

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, August 9, 2016

7:00 PM

Village Hall

Village Council

*Anne Gerwig, Mayor
John T. McGovern, Vice Mayor
Michael Drahos, Councilman
Michael J. Napoleone, Councilman
Tanya Siskind, Councilwoman*

1. CALL TO ORDER

Mayor Gerwig called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Council led the Pledge of Allegiance.

3. INVOCATION

Deacon Al Payne, St. Therese de Lisieux Catholic Church, Wellington, delivered the invocation.

4. APPROVAL OF AGENDA

Mr. Schofield indicated staff recommended approval of the Agenda as amended:

Move Consent item 6J (Authorization to Execute a Change Order with Pirtle Construction, Inc. for Requested Modifications to the Community Center Project Including Exterior Modifications, Interior Modifications and Structural Repair to the Gazebo/Observation Deck to Unforeseen Conditions) to the Regular Agenda as item 8A.

Ms. Cohen indicated Mr. Alexander Domb requested via e-mail that item 6I (Award a Contract for the Construction of Improvements for the Blue Cypress Subdivision and Resolution No. R2016-52 for Budget Amendment #2016-041) be pulled from Consent. She did not believe there was any reason to pull the item, but it was up to Council. She explained litigation is pending, but the injunction was denied and the court clearly felt that money damages could be compensated if it turns out the bond was not properly called. She stated Council would need to take public comment, whether it stays on consent or it is moved to the Regular Agenda. She said any comments would be limited to three minutes unless Council allowed for additional time.

Councilman Drahos stated he would pull item 6I from Consent. Mr. Schofield indicated the item would be moved to the Regular Agenda as item 8B.

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

5. PRESENTATIONS AND PROCLAMATIONS**A. [16-0300](#)**

PRESENTATION OF THE PALM BEACH COUNTY SHERIFF'S OFFICE DISTRICT 8 WELLINGTON SEMI-ANNUAL REPORT

Mr. Schofield introduced the item.

Captain Rolando Silva presented District 8's Semi-Annual Report. He reviewed the information, which included data on the crimes, traffic stops and vehicle crashes in Wellington. He also responded to Council questions. Council thanked Captain Silva and his team for protecting the Village of Wellington.

- B.** [16-0334](#) RESOLUTION NO. R2016-57 (CULTURAL AFFAIRS GRANT AWARD) FLORIDA DEPARTMENT OF STATE DIVISION OF CULTURAL AFFAIRS GRANT AWARD (CSFA 45.014) FOR GRANT 17.9.200.548 FOR THE PROJECT "WELLINGTON COMMUNITY CENTER" IN THE AMOUNT OF \$500,000, AND; RESOLUTION NO. R2016-58 (BUDGET AMENDMENT TO ALLOCATE THE GRANT).

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF STATE DIVISION OF CULTURAL AFFAIRS FOR THE PURPOSE OF RECEIVING A GRANT UNDER PROVISIONS OF THE CULTURAL FACILITIES PROGRAM FOR THE WELLINGTON COMMUNITY CENTER PROJECT; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2016-58 (FLORIDA DEPARTMENT OF STATE CULTURAL AFFAIRS GRANT FUNDS BUDGET AMENDMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FISCAL YEAR 2015-2016 CAPITAL FUND BUDGET FOR FLORIDA DEPARTMENT OF STATE DIVISION OF CULTURAL AFFAIRS GRANT FUNDS AWARDED FOR DEVELOPMENT OF THE WELLINGTON COMMUNITY CENTER; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. Ms. Quickel presented the item.

Ms. Quickel indicated the Village has received a check in the amount of \$500,000 to represent the Cultural Affairs grant award. She stated this was the second grant received as part of the community center grant applications, which brings the total to \$700,000.

A motion was made Vice Mayor McGovern, seconded by Councilman Drahos, and unanimously passed (5-0) to approve Resolution No. R2016-57 (Cultural Affairs Grant Award) and the budget amendment as presented.

