

## MINUTES

### REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

Wellington Village Hall  
12300 Forest Hill Blvd  
Wellington, FL 33414

Tuesday, December 13, 2022  
7:00 p.m.

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, December 13, 2022, commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

Council Members present: Anne Gerwig, Mayor; John T. McGovern, Councilman; and Tanya Siskind, Councilwoman.

Council Members absent: Michael Drahos, Vice Mayor; and Michael Napoleone, Councilman.

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** – Pastor Peter Bartuska, Christ Community Church, delivered the invocation.
4. **APPROVAL OF AGENDA**

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

**A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (3-0), to postpone Item 7A, Resolution No. R2022-64 (Wellington PUD Master Plan Amendment For 977 Cindy Drive) to a date certain of January 10, 2023.**

**A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (3-0), to approve the Agenda as amended.**

#### 5. PRESENTATIONS AND PROCLAMATIONS

- A. **22-5595** PROCLAMATION RECOGNIZING PALM BEACH COUNTY COMMISSIONER MELISSA MCKINLAY FOR HER YEARS OF SERVICE

Mr. Barnes introduced the item.

Ms. Addie read the proclamation.

Council gave comments commending Commissioner McKinlay on her service.

Commissioner McKinlay provided brief comments, thanked the Council for the proclamation and their support.

Mr. Richard Radcliffe, Executive Director of the Palm Beach County League of Cities, commended Commissioner McKinlay on her service and accomplishments.

**B. 22-5583 PRESENTATION OF PALM TRAN BUS SHELTER IMPROVEMENT PROGRAM**

Mr. Barnes introduced the item.

Mr. Clinton B. Forbes, Executive Director of Palm Tran, provided a brief overview of Palm Tran. He gave a system overview, major projects, Palm Tran's future: RPM (Route Performance Maximization) 2.0, Electrification, and Fixed Route Services.

Mr. Yash Nagal, Palm Tran Interim Planning Director, spoke regarding Palm Tran's Future - Bus Stop Improvements, Bus Stop Solicitation Strategy, and Bus Stop Signage Options.

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

Mr. Forbes and Mr. Nagal responded to Council's questions.

**C. 22-5590 PRESENTATION BY CURATIVE, LLC. THANKING THE VILLAGE FOR ITS CONTINUED SUPPORT AND PARTNERSHIP DURING COVID**

Mr. Barnes introduced the item.

Ms. Coates provided an overview of the actions the Village took during the pandemic regarding COVID testing. Wellington was the first municipality to offer rapid PCR testing.

Michael Siler, Regional Manager/Director of Operations for Curative, LLC. introduced David O'Brien, Site Lead for the Curative Site located in Village Hall Parking Lot. Mr. Siler provided an overview of the partnership with Wellington. He thanked the Village for helping them mitigate the COVID crisis. He stated they are proud of what they were able to do and stated the Village should be proud of the hard work that the Village put in to provide the ability for the community to have the testing. Over 50,000 tests were conducted and 89% were rapid tests. Curative, LLC. will continue testing until December 28, 2022. Mr. Siler stated they appreciate the opportunity to serve the community.

Council gave comments and commended Curative, LLC. for the service they provided to the community.

Mr. Siler answered questions from Council.

Mayor Gerwig commended Ms. Coates and her team for their efforts.

Mr. Siler also commended Ms. Coates.

**6. CONSENT AGENDA**

- A. 22-5616** MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF NOVEMBER 9, 2022
- B. 22-4915** AUTHORIZATION TO UTILIZE A SOURCEWELL CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE AND DELIVERY OF DOOR AND GATE SWIPE HARDWARE VILLAGE-WIDE
- C. 22-5283** AUTHORIZATION TO UTILIZE A CITY OF PLANTATION CONTRACT, AS A BASIS FOR PRICING, WITH ALLIED UNIVERSAL CORPORATION, FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE
- D. 22-5444** AUTHORIZATION TO RENEW AN EXISTING CONTRACT WITH WESTERN COMMUNITIES TRANSPORTATION, INC. TO PROVIDE SENIOR TRANSPORTATION PROGRAM SERVICES
- E. 22-5603** AUTHORIZATION TO AMEND AN EXISTING PURCHASE ORDER FOR THE WATER TREATMENT PLANT MEMBRANE PLANT #1 (M1) EXPANSION
- F. 22-5567** AUTHORIZATION TO UTILIZE A SEMINOLE COUNTY, FLORIDA TERM CONTRACT, WITH HYDROMAX USA, LLC, AS A BASIS FOR PRICING, FOR THE WATER DISTRIBUTION VALVE MAINTENANCE PROGRAM
- G. 22-5566** RESOLUTION NO. R2022-71 (CDBG LANGUAGE ACCESS PLAN)  
A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND ADOPTING FOUR FACTOR ANALYSIS AND LANGUAGE ACCESS PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AUTHORIZING THE VILLAGE MANAGER TO FORWARD THE FOUR FACTOR ANALYSIS AND LANGUAGE ACCESS PLAN TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING AN EFFECTIVE DATE.

