

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

Wellington Village Hall
12300 Forest Hill Blvd
Wellington, FL 33414

Tuesday, February 23, 2021
7:00 p.m.

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, February 23, 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** – Cub Scout Pack 125 led the Pledge of Allegiance.
3. **INVOCATION** – Pastor Peter Bartuska, Christ Community Church, delivered the invocation.
4. **APPROVAL OF AGENDA**

Please note that on Monday, February 15, 2021, the Village was notified by PR Raintree, LLC and Greener Pastures Too, LLC that they are withdrawing, without prejudice, their applications for abandonment of the Lake Worth Road Right-of-Way extension. These items (Resolution AC2020-01, Resolution AC2021-03 and Resolution No. R2021-03) were scheduled to be heard by Council at its upcoming meeting on February 23, 2021. Because the applications have been withdrawn, they will not be on the Council agenda and will not be heard.

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

1. Add the Co-Sponsorship Agreement between the Village of Wellington and the Wellington Historical Society, Inc. for their 2021 Wellington Community Scavenger Hunt to be held on Saturday and Sunday, March 27, 2021 and March 28, 2021, in commemoration of the 25th Anniversary of Wellington's Incorporation; to the Regular Agenda as Item 8B.

2. Ms. Cohen stated there is pending litigation between the Village and ACME regarding the Lake Worth Road Right of Way. She stated the applications were withdrawn and have been removed from the agenda. Ms. Cohen informed the public that it is the Village Council's position that the deeds issued from Wellington to the adjacent property owners did not convey any interests in the property and that ACME therefore still owns that portion of the right of way. It is the Council's position that ACME should continue to own it.

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

5. PRESENTATIONS AND PROCLAMATIONS

A. 20-4254 PACK 125 ANNUAL PINWOOD DERBY INVITATION

Mr. Barnes introduced the item.

Mr. Randy Wertepny, Cub master of Cub Scout Pack 125, stated they wanted to show their appreciation for the Village's support of the organization and the community. He invited the Village Council, Palm Beach County Sheriff's Office and Palm Beach County Fire Rescue to each build a car and participate in this year's Pinewood Derby. The Derby will be held on March 6, 2021 at 12:30 P.M. at the Wellington Amphitheater. He stated the cars have already been distributed. Council accepted the challenge and appointed Councilman Napoleone to lead the initiative on building their car. Palm Beach County Fire Rescue Chief Rowley stated Station 25 will build their car this year and Palm Beach County Sheriff's Office (PBSO) Captain Silva stated they enjoy the challenge and Lieutenant Shavitz is in charge of their car. Lieutenant Shavitz stated they will do their best and he is glad they can still have the event during COVID and conduct it safely.

B. 20-4267 RECOGNITION OF 2021 PALM BEACH COUNTY SCHOOL DISTRICT ASSISTANT PRINCIPAL OF THE YEAR FROM PALM BEACH CENTRAL HIGH SCHOOL, JUSTIN ARNONE

Mr. Barnes introduced the item.

Ms. Paulette Edwards introduced Principal Darren Edgecombe, Palm Beach Central High School (PBCHS). Principal Edgecombe stated they are grateful for the support that Council and the Village staff provide to the Village of Wellington, the emphasis the Village Council places on education and for the support provided to PBCHS. He recognized Ms. Samantha Butler, who is also an Assistant Principal at PBCHS and his entire administrative team and staff he works with on a daily basis. Principal Edgecombe said this is the inaugural year for the Palm Beach County School District Assistant Principal of the Year Award. He stated he had the honor of hiring Mr. Justin Arnone and provided a brief history of Mr. Arnone's four years at the school. He stated Mr. Arnone continues to grow and is one of the most innovative administrators that he has ever met. Principal Edgecombe said Mr. Arnone oversees the Language Arts and Performing and Fine Arts departments, AICE, FSA and EOC testing as well as the events held at the school. He stated Mr. Arnone is phenomenal and he is proud of him.

Mr. Arnone stated it was a whirlwind this year in general with launching school virtually and pivoting to brick and mortar. He stated what made all of this work are the people: teachers and administrators. He spoke of the support that he has had over the years for his ideas. Mr. Arnone thanked the Village Council for the recognition and stated it is about the teachers, students, parents, his team that supports this and the community. He stated he feels they made the school year the best it could be under the circumstances.

