (LOI) based on the discussion.**

- B. 24-6291** RECOGNITION OF WELLINGTON HIGH SCHOOL STUDENT ALDYN BORRELLO **(THIS ITEM FORMERLY ITEM 5A)**

Mr. Barnes introduced this item.

Ms. Addie read the proclamation.

The Village Council recognized and congratulated Aldyn Borrello and provided comments.

- C. 23-6183** SAFETY 4 LIFE STUDENT AMBASSADOR DAY PROCLAMATION **(THIS ITEM FORMERLY ITEM 5B)**

Mr. Barnes introduced this item.

Ms. Addie read the proclamation.

Nicole Coates, Emergency Management and Public Safety Director, showed a video regarding Safety 4 Life and provided some information regarding the program. She thanked and introduced Tara Applebaum, Executive Director Safety 4 Life Foundation; Brian and Esther Labovick, Founders of the Labovick Law Firm and Safety 4 Life Foundation; Eric Stern, Curriculum Administrator, Palm Beach County School District; and Jay Lauer, Assistant Principal/Cardinal Newman High School.

Ms. Applebaum thanked Council for the proclamation and provided information regarding Safety 4 Life Ambassadors, Programs and Events.

The Village Council provided comments.

- D. 23-6167** PALM BEACH COUNTY PALM TRAN SERVICES UPDATE **(THIS ITEM FORMERLY ITEM 5C)**

Mr. Barnes introduced the item.

Mr. Yash Nagal, Palm Tran/Director of Transit Planning, spoke regarding Palm Tran's progress to date, Fixed-Route Service Efficiencies, TNC/Voucher Pilot Program – How It Works, Connection Efficiency Project (CEP) – Paratransit Service Implementation Plan, Public Outreach, and Recommendations – Board Direction.

Mayor Gerwig extended condolences on the loss of Mr. Clinton Forbes.

Ms. Deborah Posey-Blocker, Palm Tran Senior Manager of Legislative and Governmental Affairs, was also present in the audience.

Mr. Nagal responded to Council's questions.

- E.      **23-6248**      RESOLUTION NO. R2024-01 (WENHAM HONORARY STREET CO-NAMING)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING THE CO-NAMING OF [STREET TO BE DETERMINED] IN HONOR OF MR. THOMAS WENHAM'S CONTRIBUTIONS TO THE VILLAGE OF WELLINGTON IN CONFORMANCE WITH THE HONORARY STREET CO-NAMING POLICY (VW-A-030); AND PROVIDING AN EFFECTIVE DATE. **(THIS ITEM FORMERLY ITEM 5D)**

Mr. Barnes introduced the item and stated the street to be named would be Birkdale Drive.

Councilman McGovern asked Mr. Barnes to explain the co-naming process regarding signage.

Mr. Barnes explained the street co-naming and signage process.

**A motion was made by Councilman McGovern, seconded by Vice Mayor Napoleone, and passed (4-0) to approve Resolution No. R2024-01 (Wenham Honorary Street Co-Naming; with Birkdale Drive to be the street to be co-named).**

**6.      CONSENT AGENDA**

- A.      **24-6294**      MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETINGS OF NOVEMBER 14, 2023, NOVEMBER 15, 2023, NOVEMBER 16, 2023, DECEMBER 5, 2023 AND JANUARY 3, 2024
- B.      **23-6014**      AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR PUMP STATION 2 REHAB DESIGN AND BID PHASE
- C.      **23-6267**      AUTHORIZATION TO UTILIZE CONTRACTS FOR THE PURCHASE AND DELIVERY OF UTILITY EQUIPMENT; AND AUTHORIZATION TO DISPOSE OF EXISTING SURPLUS EQUIPMENT
- D.      **23-6281**      UTILITY SERVICES AGREEMENT WITH RD WELLINGTON STABLES LOT 2, LLC FOR PROPERTY LOCATED IN PALM BEACH COUNTY, FLORIDA
- E.      **23-6279**      RESOLUTION NO. R2024-02 (WINDSOME FARMS LOT 2 ABANDONMENT)
- A RESOLUTION OF THE WELLINGTON'S COUNCIL ABANDONING A PORTION OF A FIVE (5)-FOOT WIDE LIMITED ACCESS EASEMENT, TOTALING APPROXIMATELY 150 SQUARE FEET, LOCATED WITHIN LOT 2 OF THE WINDSOME FARMS SUBDIVISION, MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.
- F.      **23-6275**      RESOLUTION NO. R2024-03 (SUPPORT FOR THE EXTENSION AND CONTINUATION OF THE PALM BEACH COUNTY ONE-CENT SALES SURTAX)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL EXPRESSING SUPPORT FOR THE EXTENSION AND CONTINUATION OF THE PALM BEACH COUNTY ONE-CENT SALES SURTAX TO FUND LOCAL INFRASTRUCTURE PROJECTS THROUGH DECEMBER 31, 2036; AND PROVIDING AN EFFECTIVE DATE.

