

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

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

**Tuesday, June 23, 2020
7:00 PM**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, June 23, 2020, commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

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

Advisors to the Council: Paul Schofield, Manager; Laurie Cohen, Attorney; Jim Barnes, Assistant Manager; Tanya Quickel, Deputy Village Manager; and Chevelle D. Addie, Village Clerk.

1. **CALL TO ORDER** - Mayor Gerwig called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE** – Mayor Gerwig led the Pledge of Allegiance.
3. **INVOCATION** – Pastor Peter Bartuska, Christ Community Church, Wellington, delivered the invocation.
4. **APPROVAL OF AGENDA**

Mr. Schofield indicated staff is recommending approval of the agenda as amended.

- 1) Move Consent Agenda Item 6C, Authorization To: 1) Award A Contract For Greenbriar Boulevard/Ousley Farms Road Roadway Improvements, and 2) Approval Of Resolution No. R2020-23 Amending The Gas Tax Capital Fund Budget for Fiscal Year 2019-2020 By Reassigning Capital Project Budgets to the Greenbriar Boulevard/Ousley Farms Road Roadway Improvements Project, and Providing An Effective Date to the Regular Agenda as Item 8A.
- 2) Add a Modification to the contract with Zambelli Fireworks Manufacturing Co. for an additional \$5,000 for the Annual July 4th Fireworks Display as Consent Item 6K.

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

5. PRESENTATIONS AND PROCLAMATIONS

There were no presentations or proclamations.

6. CONSENT AGENDA

- A.** 20-3864 MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF MAY 26, 2020
- B.** 19-3517 AUTHORIZATION TO CONTINUE UTILIZING AN EXISTING AGREEMENT WITH KRONOS SAASHR, INC. FOR SUPPORT, MAINTENANCE, LICENSES AND RENTAL OF THE VILLAGE'S TIMEKEEPING AND PERFORMANCE REVIEW SYSTEM
- C.** 20-3777 AUTHORIZATION To: 1) AWARD A CONTRACT FOR GREENBRIAR BOULEVARD/OUSLEY FARMS ROAD ROADWAY IMPROVEMENTS, AND 2) APPROVAL OF RESOLUTION NO. R2020-23 AMENDING THE GAS TAX CAPITAL FUND BUDGET FOR FISCAL YEAR 2019-2020 BY REASSIGNING CAPITAL PROJECT BUDGETS TO THE GREENBRIAR BOULEVARD/OUSLEY FARMS ROAD ROADWAY IMPROVEMENTS PROJECT, AND PROVIDING AN EFFECTIVE DATE
- D.** 20-3779 AUTHORIZATION TO CONTINUE UTILIZING REVENUE GENERATING CONTRACTS WITH FOOD INVASION, GOURMET FOOD TRUCK EXPO, CALVARY CHURCH AND WESTWAY TOWING, INC. / PRIORITY TOWING, INC.
- E.** 20-3816 AUTHORIZATION TO UTILIZE A CLAY COUNTY CONTRACT FOR THE BRAMPTON COVE PARK RENOVATION PROJECT
- F.** 20-3832 AUTHORIZATION TO EXECUTE A LEASE AGREEMENT BETWEEN ACME IMPROVEMENT DISTRICT AND J. ALDERMAN FARMS, INC. FOR THE K-PARK SITE
- G.** 20-3846 RESOLUTION NO. R2020-24 (PALM BEACH TRANSPORTATION PLANNING AGENCY – TRANSPORTATION ALTERNATIVES GRANT APPLICATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE PALM BEACH TRANSPORTATION PLANNING AGENCY FOR A TRANSPORTATION ALTERNATIVES GRANT REQUESTING \$446,524 TO CONSTRUCT A MULTI-PURPOSE PATHWAY ALONG THE EAST SIDE OF THE C-2 CANAL FROM BENT

CREEK ROAD TO GREENVIEW SHORES BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

- H. 20-3847 RESOLUTION NO. R2020-25 (PALM BEACH TRANSPORTATION PLANNING AGENCY - LOCAL INITIATIVES GRANT APPLICATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE PALM BEACH TRANSPORTATION PLANNING AGENCY FOR A LOCAL INITIATIVES GRANT REQUESTING \$1,378,861 TO CONSTRUCT BICYCLE LANES AND INTERSECTION IMPROVEMENTS ON GREENBRIAR BOULEVARD FROM AERO CLUB DRIVE TO GREENVIEW SHORES BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

- I. 20-3854 APPROVAL OF RESOLUTION NO. R2020-26 TO ENTER INTO A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE BIG BLUE TRACE FROM SOUTH SHORE BOULEVARD TO WELLINGTON TRACE PROJECT AND PROVIDING AN EFFECTIVE DATE