6. CONSENT AGENDA

- A.** [16-0307](#) MINUTES OF THE REGULAR WELLINGTON VILLAGE COUNCIL MEETINGS OF JUNE 28, 2016 AND JULY 12, 2016

This item was approved on Consent.

- B.** [15-1011](#) AUTHORIZATION TO ENTER INTO A SOLE SOURCE AGREEMENT FOR THE PURCHASE, DELIVERY AND SERVICE OF FLYGT PUMPS

This item was approved on Consent.

- C. [15-1016](#) AUTHORIZATION TO CONTINUE UTILIZING CONTRACTS TO PROVIDE ATHLETIC TEAM OFFICIATING SERVICES
This item was approved on Consent.
- D. [15-1017](#) AUTHORIZATION TO RENEW EXISTING CONTRACTS TO PROVIDE LANDSCAPE MAINTENANCE SERVICES FOR: 1) PRIMARY ROADWAYS, RUSTIC RANCHES, EQUESTRIAN TRAILS, CANAL BANKS, SLOPES AND FINGERS; 2) SECONDARY ROADWAYS; 3) VILLAGE OWNED FACILITIES; AND 4) NEIGHBORHOOD AND COMMUNITY PARKS VILLAGE-WIDE
This item was approved on Consent.
- E. [15-1018](#) AUTHORIZATION TO RENEW AN EXISTING CONTRACT WITH PALM BEACH AGGREGATES, LLC FOR THE SUPPLY AND DELIVERY OF ROAD BASE AND DRAIN ROCK
This item was approved on consent.
- F. [15-1021](#) AUTHORIZATION TO CONTINUE UTILIZING REVENUE GENERATING CONTRACTS FOR CHEER AND DANCE, SWIMMING, TUMBLE TOTS, TAEKWONDO AND WELLINGTON SOCCER
This item was approved on Consent.
- G. [16-0216](#) AUTHORIZATION TO UTILIZE A SCHOOL DISTRICT OF OSCEOLA COUNTY CONTRACT FOR THE PURCHASE, DELIVERY AND INSTALLATION OF FARMINGTON PARK PLAYGROUND EQUIPMENT AND SURFACING
This item was approved on Consent.
- H. [16-0288](#) AUTHORIZATION TO ENTER INTO CONTRACT NEGOTIATIONS FOR ENTERPRISE RESOURCE PLANNING (ERP) CONSULTING SERVICES
This item was approved on consent.
- K. [16-0275](#) RESOLUTION NO. R2016-45 (14365 ROLLING ROCK PLACE VACATION / ABANDONMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, VACATING A 12- FOOT WIDE UTILITY EASEMENT, APPROXIMATELY 268 LINEAR FEET, LOCATED BETWEEN THE UNIFIED PROPERTIES OF LOTS 3 AND 4, BLOCK 60, SADDLE TRAIL PARK OF WELLINGTON (14365 ROLLING ROCK PLACE); AND PROVIDING AN EFFECTIVE DATE.
This item was approved on Consent.

Mr. Schofield stated staff recommended approval of the Consent Agenda as amended. He indicated no comment cards were received from the public on the Consent Agenda.

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

Mayor Gerwig indicated two comment cards were received from the public to speak on non-agenda items.

1. Jaidyn Brody, 1862 Barnstable Road, Wellington. Ms. Brody spoke on her cause, The Leukemia & Lymphoma Society (LLS), and announced her second Putting Fore Patients charity mini golf tournament.

Mayor Gerwig indicated she would not be able to attend this event but asked her fellow Council members to attend if they are available.

2. Eric Flaig, 1127 Lake Breeze Drive, Wellington. Mr. Flaig spoke about the noise from the Amphitheater on Thursday and Saturday evenings that he can hear it at his house located at the north end of Lake Wellington. He suggested staff look at changing the design and mounting the speakers lower to the ground.

