

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

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

**Tuesday, January 12, 2021
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, January 12, 2021, 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: 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** – Members of the Youth Council 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 Dr. Alina Alonso, Director of the Palm Beach County Health Department to Presentations and Proclamations as Item 5B.
2. Change Item 5B (Recognition of Youth Council) to Item 5C.
3. Move Item 5C (Project Graduation Sponsorship) to Consent Agenda as Item 6L.
4. Add Request for Wellington to be location for 2021 Garlic Fest to 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. 20-4195 PRESENTATION OF PROCLAMATION BY PALM BEACH COUNTY COMMISSIONER MELISSA MCKINLAY FOR WELLINGTON'S 25TH ANNIVERSARY

Mr. Barnes introduced the item.

Commissioner Melissa McKinlay gave brief comments and stated it is an honor to represent the Village of Wellington and to raise her children and be a resident of Wellington. She read and presented the proclamation honoring Wellington's 25th Anniversary to Council.

Council thanked Commissioner McKinlay for the proclamation.

B. DR. ALINA ALONSO, DIRECTOR OF THE PALM BEACH COUNTY HEALTH DEPARTMENT (THIS ITEM ADDED TO THE AGENDA)

Mr. Barnes introduced the item.

Commissioner McKinlay stated it has been a tough year for those in public service and provided a brief overview regarding new security measures that have been taken for the County Commission Meetings. In addition, she spoke briefly regarding the Village's testing site and a plan for a vaccination site. She stated the health department is a state run agency and the vaccine distribution is under the control of the governor's office. Commissioner McKinlay said they are working to assist people with registering for the vaccine through the email address that has been provided. She stated there is no automatic response from the email address. Commissioner McKinlay encouraged everyone to manage their expectations at this time and reiterated this is controlled by the Governor's order regarding those who get vaccinated. She stated Dr. Alonso/PBC health department has received 28,500 vaccines to date and Palm Beach County has vaccinated 42,000 people to date. She provided additional numbers regarding vaccination.

Mayor Gerwig asked if the Palm Beach County Sheriff's Office (PBSO) was included in the first line of vaccine distribution.

Commissioner McKinlay stated law enforcement was removed from the prioritization by the Governor's office. However, she stated she agrees they should be prioritized.

Dr. Alina Alonso provided a vaccine distribution update. She discussed the COVID-19 vaccination phases. She stated the first phase takes about two months and Palm Beach County was the last of eight counties to receive the vaccine. She stated hospital health care workers, nursing homes and long term care facilities, fire rescue/EMS, paramedics, frontline healthcare workers and seniors 65 and older are being vaccinated in this Phase. Phase 2 will provide moderate vaccination availability, expanded populations and groups, closed and open pods, and mobile sites. Phase 3 will provide sufficient vaccine with the general public being vaccinated, closed and open pods, and mobile sites. Dr. Alonso discussed new COVID-19 case numbers and encourage everyone to continue to wear masks and social distance. She asked that seniors send an email to: chd50feedback@flhealth.gov regarding vaccination. She stated it does not provide a return email and the system feeds all 67 counties via the state. She said

Miami is working on the Hard Rock as a vaccination site.

She discussed the email communications further. Dr. Alonso then answered Council's questions regarding the vaccine.

Council stated that the Village is willing to assist in the process of getting the vaccine to our residents. Council thanked Dr. Alonso.

Commissioner McKinlay stated Governor DeSantis made a visit today and stated Palm Beach County will be the first large County to have a partnership with Publix regarding the vaccine.

Ms. Coates stated staff has been in constant communication with the County regarding our Point of Distribution (POD) plan for the vaccination.

Commissioner McKinlay stated the County will receive a federal allocation for rental assistance.

- C. 20-4110** RECOGNITION OF WELLINGTON'S YOUTH COUNCIL FOR WINNING THE 2020 FLORIDA LEAGUE OF CITIES COMMUNITY SERVICE AND PHOTOGRAPHY COMPETITIONS

Mr. Barnes introduced the item.

Mr. Ian Williams, Community Services Department, presented this item. He introduced the members of the Youth Council to explain the effort that went into receiving the awards.

The Mayors of the Youth Council read statements into record regarding the awards and the information submitted when applying for the awards.

Council gave brief comments and thanked the Youth Council and staff.

