

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, January 13, 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

Dan Sapp, The Pentecostals of the Palm Beaches, Wellington, delivered the Invocation.

4. APPROVAL OF AGENDA

Mr. Schofield presented the Agenda recommending approval with one change: The Young Professionals of Wellington had withdrawn their request to speak for 15 minutes during the Public Forum

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) approving the Agenda as presented.

6. CONSENT AGENDA

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

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

A. [14-1051](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF NOVEMBER 11, 2014

This item was approved on Consent.

B. [14-974](#) AUTHORIZATION TO AWARD AN ANNUAL CANAL BANK AND LAND CLEARING CONTRACT TO MULTIPLE VENDORS

This item was approved on Consent.

C. [14-829](#) AUTHORIZATION TO AWARD A CONTRACT FOR THE WATER MAIN REPLACEMENT PROJECT IN THE BLOCK ISLAND NEIGHBORHOOD

This item was approved on Consent.

D. [14-1026](#) RESOLUTION NO. R2015-10 (GRANT OF UTILITY EASEMENT TO PALM BEACH COUNTY THROUGH OLYMPIA PARK)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL GRANTING A UTILITY EASEMENT TO PALM BEACH COUNTY

THROUGH OLYMPIA PARK; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

E. [14-887](#)

RESOLUTION NO. R2014-67 (REVISED UNIFIED PALM BEACH COUNTY LOCAL MITIGATION STRATEGY PLAN)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING APPROVAL AND ADOPTION OF THE REVISED UNIFIED PALM BEACH COUNTY LOCAL MITIGATION STRATEGY PLAN AS REQUIRED BY THE DISASTER MITIGATION ACT OF 2000; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

F. [14-1028](#)

A. RESOLUTION NO. AC2015-01 (FOURTH AMENDMENT TO THE ORIGINAL TRI-PARTY AGREEMENT BETWEEN ACME IMPROVEMENT DISTRICT, THE BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY, INC., VILLAGE OF WELLINGTON AND PALM BEACH COUNTY)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT, FLORIDA, APPROVING A REVISION REQUESTED BY PALM BEACH COUNTY AND APPROVAL BY THE BOYS AND GIRLS CLUB OF PALM BEACH COUNTY TO THE FOURTH AMENDMENT TO THE AGREEMENT BETWEEN ACME IMPROVEMENT DISTRICT, THE BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY, INC., VILLAGE OF WELLINGTON AND PALM BEACH COUNTY FOR FUNDING OF THE WELLINGTON FACILITY CONSTRUCTION AND AUTHORIZING THE PRESIDENT AND BOARD SECRETARY TO EXECUTE THE AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

B. RESOLUTION NO. RESOLUTION NO. R2015-11 (FOURTH AMENDMENT TO THE ORIGINAL TRI-PARTY AGREEMENT BETWEEN ACME IMPROVEMENT DISTRICT, BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY, INC., VILLAGE OF WELLINGTON AND PALM BEACH COUNTY)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING REVISION REQUESTED BY PALM BEACH COUNTY AND APPROVAL BY THE BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY TO THE FOURTH AMENDMENT TO THE AGREEMENT BETWEEN ACME IMPROVEMENT DISTRICT, BOYS AND GIRLS CLUBS OF PALM BEACH COUNTY, INC., VILLAGE OF WELLINGTON, AND PALM BEACH COUNTY FOR FUNDING OF THE WELLINGTON FACILITY CONSTRUCTION AND

AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

G. [14-980](#)

RESOLUTION NO. R2015-02 (INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO PROVIDE ACCESS TO THE COUNTY'S CONSTRUCTION CONTRACTOR ENROLLMENT PROGRAM DATABASE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO UTILIZE THE COUNTY'S CONSTRUCTION CONTRACTOR INFORMATION AS PART OF THE CONTRACTOR ENROLLMENT PROGRAM; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

H. [14-1018](#)

RESOLUTION NO. R2015-07 (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, AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

5. PRESENTATIONS AND PROCLAMATIONS

Since Councilman Coates had formally resigned that day, Mayor Margolis announced that he had asked him to be present at the meeting.

Councilman Coates expressed his thanks to Council and to those who supported him during his time on Council.

Each member of Council expressed their thanks and appreciation to Councilman Coates for his tenure on Council.

Councilman Coates was invited back at the January 27th meeting so that Council could formally present him with a Proclamation recognizing him for his service to the Village.

7. PUBLIC HEARINGS

A. [14-1008](#)

ORDINANCE NO. 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.

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

Mr. Stillings presented the staff report.