Mayor Gerwig commended Mr. Arnone and stated Principal Edgecombe has been a partner since he came to this community. She stated the Village loves to be included in what is going on at PBCHS and asked him to let the Village Council know when there are things they can do to help. Mayor Gerwig congratulated Mr. Arnone on winning the award.

Vice Mayor Siskind congratulated Mr. Arnone and stated the Village and Council puts an emphasis on partnership with its schools and is proud of the A rated status. She stated all of Wellington's schools have amazing leaders at the helm. She commended them for handling the past year beautifully. Vice Mayor Siskind commended Mr. Arnone and said it is a well-deserved award.

Councilman McGovern stated Mr. Arnone has always been a calm and steady hand and someone who knows what "job 1" is: making sure the students are first and student achievement as the top goal. He stated Mr. Arnone winning the award is in keeping with who he is and who the team at PBCHS is. Councilman McGovern stated Mr. Arnone won this award because he is an exceptional person and administrator. Wellington is deeply proud of him and is excited Mr. Arnone is here with Palm Beach Central. Councilman McGovern stated the award is well-deserved.

Councilman Drahos stated he has a personal appreciation for the journey that someone takes to become an assistant principal. He said he has seen what it takes behind the scenes. He stated this is quite an accomplishment. Councilman Drahos congratulated Mr. Arnone, on winning the award, and his entire team.

Councilman Napoleone stated Wellington is proud of its schools and the schools are great because they have great teachers, students and leadership. He said while Mr. Arnone is always a part of a team, it is still nice for him to be recognized for the great work that he does. He stated Mr. Arnone worked hard to get there and thanked him for what he has done and continues to do. He thanked Principal Edgecombe for having a great team. Councilman Napoleone congratulated Mr. Arnone on his award and stated it is well-earned.

Councilman McGovern commented about the return rates for elementary, middle and high school students. He asked if more students are returning to brick and mortar, do they still have the opportunity to return and if virtual school is working for this school year.

Mr. Arnone said there are some students that virtual is working very well for and there are some courses and subject areas that lend very well to virtual. There are some students who are struggling virtually but their families feel better with them being home due to the circumstances. Mr. Arnone stated as they moved into Semester #2 approximately 200 students returned to campus. He explained the two week system process that the school utilizes for students who would like to return to campus. He stated there is an opportunity for high school students to return to school if they choose to.

Village Council presented Mr. Arnone with a Certificate of Special Recognition.

6. CONSENT AGENDA

- A. 20-4260** MINUTES OF THE SPECIAL WELLINGTON COUNCIL MEETING OF JANUARY 26, 2021 AND MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF FEBRUARY 9, 2021
- B. 20-4233** AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE WATER TREATMENT PLANT

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

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

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

Public Forum:

Mr. Glen Fleischer thanked Council and the entire team. He stated Wellington is an incredible brand and Council has created something special. He said he wanted to acknowledge the passion behind the item that was previously going to be on the agenda but it is not. He said the petition has 583 signatures and growing. He stated there were two key components in what they were asking Council: 1) to not abandon the ACME Right of Way and 2) if there is any way that Council can find to make that an official part of the bridle trail system. Mr. Fleischer briefly discussed five highlights as to why this is important. He provided copies of the petitions to Council.

7. PUBLIC HEARINGS

- A. 20-4265** ORDINANCE NO. 2020-22 (REPEAL HOUSING ELEMENT AND REPLACE WITH THE HOUSING AND NEIGHBORHOODS ELEMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL THE HOUSING ELEMENT AND REPLACE WITH THE HOUSING & NEIGHBORHOODS ELEMENT, IN ITS ENTIRETY, AS 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 stated this is the Housing and Neighborhoods element and the two elements on the agenda tonight bring staff to roughly half of the ten elements being brought to Council for the Comprehensive Plan update. He stated this is one of the required elements within the Comprehensive Plan and reminded Council of the process of bringing a few elements at a time for first reading. Once staff transmits the elements to the state, they will bring the elements back as a complete package of the plan for final adoption. Mr. Stillings stated they are asking to repeal the Housing Element and replace it with the Housing and Neighborhoods element. He said they have renamed the element to recognize the importance of neighborhoods as a part of the Village's housing supply. He stated this is required by Florida Statutes and provides the guidelines for housing for not just existing residents but for future residents. It is based upon data and analysis of housing needs and projections from multiple sources. The element has been expanded from one goal into five goals. He discussed a summary of updates including continuing concepts from the current plan and new concepts. Mr. Stillings showed Council a map regarding data and analysis. He said the Planning, Zoning and Adjustments Board (PZAB) recommended approval with two minor changes and the changes are reflected in H&N 2.1.1 and H&N 2.2. He stated the changes are revising the statements to be much more general in terms of being Village wide rather than being specific. He indicated that staff recommends approval of the ordinance as presented.