- G. **23-6265** AUTHORIZATION TO AWARD A COMPREHENSIVE AGREEMENT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A PADEL FACILITY

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 Councilman Drahos, and unanimously passed (4-0), to approve the Consent Agenda as presented.**

Public Comment:

1. Cub Scout Pack 125 invited the Village Council to the Pinewood Derby to be held on February 24, 2024.
2. Chris George spoke regarding attending past meetings.

**7. PUBLIC HEARINGS**

- A. **23-6246** ORDINANCE NO. 2023-17 (SOUTHERN BOULEVARD ANNEXATION)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL ANNEXING, PURSUANT TO A PETITION FOR INVOLUNTARY ANNEXATION, CERTAIN REAL PROPERTY COMPRISED OF 257.9+/- ACRES LOCATED ON THE NORTH SIDE OF STATE ROAD 80 ADJACENT TO THE WESTERN BOUNDARY OF THE TOWN OF LOXAHATCHEE GROVES AND EXTENDING WESTERLY APPROXIMATELY 0.65 MILES, WHICH PROPERTY IS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING SECTION 11 OF THE VILLAGE CHARTER BY REDEFINING THE CORPORATE LIMITS OF THE VILLAGE OF WELLINGTON; DIRECTING THE VILLAGE MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS ANNEXATION; DIRECTING THE VILLAGE CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT IN PALM BEACH COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF PALM BEACH COUNTY, AND THE FLORIDA DEPARTMENT OF STATE WITHIN SEVEN DAYS AFTER ADOPTION, IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES; APPROVING A BALLOT SUMMARY AND BALLOT QUESTION FOR THE ELECTORS WITHIN THE PROPOSED ANNEXATION AREA; PROVIDING A CONFLICTS CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. **(THIS ITEM FORMERLY ITEM 7C)**

Mr. Barnes introduced this item.

Ms. Addie read the Ordinance by title.

Mr. Basehart discussed the origin of the annexation and the potential future Wellington annexation areas and referenced the subject site. He stated the Village is considering bringing the property into Wellington's jurisdiction. He indicated there are a number of requirements to annex property per Florida Statutes Chapter 171 and said the Village has received letters of support from property owners. Mr. Basehart referenced the standards for this type of annexation. He stated if Council approves the annexation ordinance, a referendum will occur in March.

#### Public Hearing

**A motion was made by Vice Mayor Napoleone, seconded by Councilman McGovern, and unanimously passed (4-0) to open the public hearing.**

#### Public Comment:

1. Khurshid Mohyuddin, AICP, Principal Planner with Palm Beach County, discussed the county's objection to the annexation.
2. Nancy Gribble spoke on behalf of the Fox Trail Homeowner's Association and stated they support the county's objection to the annexation and read information into the record.
3. Geoff Sluggett, on behalf of his father, stated his father supports the annexation.
4. Bradley Miller, Urban Design Studio, representing two property owners, spoke regarding the annexation and corresponding properties.
5. Andres Reynolds stated he is a homesteaded resident and he supports the annexation.
6. Calum Winsor, on behalf of homeowners, Ronald Frame and Alice Kuriam, stated they support the annexation.
7. Ron Schwartz stated he knows the benefits of living in Wellington and feels it would be beneficial for the area.
8. Greg Maffet said he and his wife support the annexation.
9. Christina Walczak, on behalf of herself and Michael Catron, said they support the annexation.
10. Garrett Warner said he and his wife are in support of the annexation.
11. Katha Gotto, on behalf of her mother Ann Harrison, said she supports the annexation.