Public Hearing

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) to open the Public Hearing.

There being no public comments, a motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) to close the Public Hearing.

A motion was made by Councilman Willhite, seconded by Vice Mayor Greene, and unanimously passed (3-1) with Councilwoman Gerwig dissenting, approving Ordinance No. 2014-27 on Second Reading as presented.

B. [14-808](#)

ORDINANCE NO. 2014-26 (EQUESTRIAN BRIDLE PATH MAP CPA)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING THE WELLINGTON COMPREHENSIVE PLAN BY ADOPTING THE BRIDLE TRAIL MAP IN THE EQUESTRIAN ELEMENT; PROVIDING FOR CONFLICT AND SEVERABILITY; AUTHORIZING THE MANAGER TO UPDATE THE COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

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

Mr. O'Dell presented the staff report.

Public Hearing

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) to open Public Hearing.

1. Mr. Michael Whitlow. Mr. Whitlow spoke in support of the ordinance.

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 consensus recommended two changes recommended by Mr. Schofield to address Council concerns: (1) re-label the title of the map to: Equestrian Trail Circulation Plan Existing and Currently Planned Elements, and (2) designate commercial recreation areas on the map.

A motion was made by Councilman Willhite, seconded by Councilwoman Gerwig, and unanimously passed (4-0) approving Ordinance No. 2014-26 on First Reading as presented with the following amendments: 1) re-label the title of the map to: Equestrian Trail Circulation Plan Existing and Currently Planned Elements, and (2) designate commercial recreation areas on the map.

C. [14-814](#)

ORDINANCE NO. 2014-28 (AMENDMENT OF CHAPTER 5.7 "SEASONAL EQUESTRIAN USES" OF THE LAND DEVELOPMENT REGULATIONS)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 5.7 SEASONAL EQUESTRIAN USES OF THE LAND DEVELOPMENT REGULATIONS OF THE VILLAGE OF WELLINGTON; TO ESTABLISH DEFINITIONS FOR VARIOUS EQUESTRIAN USES AND COMPETITIONS; REVISING THE GENERAL STANDARDS FOR PERMIT ISSUANCE; MODIFYING THE PERMITTED LOCATIONS FOR EQUESTRIAN SHOWS AND COMPETITIONS AND TEMPORARY ANCILLARY EQUESTRIAN USES; MODIFYING THE THRESHOLDS FOR SEASONAL EQUESTRIAN USE PERMITS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the Agenda item. Ms. Rodriguez read the ordinance by title.

Mr. Stillings addressed the item.

Since the Village was conducting an Equestrian Summit the following week, Councilman Willhite requested that the item be postponed until after that meeting since that group may provide more input on this item.

Public Hearing

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) to open the Public Hearing.

1. Mr. John Metzger. Mr. Metzger indicated that he was presenting Valiente Polo, and was speaking on behalf of the polo community. He raised concerns regarding how the polo industry was included in this ordinance, and supported it being postponed to allow for more discussion.

2. Mr. Michael Nelson, Effective Solutions, 11199 Polo Club Drive. Mr. Nelson indicated that he was representing Polo West and spoke in support of the ordinance.

There being no further public comments, a motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) to close the Public Hearing.

At the request of Mayor Margolis, Mr. Mike O'Dell gave a brief overview of the upcoming Equestrian Summit.

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) to table Ordinance No. 2014-28.

D. [14-1007](#)

RESOLUTION NO. R2015-04 (AMENDMENT TO THE FY2014/2015 ANNUAL ACTION PLAN FOR THE CDBG PROGRAM)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND ADOPTING AN AMENDMENT TO THE FY 2014/2015 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AUTHORIZING THE VILLAGE MANAGER TO FORWARD THE AMENDMENT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Poag presented the staff report.

Public Hearing

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) to open the Public Hearing.

There being no public comments, a motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) to close the Public Hearing.

Councilman Willhite requested that Mr. Poag set some benchmarks on the programs, and report back on their status prior to this being presented next year.

A motion was made by Vice Mayor Greene, seconded by Councilwoman Gerwig, and unanimously passed (4-0) approving Resolution No. R2015-04 as presented.

8. REGULAR AGENDA

A. [14-913](#)

RESOLUTION NO. R2015-01 (SPECIAL USE PERMIT FOR THE ST. RITA CATHOLIC CHURCH PARISH FESTIVAL)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL

APPROVING A SPECIAL USE PERMIT FOR ST. RITA CATHOLIC CHURCH PARISH FESTIVAL UTILIZING AMPLIFIED MUSIC LOCATED AT 13645 PADDOCK DRIVE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the Agenda item. Ms. Rodriguez read the resolution by title.

