

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, August 23, 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 PM.

2. PLEDGE OF ALLEGIANCE

Council led the Pledge of Allegiance.

3. INVOCATION

Rev. Peter Bartuska, Christ Community Church, delivered the invocation.

4. APPROVAL OF AGENDA

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

1) Add Legislative Update by Chris Coker and Screven Watson to Presentations and Proclamations.

2) Regarding item 6D, Resolution No. R2016-61 (Regular Council Meeting Schedule), Mr. Schofield stated they could make the changes discussed yesterday and read them into the record or pull the item to discuss it. Ms. Callovi indicated for the October 11th Council Meeting, they discussed holding the Agenda Review Meeting on Monday, October 10th, and move the Village Council Meeting to Thursday, October 13th. She said the Council Meeting in April conflicts with Passover and the recommendation was to hold the Agenda Review Meeting on Friday, April 7th and move the Village Council Meeting to Monday, April 10th.

3) Regarding item 6E, Resolution No. R2016-60 (Annual Listing of Proclamations), Councilwoman Siskind suggested adding National Downs Syndrome week or day in September as well as LGBT history month to October and/or LGBT pride month to June. Vice Mayor McGovern wanted to add National Autism Awareness month to April and Hispanic Heritage month from September to October.

Council agreed to these recommendations. Mayor Gerwig indicated any other suggestions could be brought forward at any time.

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

5. PRESENTATIONS AND PROCLAMATIONS**A. LEGISLATIVE UPDATE BY CHRIS COKER AND SCREVEN WATSON**

Mr. Schofield introduced the item, which was added to the agenda.

Mr. Coker and Mr. Watson spoke about what they do as lobbyists, what happened in the last two legislative sessions, and what they foresee happening in the 2017 legislative session. They also spoke about how they

work as a team with the Village of Wellington and how that process works.

Mr. Coker stated he would like to hear Council's ideas on some appropriation projects. He suggested they think on a larger scale and move away from the local projects. He said they could try getting some appropriation funds for infrastructure or water projects with their big partners like the Water Management District or Palm Beach County. Mr. Coker stated he and Mr. Watson were there to help the Village make smart decisions about what they want to go after. He said they were available anytime to discuss how the process works.

Mayor Gerwig thought the Governor needed a fantastic water project to show he is following through on that effort. She believed the Village could help him out. She thought it was important and something that might work regionally.

Councilman Drahos asked if sober homes might be discussed in the next session. Mr. Watson stated over the past couple of years sober homes have been a priority of Senator Clemens and it has been discussed at every session. However, Mr. Watson did not think the two presiding officers were going to spend much time on issues they believed were dead on arrival.

Mayor Gerwig indicated the Village has been working with Lois Frankel at the federal level on this as well to get some clarification. Mr. Watson indicated sometimes it takes three or four years in Tallahassee to work through the process. Mr. Coker explained when there is a new concept, something that has not been floated around in past years, it has to be addressed from the ground up. Mr. Watson mentioned the Palm Beach delegation has been in the lead on the sober home issue. Mayor Gerwig indicated they got something started on a voluntary basis for registration and compliance. Vice Mayor McGovern asked Mr. Coker and Mr. Watson to keep an eye on this issue, as it is something the Council and the residents are concerned about.

Vice Mayor McGovern asked about the Constitution Revision Commission. Mr. Watson explained the Governor has the control, as he makes most of the appointments for the 25 members, plus a Chair. He said the Speaker and the Senate President make the rest of the appointments, along with the Chief Justice of the Supreme Court. He stated a lot of people have not focused on the Constitution Revision Commission, but that is where a lot of change, good, bad or indifferent, can happen.

Mr. Watson mentioned there is a lot of speculation that this Governor and two presiding officers, and the people they appoint, are going to be very active. He stated he and Mr. Coker will be monitoring the situation.

6. CONSENT AGENDA

- A. [15-1020](#) AUTHORIZATION TO UTILIZE AN EXISTING NATIONAL COOPERATIVE PURCHASING ALLIANCE (NCPA) CONTRACT, AS A BASIS FOR PRICING, WITH MUNICIPAL CODE CORPORATION, INC. (MCCI) FOR LASERFICHE DOCUMENT MANAGEMENT ANNUAL LICENSING, MAINTENANCE AND SUPPORT

This item was approved on Consent.

- B. [15-1023](#) AUTHORIZATION TO AWARD A SOLE SOURCE CONTRACT FOR THE PURCHASE OF BADGER WATER METERS AND COMPONENTS

This item was approved on Consent.