- J. 20-3865 APPROVAL OF THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND THE SCHOOL BOARD OF PALM BEACH COUNTY FOR FUNDING, CONSTRUCTION OF THE RUNNING TRACK AND MAINTENANCE OF CAPITAL IMPROVEMENTS FOR A SPORT COMPLEX AT THE WELLINGTON COMMUNITY HIGH SCHOOL

- K. MODIFICATION TO THE CONTRACT WITH ZAMBELLI FIREWORKS MANUFACTURING CO. FOR AN ADDITIONAL \$5,000 FOR THE ANNUAL JULY 4TH FIREWORKS DISPLAY
(ADDED TO THE AGENDA)

Mr. Schofield indicated staff is recommending approval of the Consent Agenda as amended. He stated that there were comment cards for the Consent Agenda.

Ms. Cohen recommended that Council strike out the last sentence of Paragraph B in the lease agreement with Alderman Farms, Inc.

A motion was made by Councilman McGovern, seconded by Councilman Drahos, and unanimously passed (5-0), to approve the Consent Agenda as amended with changes to the last sentence of Paragraph B, Term of Lease, (strike out "Right of First Refusal" language) in the Alderman Lease Agreement (Item 6F).

Mr. Schofield indicated there were comment cards on the Consent Agenda submitted from the public.

Public Comment:

1. Bruce Tumin - spoke regarding Item 6J and asked questions regarding employees and construction of the complex.

A second motion was made by Councilman McGovern, seconded by Councilman Drahos, and unanimously passed (5-0), to approve the Consent Agenda as amended with changes to the last sentence of Paragraph B, Term of Lease, (strike out "Right of First Refusal" language) in the Alderman Lease Agreement (Item 6F).

At 7:21 p.m., Council came back to the Consent Agenda after the Regular Agenda.

2. Chris Mills - spoke regarding Item 6G and stated he is here for the safety of his children and feels the project has been thrust upon his neighborhood.

3. John L. Raineri - spoke regarding Item 6G and opposes addition to the canal pathway. He stated it is a safety issue.

4. Stephanie Mills - spoke regarding Item 6G and stated the change is unsafe for children and feels people will speed in and out in terms of drop off at the school.

A third motion was made by Councilman McGovern, seconded by Councilman Drahos, and unanimously passed (5-0), to approve the Consent Agenda as amended with changes to the last sentence of Paragraph B, Term of Lease, (strike out "Right of First Refusal" language) in the Alderman Lease Agreement (Item 6F).

At this item, Council went to the Public Forum portion of the agenda.

7. PUBLIC HEARINGS

A. 20-3866 ORDINANCE NO. 2020-09 (CODE OF ORDINANCES
AMENDMENT TO MODIFY THE PARKING CITATION PROGRAM
TO FACILITATE THE IMPLEMENTATION OF THE TRAFFIC AND
CRIMINAL SOFTWARE (TraCS))

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL,
AMENDING CHAPTER 62 "TRAFFIC AND VEHICLES", ARTICLE IV
"PENALTIES", SECTIONS 62-37 "PENALTIES", 62-38 "LATE FEE",
AND 62-39 "ADMINISTRATIVE APPEAL" OF WELLINGTON'S
CODE OF ORDINANCES TO MODIFY THE PARKING CITATION
PROGRAM TO FACILITATE THE IMPLEMENTATION OF THE
TRAFFIC AND CRIMINAL SOFTWARE (TraCS); PROVIDING A
CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE;
AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item.

Ms. Addie read the ordinance by title.

Mr. Stillings presented the item. He stated the Palm Beach County Sheriff's Office (PBSO) is switching to a reporting software that is being provided by the Department of Highway Safety and Motor Vehicles and the software is being funded by the Florida Department of Transportation. Mr. Stillings informed Council that this is a more cost effective way for the department to submit tickets and maintain crash data electronically. The ticket goes directly to the Palm Beach County Courts and that is where the citation will be paid. The benefit of the software is that there is no more printing of ticket books which allows for those officers not assigned to Wellington to be able to still issue citations and the software also creates a searchable database. The price is being raised by \$10 to cover the filing fee charged by the Clerk of Court.

Councilman McGovern asked if there have been any changes or any public comment since first reading.

Mr. Stillings replied that there have not been any changes or any public comment since first reading.

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 Councilman Drahos, and unanimously passed (5-0) to close the public hearing.