- D. 20-4144** ~~PALM BEACH CENTRAL HIGH SCHOOL AND WELLINGTON COMMUNITY HIGH SCHOOL PROJECT GRADUATION SPONSORSHIP 2021~~ **(THIS ITEM MOVED TO CONSENT AGENDA AS ITEM 6L.)**

6. CONSENT AGENDA

- A. 20-4173** MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF DECEMBER 8, 2020
- B. 19-3505** AUTHORIZATION TO AWARD ANNUAL PUBLIC WORKS CONTRACTS TO MULTIPLE VENDORS
- C. 20-3974** AUTHORIZATION TO UTILIZE CONTRACTS FOR THE PURCHASE AND DELIVERY OF VEHICLES AND EQUIPMENT; AND AUTHORIZATION TO DISPOSE OF EXISTING SURPLUS EQUIPMENT

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| D. | 20-4088 | 1) RATIFICATION OF AN EMERGENCY REPAIR OF THE WATER RECLAMATION FACILITY DRYER; AND 2) APPROVAL OF RESOLUTION NO. R2021-05 AMENDING THE UTILITY FUND MAINTENANCE BUDGET FOR FISCAL YEAR 2020-2021 BY ALLOCATING FUND BALANCE FOR EMERGENCY REPAIRS TO THE WATER RECLAMATION FACILITY DRYER; AND PROVIDING AN EFFECTIVE DATE. |
| E. | 20-4135 | AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR GIS CLOUD HOSTING SERVICES |
| F. | 20-4148 | AUTHORIZATION TO AWARD CONTRACTS FOR PLANNING, ZONING AND BUILDING INSPECTION SERVICES |
| G. | 20-4150 | AUTHORIZATION TO RENEW AN EXISTING CONTRACT TO PROVIDE AQUATIC VEGETATION CONTROL SERVICES TO WELLINGTON CANALS AND LAKES |
| H. | 20-4157 | AUTHORIZATION TO UTILIZE MULTIPLE CONTRACTS FOR THE PURCHASE OF INFORMATION TECHNOLOGY SYSTEMS EQUIPMENT |
| I. | 20-4170 | RATIFICATION OF CONSTRUCTION ENGINEERING INSPECTION EXPENDITURES FOR THE AERO CLUB DRIVE PATHWAY PROJECT |
| J. | 20-4171 | UTILITY SERVICES AGREEMENT FOR 4370 SOUTH ROAD DEVELOPMENT PROJECT |
| K. | 20-4137 | RESOLUTION NO. R2021-01 (ACCEPTANCE OF INTERLOCAL AGREEMENT WITH SOLID WASTE AUTHORITY) |
| | | A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN INTERLOCAL AGREEMENT FOR THE DELIVERY OF MUNICIPAL SOLID WASTE, TO DESIGNATE FACILITIES AND FOR A MUNICIPAL REVENUE SHARING RECYCLING PROGRAM; AND PROVIDING AN EFFECTIVE DATE. |
| L. | 20-4144 | PALM BEACH CENTRAL HIGH SCHOOL AND WELLINGTON COMMUNITY HIGH SCHOOL PROJECT GRADUATION SPONSORSHIP 2021 <i>(THIS ITEM MOVED FROM PRESENTATIONS AND PROCLAMATIONS)</i> |

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

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

7. PUBLIC HEARINGS

A. 20-4176 RESOLUTION NO. R2020-61 HIBISCUS PALACE (CONDITIONAL USE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A CONDITIONAL USE [PETITION NUMBER 2020-0002-CU] TO ALLOW A TYPE 2(B) CONGREGATE LIVING FACILITY FOR SENIOR HOUSING WITH A MAXIMUM OF 21 RESIDENTS FOR CERTAIN PROPERTY KNOWN AS HIBISCUS PALACE, CONSISTING OF 0.34 ACRE, MORE OR LESS, LOCATED AT 13931 MORNING GLORY DRIVE; IN A PLANNED UNIT DEVELOPMENT ZONING DISTRICT AND SUBJECT TO CONDITIONS OF APPROVAL; AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Resolution by title.

Ms. Cohen stated this Item is Quasi-Judicial.

Ms. Cohen administered the oath to those who wished to speak on Item 7A.

Ex-parte Communications

Councilman Napoleone: Councilman Napoleone disclosed he met with staff. Councilman Napoleone said he can be fair and impartial.

Councilman Drahos: Councilman Drahos disclosed he has not met with anyone regarding this. Councilman Drahos said he can be fair and impartial.