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

**A motion was made by Councilwoman Siskind, seconded by Councilman McGovern, and unanimously passed (3-0), to approve the Consent Agenda as presented.**

## 7. PUBLIC HEARINGS

~~A. **22-5572** RESOLUTION NO. R2022-64 (WELLINGTON PUD MASTER PLAN AMENDMENT FOR 977 CINDY DRIVE)~~

~~A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A MASTER PLAN AMENDMENT (PETITION NUMBER 2022-0003-MPA) AMENDING THE WELLINGTON PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN FOR A CERTAIN PARCEL KNOWN AS PALM BEACH LITTLE RANCHES EAST OPEN SPACE AND RECREATION (A.K.A. 977 CINDY DRIVE), TOTALING 0.23 ACRE, MORE OR LESS, LOCATED APPROXIMATELY A HALF MILE SOUTH OF ACME ROAD AND CINDY DRIVE INTERSECTION AT 977 CINDY DRIVE, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO ADD ONE (1) DWELLING UNIT WITH SITE-SPECIFIC DEVELOPMENT STANDARDS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.~~

This item was postponed to a date certain of January 10, 2023 Village Council Meeting.

**B. 22-5509** ORDINANCE NO. 2022-30 (CELL TOWER - ZONING TEXT AMENDMENT TO WELLINGTON'S LAND DEVELOPMENT REGULATIONS)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO MODIFY SECTION 6.2.2.G. TRANSPORTATION COMMUNICATIONS INFRASTRUCTURE, OF ARTICLE 6, TO PROVIDE STANDARDS FOR COMMERCIAL WIRELESS FACILITIES AND APPROVING A WIRELESS COMMUNICATION TOWER MAP WITH THE LOCATIONS OF PRELIMINARY APPROVED TOWERS AND APPROVED TOWERS WITHIN WELLINGTON, AS MORE SPECIFICALLY CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Ordinance by title.

Mr. Stillings provided background information and relayed issues and challenges regarding cell coverage and service. He reviewed a Proposed Wellington Wireless Communication Tower Map and showed Council Cell Tower Types. Mr. Stillings discussed the Summary of Changes. The Planning, Zoning and Adjustment Board (PZAB) recommended approval during their October 19, 2022 meeting.

Mr. Stillings responded to Council's questions regarding the towers and carriers.

Council gave comments regarding some of the complaints regarding cell service and coverage.

Public Hearing

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (3-0) to open the public hearing.

There being no public comments, a motion was made by Councilwoman Siskind, seconded by Councilman McGovern, and unanimously passed (3-0) to close the public hearing.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (3-0) to approve Ordinance No. 2022-30 (Cell Tower - Zoning Text Amendment to Wellington's Land Development Regulations) as presented on first reading.

C. 22-5570 ORDINANCE NO. 2022-27 (LOTIS II FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN AMENDMENT {FLUM})

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) OF WELLINGTON'S COMPREHENSIVE PLAN, (PETITION NUMBER 2021-0002-CPA), TO MODIFY THE LAND USE DESIGNATION FROM PALM BEACH COUNTY LOW RESIDENTIAL TO MIXED USE (MU) FOR CERTAIN PROPERTIES KNOWN AS 441 PARTNERS TOTALING 52.43 ACRES, MORE OR LESS, AND KNOWN AS LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY TOTALING 1.49 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE ROAD 7 INTERSECTION, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He recommended that there be one concurrent staff and corresponding presentation since the items (Ordinance No. 2022-27 and Ordinance No. 2022-28 {Quasi-Judicial}) are related; with a separate motion for each item.