A motion was made by Councilman Drahos, seconded by Councilman Napoleone, and unanimously passed (5-0) to approve Ordinance No. 2020-09 (Code of Ordinances Amendment to Modify the Parking Citation Program to Facilitate the Implementation of the Traffic and Criminal Software (TraCS)) on second reading.

8. REGULAR AGENDA

- A. 20-3777** AUTHORIZATION To: 1) AWARD A CONTRACT FOR GREENBRIAR BOULEVARD/OUSLEY FARMS ROAD ROADWAY IMPROVEMENTS, AND 2) APPROVAL OF RESOLUTION NO. R2020-23 AMENDING THE GAS TAX CAPITAL FUND BUDGET FOR FISCAL YEAR 2019-2020 BY REASSIGNING CAPITAL PROJECT BUDGETS TO THE GREENBRIAR BOULEVARD/OUSLEY FARMS ROAD ROADWAY IMPROVEMENTS PROJECT, AND PROVIDING AN EFFECTIVE DATE

This item is formerly Item 6C.

Mr. Schofield introduced this item.

Mr. Lundeen presented this item. He stated the project is at the intersection of Greenbriar Boulevard and Ousley Farms Road and briefly spoke about the bridge crossing and multi-use pathway. He also discussed the existing turning movements and the proposed roadway improvements. He stated the project was designed in-house by engineering staff and reviewed the traffic data for the intersection.

There was council and staff discussion regarding the level of service in the equestrian preserve area, guardrails, crossings, medians and walkways.

Mr. Schofield stated the primary purpose of this project is to eliminate a sight problem and a turning problem at a very difficult intersection.

Council asked if this has gone before the EPC and PZAB.

Mr. Schofield and Ms. Cohen stated this is not a land use matter.

Councilman Drahos asked where the roundabout is in relation to the Winding Trails access.

Mayor Gerwig asked where the funds are coming from for this project.

Council stated this is a good project to improve safety.

A motion was made by Councilman McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0), to Award a Contract for Greenbriar Boulevard/Ousley Farms Road Roadway Improvements, and 2) Approve Resolution No. R2020-23 Amending the Gas Tax Capital Fund Budget for Fiscal Year 2019-2020 by Reassigning Capital Project Budgets to the Greenbriar Boulevard/Ousley Farms Road Roadway Improvements Project.

Mr. Schofield indicated there were some comment cards submitted for the Consent Agenda that were inadvertently missed. Therefore, at 7:21 p.m., Council went back to the Consent Agenda (Item 6G).

9. PUBLIC FORUM

Vice Mayor Siskind indicated that there were comments cards submitted for Public Forum.

Mr. Tumin spoke regarding the boat ramp at the promenade and the water quality report.

Vice Mayor Siskind read comments that were emailed into the record. There were multiple speakers from the public, listed below, who spoke regarding racism, unfair treatment, text messages, protests, police brutality, community policing, First Amendment rights.

Frank Hayden	Kevin Krieger	Erica Esch
Alan Bottorff	Bryce Graham	Debbie Riley
Professor Tinker	Michael Contrelli	Widmayer Pierre
Jessica Pitcher	Jasiel Moreno	Tracy Labbe
Paul Labbe Jr.	Jeanette Roscrow (sp)	Alissa Thomas
Laura Henao	Ariba Khan	Peter Bartuska
Esther Mitchell	Ashley Johnson	

Mayor Gerwig asked Ms. Cohen to speak regarding First Amendment rights.

Mayor Gerwig clarified her comments.

10. ATTORNEY'S REPORT

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

- Ms. Cohen stated that she would like to schedule an attorney-client session for next week regarding the foreclosure matter.

11. MANAGER'S REPORT

MR. SCHOFIELD: Mr. Schofield presented the following report:

- Mr. Schofield stated that the Village has done a gradual reopening of facilities. He stated he issued an order today to close the pool due to a COVID positive case. He stated there are quarantine issues that are affecting the Village operationally. Mr. Schofield stated the lobby will now be open from 8:00 a.m. to 1:00 p.m., Monday through Thursday for customer interactions. He stated anyone who enters the building must wear a mask and social distancing is required.

Mayor Gerwig inquired about the order from Palm Beach County regarding masks.

Brief discussion ensued regarding orders, testing, masks, positive COVID cases and hospital capacity.

- The Next Regular Council Meeting will be held on Tuesday, July 14, 2020 at 7:00 P.M. in the Council Chambers.
- Mr. Schofield stated Village offices will be closed on Friday, July 3, 2020 in observance of Independence Day.

Vice Mayor Siskind asked for an update regarding fireworks.

Mr. Schofield stated the information regarding fireworks will be posted on the website.