Mayor Gerwig: Mayor Gerwig disclosed she spoke with staff. Mayor Gerwig said she can be fair and impartial.

Councilman McGovern: Councilman McGovern disclosed he met with staff and his Planning, Zoning and Adjustment Board (PZAB) Appointee Adam Rabin and also spoke with Ron Herman and visited the location. Councilman McGovern said he can be fair and impartial.

Vice Mayor Siskind: Vice Mayor Siskind disclosed she met with staff, and she briefly spoke with her Planning, Zoning and Adjustment Board (PZAB) Appointee Jeffrey Robbert and also

spoke with Ron Herman and Maureen Martinez. Vice Mayor Siskind said she can be fair and impartial.

Mr. Stillings introduced Mr. Damian Newell and submitted the staff report and file into the record. He stated this is for a Type 2B, Congregate Living Facility (CLF) for senior housing with a maximum of 21 residents. The location is at the northwest corner of Morning Glory Drive and Greenvue Shores Boulevard; just west of the Courtyard Shoppes of Wellington. Mr. Stillings stated there are several LDR minimum standards that must be met for the CLF conditional use. The proposed request meets all of those with respect to occupancy, common areas, rooms, bathrooms, the lot area as well as onsite parking, distance to the fire station and distance to a full service medical hospital. However, the applicant is approximately 100 feet short regarding the separation from single family residential districts; but do not directly abut any single family districts. Mr. Stillings stated this is the fourth Type 2(B) CLF within a ½ mile radius and reviewed the site plan. He stated the applicant is adding some windows to the front façade and highlighted the perimeter fencing and landscape. He showed the Council an aerial of the ½ mile radius map of where the facility will be located and discussed the public comments from the PZAB meeting. He stated the project complies with the parking and drop spaces. He stated there are eight total spaces: four (4) for peak shift employees, three (3) for visitors and one for drop-off. Mr. Stillings reviewed the conditions of approval and highlighted the summary of findings and recommendations.

Mayor Gerwig stated at PZAB there seem to be some confusion regarding parking and asked if the parking meets the code.

Mr. Stillings stated board members felt the code requirement regarding parking was not sufficient.

Vice Mayor Siskind asked if there was one additional space than the code required.

Mr. Stillings stated that was correct.

Councilman Napoleone asked about the closest single family house in the corner and if that is the only house affected.

Mr. Stillings responded yes.

Councilman McGovern asked about modifications to the structure on the site.

Mr. Stillings discussed the modifications that will be made, the fire alarms and sprinkler systems and said the structure is not being changed.

Councilman McGovern asked if the parking will remain the same as it is now.

Mr. Stillings responded affirmatively.

Mr. Guy Yiftach, Desert Income ALF Wellington, LLC, Applicant, stated he is thankful to Palm Beach County regarding the COVID 19 vaccination efforts and his facility received vaccinations today. He stated last year Council approved his other facility here in Wellington. He stated they provide a home environment and quality care to their residents.

Public Hearing

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

Councilman McGovern reiterated his question regarding parking at the facility and its use.

Mr. Damian Newell discussed the parking spaces and the separation of parking by showing a location map.

Mayor Gerwig stated the setbacks are different from setbacks in other areas.

Councilman McGovern asked how many residents will live at the facility and asked about the ratio of staff.

Mr. Yiftach stated there will be 21 residents and discussed staff shifts.

Councilman McGovern asked about the Square Sail Cloth.

Councilman Drahos stated he is not a fan of the cloth and he is concerned about the aesthetic.

Mr. Newell stated it is temporary structure and removed during a hurricane.

Councilman Drahos reiterated he is concerned about the aesthetic aspect of the cloth.

Mr. Newell stated the code is not specific to these types of cloth.

Councilman Napoleone asked if a resident wanted something like this does it require Council approval or a permit.

Mr. Newell stated they would have to receive a permit for the structure (post and footers) itself.

Mayor Gerwig asked if this is a side yard.

Mr. Newell stated this is the back of the property.

Councilman McGovern asked Mr. Yiftach if he owns the property.

Mr. Yiftach stated the property is currently under contract and is subject to this approval.

Mayor Gerwig asked if this project is similar to Wellington Care.

Mr. Yiftach responded yes and said he is familiar with Wellington Care. He stated his facility is well maintained and they maintain the curb appeal.

Vice Mayor Siskind asked Mr. Yiftach if he has two other facilities in Wellington.
Mr. Yiftach responded yes.