Ms. Addie read the Ordinances by title.

At this time, Ms. Cohen administered the oath to those individuals who wished to speak on the Items.

Ex-parte Communications

**Mayor Gerwig:** Mayor Gerwig disclosed she had no ex-parte communications since first reading.

**Councilman McGovern:** Councilman McGovern disclosed he had no ex-parte communications since first reading.

**Councilwoman Siskind:** Councilwoman Siskind disclosed she had no ex-parte communications since first reading.

Mr. Stillings entered the files into the record. He stated this is a request by 441 Partners Inc./Four Four One Partners, Inc. and the Lake Worth Drainage District. The applicant is Lotis Wellington, LLC. and JKM Acquisitions, LLC. Mr. Stillings provided the background/update regarding the request. He referenced the location of the site and showed Council a location map of the three parcels. He explained the requests: Comprehensive Plan Amendment and the Rezoning. He showed Wellington's Current FLUM and the Proposed FLUM Amendment. In addition, he showed a graphic of Wellington's Current Official Zoning Map and the Proposed Amendment. Mr. Stillings explained the summary of findings. The Planning, Zoning and Adjustment Board (PZAB) recommended approval of these items at their August meeting. Council heard the items for first reading in September 2022.

Mr. Brian Terry, Agent/Insite Studio, Inc. was present on behalf of the applicants to answer any questions from Council and conducted a presentation. He showed Council a graphic of the Site Location, the Wellington Municipal Boundary, the Site Location and Land Use & Zoning. He explained the project as he showed a graphic of the Conceptual Master Plan, Cross Access and Connectivity, Traffic Letters, and Public Outreach since September. Mr. Terry referenced staff's recommendation of approval.

Councilman McGovern asked when the master plan will come before Council.

Mayor Gerwig commented regarding the water body and preserve.

Councilwoman Siskind inquired if the amenities will be open to the public.

Council asked questions regarding the cross connectivity.

Mr. Terry provided an update regarding the plan and answered Council's questions.

Rich, Director/JKM Acquisitions, LLC. and Lotis Group, provided an overview regarding progress for the construction of Lotis 1.

#### Public Hearing

**A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (3-0) to open the public hearing.**

**There being no public comments, a motion was made by Councilwoman Siskind, seconded by Councilman McGovern, and unanimously passed (3-0) to close the public hearing.**

**A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (3-0) to approve Ordinance No. 2022-27 (LOTIS II Future Land Use Amendment to the Comprehensive Plan Amendment (FLUM)) as presented on second reading.**

**D. 22-5571 ORDINANCE NO. 2022-28 (LOTIS II REZONING)**

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING (PETITION NUMBER 2021-0002-REZ), TO MODIFY THE OFFICIAL ZONING MAP OF WELLINGTON TO MULTIPLE USE PLANNED DEVELOPMENT (MUPD) FROM PALM BEACH COUNTY PUBLIC OWNERSHIP FOR CERTAIN PROPERTY KNOWN AS 441 PARTNERS (PARCEL 1) TOTALING 15.68 ACRES, MORE OR LESS, AGRICULTURAL RESIDENTIAL FOR CERTAIN PROPERTIES KNOWN AS 441 PARTNERS

(PARCELS 2 AND 3) TOTALING 35.92 ACRES, MORE OR LESS, AND AGRICULTURAL RESIDENTIAL FOR CERTAIN PROPERTY KNOWN AS LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY TOTALING 1.49 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE ROAD 7 INTERSECTION, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

This item was discussed in conjunction with Item 7C.

**A motion was made by Councilwoman Siskind, seconded by Councilman McGovern, and unanimously passed (3-0) to approve Ordinance No. 2022-28 (LOTIS II Rezoning) as presented on second reading.**

#### **8. REGULAR AGENDA**

There were no Regular Agenda Items.

#### **9. PUBLIC FORUM**

Mr. Barnes indicated there were no comment cards received.

#### **10. ATTORNEY'S REPORT**

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

Ms. Cohen provided an update regarding 130 violations case.

Ms. Cohen answered Council's questions regarding the case.