Vice Mayor Napoleone read the card of Ali Boone, who is in support of the annexation, into record.

12. Jason Hovde stated his family and his church is in support of the annexation.

**There being no further public comments, a motion was made by Councilman McGovern, seconded by Vice Mayor Napoleone, and unanimously passed (4-0) to close the public hearing.**

Mr. Basehart spoke regarding the county's objection to the annexation and offered further information.

Councilman Drahos asked Mr. Basehart to explain the procedure for the ordinance in terms of the referendum.

Councilman McGovern asked what happens after the vote and when would this be effective.

Mr. Stillings stated it is effective for December 2024.

Councilman Drahos asked if litigation is filed would that be handled in house.

Ms. Cohen spoke regarding litigation.

There was discussion between the Village Council, Mr. Barnes, Mr. Stillings and Mr. Basehart regarding the annexation.

**A motion was made by Vice Mayor Napoleone, seconded by Councilman McGovern, and unanimously passed (4-0) to approve Ordinance No. 2023-17 (Southern Boulevard Annexation) on first reading.**

**B. 23-6286 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 FORMERLY ITEM 7A)**

Mr. Barnes introduced the item.

Ms. Addie read the Ordinance by title.

Mr. Stillings stated this is the second reading for the Vacation Rental Zoning Text Amendment to the Supplementary Standards. He provided an overview and stated there have been recent issues. Mr. Stillings discussed the proposed amendment and changes that have been made since first reading. He mentioned the suggestions by Airbnb representatives regarding revocation.

Mayor Gerwig inquired about rentals.

Mr. Barnes spoke regarding rentals and the origin of the Village's effort trying to address issues while staying in compliance with the state.

Vice Mayor Napoleone asked Ms. Cohen about the changes to the ordinance which makes this a first reading.

Ms. Cohen stated due to substantive changes made to the ordinance. This hearing is being treated as a first reading. The ordinance is coming back for a second reading in February.

Councilman McGovern stated this has been going on for several months and the Village is constrained under state law. He said it is a step forward and the issues were initially brought to the Village by residents.

#### Public Hearing

**A motion was made by Vice Mayor Napoleone, seconded by Councilman McGovern, and unanimously passed (4-0) to open the public hearing.**

Public Comment:

1. Jana Rodriguez stated they have been working with the neighbors and staff members regarding the short term rentals.

**There being no further public comments, a motion was made by Vice Mayor Napoleone, seconded by Councilman McGovern, and unanimously passed (4-0) to close the public hearing.**

**A motion was made by Vice Mayor Napoleone, seconded by Councilman McGovern, and unanimously passed (4-0) to approve Ordinance No. 2023-13 (Vacation Rentals Zoning Text Amendment) as amended on first reading.**

**C. 23-6256** ORDINANCE NO. 2023-16 (FY 2023/2024 ANNUAL CAPITAL IMPROVEMENT 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 7B)**

Mr. Barnes introduced this item.

Ms. Addie read the Ordinance by title.

Mr. Stillings stated this is the second reading of this Ordinance for the annual update to the Comprehensive Plan. The Village is required by Florida Statute to do this each year following the adoption of the Capital Improvement Plan to incorporate the updated schedule of projects.

Public Hearing

**A motion was made by Vice Mayor Napoleone, seconded by Councilman Drahos, and unanimously passed (4-0) 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 (4-0) to close the public hearing.**

**A motion was made by Councilman Drahos, seconded by Vice Mayor Napoleone, and unanimously passed (4-0) to approve Ordinance No. 2023-16 (FY 2023/2024 Annual Capital Improvement Element Update of Wellington's Comprehensive Plan) as presented on second reading.**

**8. REGULAR AGENDA**

**A. 24-6295 UPDATE ON K-PARK DISCUSSIONS**

Mr. Barnes introduced this item. He provided an update to Council and stated staff recommendation is to continue to allow Mr. Ward and the Related Group to present additional information and have continued discussion as well as to obtain other proposals.

