

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

**Wellington Village Hall
12300 Forest Hill Blvd
Wellington, FL 33414**

**Tuesday, October 11, 2022
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, October 11, 2022, commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

Council Members present: Anne Gerwig, Mayor; Michael Drahos, Vice Mayor; John T. McGovern, Councilman; Michael Napoleone, 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.

- 1. CALL TO ORDER** – Mayor Gerwig called the meeting to order at 7:00 p.m.
- 2. PLEDGE OF ALLEGIANCE** – Mayor Gerwig 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 Presentation By Hometown Housing Trust under Proclamations And Presentations as Item 5A. With Items, Keely Spinelli Grant Awards and Market Study By Clancy Sports Properties, LLC, becoming Items 5B And 5C, respectively.
2. Move Regular Agenda Item 8A, Authorization to Approve the Financing Team Underwriter Selection for The Wellington Community Park Improvement Project; and Regular Agenda Item 8B, Amendment to A Comprehensive Agreement for The Design, Development, Construction, and Operation of Wellington Community Park, Between Wellington Athletics, LLC., and Acme Improvement District, A Dependent District of the Village of Wellington under Proclamations And Presentations as Item 5D and Item 5E.
3. Move Consent Agenda Item 6I, Resolution No. R2022-62 (2680 Aero Club Drive); and Consent Agenda Item 6F, Amendment to the Restrictive Covenant Between W&W Equestrian Club, LLC and Wellington for Winding Trails, under Public Hearings as Item 7G and Item 7H. With Item, Resolution No. R2022-51 (Wellington PUD Master Plan), becoming Item 7I, respectively.
4. Move Consent Agenda Item 6H, Resolution No. R2022-56 (Alcohol Policy) to the Regular Agenda as Item 8A.

5. Add Consideration of Village Manager's Employment Agreement under the Regular Agenda as Item 8B.

A motion was made by Councilman McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve the Agenda as amended.

5. PRESENTATIONS AND PROCLAMATIONS

A 22-5493 PRESENTATION BY THE HOMETOWN HOUSING TRUST (ADDENDUM)

Mr. Barnes introduced this item.

Suzanne Cabrera, Chief Executive Officer (CEO) of the Housing Leadership Council of Palm Beach County, Inc., presented this item. She spoke regarding County Question 1 that will appear on the November 8, 2022 General Election Ballot.

Council spoke of transparency, financing mechanisms, awareness and education regarding the question.

B. 22-5420 FISCAL YEAR 2023 KEELY SPINELLI GRANT AWARDS

Mr. Barnes introduced the item.

Paulette Edwards, Community Services Director, spoke regarding the Keely Spinelli grant awards that had been utilized by the schools. She stated the Education Committee was present and provided an overview of the program which supports the lowest 25th percentile of students in reading and math. Ms. Edwards indicated that the running total is over \$3 million. She showed Council a video.

Mike Burke, Palm Beach County Schools Superintendent, acknowledged and thanked the principals and the Village for their partnership. He mentioned County Question No. 2 that will appear on the November 8, 2022 ballot.

Marcia Andrews thanked the Council, Village and staff on behalf of the entire School Board. She stated she sees the Keely Spinelli Grant working every day in all of the Wellington schools. She said it is the vision of the leadership in the Village of Wellington. Ms. Andrews said when she speaks with the leadership across Palm Beach County; she tells them what Wellington is doing to make a difference for their children.

Council provided comments regarding the Keely Spinelli grants and commended the principals for how they utilize the grants. They also recognized and thanked the Education Committee.

Councilman McGovern recognized Dr. Jennifer Galindo, the new principal of Polo Park Middle School.

At this point, Ms. Edwards asked the principals of the Wellington schools to come forward as Council distributed the Keely Spinelli grant awards. In addition, Ms. Edwards stated it is Principals Month and presented the principals with flowers.

C. 22-5461 PRESENTATION OF A MARKET STUDY BY CLANCY SPORTS PROPERTIES, LLC. FOR THE WELLINGTON ATHLETICS PROJECT

Mr. Barnes introduced the item. He indicated that Jonathan Bostic and Jim Arnold are both attending tonight's meeting via telephone.

Mike Millay, Founder of Clancy's Sports, LLC., provided an overview of the market feasibility study.

Mr. Barnes discussed Mr. Millay's experience.