Mayor Gerwig asked if the elements could still include density bonuses and financial assistance.

Mr. Stillings stated that it could.

Councilman McGovern stated the incentives listed in the second line already cover that and there was no need to restate it at the end.

Mr. Stillings replied affirmatively.

Mayor Gerwig asked if those items are being taken out.

Councilman Napoleone stated it is being taken out of that section but it is in the subsections throughout and refer back to the element that has already been approved that details what the incentives and bonuses are and the language is all coming together.

Councilman McGovern stated it is good that staff included an entirely new section on senior housing which allows people to age in place. He asked a question about page 45 referencing technology, residential construction and competitive sustainability. He stated there is an emphasis on high speed internet. He said one of the concerns that he hears about from residents is the lack of operational cell service in large parts of the Village. Councilman McGovern said it is equally essential to some of the other technology items and the Village should be reviewing and talking about this.

Councilman Napoleone stated most people do not have landlines anymore. Most people use cell phones. He mentioned that if the Village is going to talk about home technology and high speed internet this should be discussed also.

Mayor Gerwig stated the Village lacks tall buildings to mount cell towers and asked that staff keep them apprised if there are any opportunities.

Councilman Napoleone stated this is an aspirational goal.

Mr. Barnes stated that Mr. Stillings and staff have worked on things related to this and other technology type items both public and private. He said sometimes the aspirational goals and statements in the Comprehensive Plan require some follow up work to be implemented with a study or an actual infrastructure project. In this case, many communities have undertaken some type of technology or broadband master plan. Mr. Barnes stated the Village would not look to be a carrier or a provider of such service; but would look at maximizing those opportunities from when we do infrastructure projects and setting up provisions for a framework to be in place for private providers to have a more facilitative process. He said staff will bring something back to Council to review as part of the budget process.

Public Hearing

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

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

Vice Mayor Siskind thanked staff for their work on this and stated she liked the name change.

A motion was made by Councilman Napoleone, seconded by Councilman McGovern, and unanimously passed (5-0) to approve Ordinance No. 2020-22 (Repeal Housing Element and Replace with the Housing and Neighborhoods Element) on first reading.

**B. 20-4266 ORDINANCE NO. 2020-21 (REPEAL INFRASTRUCTURE ELEMENT
AND REPLACE WITH THE PUBLIC FACILITIES ELEMENT)**

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL THE INFRASTRUCTURE ELEMENT AND REPLACE WITH THE PUBLIC FACILITIES ELEMENT, IN ITS ENTIRETY, AS 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 stated this is the repeal of the Infrastructure Element and replacing it with the Public Facilities Element. He said this is another one of the required elements by Florida Statutes. This element covers sanitary sewer, solid waste, drainage, potable water, natural ground water and aquifer recharge as well as a Transportation Mobility goal focused on multimodal transportation facilities. Also, staff has added a Public Buildings and Facilities goal which focuses on how the Village provides offices, maintains technology and the viability of the buildings long term. He

discussed a summary of updates including continuing concepts from the current plan and new concepts. Mr. Stillings stated the PZAB recommended approval of the ordinance. In addition, staff recommends approval of the ordinance as presented.

Mayor Gerwig asked what other major changes this element is producing.

Mr. Stillings explained the changes and referenced transportation mobility, buildings and facilities. He stated the other goals and objectives are carry overs. Mr. Stillings said a policy on wellfield protection was included.

Mayor Gerwig inquired about septic to sewer conversions.

