

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Monday, November 24, 2014**

**3:00 PM**

**Village Hall**

## **Village Council Workshop**

*Bob Margolis, Mayor  
John Greene, Vice Mayor  
Matt Willhite, Councilman  
Howard K. Coates Jr., Councilman  
Anne Gerwig, Councilwoman*

**1. CALL TO ORDER**

Mayor Margolis called the meeting to order at 3:00 p.m.

**2. REVIEW OF COUNCIL AGENDA**

Mr. Schofield presented the Agenda for the November 25th Council Meeting for discussion and review.

- A. [14-958](#) PROCLAMATION RECOGNIZING THE WELLINGTON HIGH SCHOOL BOYS 200 FREESTYLE RELAY TEAM FOR THEIR STATE CHAMPIONSHIP AT THE CLASS 4A STATE MEET

**REQUEST:** Recognition of the Wellington High School Boys 200 Freestyle Relay team for their State Championship at the Class 4A State Meet.

Mr. Schofield presented the item. There were no changes recommended.

- B. [14-962](#) MINUTES OF THE OCTOBER 14, 2014 REGULAR WELLINGTON COUNCIL MEETING

**REQUEST:** Approval of the Minutes of the Regular Wellington Council Meeting of October 14, 2014.

Mr. Schofield presented the item.

Councilwoman Gerwig said an entire line was repeated on page 25.  
"Councilwoman Gerwig presented the following report"

- C. [14-915](#) RESOLUTION NO. R2014-68 (APPOINTMENT OF SPECIAL MAGISTRATES)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE REAPPOINTMENT OF SPECIAL MAGISTRATES, ALAN ZANGEN AND MICHAEL POSNER TO HEAR AND DECIDE CODE ENFORCEMENT CASES, PURSUANT TO SECTION 2-203 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

**REQUEST:** Approval of Resolution No. R2014-68 Appointing two (2) Special Magistrates to a two (2) year term beginning June 8, 2014 ending June 7, 2016.

Mr. Schofield presented the item.

Vice Mayor Greene requested the item be removed from Consent Agenda and placed on Regular Agenda to allow for discussion and comments.

Councilwoman Gerwig requested that legal staff provide their opinions regarding Mr. Zangen and Mr. Posner's handling of the meeting's. Ms. Cohen stated that she would provide the information requested by Council but explained that the legal department does not attend, listen or monitor all the code enforcement meetings unless the item was of importance or in need of legal attention.

Mr. Schofield stated that the item would be moved to Regular Agenda as item 8D.

**D.**      [14-945](#)

**RESOLUTION NO. R2014-72 (KEELY SPINELLI GRANT GUIDELINES)**

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE KEELY SPINELLI GRANT GUIDELINES ESTABLISHED BY RESOLUTION NO. R2013-61 TO ALLOW ANY UNENCUMBERED FUNDS TO BE RETAINED AND UTILIZED BY THE SCHOOLS TO CONTINUE ALLOWABLE EXPEDITURES AS DEFINED; AND PROVIDING AN EFFECTIVE DATE.

**REQUEST:** Approval of Resolution No. R2014-72 amending the Keely Spinelli Grant Guidelines to allow any unencumbered funds to be retained and utilized by the schools to continue allowable expenditures for the following school year.

Mr. Schofield presented the item.

Councilman Coates requested to have the item removed from Consent Agenda and placed on Regular Agenda to allow for Council discussion as to why several of the schools did not expend all the funds that were awarded to them

Councilwoman Gerwig stated that she did not object to moving the item, but asked Mr. Poag if he could address why certain schools did not expend all their funds.

Mr. Poag explained that some of the schools encountered problems expending funds and providing the required receipts by May 31st because they did not receive funds until December.

Councilman Coates requested that the Education Committee's Chairperson attend the Council meeting the following night.

Mr. Schofield stated that the Consent item D would be moved to Regular Agenda as item 8E.