Council asked questions regarding the facility, use, not-for-profits, facility operations, warning flags for failure, core revenue sources, aspirational goals, and what is needed to have impact from the sports tourism perspective.

George Linley, Palm Beach County Sports Commission, spoke regarding the sports tourism perspective. He stated the county lacks indoor sport space at this time. He discussed the possibilities for creating tourism.

Councilman McGovern inquired about the possibility of seven courts.

Mr. Millay referenced the facility design and courts.

Mr. Barnes provided a brief overview of the previous steps taken and referenced the Pro Forma.

S. Kaitlin Guerin, ESQ., Associate for Gunster Yoakley & Stewart P.A., representing Wellington Athletics, LLC. provided a brief overview and explained the reason for the amendment to the agreement is to extend the due diligence period for 30 days. She also spoke about design changes, rising costs and the feedback they have received.

Jim Arnold, from The Sports Facilities Advisory, spoke regarding the selection of Clancy's Sports, LLC. He stated they were happy to see that Mr. Millay was selected. He discussed the number of courts, capital and ongoing operational costs and what can be sustainable for the facility in terms of operations.

Council asked questions regarding The Sports Facilities Advisory operating the facility and the number of courts. The 7 courts change the operational plan and the costs.

Mr. Linley spoke regarding an interlocal agreement with the City of Palm Beach Gardens and the County for the North County District Park.

Mr. Barnes referenced the agreement, traffic impact and facility use.

Councilman Napoleone asked about the design of the facility and the perceived use of the property for Wellington residents who need to use it as a public at large.

Mr. De La Vega discussed the use of the courts and field.

D. 22-5472 AUTHORIZATION TO APPROVE THE FINANCING TEAM UNDERWRITER SELECTION FOR THE WELLINGTON COMMUNITY PARK IMPROVEMENT PROJECT

Mr. Barnes introduced the item.

Ms. Quickel stated an RFP was issued and seven (7) responses were received. The responses were reviewed with the Village's financial partner. She stated staff is recommending three (3) to serve as the underwriting team. She explained the purpose of having three, costs and debt issuance. Ms. Quickel indicated staff is anticipating Spring of 2023.

A motion was made by Councilman McGovern, seconded by Vice Mayor Drahos, and unanimously passed (5-0), to approve the Financing Team Underwriter Selection for the Wellington Community Park Improvement Project.

E. 22-5462 AMENDMENT TO A COMPREHENSIVE AGREEMENT FOR THE DESIGN, DEVELOPMENT, CONSTRUCTION, AND OPERATION OF WELLINGTON COMMUNITY PARK, BETWEEN WELLINGTON ATHLETICS, LLC., AND ACME IMPROVEMENT DISTRICT, A DEPENDENT DISTRICT OF THE VILLAGE OF WELLINGTON

Mr. Barnes introduced the item.

Mr. De La Vega presented this item. Mr. Bostic has requested April or May 2023 regarding the issuance of the bonds. Staff is requesting an extension of the equity funding period, due diligence period, an amendment to the public financing period and the addition of language from Palm Beach County to address the existing County deed dated January 14, 1986.

Ms. Cohen referenced the amendment to the agreement.

A motion was made by Councilman Napoleone, seconded by Councilman McGovern, and unanimously passed (5-0), to approve the Amendment To A Comprehensive Agreement For The Design, Development, Construction, And Operation Of Wellington Community Park, Between Wellington Athletics, LLC., And Acme Improvement District, A Dependent District Of The Village Of Wellington as modified.

Mr. Bostic thanked Council and spoke regarding the project, team, vision and agreement.

Mr. Barnes thanked everyone who attended.

Mr. Linley gave a few comments.

