

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, September 9, 2014

7:00 PM

Village Hall

Village Council

*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 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Margolis led the Pledge of Allegiance.

3. INVOCATION

Rabbi (Emeritus) Stephen Pinsky delivered the Invocation.

4. APPROVAL OF AGENDA

Mr. Schofield presented the Agenda recommending approval as presented.

A motion was made by Councilwoman Gerwig, seconded by Councilman Coates, and unanimously passed (5-0) approving the Agenda as presented.

6. CONSENT AGENDA

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

Vice Mayor Greene indicated that he had a question about Consent Agenda item D: R2014-51, and requested that the resolution include language that "no less than 15 feet would be dedicated to a bridle trail."

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

- A. [14-665](#) MINUTES OF THE WELLINGTON COUNCIL MEETINGS OF JULY 8, 2014 AND JULY 22, 2014

This item was approved on Consent.

- B. [14-626](#) AUTHORIZATION TO CONTINUE UTILIZATION OF REVENUE GENERATING CONTRACTS FOR CHEER AND DANCE, SWIMMING, TUMBLE TOTS AND TAEKWONDO

This item was approved on Consent.

- C. [14-582](#) AUTHORIZATION TO AWARD A CONTRACT FOR THE WATER RECLAMATION PLANT AERATION TANK REHABILITATION PROJECT

This item was approved on Consent.

- D. [14-637](#) RESOLUTION NO. R2014-51 (APPROVAL AND ACCEPTANCE OF PIERSON ROAD EASEMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ACCEPTING AND APPROVING AN EASEMENT ALONG PIERSON ROAD IMMEDIATELY ADJACENT TO THE PALM BEACH EQUINE CENTER LOCATED IN THE NORTHEAST CORNER OF THE SOUTHFIELDS PLAT – PHASE 1 OF PALM BEACH POLO AND COUNTRY CLUB – WELLINGTON COUNTRY – PUD; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

9. PUBLIC FORUM

Mr. Tim Shutes invited Council to participate in the Masters Swimming Program.

5. PRESENTATIONS AND PROCLAMATIONS

A. [14-634](#) 2014 TOP COP AND TOP FIREFIGHTER PRESENTATIONS

Mr. Schofield introduced the Agenda Item.

Captain Hart introduced the recipients of the Top Cop Award for 2014: Sergeant Roy DeMarco and the District 8 Street Team.

Battalion Chief Michael Arena introduced the recipient of the Top Firefighter award for 2014: Captain Darla Leal.

Council each expressed their thanks and appreciation to the recipients. They then presented plaques of recognition to them.

7. PUBLIC HEARINGS

A. [14-579](#) FIRST PUBLIC HEARING FOR PROPOSED FISCAL YEAR 2014/2015 BUDGET AND ADOPTION OF THE FY 2014/2015 CAPITAL IMPROVEMENT PLAN

Mr. Schofield introduced the agenda item noting that all three item, A, B and C were budget-related items.

Ms. Quickel presented the staff report for budget items A and B.

There were no public comments.

A motion was made by Vice Mayor Greene, seconded by Councilwoman Gerwig, approving the First Hearing of the Budget for Fiscal Year 2014/2015 as presented with the removal on page 10 of the five day operations for \$96,100.

An amended motion was made by Vice Mayor Greene, seconded by Councilwoman Gerwig, and passed (3-2) with Councilman Willhite and Councilman Coates dissenting, approving the First Hearing of the Budget for Fiscal Year 2014/2015 as presented with the removal on page 10 of the five day

operations for \$96,100 and approving a millage rate of 2.45.

This approval also included the approval of Resolution No. R2014-52 for Budget Amendment #2014-073 for completed and amended projects.

B. [14-677](#)

ADOPTION OF THE FY 2014/2015 ACME IMPROVEMENT DISTRICT BUDGET AND ASSESSMENT RATE

A RESOLUTION OF THE BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT ADOPTING THE DISTRICT BUDGET AND NON-AD VALOREM ASSESSMENT ROLL AS PROVIDED HEREIN; LEVYING OF THE NON-AD VALOREM ASSESSMENTS FOR THE DISTRICT AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF THE DISTRICT FOR CERTIFICATION OF THE DISTRICT'S NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

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

There were no public comments.