Mr. Stillings stated there is a policy on adequate water supply. However, there is nothing that speaks to the septic to sewer conversions.

Mayor Gerwig said it restates that any expansion of those services is covered by the user which is standard to all of the Village's other documents.

Councilman Napoleone asked if there was any reason to include a statement about aspirational goals of converting septic to sewer.

Mr. Stillings indicated a policy could be included but would need to be factored into the Village's wastewater planning. He stated there is a small factor of in terms of additional users to the system.

Mr. Barnes said absent a major state mandate, this is something that is an overly costly conversion process and would be a considerable investment for the rate payer. At this point, the state is not promoting funding or grants for that type of conversion.

Mayor Gerwig stated it is a significant expense and she is not comfortable with placing it in the elements.

Councilman Napoleone stated it would be an aspirational goal and funding would be needed.

Mayor Gerwig stated it is also significant because of the type of construction it would require to existing residences. It is not required by the state at this point.

Councilman McGovern referenced goal PF4 regarding transportation and mobility. He stated there is no statement here regarding traffic mitigation and asked where this would be covered.

Mr. Stillings stated that language will be in the Mobility element and will come before Council in May. The element is much more detailed and focused on transportation.

Councilman Napoleone stated he received a copy of the transportation element and it does cover those issues in more detail and he is comfortable with it.

Public Hearing

A motion was made by Councilman Napoleone, seconded 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.

Mayor Gerwig thanked staff for their work on this.

A motion was made by Councilman McGovern, seconded by Vice Mayor Siskind, and unanimously passed (5-0) to approve Ordinance No. 2020-21 (Repeal Infrastructure Element and Replace with the Public Facilities Element) on first reading.

8. REGULAR AGENDA

A. 20-4255 APPOINTMENT OF CANVASSING BOARD MEMBER AND AN ALTERNATE

Mr. Barnes introduced the item.

Mayor Gerwig stated this is for the appointment of a canvassing board member and an alternate for the March 8, 2022 Municipal Election. Council received two applications: Stephanie Cagnet Myron and Alexander Domb. She asked if both applicants understood that they will be precluded from participating in any election matters and was this included in the notice.

Staff replied in the affirmative.

Councilman Napoleone stated he knows both applicants well.

A motion was made by Councilman Napoleone, seconded by Vice Mayor Siskind, and unanimously passed (5-0) to appoint Stephanie Cagnet Myron as the Community Canvassing Board Member and Alexander Domb as the Alternate Canvassing Board Member.

B. CO-SPONSORSHIP AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND THE WELLINGTON HISTORICAL SOCIETY, INC. FOR THEIR 2021 WELLINGTON COMMUNITY SCAVENGER HUNT TO BE HELD ON SATURDAY AND SUNDAY, MARCH 27, 2021 AND MARCH 28, 2021 IN COMMEMORATION OF THE 25TH ANNIVERSARY OF WELLINGTON'S INCORPORATION (THIS ITEM ADDED TO THE AGENDA)

Mr. Barnes introduced the item.

Ms. Cohen asked Ms. Rachel Bausch to handle this item and left the dais. Ms. Bausch, Assistant Village Attorney, came to the dais.

Mr. Barnes stated this item was reviewed and considered by Ms. Bausch in conjunction with a representative of the Wellington Historical Society. This is a standard co-sponsorship agreement and what they are proposing is a Wellington Community Scavenger Hunt to be held on Saturday and Sunday, March 27, 2021 and March 28, 2021, respectively, to commemorate

Wellington's 25th Anniversary for incorporation. He said the co-sponsorship considers provision of the space at the Promenade for the event. The Historical Society will handle the setup, takedown and cleanup for the event. Mr. Barnes stated this is a way to celebrate in a socially distanced manner and the Historical Society's long term goal is to be able to engage the community throughout the year with different types of activities.

Mayor Gerwig stated the Promenade does spread everyone out. She stated she supports this and the Historical Society. She said this is a perfect opportunity for partnership and to acknowledge the Village's 25th Anniversary of incorporation.

Councilman Napoleone and Councilman McGovern concurred with the Mayor's comments.