6. CONSENT AGENDA

- A. 22-5478** MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF SEPTEMBER 21, 2022
- B. 22-5395** AUTHORIZATION TO UTILIZE EXISTING CONTRACTS AND AWARD SOLE SOURCE CONTRACTS FOR VARIOUS FY 2023 PUBLIC WORKS PROJECTS
- C. 22-5438** AUTHORIZATION TO UTILIZE AN EXISTING PUBLIC WORKS CONTRACT, AS A BASIS FOR PRICING, FOR THE POLO CLUB ROAD/C-7 CANAL CULVERT REPAIR
- D. 22-5439** AUTHORIZATION TO EXECUTE A GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT WITH WHARTON-SMITH, INC. FOR THE WATER TREATMENT PLANT RAW WATERMAIN-DRAINAGE (RWD) CONFLICT REPLACEMENT PROJECT
- E. 22-5441** AUTHORIZATION TO AWARD A TASK ORDER, TO PROVIDE ENGINEERING CONSULTING SERVICES FOR BOOSTER PUMP STATION NO. 1
- F. 22-5318** RESOLUTION NO. R2022-48 (WELLINGTON SENIORS CLUB AGREEMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A CONTRACT FOR SENIOR CITIZENS SERVICES BETWEEN WELLINGTON AND THE WELLINGTON SENIORS CLUB, INC.; AND PROVIDING AN EFFECTIVE DATE.
- G. 22-5451** RESOLUTION NO. R2022-63 (LOTIS WELLINGTON PLAT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ACCEPTING AND APPROVING PLAT OF LOTIS WELLINGTON BEING A REPLAT OF TRACT 10, TRACT 11, A PORTION OF TRACTS 13, TRACT 14, TRACT 15, A PORTION OF TRACT 16, BLOCK 18, TOGETHER WITH A PORTION OF THE 25 FOOT WIDE

ROAD RESERVATION LYING BETWEEN TRACTS 10, 11, 12, 13, 14, 15 AND 16, BLOCK 18, TOGETHER WITH A PORTION OF THE VARIABLE WIDTH ROAD RESERVATION LYING WEST OF TRACT 10, BLOCK 18, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SECTION 12, TOWNSHIP 44 SOUTH, RANGE 41 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA.

H. 22-5477 RESOLUTION NO. R2022-67 (EMPLOYEE HEALTH INSURANCE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MANAGER TO (1) AWARD A CONSUMER DRIVEN HEALTH PLAN (CDHP) AGREEMENT WITH CIGNA HEALTHCARE TO PROVIDE HEALTH INSURANCE TO ELIGIBLE EMPLOYEES, DEPENDENTS, AND RETIREES, AND APPROVE HRA FUNDING FOR EACH ELIGIBLE EMPLOYEE TO COVER ALL COSTS ASSOCIATED WITH ANNUAL DEDUCTIBLES; (2) RENEW A CONTRACT WITH CIGNA TO PROVIDE DENTAL INSURANCE TO ELIGIBLE EMPLOYEES, DEPENDENTS, AND RETIREES; (3) RENEW A CONTRACT WITH HUMANA TO PROVIDE VISION INSURANCE TO ELIGIBLE EMPLOYEES, DEPENDENTS AND RETIREES; (4) RENEW A CONTRACT WITH CIGNA GROUP BENEFITS TO PROVIDE LIFE/AD&D AND DISABILITY INSURANCE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes stated there were no comment cards received for the Consent Agenda.

Mr. Barnes indicated staff recommended approval of the Consent Agenda as amended.

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

7. PUBLIC HEARINGS

A. 22-5476 ORDINANCE NO. 2022-29 (FY 2022/2023 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 2022/2023 THROUGH 2027/2028 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 2022/2023 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.

Mr. Barnes introduced this item.

Ms. Addie read the Ordinance by title.

Mr. Stillings stated this is the annual update to the Comprehensive Plan. The Village is required to do this each year following the adoption of the capital budget to incorporate the updated schedule of projects. He referenced an edit that was made regarding a canal crossing at Palm Beach Pointe and a better description. Staff recommends approval as presented.

Vice Mayor McGovern asked if there were any other changes since first reading.

Public Hearing

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to open the public hearing.

There being no public comments, a motion was made by Councilman Napoleone, seconded by Vice Mayor Drahos, and unanimously passed (5-0) to close the public hearing.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Ordinance No. 2022-29 (FY 2022/2023 Annual Capital Improvement Element Update of Wellington's Comprehensive Plan) as presented on second reading.

B. 22-5455 ORDINANCE NO. 2022-24 (REPEALING CHAPTER 10, CHAPTER 34, AND ALL RESERVED CHAPTERS OF THE CODE OF ORDINANCES)

AN ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING THE CODE OF ORDINANCES BY REPEALING CHAPTER 10, TITLED "AMUSEMENTS AND ENTERTAINMENTS" IN ITS ENTIRETY, REPEALING CHAPTER 34, TITLED "MANUFACTURED HOMES AND TRAILERS" IN ITS ENTIRETY, AND REPEALING ALL RESERVED CHAPTERS IN THEIR ENTIRETY; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced this item.