Mr. Stillings presented the staff report.

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) approving Resolution No. R2015-01 as presented.

B. [14-1021](#)

RESOLUTION NO. R2015-08 (SPECIAL USE PERMIT FOR THE JUST WORLD INTERNATIONAL FUNDRAISING EVENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING 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; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the Agenda item. Ms. Rodriguez read the ordinance by title.

Mr. Stillings presented the staff report.

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (4-0) approving Resolution No. R2015-08 as presented.

C. [14-1014](#)

A. RESOLUTION NO. R2015-05 (REQUEST FOR SUPPORT OF OBJECTION TO THE POSTPONEMENT OF THE CONSTRUCTION OF THE STATE ROAD 7 EXTENSION (60TH TO NORTHLAKE) PROJECT

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL EXPRESSING ITS' OBJECTION TO THE POSTPONEMENT OF THE CONSTRUCTION OF THE STATE ROAD 7 EXTENSION PROJECT (60TH TO NORTHLAKE) TO FISCAL YEAR 2020 AND REQUESTING THAT THE STATE ROAD 7 SEGMENT FROM 60TH TO NORTHLAKE BE CONSTRUCTED IN FISCAL YEAR 2016; AND PROVIDING AN EFFECTIVE DATE.

B. RESOLUTION NO. R2015-06 (REQUEST FOR MONETARY SUPPORT FROM THE WESTERN COMMUNITIES COUNCIL, INC. TO ADVANCE SUPPORT OF THE SR7 EXTENSION PROJECT THROUGH THE HIRING OF A LOBBYIST)

RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING MONETARY SUPPORT FOR THE WESTERN COMMUNITIES COUNCIL, INC. TO ADVANCE SUPPORT OF THE STATE ROAD 7 EXTENSION PROJECT (60TH TO NORTHLAKE) THROUGH THE HIRING OF A LOBBYIST; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item noting that there were two separate resolutions. Ms. Rodriguez read the resolutions by title.

Council discussed the request for monetary support, particularly concerning the contributions by the surrounding communities.

RESOLUTION NO. R2015-05 (SUPPORT OF OBJECTION TO THE POSTPONEMENT OF THE CONSTRUCTION OF THE STATE ROAD 7 EXTENSION (60TH TO NORTHLAKE) PROJECT

A motion was made by Councilman Willhite, seconded by Vice Mayor Greene, and unanimously passed (4-0) approving Resolution No. R2015-05 as presented.

RESOLUTION NO. R2015-06 (REQUEST FOR MONETARY SUPPORT FROM THE WESTERN COMMUNITIES COUNCIL, INC. TO ADVANCE SUPPORT OF THE SR7 EXTENSION PROJECT THROUGH THE HIRING OF A LOBBYIST)

A motion was made by Vice Mayor Greene, seconded by Mayor Margolis, and failed (2-2) with Councilman Willhite and Councilwoman Gerwig dissenting, approving Resolution No. R2015-06 approving up to \$10,000 based on the full support from the neighboring municipalities.

A motion was made by Councilwoman Gerwig, seconded by Councilman Willhite, approving Resolution No. R2015-06 with the \$10,000 commitment towards hiring the lobbying.

Councilman Willhite indicated he would second the motion with the amendment to include the caveat that the neighboring communities substantially contribute. Councilwoman Gerwig accepted the amendment.

The amended motion was voted on and was unanimously passed (4-0).

D. [15-9](#)

COUNCIL DIRECTION REGARDING THE PROCEDURE FOR APPOINTMENT OF COUNCILMEMBER TO FILL THE VACANCY CREATED BY THE APPOINTMENT OF COUNCILMAN COATES TO THE CIRCUIT COURT

Mr. Schofield introduced the agenda item. He explained that Councilman Coates had submitted his resignation that day and Council had 30 days (February 11th) to name an appointment.

Council discussed the appointment process to fill the seat vacated by Councilman Coates. Council agreed on the following process:

1. Village Clerk would prepare advertisement announcing the vacancy that would be published on Friday in the local newspapers. The Notice will be

posted on the Village's web site the next day.

3. Interested parties would submit a letter of intent and resume to the Village Clerk by Noon, Friday, January 23, 2015.

4. On Monday, January 26, 2015 at 6:00 a Public Forum would be held for the applicants. Each applicant would be given up to five minutes to make a presentation. A random generation of the applicants would be done to establish the order of the presentations. There would be no questions addressed by Council to the applicants and no public comments would be taken.