Mayor Gerwig asked what does the community want for the land and what can be incorporated to bring in the community.

Mr. Barnes responded to Mayor Gerwig's questions.

There was further Council discussion regarding K-Park.

Public Comment:

1. Jim Mantrozos spoke regarding botanical gardens and K-Park.
2. Cheri Coates thanked the Vice Mayor for responding to her previous email. She spoke regarding K-Park.
3. Phoebe Weseley spoke regarding K-Park and asked why the Wellington Mall was not being discussed.

Mr. Barnes reiterated staff's recommendation regarding K-Park.

There was Council consensus to continue discussion and accept other proposals regarding K-Park.

~~**B. 24-6296** DIRECTION ON LETTER OF INTEREST/BEST AND FINAL OFFER FOR WELLINGTON GREEN PARK AND AUTHORIZATION TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR WELLINGTON GREEN PARK FORMERLY (THIS ITEM MOVED TO PRESENTATIONS AND PROCLAMATIONS AS ITEM 5A)~~

**C. 24-6307** RESOLUTION NO. R2024-05 (RELOCATION OF WELLINGTON ATHLETICS FACILITY TO VILLAGE PARK)  
A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL SUPPORTING THE RELOCATION OF THE WELLINGTON ATHLETICS RECREATIONAL FACILITY TO VILLAGE PARK; ACCEPTING A MONETARY DONATION FROM THE MALLET HILL PROPERTY OWNERS ASSOCIATION, IN. AND SOUTHFIELDS OF PALM BEACH POLO AND COUNTRY CLUB HOMEOWNERS ASSOCIATION, INC. 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; AND PROVIDING AN EFFECTIVE DATE. **(THIS ITEM ADDED TO THE AGENDA)**

Mr. Barnes provided background information for the item.

Vice Mayor Napoleone stated he feels the Wellington Athletics program will do better at Village Park.

Councilman Drahos spoke regarding the lighting at the fields.



Councilman McGovern commented regarding green space for open play. He inquired about the donated funds referenced in the resolution.

There was further discussion between Mr. Barnes and the Village Council regarding Wellington Athletics moving the facility to Village Park.

**A motion was made by Vice Mayor Napoleone, seconded by Councilman Drahos, and unanimously passed (4-0) to approve Resolution No. R2024-05 as presented.**

**D. DISCUSSION OF RESOLUTION NO. R2024-06 FOR AUTHORIZATION OF PARTICIPATION IN A LAWSUIT REGARDING FORM 6 (THIS ITEM ADDED TO THE AGENDA)**

Ms. Cohen presented the item.

There was discussion between the Village Council and Ms. Cohen regarding the lawsuit.

It was the consensus of the Village Council to not participate in the lawsuit at this time.

**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 stated she had no report.

**11. MANAGER'S REPORT**

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

- The Next Council Meetings for the second readings regarding Wellington North and South will be held on January 23, 2024, January 24, 2024 and January 25, 2024 (if necessary) at 6:00 p.m.
- Mr. Barnes provided an update on the electrical issue Ms. Panse spoke about during the Agenda Review meeting.

**12. COUNCIL REPORTS**

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

- Councilman McGovern stated they extend condolences to Councilwoman Siskind on the loss of her grandmother.
- Councilman McGovern stated the Martin Luther King, Jr. Day (MLK) program was held on Monday morning and it was a packed room. He commented on who attended the program. Councilman McGovern gave credit to Ian Williams for obtaining the speaker and discussed the Day of Service.
- Councilman McGovern asked the residents to be engaged and involved in the second set of meetings next week.

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

- Councilman Drahos expressed condolences to Councilwoman Siskind.

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

- Vice Mayor Napoleone expressed condolences to Councilwoman Siskind.

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

- Mayor Gerwig spoke regarding the Pinewood Derby.
- Mayor Gerwig commented about Code Enforcement and she asked Mr. Barnes to review the ways to work together with residents.

### **13. ADJOURNMENT**

There being no further business to come before the Village Council, the meeting was adjourned at approximately 9:58 P.M.

**Approved:**

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**Anne Gerwig, Mayor**

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**Chevelle D. Addie, Village Clerk**