

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

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

**Tuesday, April 13, 2021
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, April 13, 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; and Michael Napoleone, Councilman.

Council Members absent: Michael Drahos, 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** – A little girl from the audience led the Pledge of Allegiance.
- 3. INVOCATION** – Father David C. Downey, St. Therese de Lisieux Catholic Church, delivered the invocation.
- 4. APPOINTMENT OF VICE MAYOR**
 - A. 20-4326 APPOINTMENT OF VICE MAYOR**

Mr. Barnes introduced the item. He indicated that Council, per Charter, needed to appoint a Vice Mayor for the Village of Wellington.

A motion was made by Councilman Napoleone, seconded by Vice Mayor Siskind, and unanimously passed (4-0), to approve the appointment of John McGovern as Vice Mayor of the Village of Wellington.

Mayor Gerwig, Councilwoman Siskind and Councilman Napoleone congratulated Vice Mayor McGovern.

5. APPROVAL OF AGENDA

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

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0), to approve the Agenda as presented.

6. PRESENTATIONS AND PROCLAMATIONS

- A. 20-4325** A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA RECOGNIZING AND CONGRATULATING THE LOCAL WINNERS OF THE AMERICAN WATERWORKS ASSOCIATION'S 2021 "DROP SAVERS" WATER CONSERVATION POSTER CONTEST

Mr. Barnes introduced the item.

Ms. Addie read the proclamation.

Ms. Shannon LaRocque, Director of Utilities, stated her department has been sponsoring the Drops Savers contest for four years. She indicated that 182 posters were entered this year from Panther Run Elementary, Binks Forest Elementary, Elbridge Gale Elementary, Wellington Elementary, and Wellington Landings Middle schools. She recognized the principals and art directors who encouraged the students to participate. She said it is a nice recognition for the students and the Village of Wellington, because they are recognized statewide as part of Water Conservation Month. She stated they were notified yesterday that Alani DiAntonio is one of the state winners.

Ms. LaRocque acknowledged the local first place winners in attendance and presented them with certificates and backpacks from the Village of Wellington. She thanked the principals and teachers as well as Milena Meehan and Marlene Cheney, as it takes a lot of effort to make sure the contest is successful.

Council thanked Ms. LaRocque, parents and the teachers for their participation and involvement. Mayor Gerwig indicated all of the posters would be displayed in the lobby of Village Hall and then returned to the students.

- B. 20-4358** PACK 125 PRESENTATION OF PLAQUE TO VILLAGE COUNCIL

Mr. Barnes introduced the item.

Mr. Randy Wertepny, Cub master of Cub Scout Pack 125, stated they had a blast at the Pinewood Derby. He said it was their inaugural Pinewood Derby at the amphitheater and the cub scouts will not forget it. He recognized Jenifer Brito, Community Services Department, and Rick Febles, Parks and Recreation Department, for their assistance with ideas and the logistics of the event. Mr. Wertepny presented a plaque to the Village Council to thank them for their assistance in the Annual Pinewood Derby. He also recognized the Palm Beach Sheriff's Office (PBSO) and Palm Beach County Fire Rescue.

The Village Council expressed their appreciation to Cub Scout Pack 125 for the plaque.

Mr. Barnes recommended having the Pinewood Derby at the amphitheater annually. It was Council consensus to have the Pinewood Derby at the amphitheater each year.

C. 21-4375 PRESENTATION BY FLORIDA POWER AND LIGHT

Mr. Barnes introduced the item.