5. On Tuesday, January 27, 2015, Council would discuss and rank five applicants which would then be converted to an ordinal score. The top ranked person would then be named. Council would then vote and if there was consensus, the appointment would be made.

6. If the appointment is made at the January 27, 2015 Council meeting, the new Councilmember would be informally sworn in prior to the Agenda Review on February 9, 2015 with the formal ceremony being held on February 10, 2015.

9. PUBLIC FORUM

Mayor Margolis announced that the Young Professionals of Wellington had withdrawn their request to speak.

1. Mr. Michael Whitlow. Mr. Whitlow spoke on the problems created in the Equestrian Area from the fireworks set off on New Year's Eve.

At the request of the Mayor, Lt. Shaivitz spoke on the enforcement that is done regarding fireworks on July 4th as well as New Year's Eve.

A. [15-6](#)

PRESENTATION BY YOUNG PROFESSIONALS OF WELLINGTON

This item was withdrawn from the Agenda during the approval of the agenda.

10. ATTORNEY'S REPORT

Ms. Cohen: No Report

11. MANAGER'S REPORTS

Mr. Schofield presented the following report:

1. The next Regular Council Meeting is scheduled for Tuesday, January 27, 2015 at 7:00 p.m. in the Council Chambers.
2. The American Youth Soccer Organization State Games will take place in Village Park, Friday through Monday, January 16, 2015 to January 19, 2015
3. Councilman Coates was the Village's representative to the Western Communities Council, and Councilman Willhite is the designated alternate. Mr. Schofield said that it has been the Village's practice that when the representative leaves that the Alternate steps into that position. He said that Council needs to designate a new alternate to that Council.

A motion was made by Vice Mayor Greene, seconded by Mayor Margolis, and unanimously passed (4-0) nominating Councilman Willhite as the Village's designee to the Western Communities Council.

A motion was made Councilman Willhite, seconded by Councilwoman Gerwig,

and unanimously passed (4-0) nominating Vice Mayor Greene as the alternate designee to the Western Communities Council.

12. COUNCIL REPORTS

Councilwoman Gerwig presented the following report.

1. Councilwoman Gerwig named Ruthann Retterbush to fill her open appointment on the Education Committee.
2. Councilwoman Gerwig reported that Samantha Dumala, a local water skier, recently won the Juniors Tournament in Lima, Peru and would be competing as an adult next year.
3. She stated that Wellington resident, Emily Brooke, was competing on American Idol.
4. Councilwoman Gerwig wished everyone a Happy New Year.

Vice Mayor Greene presented the following report.

1. Vice Mayor Greene wished everyone a Happy New Year.
2. He thanked former Councilman Coates for his service to the community.
3. Vice Mayor Greene noted that the Boys & Girls Club held a great event on Friday night. He thanked everyone who attended for their support.
4. Vice Mayor Greene indicated that there have been a number of serious accidents off of Fairlane Farms Road and Stribling Way that needs to be brought up in the list of priorities.
5. Vice Mayor Greene congratulated Mayor Margolis on Ohio State's win in college football.

Councilman Willhite presented the following report.

1. Councilman Willhite wished everyone a Happy New Year.
2. He spoke about some of the big events that are being brought to the Village, i.e., Wellington Wave Shootout, AYSO tournament, etc.
3. Councilman Willhite asked Mr. Schofield what "configure Village of Wellington Council for Council MDF profile to automatically push Council Wi-Fi to devices" meant. Mr. Schofield stated that the Village was basically trying to make the Council's mobile devices work better.
4. Councilman Willhite stated that the Council needed to keep Village projects that benefit the Village of Wellington on the radar to ensure that projects move forward.
5. Councilman Willhite requested the status of the RFP for waste collection.
6. Councilman Willhite asked that the Council give direction to the Education Committee to start looking at some of safety issues at school zones, i.e., change in speed limit, lighting, other tools identifying school zones, etc.. Councilwoman Gerwig suggested sending it to the Public Safety Committee for review as well.

Mayor Margolis presented the following report.

1. With regard to the Wellington Wave tournament, Mayor Margolis requested that Mr. Schofield update him on the concession stand.
2. While the Village only provided the venue, Mayor Margolis commended Commissioner McKinlay and Michelle Damone for the rally that they coordinated to support the police officers which was a great event.
3. Mayor Margolis wished everyone a happy and healthy New Year.

At this point Councilman Willhite added the following report.

1. He announced that a reception would be held the following night for the Art

in Public Places program.

2. Councilman Willhite thanked Mayor Margolis and the Governor for recognizing January 5th – 9th as Florida First Responders Appreciation Week.

13. ADJOURNMENT

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