Mr. Newell stated they have a Type 1A and a Type 2A that is now being changed to Type 2B.

Mr. Yiftach spoke regarding his facilities.

Vice Mayor Siskind stated these are very much needed in the community.

Councilman McGovern asked what is operating at Hyacinth now.

Mr. Yiftach provided an overview of the facility. He stated it is on Hyacinth and Goldenrod.

Councilman McGovern asked Mr. Yiftach to explain the outdoor spaces.

Councilman Napoleone stated the outdoor spaces exist now. He said he thinks this is a good project.

Councilman McGovern stated his concern is that this appears to be small and forced into a multi-family residence. He stated he is concerned with the layout on the space and the facility at this location. He asked about fencing and security.

Mr. Yiftach discussed the single occupancy and double occupancy.

Mayor Gerwig asked if this is driven by AHCA standards.

Mr. Yiftach responded affirmatively.

Mr. Newell stated it meets the Village's standards.

Councilman Drahos asked how the parking spaces will work if people want to have visitors on a certain day.

Mr. Yiftach stated every visit is by appointment only; persons have to call in and schedule. He stated most of the staff do not own cars and are often dropped off to work. He said thus far there have been no parking issues at his facilities. Mr. Yiftach reiterated that parking is mitigated during the day.

Councilman Drahos asked how many parking spaces he has at his other two facilities.

Mr. Yiftach responded to Councilman Drahos's questions.

Councilman McGovern stated he does not feel this works at this location in this neighborhood.

Mayor Gerwig stated she feels access to the main road helps this facility.

Councilman McGovern reiterated that he feels this is too cramped at this location.

Councilman Drahos stated he has major concerns regarding these parking spaces at this facility

and asked how staff got to the number of 7 parking spaces.

Mr. Newell responded regarding the parking calculations. He stated it is one space per seven residents and one space per employee for the peak shift.

Mr. Stillings stated the code ratio has been in place for years and is based upon an inventory of other communities and parking generation rates. He stated this is fairly standard.

Mayor Gerwig stated, as perspective, if this was four units occupied by four different families with children, the parking situation could be worse.

Councilman Napoleone concurred and briefly spoke regarding the parking spaces.

Vice Mayor Siskind stated Mr. Yiftach has taken steps to mitigate the parking.

Mr. Stillings stated if there are any parking issues, the code enforcement process will be followed.

Council continued brief discussion regarding parking and access.

A motion was made by Councilman Napoleone, seconded by Vice Mayor Siskind, and passed (3-2) with Councilman Drahos and Councilman McGovern dissenting; to approve Resolution No. R2020-61 {Hibiscus Palace (Conditional Use)}.

8. REGULAR AGENDA

A. 20-4106 COUNCIL DIRECTION REGARDING THE APPOINTMENT OF A COMMUNITY MEMBER AND AN ALTERNATE TO THE CANVASSING BOARD

Mr. Barnes introduced the item.

Ms. Cohen presented this item. She stated Council will need to appoint a community member and an alternate. Ms. Cohen indicated the Clerk provided the resolution and notice that was used the last time Council made an appointment.

It was Council consensus to utilize the same process that was previously used.

B. CONSIDERATION OF REQUEST FOR WELLINGTON TO BE LOCATION FOR 2021 GARLIC FEST (THIS ITEM ADDED TO THE AGENDA)

Mr. Barnes introduced the item.

Ms. Nancy Stewart-Franczak presented this item. She highlighted the changes that had been made based on Council comments and recommendations during the agenda review meeting: changed times to end at 9:00 p.m. on Saturday; reduction of maximum capacity onsite at one time to 3,000, relocation of stage to face south, relocation of Kids Zone to help create additional sound buffer, relocation of vendor booths to help create additional sound buffer, port-a-lets

moved for easier access for servicing and removed RV sponsor units from field. She also showed Council a slide regarding their abridged COVID safety plan. Councilman Napoleone asked if she had spoken with Palm Beach Polo.

She read the email into record received from Palm Beach Polo stating they would not object to the Garlic Fest being held on March 6, 2020 and March 7, 2020 at the Wellington Green Park based on the information provided.

Mayor Gerwig asked where the stage was relocated.

Ms. Stewart-Franczak stated the stage has been moved to the south side (directly behind the Hampton Inn).

Councilman McGovern inquired about the seating pods on each side of the large grassy area.