Ms. Stephanie Mitrione, Area Manager of External Affairs for Florida Power and Light (FPL), introduced Daniel Turbet, FPL Customer Advisor for Wellington, and Michael Fetto, Manager for Storm Secure Underground Program. Ms. Mitrione provided an overview of projects FPL is working on. She stated that FPL is committed to delivering America's best energy value; is making Florida a clean energy and sustainability leader; and building the strongest energy grid in the United States. She said they are the most reliable. Ms. Mitrione indicated that FPL is keeping bills low and well below the national average. She discussed the 2021 improvements in the Wellington area. She also spoke regarding hardening projects and showed Council a map of the locations where hardening has been completed in the last couple of months. She reviewed the four current hardening projects that will be complete by the end of the year. In addition, she referenced the two upcoming hardening projects for 2022. Ms. Mitrione stated there would be six more projects in the Village beyond 2022. Mr. Michael Fetto stated the Storm Secure Underground program began in 2019 and the purpose is to go into neighborhoods and review the power lines for ways to improve storm resiliency. He discussed the pilot program of converting overhead power lines to underground to improve storm and daily reliability. He said they are in year three of the pilot program that is expected to last through the end of next year. He briefly discussed the main power lines on main roads. Mr. Fetto said the biggest issue causing outages in neighborhoods is vegetation. He indicated the goal is to remove the lines installed in the back of properties to underground installation in front of the properties. He referenced advantages to undergrounding the power lines and the criteria for undergrounding projects. He discussed that for Wellington nine neighborhood power lines have been identified (6.1 miles of OH power lines, 216 customers and 9 laterals). He said they would all be buried underground at the end of April 2021.

Mayor Gerwig discussed being without power and the hardening at her property by FPL. She stated she would like to see better communication between the Village and FPL.

Ms. Mitrione spoke regarding the hardening and utilization of the poles. She stated the issues have been resolved. Ms. Mitrione indicated that she and Mr. Barnes have spoken regarding the hardening and he has been a wonderful partner for moving forward.

Mayor Gerwig inquired about the poles.

Ms. Mitrione explained why, even with the hardening project, there are double poles. She indicated the poles are still there because other facilities utilize those poles and FPL is not permitted to remove the poles. She referenced the proposed legislation. Ms. Mitrione said FPL does not own all of the poles.

Mr. Barnes stated there are multiple poles throughout the Village that were left several years after FPL completed their work.

Vice Mayor McGovern inquired about the opposition to the legislation.

Ms. Mitrione stated she could not speak to what the opposition is on the bill.

Mr. Barnes stated staff would ask Mr. Watson and Mr. Coker to review this and provide an update.

Councilman Napoleone stated there has been improvement with the new poles. It seems the power is going out less. He stated the Village appreciates the efforts FPL puts in to ensure that the Village maintains power during the storm.

Vice Mayor McGovern stated the Village supports undergrounding efforts.

Mayor Gerwig stated she spoke in Tallahassee in support of the bill last year. She asked about the storm on Sunday and if the outages were mostly due to trees.

Ms. Mitrione stated the storm was unexpected and there were trees down and hail on Sunday. She said there were crews out working to restore power. Ms. Mitrione thanked the Village for their partnership.

Council thanked Ms. Mitrione for the update.

7. CONSENT AGENDA

- A. 21-4362** MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF MARCH 23, 2021
- B. 20-4166** AUTHORIZATION TO AWARD AN ANNUAL SOD CONTRACT TO MULTIPLE VENDORS
- C. 20-4244** AUTHORIZATION TO RENEW AN EXISTING CONTRACT FOR PURCHASE OF MULCH, PINE STRAW, AND GROUND PREPARATION, VILLAGE-WIDE
- D. 20-4253** AUTHORIZATION TO UTILIZE A SCHOOL DISTRICT OF PALM BEACH COUNTY CONTRACT WITH PRECISION AIR SYSTEMS, INC., AS A BASIS FOR PRICING FOR VILLAGE PARK GYM HVAC UPGRADES
- E. 20-4315** AUTHORIZATION TO UTILIZE A CITY OF BOCA RATON CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE AND DELIVERY OF A CUSTOM POWER WASHER UNIT
- F. 20-4359** UTILITY SERVICES AGREEMENT WITH MSH PROPERTY HOLDINGS FOR PROPERTY LOCATED IN PALM BEACH COUNTY, FLORIDA

- G. 21-4370** RESOLUTION NO. R2021-20 (INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND THE SCHOOL BOARD OF PALM BEACH COUNTY FOR THE MUTUAL USE OF RECREATIONAL FACILITIES)

A RESOLUTION OF WELLINGTON FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF PALM BEACH COUNTY FOR MUTUAL USE OF RECREATIONAL FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

- H. 20-4350** RESOLUTION NO. R2021-14 (LOTIS WELLINGTON VACATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, TO ABANDON THE ROAD RESERVATION AND ALL RIGHTS OF THE VILLAGE OF WELLINGTON FOR THE 25-FOOT WIDE ROAD RESERVATION EASEMENT LYING NORTH OF TRACTS 13, 14, 15 AND 16, AND LYING WEST OF TRACT 10 OF BLOCK 18, AS DEDICATED ON PALM BEACH FARMS COMPANY PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGE 45; PROVIDING AN EFFECTIVE DATE.