7. PUBLIC HEARINGS

- A. [16-0333](#) RESOLUTIONS ADOPTING THE BUDGETS AND ASSESSMENT RATES FOR THE ACME IMPROVEMENT DISTRICT, WELLINGTON SOLID WASTE COLLECTION AND SADDLE TRAIL PARK SOUTH NEIGHBORHOOD AREA; AND RESOLUTIONS ADOPTING THE BUDGETS FOR THE LAKE WELLINGTON PROFESSIONAL CENTRE AND THE WATER AND WASTEWATER UTILITY.
- I. RESOLUTION NO. AC2016-03: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT ADOPTING THE DISTRICT BUDGET AND NON-AD VALOREM ASSESSMENT ROLL AS PROVIDED HEREIN; LEVYING OF THE NON-AD VALOREM ASSESSMENTS FOR THE DISTRICT AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF THE DISTRICT FOR CERTIFICATION OF THE DISTRICT'S NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.
- II. RESOLUTION NO. AC2016-04: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT ADOPTING THE WATER AND WASTEWATER UTILITY BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017; AND PROVIDING AN EFFECTIVE DATE.

III. RESOLUTION NO. R2016-54: A RESOLUTION OF THE COUNCIL OF WELLINGTON, FLORIDA ADOPTING THE SOLID WASTE COLLECTION PROGRAM BUDGET AND NON-AD VALOREM ASSESSMENT ROLL AND LEVYING THE NON-AD VALOREM ASSESSMENTS FOR SOLID WASTE COLLECTION AND DISPOSAL WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON; PROVIDING FOR RATES AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF WELLINGTON TO CERTIFY THE SOLID WASTE COLLECTION NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

IV. RESOLUTION NO. R2016-55: A RESOLUTION OF THE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA COUNCIL ADOPTING THE LAKE WELLINGTON PROFESSIONAL CENTRE BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2016-56: A RESOLUTION OF THE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA ADOPTING THE SADDLE TRAIL SOUTH NEIGHBORHOOD IMPROVEMENT AREA NON-AD VALOREM ASSESSMENT ROLL AS PROVIDED HEREIN; LEVYING OF THE NON-AD VALOREM ASSESSMENTS FOR THE AREA AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF WELLINGTON FOR CERTIFICATION OF THE AREAS NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item.

Ms. Quickel indicated Council was to consider these five resolutions to adopt the budgets and the rates for FY 2017 for Acme, Water and Wastewater Utilities, Solid Waste, Lake Wellington Professional Center, and Saddle Trail. She also reviewed the proposed budget for FY 2017 and answered Council's questions.

Mayor Gerwig indicated no public comment cards were received on this item.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to adopt Resolution No. AC2016-03 as presented.

A motion was made by Councilwoman Siskind, seconded by Vice Mayor McGovern, and unanimously passed (5-0) to adopt Resolution No. AC2016-04 as presented.

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (5-0) to adopt Resolution No. R2016-54 as presented.

A motion was made by Vice Mayor McGovern, seconded by Councilman

Napoleone, and unanimously passed (5-0) to adopt Resolution No. R2016-55 as presented.

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern Siskind, and unanimously passed (5-0) to adopt Resolution No. R2016-56 as presented.

8. REGULAR AGENDA

- A. [16-0278](#) AUTHORIZATION TO EXECUTE A CHANGE ORDER WITH PIRTLE CONSTRUCTION, INC. FOR REQUESTED MODIFICATIONS TO THE COMMUNITY CENTER PROJECT INCLUDING EXTERIOR MODIFICATIONS, INTERIOR MODIFICATIONS AND STRUCTURAL REPAIR TO THE GAZEBO/OBSERVATION DECK DUE TO UNFORSEEN CONDITIONS

Mr. Schofield introduced the agenda item (formerly Consent item 6J).

At this point, Mayor Gerwig recused herself and left the Council Chambers.

Mr. Schofield outlined the changes being made in this request.

A motion was made by Councilman Drahos, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve agenda item 16-0278 as presented.

Mayor Gerwig re-entered the Council Chambers.