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (5-0) approving Resolution No. AC2014-08 adopting the Acme Budget and Non-Ad Valorem Assessment of \$230.00

C. [14-640](#)

ORDINANCE NO. 2014-30 (FISCAL YEAR 2014/2015 CAPITAL IMPROVEMENTS ELEMENT UPDATE)

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 2014/2015 THROUGH 2019/2020 FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR LEVEL OF SERVICE PROJECTS; AND UPDATING THE SCHOOL DISTRICT OF PALM BEACH COUNTY CAPITAL IMPROVEMENT SCHEDULE; PROVIDING FOR CONFLICT AND SEVERABILITY; AUTHORIZING THE MANAGER TO UPDATE THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Stillings presented the staff report.

There were no public comments.

A motion was made by Vice Mayor Greene, seconded by Councilman Willhite, and unanimously passed (5-0) approving the First Reading of Ordinance No. 2014-30 as presented.

8. REGULAR AGENDA**A. [14-621](#) AUTHORIZATION TO APPROVE FINANCING TEAM AGREEMENTS
RELATED TO SADDLE TRAIL PARK IMPROVEMENT PROJECT**

Mr. Schofield introduced the agenda item. Ms. Quickel presented the staff report. She introduced Mr. Mark Raymond, Esq., (Bond and Disclosure Counsel) and Mr. Clark Bennett, Spectrum Municipal Services (Financial Advisor).

A motion was made by Councilman Coates, seconded by Vice Mayor Greene, and unanimously passed (5-0) approving the professional services agreements relating to the financing of the Saddle Trail Park Improvement Project.

**B. [14-624](#) DIRECTION REGARDING THE ANNUAL SOLID WASTE
CONTRACT**

Mr. Schofield introduced the agenda item. Mr. Barnes, Mr. De La Vega and Mr. Wright presented this item.

Ms. Ellen Smith, representing Waste Management, spoke of the benefits of renewing with them.

Ms. Joanne Stanley, representing Republic Services, addressed Council, spoke of the benefits of putting this item out for bid.

A motion was made by Councilman Willhite, seconded by Vice Mayor Greene, and passed (3-2) with Councilman Coates and Councilwoman Gerwig dissenting, directing that the contract for Solid Waste and Recycling Services be put out for RFP.

**C. [14-219](#) AUTHORIZATION TO RENEW THE CONTRACT TO PROVIDE
PROPERTY, CASUALTY AND WORKERS' COMPENSATION
INSURANCE**

Mr. Schofield introduced the agenda item.

Mayor Margolis recused himself from this item as he sits on the FLOC Insurance Trust Board. At this time Mayor Margolis left the Council Chambers

Ms. Quickel and Mr. De La Vega presented this item. Mr. Kurt Gehring, Gehring Group was present to address any questions.

A motion was made by Councilman Coates, seconded by Councilwoman Gerwig, and unanimously passed (4-0) authorizing the renewal of the contract with the Florida League of Cities to provide Property, Casualty and Workers Compensation Insurance.

Mayor Margolis returned to the Council Chambers at the conclusion of the agenda item.

**D. [14-667](#) DISCUSSION REGARDING RENTAL LICENSES FOR
SINGLE-FAMILY RENTAL UNITS**

Mr. Schofield introduced the agenda item. Mr. Stillings and Mr. Koch were present to address Council questions.

Council discussed whether they wanted to include rental licensing for single family homes in the program which currently exists for the multifamily rentals.

After hearing Council comments, Mr. Schofield recommended the following motion by Council: Direct staff to develop a single family rental ordinance using the multifamily regulations as a guideline that defines a regulatable entity, provides for registration and inspection without an initial fee, provides for re-inspection fees on failure to meet code, provides for the same basic provision of information required in the multifamily ordinance and requires a local contact similar to the multifamily ordinance.

A motion was made by Councilwoman Gerwig, seconded by Vice Mayor Greene, and unanimously passed (5-0) directing staff to develop a single family rental ordinance using the multifamily regulations as a guideline that defines a regulatable entity, provides for registration and inspection without an initial fee, provides for re-inspection fees on failure to meet code, provides for the same basic provision of information required in the multifamily ordinance and requires a local contact similar to the multifamily ordinance.

PUBLIC FORUM

No Comments

10. ATTORNEY'S REPORT

Ms. Cohen had nothing to report.

11. MANAGER'S REPORTS

Mr. Schofield presented the following report:

- The next Regular Council meeting is scheduled for Tuesday September 23, 2014 at 7:00 p.m. here in the Council Chambers.
- The 9/11 Remembrance Ceremony will take place on Thursday, September 11th at the Patriot Memorial beginning at 6:00 p.m.
- The 7th Annual Jeff Annas Firefighters 5K Run/Walk will be held on Saturday, September 13, 2014 beginning at 7:30 a.m.
- He announced that he will be on vacation the next week and Mr. Barnes will be serving in his stead.