Ms. Addie read the Ordinance by title.

Ms. Cramer stated the Code has been streamlined and reduced to twenty-four chapters and changes requested by Council have been incorporated. She stated this has been a joint effort amongst departments. Ms. Cramer thanked Council for their support.

Ms. Cohen spoke briefly regarding the ordinances.

Public Hearing:

A motion was made by Councilman Napoleone, seconded by Vice Mayor Drahos, and unanimously passed (5-0), to open the Public Hearing.

There being no public comments, a motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to close the public hearing.

A motion was made by Councilman McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve Ordinance No. 2022-24 (Repealing Chapter 10, Chapter 34, And All Reserved Chapters Of The Code Of Ordinances).

C. 22-5468 ORDINANCE NO. 2022-25 (AMENDING THE CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTERS 1, 2, 3, 6, 14, 18, 22, 23, 26, 27, 30, 33, 35, 36, 38, 42, 46, 50, 54, 58, 62, 66, 70, 71, AND 72 IN THEIR ENTIRETY)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTERS 1, 2, 3, 6, 14, 18, 22, 23, 26, 27, 30, 33, 35, 36, 38, 42, 46, 50, 54, 58, 62, 66, 70, 71 AND 72 IN THEIR ENTIRETY, AS CONTAINED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced this item.

Ms. Addie read the Ordinance by title.

Ms. Cohen stated this is for the final adoption of the new Code of Ordinances and provided a brief background.

Public Hearing:

A motion was made by Councilman 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 Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to close the public hearing.

Ms. Cohen thanked Mr. Basehart, Mr. Stillings, Ms. Cramer, Mr. O'Dell, Mr. Reinsvold and representatives from each department for all of their work on the Code of Ordinances.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Ordinance No. 2022-25 (Amending The Code Of Ordinances By Repealing And Replacing Chapters 1, 2, 3, 6, 14, 18, 22, 23, 26, 27, 30, 33, 35, 36, 38, 42, 46, 50, 54, 58, 62, 66, 70, 71, and 72 in their entirety).

Council thanked staff for their effort on the Code of Ordinances.

D. 22-5454 ADVISORY BOARD AND COMMITTEE ENABLING RESOLUTIONS

Mr. Barnes introduced this item.

Ms. Addie read the Resolutions by title.

Ms. Cohen provided an overview of the resolutions and stated for a few boards there is a requirement for a majority vote rather than a supermajority.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-21 (Architectural Review Board).

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-22 (Construction Board of Adjustment and Appeals).

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-23 (Education Committee).

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-24 (Equestrian Preserve Committee).

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-25 (Parks and Recreation Advisory Board).

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-26 (Planning, Zoning, and Adjustment Board).

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-27 (Public Safety Committee).

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-28 (Senior Advisory Committee).

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-29 (Tree Board).

E. 22-5453 RESOLUTION NO. R2022-30 (PUBLIC ASSEMBLIES POLICY AND APPLICATION FEE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE PUBLIC ASSEMBLIES ADMINISTRATIVE POLICY TO PROVIDE FOR WAIVER OF CERTAIN REQUIREMENTS, FEES, INSURANCE, APPLICATION REVIEW, AND FAST-BREAKING ASSEMBLY LOCATIONS; ADOPTING A FEE FOR PUBLIC ASSEMBLY APPLICATIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced this item.

Ms. Addie read the Resolution by title.

Ms. Cohen discussed the policy and locations regarding a fast-breaking assembly.

Mayor Gerwig spoke about the Veterans Memorial.

It was Council consensus to remove the Veterans Memorial location.

A motion was made by Vice Mayor Drahos, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve Resolution No. R2022-30 (Public Assemblies Policy and Application Fee).