- B. [16-0339](#) AWARD A CONTRACT FOR THE CONSTRUCTION OF IMPROVEMENTS FOR THE BLUE CYPRESS SUBDIVISION AND RESOLUTION NO. R2016-52 FOR BUDGET AMENDMENT #2016-041

RESOLUTION NO. R2016-52: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE GENERAL FUND BUDGET FOR FISCAL YEAR 2015-2016 BY ALLOCATING CONSTRUCTION SURETY BOND PROCEEDS TO COMPLETE THE BLUE CYPRESS SUBDIVISION IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item (formerly Consent item 6I).

Vice Mayor McGovern announced there were two public comments.

1. Alexander Domb, 10633 Versailles Blvd, Wellington. Mr. Domb stated his office is located at 11199 Polo Club Road in Wellington. He indicated there is litigation between the Village of Wellington and his client, Palm Beach Polo Holdings, Inc. He stated the Village Attorney was present and this was a public forum. Mr. Domb asked the Council to either postpone this item, give Palm Beach Polo Holdings back their \$167,000, or grant them an extension and let them build the road they are supposed to build based on the bond that was untimely revoked.

2. Mike Nelson, 11199 Polo Club Road, Wellington. Mr. Nelson stated he was the President of Effective Solutions and he was there representing Palm Beach Polo Holdings as agent and consultant. He spoke about the history of Blue Cypress. He thought it would be best if Council stepped back, tabled the motion, and let the property owners discuss this with someone on Council.

A motion was made by Councilman Napoleone to Award a Contract for the Construction of Improvements for the Blue Cypress Subdivision and Resolution No. R2016-52 for Budget Amendment #2016-041.

Councilman Drahos agreed Council had talked about this issue quite a bit. But a resident requested that it be pulled from Consent, so he appreciated Council for allowing that to happen. He stated he heard what everyone had to say and took it all into consideration, which is why he is going to second Councilman Napoleone's motion.

The motion was seconded by Councilman Drahos, voted on, and unanimously passed (5-0).

Mr. Schofield indicated no public comment cards were received.

9. PUBLIC FORUM

Mr. Schofield stated no comment cards were received for the Public Forum.

10. ATTORNEY'S REPORT

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

- She asked Council to designate someone to attend the mediation in the 2004 enforcement case and permit case tentatively being scheduled during the first two weeks in September. Councilman Drahos volunteered to attend the mediation.
- She indicated Councilman Napoleone volunteered for the flooding case, which is scheduled for mediation on August 29, 2016. Vice Mayor McGovern stated he would be available as a back-up if need be.
- She stated the 90 days has expired on the 130 violations in the Big Blue code enforcement case. She asked if Council wanted to pursue foreclosure proceedings or see if Big Blue had any desire to resolve it. She said nothing else was pending on this case. She indicated the fine is over \$2 million, so there is certainly room to negotiate a settlement.

After Council had discussed the issues involved in getting a restoration plan from Big Blue, Councilman Napoleone suggested staff try to resolve this with Big Blue before the Village starts to foreclose on the property. Mr. Schofield thought if the parties could not come up with a plan or reach an agreement by October 1, they were not going to. He said they would have six weeks to make this happen. Mayor Gerwig indicated Council was in agreement.

11. MANAGER'S REPORTS

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

- The next regular Council Meeting will be held on Tuesday, August 23rd, at 7:00 p.m. in the Council Chambers.
- He reminded them that the Council Direction Workshop will begin at 9:00 AM

the following morning.

- He stated the gym at Village Park will be closed for floor maintenance from August 15th to September 5th. The original gym will be closed from September 1st to September 5th.
- He announced that Forrest Hill Blvd is currently under construction and will be for several months. He stated the road has been reduced to two lanes and urged everyone to be cautious.