12. COUNCIL REPORTS

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

- Councilman Drahos emphasized Mr. Schofield's point that the most recent staff member who tested positive was asymptomatic. He stated that is a critical issue when thinking about it because even though a person is asymptomatic, it could be passed along to someone else who could have a much more drastic reaction to COVID-19.
- Councilman Drahos stated the Palm Beach County Commission made a difficult decision today making masks mandatory. He stated as leaders they have to err on the side of caution when it comes to the public's health. Councilman Drahos commented about an article he read regarding wearing masks.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- Councilman Napoleone stated his position is clear and consistent that if you come to Wellington to live, work, play or protest you should feel safe and should be safe. He stated Wellington has been placed in the spotlight because of the actions of a few people who do not represent most of our community. Councilman Napoleone said no one is turning a blind eye to racism and everyone in the community can do better and work together. He stated the Village is looking at policies to see how to better serve the community including our community of color. Wellington is a diverse community economically and racially. Councilman Napoleone stated the men and women who work with the Palm Beach Sheriff's Office (PBSO) District 8 care about the community and the people who make up the community. They engage in community policing and partner with the Village for events. He stated everyone has a role to play in improving the issue to make Wellington a better place for all.

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

- Councilman McGovern stated he has some thoughts on the last couple of weeks. He stated the social media video of the interaction between the homeland security officer and the Nelson Family is abhorrent. He stated that is not our community and it will not be tolerated here on any day and not by the Council. He stated these events have shown a light on this community and we can try to bury it or listen to the community and come together and make this the community that we want it to be. Councilman McGovern stated that he has asked for a top down full spectrum review of the entire Village to see how we can do better, where or how we will change. He stated the solutions will not come overnight. He referenced the protest a couple of weeks ago. He stated it is a fact that we want this to be a safe place and safe space to discuss tough issues. Councilman McGovern stated this is the first PBSO contract community to have community policing. He reiterated that the officers in the back of the room are good people and real partners in keeping us safe and for the good work that is done everyday in the neighborhoods in conjunction with the Community Services Department. He stated we have to challenge ourselves to make this a better place and it does not involve quick solutions. Councilman McGovern said that we want Wellington to be the inclusive community where equality is the next trend. He stated if there is a racist system in Wellington, the Council, community and PBSO must root it out and change it together.

Councilman McGovern stated the time for the hard work begins now. He reiterated that the top down review is being conducted and afterwards, we will come together to get educated and engage as a community. He asked the community to hold Council accountable to be partners too.

- Councilman McGovern stated the school district is asking the communities in the County to come together for the virtual Town Hall meeting on school re-opening. The virtual meeting is on Thursday from 6:00 p.m. to 7:00 p.m. and the details are on the Village's website.

- Councilman McGovern mentioned the census and stated Wellington is the second highest performing municipality in Palm Beach County right now at 66.7%. He stated the census along with voting are the ways to make sure that our power is accounted for in order to receive the funding we are entitled to and the representation our population deserves. He encouraged everyone who has not completed the census to do so.

VICE MAYOR SISKIND: Vice Mayor Siskind presented the following report:

- Vice Mayor Siskind thanked everyone for coming tonight and sharing their experiences and messages. She stated that the messages have been received. She reiterated that her comments from last meeting still stand. Vice Mayor Siskind stated that she looks forward to working together and feels that everyone has the potential to make real change.
- Vice Mayor Siskind commended the Palm Beach County Commission for making wearing masks mandatory. She stated this is really important.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig inquired about whether or not there is an order extension for having virtual meetings.

Mr. Schofield stated that the Governor extended the order until August 1, 2020.

- Mayor Gerwig stated that she was able to attend a meeting last Friday with Mr. Nelson and Mr. Jeffers with a couple of pastors at Christ Fellowship. She stated it did not solve every problem but got us closer to solving some problems. She stated it made things a little more real in the room to have a frank conversation. Mayor Gerwig stated it was Mr. Nelson's idea to hold the meeting and he has a heart for the community. She commended Mr. Nelson for working with the village. She referenced other community partners (Capside, Crowned Pearls and residents) that the Village can engage with as we move forward with community meetings. Mayor Gerwig stated we have all the tools we need, we just have to get it into a format that is usable to the community to make some great changes so that everyone feels valued and welcomed here.
- Mayor Gerwig recognized Amy Stern, Facebook page manager for the Mom's Club of Wellington, who organized the parade for Breonna Nelson-Hicks. She stated she inquired about Ms. Hick's well-being. Mayor Gerwig informed that Ms. Nelson-Hicks is strong and she is excited to see what she does with her life.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 9:00 PM.

Approved:

Anne Gerwig, Mayor

Chevelle D. Addie, Village Clerk