F. 22-5465 RESOLUTION NO. R2022-47 (THE LANDINGS AT WELLINGTON PUD MASTER PLAN AMENDMENT – LOT 6 OF WINDING TRAILS ACCESS POINT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A MASTER PLAN AMENDMENT [PETITION NUMBER 2022-0001-MPA] AMENDING THE LANDINGS AT WELLINGTON PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN FOR CERTAIN PROPERTY KNOWN AS LOT 6 OF WINDING TRAILS (POD D-1), TOTALING 4.99 ACRES, MORE OR LESS, LOCATED 500 FEET NORTH OF THE

INTERSECTION OF AERO CLUB DRIVE AND GREENBRIAR BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN, BY ADDING ONE (1) ACCESS POINT ALONG AERO CLUB DRIVE TO ACCESS LOT 6; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced this item and stated there are two other related items (Vacation Abandonment (Resolution No. R2022-62) and Second Amended Restrictive Covenant) and there will be one presentation for all items.

Ms. Addie read the Resolution by title.

Ms. Cohen stated this item is Quasi-Judicial and swore in the individuals who wished to speak on this item.

Ex-parte Communications:

Councilman Napoleone: Councilman Napoleone disclosed other than speaking with staff, he spoke with Don Hearing and Mr. Myers. He said he could be fair and impartial.

Vice Mayor Drahos: Vice Mayor Drahos disclosed he spoke with Don Hearing, and could be fair and impartial.

Mayor Gerwig: Mayor Gerwig disclosed she spoke with Don Hearing and Mr. Gerwig, and could be fair and impartial.

Councilman McGovern: Councilman McGovern disclosed he spoke with Don Hearing and Jane Cleveland. He said he received an email Ben Myers. Councilman McGovern stated he could be fair and impartial.

Councilwoman Siskind: Councilwoman Siskind disclosed she had no ex-parte communications. She said she could be fair.

Ms. Ferraiolo presented this item and entered the file into record. She said this pertains to Lot 6 of Winding Trails. The owner is Bonnie and Nophar Silver and the agent is Don Hearing, Cotleur and Hearing. Ms. Ferraiolo explained the three requests: (Master Plan Amendment (Resolution No. R2022-47), Vacation Abandonment (Resolution No. R2022-62) and Second Amended Restrictive Covenant).

At this point, Mayor Gerwig declared a conflict of interest, passed the gavel to Vice Mayor Drahos and left the dais.

Councilman McGovern inquired about the Restrictive Covenant.

Ms. Ferraiolo reviewed the Equestrian Preserve Committee and Planning, Zoning & Adjustment Board recommendations. She stated staff recommends approval of Resolution No. R2022-47 (MPA), Resolution No. R2022-62 (VAC) and the Second Amended Restrictive Covenant with conditions listed in the staff report.

Donaldson Hearing, Cotleur & Hearing, conducted a presentation on behalf of the applicants. He stated Adam Kerr from Kimley Horn was present for questions. He discussed the context and site plan, barn and home architecture.

Mr. Kerr spoke regarding the traffic.

Vice Mayor Drahos asked if the applicants own horses. Also, he asked if they are going to rent the stalls and why the sixteen stalls.

Mr. Hearing explained the owner's plan.

Councilman Napoleone inquired about the access point.

Mr. Hearing stated they do not plan to rent the stalls.

Councilman McGovern asked about the mailers that were sent out.

Ms. Ferraiolo stated 80 notices were sent out.

Vice Mayor Drahos inquired about the school bus stop.

Councilman Napoleone asked if this is something Council should be entertaining in supplying a second access point.

Mr. Reinsvold stated there is no safety issue with a second access point.

Vice Mayor Drahos inquired about the type of signage.

There was brief discussion regarding the access point, signage and landscape plan.

Public Hearing:

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0), to open the Public Hearing.

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

Ms. Cohen spoke regarding the limitation to residential traffic.

Mr. Reinsvold spoke regarding the radius.

There was discussion for language to be added stating "the additional driveway in Lot 6 shall be constructed with a 30-degree radius and limited to residential uses only".

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and passed (3-1; Vice Mayor Drahos dissenting and Mayor Gerwig recused), to approve Resolution No. R2022-47 as amended.

G. 22-5467 RESOLUTION NO. R2022-62 (2680 AERO CLUB DRIVE)

A RESOLUTION OF THE WELLINGTON'S COUNCIL ABANDONING A 28.45 FOOT LONG PORTION OF A 5-FOOT WIDE LIMITED ACCESS EASEMENT, TOTALING APPROXIMATELY 142 SQUARE FEET, LOCATED WITHIN LOT 6, OF WINDING TRAILS WELLINGTON (2680 AERO CLUB DRIVE), MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

This item was discussed as a part of Item 7F.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0), to approve to approve Resolution No. R2022-62 (with amended language regarding stalls).