12. COUNCIL REPORTS

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

- She thanked Captain Silva and the police officers for providing the update on Wellington.
- She stated she missed the Community Center opening; however, she talked to residents and saw a lot of great pictures. She said it looked fantastic and she was excited for the Village to have the facility.
- She wished everyone a happy and safe back-to-school. She stated she was looking forward to working with the schools and seeing if there is anything the Village can do for them this year.
- She thought Jaidyn Brodie was adorable. Councilwoman Siskind believed she could attend the mini golf tournament to support the Leukemia & Lymphoma Society. She indicated it was the same day and time as the Coastal Cleanup at Tiger Shark Cove Park, so maybe they could divide and conquer.
- She stated she was looking forward to attending the League of Cities Conference with her fellow Council members.

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

- He sent best wishes to all of the teachers, principals, parents and students for a safe, successful and exciting school year.
- He thanked the Village staff and all involved in making the Community Center a reality. He said the Grand Opening was excellent. He believed it was going to be a great facility for the future of the Village.
- He thought it was good news that the Village was progressing towards being open five days a week with this upcoming budget.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

- He stated staff did a fantastic job with the Grand Opening of the Community Center this past weekend. He said he has loved every minute that he has been in this role, but when they get to show up and cut a ribbon for something like that, it is quite a thrill.
- He stated tomorrow Council will have an opportunity to discuss their vision and what contributions they plan to make to the community. He said he looked forward to doing that as he has enjoyed working with them. He believed this Council was going to do some great things over the course of the next few years.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- He echoed the previous comments regarding the Community Center. He said he is constantly impressed by how staff goes over and above for every event. He stated it is a fantastic new facility that completes the heart of Wellington. He thought it was a tremendous investment in their residents.
- He stated with school starting on Monday, everyone should be prepared to

spend a little more time in traffic. He wanted everyone to take their time, slow down at the blinking lights in the school zones, and watch for kids crossing the roads.

- He indicated the Village was stepping up its mosquito spraying. He indicated the Village website has a schedule of when the different zones will be sprayed.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig stated the Village was not facing Zika at this moment. She said everyone needs to stay calm and be responsible: use spray, wear long sleeves, empty standing water. She noted the schedule for spraying is subjective to the weather, as they cannot spray when it is raining.

Mr. Schofield indicated a monthly schedule is published, but it is updated weekly because of the environmental factors. He said their intention is to spray late at night, around 11:00 PM and later. He stated if they receive a number of complaints from a certain area, they will respray that area.

- Mayor Gerwig indicated Congresswoman Lois Frankel invited all of the mayors from Palm Beach County to a Mayors Roundtable. She said Ms. Frankel listened to their issues once again and was receptive. Mayor Gerwig believes they will have an opinion within a month. She believed the Village can craft an ordinance regulating group homes to make the neighborhoods safer and function better, and be within the federal guidelines. She said that is what they are looking to Ms. Frankel for. She indicated Ms. Frankel asked about the blue-green algae and the things federal legislature can really help with. She thanked Ms. Frankel for that and for listening to them. She noted Ms. Frankel was accessible to all of them on Council, as they could reach her pretty easily.
- She thought staff did a fantastic job with the Grand Opening of the Community Center. She said she got the last minute tour and the entire Recreation Department staff was in there ironing, steaming and vacuuming. Mr. Schofield noted the Community Center was available for booking.
- She thanked Wellington the Magazine for being there. She said they did a photo of all the mayors as well as a photo of Council. She stated she was looking forward to the special Wellington Council and Mayors Past and Present Edition.
- She stated she was looking forward to their workshop the next day, where Council could talk about what matters to them and their residents and work together on it. She said it was a really good feeling to be the Mayor of Wellington and to have a Council that she wants to be with, as it is a great group.
- She was thankful that the other Council members would be able to cover for her at the mini golf tournament organized by Jaidyn Brodie for LLS. She asked if Liz Nunez and the Public Information office could do a video with Ms. Brodie to promote the Leukemia & Lymphoma Society. She explained Jaidyn got involved with the LLS, because her grandfather has a form of Leukemia and is in treatment. Mr. Schofield indicated he just sent an e-mail to Communications informing them of this request.

13. ADJOURNMENT

NOTICE