A motion was made by Councilman McGovern, seconded by Councilman Drahos, and unanimously passed (5-0), to approve the Co-Sponsorship Agreement between the Village of Wellington and the Wellington Historical Society, Inc. for their 2021 Wellington Community Scavenger Hunt to be held on Saturday and Sunday, March 27, 2021 and March 28, 2021 in commemoration of the 25th Anniversary of Wellington's Incorporation.

At this point, Ms. Cohen returned to the dais.

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 they will schedule a mediation for a dispute the Village is having with Waste Management and a Council representative is needed to attend the mediation.

Councilman Napoleone volunteered to attend the mediation.

It was Council consensus for Councilman Napoleone to attend the mediation.

- Ms. Cohen spoke regarding the proposed legislation on vacation rentals and the impact on the Village's recently adopted ordinance. She said the proposed legislation as it is currently drafted will preempt licensing and inspections which would have a big impact on the ordinance. She explained the primary goal of the legislation and stated staff will continue to monitor the legislation.

Councilman McGovern asked if the Village's ordinance had been provided to Mr. Coker and Mr. Watson.

Ms. Cohen replied affirmatively.

Mayor Gerwig stated Council was curious about how the proposed legislation would affect what the Village is trying to do here in Wellington. She said the Village's ordinance was written to ensure that there is not a negative impact to the neighborhoods.

11. MANAGER'S REPORT

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

- The Next Regular Council Meeting will be held on Tuesday, March 9, 2021, at 7:00 P.M.
- The last portion of work (remaining docks) will began on the Promenade in March and as a result the boat ramp along Forest Hill Boulevard will remain closed for that time period. He stated the boat docks will be in place soon.

12. COUNCIL REPORTS

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- Councilman Napoleone stated the Wellington Chamber of Commerce is having a 5K Walk/Run at Village Park on Sunday, April 18, 2021. He encouraged those interested to sign up because they are limiting participants due to social distancing.
- Wellington Summer Camp registration opens on March 8, 2021 and the information is on the Village's website.
- Councilman Napoleone said he has to work on the Pinewood Derby car.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

- Councilman Drahos stated he had no report.

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

- Councilman McGovern stated Council was possibly remiss in not beginning the meeting with a Moment of Silence recognizing that on yesterday the country surpassed 500,000 COVID-19 deaths. He asked about the lowering of flags in the future. Mayor Gerwig stated the flags are lowered now.

Mr. Barnes explained why the flags are lowered.

- Councilman McGovern stated he continues to be asked if the Village will reopen the testing site. He stated the Council supports getting the vaccine to the Village's residents as quickly as possible. He asked if there was any discussion with the County regarding the second allocation of Cares Act funding.

Mr. Barnes stated there are regular updates with EOC (Emergency Operations Center) members at Palm Beach County. The focus seems to be on vaccination at this time. He stated from a test site standpoint, with the availability and network of private providers that are doing testing, the results seem to be coming back within a day or two days at the most. He stated this may be the reason the County is not pursuing municipal partners like they did before to affect the test sites.

Mayor Gerwig asked if someone is uninsured can they receive a COVID test.

Mr. Barnes stated the testing is free unless it is a rapid test.

Councilman McGovern asked if the public test sites are still listed on the website.

Mr. Barnes stated staff will update the website regarding testing sites.

- Councilman McGovern asked about the Garlic Fest and stated the public has expressed their concerns about the Village allowing the event to occur. He asked Mr. Barnes to make sure staff is present to ensure Wellington's protocols will be monitored and enforced.

Mr. Barnes stated in addition to staff, volunteers and vendors who will be present and monitoring the requirements and protocols, PBSO will be there to enforce requirements and protocols.

- Councilman McGovern stated the Great Neighborhoods grant program for 2021 began two weeks ago and the Village is accepting applications. There is information about the program on the Village's website.
- Councilman McGovern asked if Parks Maintenance staff can be sent to Wellington Community Park at the old Boys and Girls Club. He stated there are some potential safety concerns there.

Mr. Barnes stated staff will go out and review the park and come back with a report to Council.

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

- Vice Mayor Siskind thanked Councilman Napoleone for building the Village's Pinewood Derby car.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig commented on the loss of her stepsister (Kelly Russo Madison) who passed away on February 14, 2021.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 8:09 P.M.

Approved:

Anne Gerwig, Mayor

Chevelle D. Addie, Village Clerk