H. 22-5466 AN AMENDMENT TO THE RESTRICTIVE COVENANT BETWEEN W&W EQUESTRIAN CLUB, LLC AND WELLINGTON FOR WINDING TRAILS

This item was discussed as a part of Item 7F.

Ms. Cohen discussed the language regarding the stalls.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind Drahos, and passed (3-1; Vice Mayor Drahos dissenting and Mayor Gerwig recused, to approve the amendment to the restrictive covenant as amended).

- I. **22-5470** RESOLUTION NO. R2022-51 (WELLINGTON PUD MASTER PLAN)
- A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A MASTER PLAN AMENDMENT REPEALING AND REPLACING THE WELLINGTON PLANNED UNIT OF DEVELOPMENT (PUD) MASTER PLAN IN ITS ENTIRETY TO PROVIDE AN UPDATED MASTER PLAN WITH ALL CURRENT APPROVALS AND SITE CONDITIONS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced this item.

Ms. Cohen stated this item is Quasi-Judicial and swore in the individuals who wished to speak on this item.

Ex-parte Communications:

Councilman Napoleone: Councilman Napoleone stated he had none except for staff.

Vice Mayor Drahos: Vice Mayor Drahos stated he had none.

Mayor Gerwig: Mayor Gerwig disclosed she spoke with briefly with staff and could be fair and impartial.

Councilman McGovern: Councilman McGovern stated he had none.

Councilwoman Siskind: Councilwoman Siskind stated she had none.

Mr. Newell provided background of the master plan and discussed the boundaries/location. He showed the current and proposed Wellington PUD Master Plan. He stated PZAB recommended approval and staff recommends approval of the amendment.

Public Hearing:

A motion was made by Councilman 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 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. R2022-51 (Wellington PUD Master Plan).

8. REGULAR AGENDA

A. 22-5409 RESOLUTION NO. R2022-56 (ALCOHOL POLICY)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING A REVISED ALCOHOL RISK MANAGEMENT POLICY; REPEALING PRIOR RESOLUTIONS RELATING TO THE ALCOHOL RISK MANAGEMENT POLICY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced this item.

Ms. Coates discussed the proposed clarifications and revisions to the policy. She stated the revision to Section 3.1.4 regarding private parties was reviewed with Palm Beach Sheriff's Office (PBSO), the Village's Legal Department and Gehring Risk Consultant.

Councilman McGovern inquired about the designees.

A motion was made by Vice Mayor Drahos, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve Resolution No. R2022-56 (Alcohol Policy).

B. 22-5491 CONSIDERATION OF VILLAGE MANAGER'S EMPLOYMENT AGREEMENT (ADDENDUM)

Mr. Barnes introduced the item.

Councilman McGovern presented the item. There was discussion regarding the 5% increase.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0) to continue the Council meeting beyond 11:00 p.m.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and passed (4-1; Mayor Gerwig dissenting) to approve the Village Manager's Employment Agreement as amended from 12/31/2022 to 12/31/2026.

9. PUBLIC FORUM

1. Jay Webber, Chair of Education Committee, thanked Council for the Keely Spinelli grants to the schools. In addition, he spoke regarding the fields at the Old Boys & Girls Club. He urged that information be provided to the residents regarding the Wellington Athletics, LLC. partnership.

10. ATTORNEY'S REPORT

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

Ms. Cohen thanked Ms. Bausch for covering the agenda review meeting. She commented regarding an email from Mr. Domb in relation to Palm Beach Polo.

11. MANAGER'S REPORT

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

- Next Council Meeting will be held on Wednesday, November 9, 2022 at 7:00 p.m.

Mr. Barnes stated Fall Festival will take place this weekend, October 15, 2022, from 3:00 p.m. to 10:00 p.m. He stated he would email his list of remaining items to Council.

12. COUNCIL REPORTS

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

- Councilwoman Siskind waived comment.

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

- Councilman McGovern waived comment.

VICE MAYOR DRAHOS: Vice Mayor Drahos presented the following report:

- Vice Mayor Drahos waived comment.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- Councilman Napoleone 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 11:01 P.M.

Approved:

Anne Gerwig, Mayor

Chevelle D. Addie, Village Clerk