- I. 20-4345** RESOLUTION NO. R2021-17 (PALM BEACH TRANSPORTATION PLANNING AGENCY – TRANSPORTATION ALTERNATIVES GRANT APPLICATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FINANCIAL ASSISTANCE PURSUANT TO THE PALM BEACH TRANSPORTATION PLANNING AGENCY (TPA) TRANSPORTATION ALTERNATIVES PROGRAM FOR FUNDING IN THE AMOUNT OF \$552,039.68 FOR A PROPOSED MULTI-PURPOSE PATHWAY ADJACENT TO THE C-8 CANAL; AGREEING TO FUND THE LOCAL SHARE OF THE PROJECT AND THE ONGOING MAINTENANCE AND OPERATIONS EXPENSES ASSOCIATED WITH THE PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

- J. 20-4356** RESOLUTION NO. R2021-19 (FLORIDA DIVISION OF CULTURAL AFFAIRS GRANT)

RESOLUTION OF THE VILLAGE OF WELLINGTON AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA DIVISION OF CULTURAL AFFAIRS CULTURAL FACILITIES PROGRAM REQUESTING \$500,000 FOR WELLINGTON

AMPHITHEATER, AND FURTHER AUTHORIZING AN AMOUNT OF \$1,000,000, AS THE VILLAGE'S REQUIRED MATCHING FUNDS.

- K. 20-4351** RESOLUTION NO. AC2021-07 (13922 COLUMBINE AVENUE – ABANDONMENT OF MAINTENANCE EASEMENT) AND RESOLUTION NO. R2021-15 (13922 COLUMBINE AVENUE – ABANDONMENT OF UTILITY EASEMENT)

RESOLUTION NO. AC2021-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT ABANDONING A 15 FOOT PORTION OF A 25 FOOT WIDE MAINTENANCE EASEMENT, TOTALING APPROXIMATELY 1,134 SQUARE FEET, LOCATED WITHIN LOT 18, BLOCK 25, SUGAR POND MANOR OF WELLINGTON (13922 COLUMBINE AVENUE), MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2021-15

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ABANDONING A 6 FOOT BY 41.16 FOOT PORTION OF A 12 FOOT WIDE UTILITY EASEMENT, TOTALING APPROXIMATELY 247.1 SQUARE FEET, LOCATED WITHIN LOT 18, BLOCK 25, SUGAR POND MANOR OF WELLINGTON (13922 COLUMBINE AVENUE), MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

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 Councilwoman Siskind, and unanimously passed (4-0), to approve the Consent Agenda as presented.

8. PUBLIC HEARINGS

- A. 20-4352** ORDINANCE NO. 2021-02 (REPEALING THE EDUCATION AND PUBLIC SCHOOL FACILITIES ELEMENTS AND REPLACING WITH THE EDUCATION ELEMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL THE EDUCATION AND PUBLIC SCHOOL FACILITIES ELEMENTS AND REPLACING WITH THE EDUCATION 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 presented this item and said this is the sixth of ten elements. He stated this is a combination of the Public Schools Facilities and Education elements. In 2011, public schools were removed from the list of public facilities and services subject to concurrency requirements. School concurrency was replaced with "School Capacity Adequacy Determination". The Public School Facilities Element was removed from Florida Statutes. He said education has always been an important component of Wellington and always been a part of the plan in Wellington. He explained that the proposed Education Element combines two (2) elements with three goals and supporting objectives and policies. The three goals of this proposed element are: 1) Education Opportunities and Facilities, 2) Extracurricular and Lifelong Learning Initiatives, and 3) Public School Coordinated Planning. In addition, the proposed element also introduces a new objective and policies regarding "Lifelong Learning". Mr. Stillings discussed a summary of updates including continuing concepts from the current plans. He said the Education Element was presented to the Education Committee on January 14, 2021 and they had no comments. The Planning, Zoning and Adjustment Board (PZAB) recommended approval at their March 10, 2021 meeting. Mr. Stillings indicated that staff recommends approval of the ordinance as presented.