Ms. Stewart-Franczak said the blue squares are the 10 foot seating pods and the aerial shows the extension. She discussed the relocation of the kid zone and vendor booths. She stated they spoke with staff today and staff monitored the decibels at the edge of the property line during Winterfest and it was at 55. Ms. Stewart-Franczak said they will do sound checks and monitor the sound throughout the event.

Mayor Gerwig asked who she spoke with at Palm Beach Polo.

She stated she spoke with Mr. Jim Taccone (General Manager Palm Beach Polo & Country Club Property Owners' Association). In addition, Palm Beach Polo indicated that they would help promote the event to their residents.

Councilman McGovern asked if there had been any changes to the hours.

Ms. Stewart-Franczak stated the time was changed to end at 9:00 p.m. She also showed a slide referencing social distancing.

Vice Mayor Siskind asked if ticket sales would be online and in-person.

Ms. Stewart-Franczak responded affirmatively.

Councilman Drahos stated he appreciates the compromises that have been made since yesterday's presentation. He stated they are well thought out and on the pathway to success. Councilman Drahos asked if there are worsening circumstances due to COVID, does the Village have an "out" regarding the event.

Mr. Barnes stated staff will incorporate language in the contract.

Ms. Stewart-Franczak discussed language in her contracts regarding vendors. She stated she is happy to share what they have written in their contracts.

Councilman Napoleone stated he appreciates the changes that have been made. He stated he is excited.

Councilman McGovern stated this is much better with the changes and asked about the change

in capacity.

Ms. Stewart stated it has been reduced to 3,000 at any given time.

Councilman McGovern stated he feels they have gone the extra mile to make the changes and feels this will work much better.

Vice Mayor Siskind thanked Ms. Stewart-Franczak for being responsive and making the changes.

It was consensus of Council to allow Wellington to be the location for the 2021 Garlic Fest.

Councilman Drahos stated he hopes Ms. Stewart-Franczak has found a permanent home for the event here in Wellington.

Ms. Stewart-Franczak inquired about the dates of April 24, 2020 and April 25, 2020 for the Bacon and Bourbon Fest being held in April.

Mr. Barnes stated that decision rests with Council. He reiterated that all events have been canceled through March. Mr. Barnes said staff has no issue with the revised date. However, it is subject to be canceled pending COVID related issues.

Ms. Franczak stated she will send over the press release regarding the Garlic Fest for review prior to sending it out.

9. PUBLIC FORUM

Mr. Barnes indicated no public comment cards were received.

10. ATTORNEY'S REPORT

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

- Ms. Cohen stated she had no report.

11. MANAGER'S REPORT

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

- The Next Regular Council Meeting will be held on Tuesday, January 26, 2021, at 7:00 P.M., with the ACME Annual Landowners' Meeting to follow immediately after. He stated the Diversity Workshop requested by Council will also be held in-person at 4:30 p.m. on January 26, 2021.
- Village Offices will be closed on Monday, January 18, 2021 in observance of the Martin Luther King, Jr. Day Holiday.

Mayor Gerwig invited everyone to watch CAFCI's (Caribbean-American for Community Involvement) event online or to go in person.

Mr. Barnes stated there will be a virtual Martin Luther King, Jr. Day celebration with several speakers. The information is on the Village's website.

12. COUNCIL REPORTS

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

- Councilman McGovern stated that they are thankful as a community and Council for the vaccine. He stated he shared the frustration of the seniors which is why Dr. Alonso was here tonight. He referenced the comments by Commissioner McKinlay regarding the partnership with Publix for distribution of the vaccine. Councilman McGovern commented regarding the testing site. He referenced the number of COVID cases here in Wellington. He stated because the vaccine has come is not a signal to resume life as normal. He reiterated that it will be May or June before the vaccine is widely available to people in the community. He reminded everyone to wear a mask, social distance, avoid crowds and wash hands.

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

- Vice Mayor Siskind stated there is a resignation from the Public Safety Committee.

Mr. Barnes stated no applications have been received.

Council asked that the vacancy information be placed on the website.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- Councilman Napoleone wished everyone a Happy New Year. He encouraged everyone to stay the course: keep wearing masks, avoid crowds and social distance.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

- Councilman Drahos stated he has no further comments.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig stated Howard Trager passed away on January 9, 2021 and read his obituary into record.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 9:04 PM.

Approved:

Anne Gerwig, Mayor

Chevelle D. Addie, Village Clerk