12. COUNCIL REPORTS

Councilwoman Gerwig presented the following report:

- She invited the community to the 9/11 Remembrance ceremony.
- She wished her son a Happy Birthday.

Vice Mayor Greene presented the following report:

- He thanked the recipients of the Top Cop and Top Firefighters awards for their work. He thanked the other members of law enforcement and fire rescue for the work they do every day in protecting the residents. He noted that the first responders as well as many civilians will be honored at the 9/11 Remembrance Ceremony. He invited residents to come out to the ceremony.

Councilman Willhite presented the following report:

- He announced that he will be attending the Village's 9/11 Remembrance Ceremony, but noted that he will be speaking that afternoon at the Rotary Club regarding the Patriot Memorial. He acknowledged how inspirational Mr. Napolitano, who lost his son in 9/11, was to him in the creation of the Patriot Memorial. Mr. Napolitano has made history doing things so that his son is not forgotten.
- Councilman Willhite will also be attending the Jeff Annas Run noting that his wife will be running her first 5K Run in the race. This event brings many people to the Village. At this time approximately 1,400 runners have registered to participate.
- He said that prior to October 1st Mr. Schofield's contract requires an evaluation. He asked that within the next few days an evaluation be distributed to each Councilmember to be formulated and tabulated by each of them and brought back to staff prior to the end of the month.

There was Council consensus for this to be done.

Ms. Cohen said that she would redistribute it. Councilman Willhite noted that evaluations would be done on both the Village Manager and Village Attorney. Ms. Cohen said that she would complete drafting some criteria by the next for her evaluation because it would be different than Mr. Schofield's and would send it out to Council as well.

- He requested that he receive the Budget Challenge with the employees included because some of them are residents as well.
- Mr. Schofield said that he would provide the information with and without employee responses as well as employee/resident responses.
- Councilman Willhite asked what the status was with the evaluation and appraisals on the Wanderer's Club.

Mr. Schofield said that based on the Environmental Audit, the Village is now doing a Phase II audit. He also noted that the appraisals have come in, and he would provide an update to the Council the next day. Councilman Coates asked if the initial Environmental Audit indicated a problem. Mr. Schofield said that it wasn't a problem and they found the chemicals that they thought they would find since that property has been both an agricultural use and golf course use. He said that they were not doing a complete Phase II Audit, but as a precaution are doing soil samples.

Councilman Coates presented the following report:

- He felt that a policy should be set where the evaluations should be dealt with at the last meeting of each fiscal year so that it is not a political issue. He felt that criteria is important so they each know what their assessment is of their performance.
- He noted that there was nothing that rallies more people in the community than issues involving youth sports or equestrians. He noted there had been some discussion about the programs at the Agenda Review, but he felt there was no discussion about ending the programs which he felt was misinterpreted.

Councilwoman Gerwig questioned whether the Parks & Recreational Advisory Board should be evaluating programs before Council looks at the \$25,000

threshold. Councilman Coates felt that there should be some level of oversight when people are utilizing the Village's facilities and the Village is charging the residents. He believed there should be some audit process so the Council can assure the public there is no fraud, corruption or mismanagement and that the residents are getting fair value for the services they are paying for although he didn't believe any of these programs fell into that category. Councilman Coates said that he would support utilizing the committee. Mayor Margolis said that was part of the charge to the Parks & Recreation Advisory Board when he was a member of that Board. Mr. Schofield clarified that it was for Sports Providers, but never for Independent Contractors. Ms. Cohen asked if Council was suggesting that be done for any of the revenue-generating sports providing contracts. She said that it would only come to Council if it was generating over the \$25,000 threshold. Councilman Coates believed there should be oversight for any amount. Ms. Cohen pointed out that the Village knows what is being collected because they collect the fees and then pay the contractor. Mr. Schofield noted that Independent Contractors can be scheduled for a workshop as well.

Councilman Willhite questioned how they can be a contractor if the Village was not really hiring them. He felt that there needed to be some oversight even if the Village is collecting the money because someone is still making a large profit after they pay the Village 30%.

Mayor Margolis presented the following report:

- He recalled discussions when the Patriot Memorial was being brought forward and the opposition that ensued. He thanked and commended Councilman Coates, Councilwoman Gerwig, and particularly Councilman Willhite, to have the vision to move forward to develop the 9/11 Memorial which is recognized throughout the country.

13. ADJOURNMENT

NOTICE