**E.**      [14-738](#)

**ORDINANCE NO. 2014-21 (ISLA VERDE REZONING)**

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING (PETITION NUMBER 2013-64 REZ 2) FOR CERTAIN PROPERTY KNOWN AS ISLA VERDE OF WELLINGTON, TOTALING 53.57 ACRES, MORE OR LESS, LOCATED ON THE EAST SIDE OF STATE ROAD 7 AND APPROXIMATELY 1/2 MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; FROM MULTIPLE USE PLANNED DEVELOPMENT (MUPD) TO MIXED USE PLANNED DEVELOPMENT DISTRICT (MXPD); PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**F. [14-739](#)****RESOLUTION NO. R2014-26 (ISLA VERDE MASTER PLAN AMENDMENT)**

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A MASTER PLAN AMENDMENT (PETITION NUMBER 2013-64 MPA 2) FOR CERTAIN PROPERTY KNOWN AS ISLA VERDE OF WELLINGTON, TOTALING 53.57 ACRES, MORE OR LESS, LOCATED ON THE EAST SIDE OF STATE ROAD 7 AND APPROXIMATELY 1/2 MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO ALLOW 350 MULTI-FAMILY UNITS AND AMEND CONDITIONS OF APPROVAL; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**REQUEST:** Approval of Ordinance No. 2014-21 a Rezoning from Multiple Use Planned Development (MUPD) to Mixed Use Planned Development District (MXPD).

**REQUEST:** Approval of Resolution No. R2014-26 Isla Verde Master Plan Amendment.

Mr. Schofield stated that both items would be heard together (Ordinance No. 2014-21 and Resolution No.2014-26.) Mr. Stillings provided background on the item and addressed Council questions.

Mayor Margolis asked for clarification regarding disclosure of ex-parte communication in regards to this item.

Councilwoman Gerwig asked if a plat was required. Mr. Stillings replied that a plat would be provided by the engineer at a later date for Council's approval.

There were no changes recommended.

**G. [14-801](#)****ORDINANCE 2014-27 (SECTION 5.1.13 SUSPENSION OF DEVELOPMENT REVIEW PROCEEDINGS)**

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING ARTICLE 5 DEVELOPMENT REVIEW PROCEEDINGS, SECTION 5.1.13 SUSPENSION OF DEVELOPMENT REVIEW PROCEEDINGS OF THE LAND DEVELOPMENT REGULATIONS OF THE VILLAGE OF WELLINGTON; TO AUTHORIZE THE SUSPENSION OF THE PROCESSING AND/OR CONSIDERATION OF DEVELOPMENT PERMIT(S) AND/OR USE APPROVAL APPLICATIONS FOR PROPERTIES WITH OPEN CODE ENFORCEMENT CASES AND/OR OUTSTANDING CODE ENFORCEMENT LIENS AND/OR FINES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

**REQUEST:** Approval of Ordinance No. 2014-27 on first reading.

Mr. Schofield introduced the item. Mr. Stillings and Ms. Cohen provided background on the item. There were no changes recommended.

H. [14-910](#)

DIRECTION REGARDING THE TENNIS CENTER MANAGEMENT AND MAINTENANCE REQUEST FOR PROPOSALS (RFP)

**REQUEST:** Direction regarding the tennis center management and maintenance Request for Proposals (RFP).

Mr. Schofield introduced the item. Mr. De La Vega and Mr. Barnes provided background on the item and responded to Council questions regarding the RFP.

There were no changes recommended

I. [14-937](#)

OUTSIDE LEGAL FEES AND COSTS

**REQUEST:** Approval of continued use of outside professional legal services with the firm of Lehtinen Schultz Riedi Catalano de la Fuente, PLLC (LSRCF) in an amount up to \$100,000 for the 2014/2015 fiscal year.

Mr. Schofield introduced the item. Ms. Cohen presented background in the item. There were no changes recommended.

J. [14-940](#)

RESOLUTION NO. R2014-69 (WANDERERS EXECUTIVE GOLF COURSE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AN AGREEMENT FOR THE PURCHASE OF CERTAIN REAL PROPERTY KNOWN AS WANDERERS EXECUTIVE GOLF COURSE; AUTHORIZING THE MAYOR OR VICE MAYOR AND THE VILLAGE CLERK TO EXECUTE ALL DOCUMENTS INCIDENT TO CLOSING, AND PROVIDING FOR AN EFFECTIVE DATE.