Mayor Gerwig asked if this is just an update.

Councilman Napoleone asked if it is possible to add a component that addresses early childhood education from ages 0-5. He suggested collaborating with the Early Learning Coalition since this is an important developmental stage. He stated the Village should emphasize this in the element.

Councilwoman Siskind referenced the language about the head start program and other efforts. She suggested the early childhood education language be placed under that in Section 1.1.3.

Mayor Gerwig briefly mentioned the preschool network within Wellington.

Vice Mayor McGovern discussed expanding the language in Section 1.1.3.

Councilman Napoleone stated he would provide contact information for the Early Learning Coalition regarding the language.

Vice Mayor McGovern stated the additions regarding lifelong learning is what Council wants to see added to this component.

Mayor Gerwig stated Section 1.1.4 references partnerships that would reach out to Pre-K and post graduate in concept.

Mr. Stillings stated the Community Partnership Element would capture that.

Councilwoman Siskind asked about college and career readiness.

Mr. Stillings referenced Section 2.1.2 which pertains to adult education. He said staff could add more language to be more specific. He indicated Section 2.1.3 could be enhanced to include some of that language.

Mayor Gerwig stated the Village is trying to capture some intergenerational programming with the language in Sections 2.2.3 and 2.2.2.

Public Hearing

A motion was made by Councilman Napoleone, seconded Vice Mayor McGovern, and unanimously passed (4-0) to open the public hearing.

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

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve Ordinance No. 2021-02 (Repealing the Education and Public School Facilities Elements and Replacing with the Education Element) as instructed on first reading.

9. REGULAR AGENDA

There were no Regular Agenda items.

10. PUBLIC FORUM

Mr. Barnes indicated no public comment cards were received.

11. ATTORNEY'S REPORT

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

- Ms. Cohen stated today was the day reserved for a potential meeting with Pine Tree's administrative representatives. However, the Village never received a response from Pine Tree to the Village's letter or email communications. She said she copied their attorney also. There is a penalty provision under the statute. Ms. Cohen stated based on Council's prior instruction, staff would proceed forward with filing an action.

Vice Mayor McGovern asked if Ms. Cohen has spoken with Pine Tree's attorney.

Ms. Cohen stated she has sent emails and made phone calls but there has been no response.

Councilman Napoleone asked who the attorney for Pine Tree is.

Mayor Gerwig asked if state law requires the mediation.

Ms. Cohen stated it is not a mediation but a meeting between administrative representatives to attempt to resolve disputes. There is an obligation on the part of public entities to cooperate and there is a penalty if an entity fails to cooperate.

Vice Mayor McGovern asked if notices had been sent where needed. He asked if Pine Tree's board meets regularly.

Ms. Cohen responded affirmatively.

Vice Mayor McGovern stated Ms. Cohen's office should look into when Pine Tree will hold their next meeting.

Ms. Cohen stated she would find out when their next meeting will be and plan to attend.

Mr. Barnes stated the Pine Tree Board has been meeting by Zoom. The last meeting was March 30, 2021 and the next meeting is on April 26, 2021.

There was brief discussion between Council and Ms. Cohen regarding next steps. Council asked Ms. Cohen to do what she can to move this forward.

- Ms. Cohen stated the Mayor received an email from the Attorney General's office regarding the Opioid Litigation. They are working on a settlement and the Attorney General is asking local governments to enter into a Memorandum of Understanding as to the share of funds between the state and local governments.

Mayor Gerwig briefly spoke of what the MOU said regarding where the monies will go.

Vice Mayor McGovern asked if the county has opted out already.