Ms. Cohen discussed a local bill regarding the Moncada property.

Councilman McGovern inquired about attendance at the delegation meeting.

Mayor Gerwig inquired about a bill sponsor.

#### **11. MANAGER'S REPORT**

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

- Next Council Meeting will be held on Tuesday, January 10, 2023 at 7:00 p.m.
- The Palms West Santa Visit and Toy Distribution is tomorrow, December 14, 2022.
- Holiday Toy Sorting will be on Wednesday, December 14, 2022 at St. Peters Church (12200 Forest Hill Blvd) from 3:00 p.m. to 6:00 p.m.
- The Village of Wellington Employee Service Awards will be held on December 15, 2022 at Village Park.
- The Toy Distribution will be held at St. Peter's Church on Thursday, December 15, 2022 from 6:00 p.m. to 8:00 p.m.

- The 10th Annual Wellington Jingle Bell 5K returns this year to Village Park on Sunday, December 18, 2022 at 7:00 a.m.
- The Menorah Lighting will be held at 5:00 p.m. on Sunday, December 18, 2022 at Town Center.
- Wellington is pleased to announce receipt of notification of funding of their Florida Division of Emergency Management (FDEM), Mitigation Bureau, Hazard Mitigation Grant Program (HMGP) grant application for Wastewater Lift Stations Generators. The grant award is approximately \$537,232.50 and Wellington's match is approximately \$59,692.50. These grant funds will be used to provide backup power to critical wastewater Lift Stations 16 and 65 located in the Village.

Councilman McGovern asked Mr. Barnes to provide an update regarding the December 8, 2022 Advisory Boundary Committee (ABC) meeting and the Education Committee Meeting coming up on December 19, 2022.

Mr. Barnes provided an update regarding the ABC meeting.

Councilman McGovern stated the Education Committee is having a forum on this topic on December 19, 2022 at 6:30 p.m. in the Village Hall Chambers. The second meeting of the ABC is scheduled for December 20, 2022.

There was continued discussion on this topic.

## **12. COUNCIL REPORTS**

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

- Councilman McGovern thanked staff for the Cultural Holiday Celebration and Tree Lighting, was well attended and a great event. He commented regarding the Boat Parade and Holiday Parade. He said the Village of Wellington is doing many events to celebrate the holidays.
- Councilman McGovern stated he is looking forward to the Menorah Lighting Ceremony on Sunday.
- Councilman McGovern wished everyone a Merry Christmas and Happy New Year.

**COUNCILWOMAN SISKIND:** Councilwoman Siskind presented the following report:

- Councilwoman Siskind congratulated Mr. Tomasik and entire the Building Department on achieving the IAS Accreditation. She stated this is a national award and they are one of four in the state of Florida; and one of 22 in the country.
- Councilwoman Siskind said she attended the Affordable Housing Advisory Committee meeting and the Committee nominated Kesnel Theus, Jr. as the Chair and Elliot Johnson as Vice Chair. She stated it was a great first meeting and provided a brief review.
- Councilwoman Siskind commended the Central Palm Beach County Chamber of Commerce and the Hispanic Chamber of Commerce for the great job they did on the holiday parade.
- Councilwoman Siskind wished everyone a happy Holiday Season and a Happy, Healthy New Year.

Councilman McGovern stated the Aquatics Complex is closed from December 20, 2022 to January 4, 2023.

Mr. Barnes stated this is due to the installation of filters.



Councilman McGovern stated food trucks are returning on February 5, 2023.

Mr. Barnes provided information regarding the food trucks being held on the Promenade.

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

- Mayor Gerwig congratulated the building department on the IAS Accreditation.
- Mayor Gerwig referenced Winter Fest 2022. She commended Village Staff for their presence and efforts with all of the events. She said it was exciting to see the participation from everyone.
- Mayor Gerwig inquired about the board and committee vacancies. She asked that the previous Administrative Transmittal be re-circulated and that they make the appointments during the January 10, 2023 meeting.
- Mayor Gerwig wished Happy Holidays to everyone.

### **13. ADJOURNMENT**

There being no further business to come before the Village Council, the meeting was adjourned at approximately 8:57 P.M.

**Approved:**

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**Anne Gerwig, Mayor**

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**Chevelle D. Addie, Village Clerk**