**REQUEST:** Council direction regarding acquisition of the Wanderers Executive Golf Course located within the platted subdivisions of Lakefield South 2A and 2B. The purchase price is \$1,000,000.00, or \$26,420.07 / acre, for a net acreage of 37.85 acres in an "as is" condition and with each entity responsible for their own closing costs.

Mr. Schofield introduced the item. Mr. O'Dell answered Council questions. He stated that he would be distributing an administrative transmittal regarding the cost estimate for improvements, including the filling of lakes to address the security concerns of the adjacent homeowners.

Council had a lengthy discussion on the intended use of the property.

Councilwoman Gerwig asked Mr. O'Dell to include a multi-purpose field within the map provided in the agenda packet for visual purposes.

Ms. Cohen discussed the terms of the proposed purchase and sale agreement. She was not sure if they would have the agreement finalized for Council consideration the following night.

Mayor Margolis requested the seller be present at the Council meeting to answer Council's questions.

There were no changes recommended.

### **3. WORKSHOP**

No workshop was scheduled.

### **4. ATTORNEY'S COMMENTS**

None

### **5. MANAGER COMMENTS**

Mr. Schofield explained that staff had encountered a problem at Polo West, explaining the maintenance building was converted into two stables without a permit. All stop work orders issued by the Village have been ignored by the owner, the water meter was pulled out over the weekend and an expedited power removal has been requested by FPL along with new citations. He requested Council's permission to move forward to obtain a court ordered injunction. Mr. Schofield added that the building was deemed inhabitable by the Building Department.

Mayor Margolis questioned the cost and the amount of time to obtain the injunction.

Ms. Cohen explained that she would need to file the petition which would include requesting a temporary and a permanent injunction and the date of the hearing would be provided by the judge assigned to the case. Florida Statutes allow the Village to file for both types of injunctions in addition to a hearing with a Circuit Court action.

Councilman Coates said the Village needed to be more proactive.

Mr. Schofield said that the legal process would not be quick but would be faster than waiting four months for an enforced magistrate order.

Ms. Cohen said that she was not sure if any of the costs or fees entailed with the process would be recoverable under the Florida Statutes but she would pursue if possible.

Mayor Margolis questioned the applicant's name on the initial Pro Shop permit application. Mr. Schofield said he was not aware of the applicant's name but would provide Council with the information.

Mayor Margolis requested emails or letters from any of the surrounding neighbors be provided to Council. Mr. Schofield said he would provide the information to Council.

Council consensus was for Mr. Schofield and Ms. Cohen proceed with the injunction.

## 6. COUNCIL COMMENTS

Councilman Coates said that he is an advocate of using the advisory committees but his intention was never to have the advisory committees second guess decisions made by Council. He was taken back by the Equestrian Preserve Committee's recent motion and recommendation not to approve the paving of Saddle Trail when Council unanimously approved it on two occasions. Councilman Coates asked what the Equestrian Preserve Committee was considering to make that decision.

Mr. Schofield stated that Council's direction and instruction to staff was to obtain public input. The EPC was given a presentation on the design concept and not to vote on proceeding with the project.

Councilman Coates said the design concept included Council's decision to move forward with the paving.

Ms. Cohen explained that Council voted to retain the engineer to develop the design but Council has not voted to move forward with the work.

Councilman Coates said that Council voted to fund the project.

Ms. Cohen said that Council voted to fund the engineer's work but if the item reaches the Public Hearing process, Council would need to decide whether to move forward with the project. Should Council decide not to proceed with the project, the Village would be responsible for the engineering fees incurred to date.

Councilman Coates said that there needed to be a rational process and Council needed to look to the committees for their input, but that input was needed prior to Council's decision.

Ms. Cohen indicated that the presentation was provided to EPC for informational purposes only.

Councilman Willhite said he asked Mr. Schofield if it was possible to provide a cross section for visual purposes.

Councilman Coates agreed that a cross section would be beneficial but his concern was that Council was the final arbiter.

## 7. ADJOURN

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