Ms. Cohen stated she believes the county is one of the plaintiffs. She said she would review the MOU, summarize it and bring it back to Council at their next meeting.

12. MANAGER'S REPORT

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

- The Next Regular Council Meeting will be held on Tuesday, April 27, 2021, at 7:00 P.M.

13. COUNCIL REPORTS

VICE MAYOR MCGOVERN: Vice Mayor McGovern presented the following report:

- Vice Mayor McGovern thanked staff for their tremendous work for two events this weekend. He said it was a great turnout at the tennis facility for the books signing with Ms. Katrina M. Adams, Author of "Own The Arena", and it was top-notch event.
- Vice Mayor McGovern said PBSO's Annual Officer John Scollo Memorial Softball Tournament was played at Village Park and 16 teams from all over the country participated. He thanked the Parks & Recreation Department for making that event a success.

- Vice Mayor McGovern discussed the administration of the Johnson and Johnson vaccine being halted this week and said it was unfortunate due to the number of people that were scheduled to receive it. He said COVID numbers in Wellington are increasing to above 100 cases per week. Vice Mayor McGovern encouraged everyone, in consultation with his or her physician, to receive the vaccine.
- Vice Mayor McGovern announced that Temple Beth Torah has reached out to the Florida Department of Emergency Management (FDEM) and will receive 600 doses of the Pfizer vaccine. The vaccine will come to the Temple and interfaith community for the first doses on Sunday, April 25, 2021. He said the Village would assist the Temple. Vice Mayor McGovern reiterated that everyone is working very hard to assist in getting the vaccine to the community in order to move the pandemic behind us.

Mayor Gerwig asked if the Village could attempt at offering another vaccine since the Johnson and Johnson vaccine was halted. She asked Mr. Barnes to reach out to FDEM again to let them know the Village is ready.

Mr. Barnes stated Ms. Coates stays in regular contact with the county and the state. She has reached out but has not heard back from FDEM yet.

Vice Mayor McGovern stated it is important for the residents to know the Village is working to find ways to assist with the residents having access to the vaccine.

Mayor Gerwig said Governor DeSantis indicated that it is a very rare reaction that they have tracked from the Johnson and Johnson vaccine. Mayor Gerwig stated she received the shot two weeks ago tomorrow and did not have a reaction. She stated panicking is not good.

Vice Mayor McGovern stated it is important to put the correct information out.

Mayor Gerwig stated receiving the vaccine is a choice that people have to make with their medical professionals.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

- Councilwoman Siskind stated the book-signing event was wonderful and it was a pleasure to meet Ms. Katrina M. Adams, author, and staff did an amazing job.
- Councilwoman Siskind said the Great American Clean Up is this Saturday, April 17, 2021, at the Community Center and precedes the Earth Day celebration. The information is on the website.
- Councilwoman Siskind stated Bacon and Bourbon would be held on Saturday, April 24, 2021 and Sunday, April 25, 2021.

Mr. Barnes stated the Village is managing the event and working with Festival Management Group. The Village will enforce all COVID-19 protocols. Facial coverings will be required, there will be social distancing and there will be designated beverage and food locations.

Vice Mayor McGovern asked how people register for the event.

Mr. Barnes replied the registration is through the Bacon and Bourbon website in order to control access to the event and limit the access per guidelines. It is a no charge event.

Vice Mayor McGovern asked how people could register for the Great American Clean Up.

Mr. Barnes replied the Community Services and Parks and Recreation Department is handling the registration. The contact is Mr. Ian Williams.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- Councilman Napoleone stated the boat docks look great. He said they are fantastic and a great addition to the area.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig stated she missed the ribbon cutting and the event at the tennis center on Sunday. She thanked staff for getting the book for her from the book signing. She said she heard great things about it.
- Mayor Gerwig stated the Earth Day celebration begins at 11:00 a.m. on the promenade and asked if the public is invited to attend.

Mr. Barnes stated that it is a public event.

- Mayor Gerwig commented about the vaccine distribution being halted this morning. She said the Village is working with partners to have the vaccine available.

14. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 8:20 P.M.

Approved:

Anne Gerwig, Mayor

Chevelle D. Addie, Village Clerk