- C. [16-0358](#) RESOLUTION NO. R2016-59 (AGREEMENT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS FOR THE PROVISION OF INMATE LABOR FOR MAINTENANCE OF THE WELLINGTON ENVIRONMENTAL PRESERVE AT THE MARJORY STONEMAN DOUGLAS EVERGLADES HABITAT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MANAGER OR DESIGNEE TO EXECUTE THE CONTRACT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS TO PROVIDE FOR THE USE OF INMATE LABOR IN WORK PROGRAMS WITHIN THE WELLINGTON ENVIRONMENTAL PRESERVE AT THE MARJORY STONEMAN DOUGLAS EVERGLADES HABITAT; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

- D. [16-0362](#) RESOLUTION NO. R2016-61 (REGULAR COUNCIL MEETING SCHEDULE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING A SCHEDULE FOR REGULAR COUNCIL MEETINGS FOR 2016/2017; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

- E. [16-0363](#) RESOLUTION NO. R2016-60 (ANNUAL LISTING OF PROCLAMATIONS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO EXECUTE CERTAIN PROCLAMATIONS FOR FISCAL YEAR 2016/2017; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent.

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

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

7. PUBLIC FORUM

Mayor Gerwig indicated one comment card was received from the public.

1. Francis Brousseau, 11361 Pine Valley Drive, Wellington. Mr. Brousseau stated he has lived at this address for 36 years. He indicated a while back they had a walking tour through his neighborhood with a code enforcement officer and a police officer. He stated he voiced his concern about people not cleaning up after their dogs, but code enforcement indicated it might be a budget issue. Mr. Schofield stated Mr. Barnes will get with Mr. Brousseau to address this issue.

8. PUBLIC HEARINGS

A. [16-0344](#) ORDINANCE NO. 2016-12 (BED AND BREAKFAST ZONING TEXT AMENDMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, PROPOSING A ZONING TEXT AMENDMENT (PETITION NUMBER 16-010/2016-001ZTA) AMENDING SECTION 6.4.4.20 OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS RELATED TO BED AND BREAKFAST ESTABLISHMENTS; AMENDING SECTION 6.10.7.B.4 OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS RELATED TO BED AND BREAKFAST ESTABLISHMENTS IN THE EQUESTRIAN OVERLAY ZONING DISTRICT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. Ms. Callovi read the Ordinance by title.

Mr. Basehart explained this Ordinance modifies two sections of the zoning code. He stated section 6.4.4.20 of the Land Development Regulations regulates bed and breakfast (B&B) facilities in all areas of Wellington not within the Equestrian Overlay Zoning District (EOZD). He said section 6.10.7.B.4 is the portion of the code or EOZD Ordinance that contains the B&B provisions. Mr. Basehart also reviewed the amendments being proposed for the non-equestrian preserve area.

Mr. Basehart stated staff's recommendation was for approval of the ordinance with the changes that have been made and discussed. He indicated the Equestrian Committee suggested that the B&B facilities should be conditional uses and have to come to Council. He said the Planning, Zoning and Adjustment Board (PZAB) did not support that recommendation and wanted to make sure the separation requirement remained in the code. He stated the original proposal was for eight bedrooms to be allowed on any property eligible for a B&B facility. He said PZAB initially recommended it be limited to five rooms under five acres and eight rooms over five acres. He stated PZAB recommended approval by a 5-1 vote.

Council and staff discussed the separation requirement for the B&B facilities, collector road requirement, two acre minimum, definition of owner/operator, number of guest rooms and parking requirements.

Mayor Gerwig wanted to ensure everyone had enough time to weigh-in on this,

because it impacts the whole community. Mr. Schofield stated staff could bring it back to Council the second meeting in September instead of the first meeting. Mayor Gerwig stated she would rather do that, as she wanted to address the issue with the grooms' quarters, parking for the grooms' quarters, and stabling/parking requirements.

Vice Mayor McGovern thought they needed to discuss how all of these things were going to fit together as well as the lighting of the sign, as they need to have the actual text/language for that. He said they also needed an affidavit and an intent section.

Mayor Gerwig asked if it was significant enough to table it and bring it back rewritten for first reading. Ms. Cohen stated it was only required to be advertised once, even though they almost always advertise twice. She thought if they advertise it again with the correct title, it would satisfy the requirement.

Public Hearing:

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

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0) to approve Ordinance No. 2016-12 on first reading.

Mayor Gerwig announced they were requesting the public's input before the second reading.

B. [16-0371](#)

ORDINANCE NO. 2016-20 (BUILDING HEIGHT ZONING TEXT AMENDMENT [ZTA])

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING SECTION 6.10.6-TABLE B OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS RELATED TO THE DEVELOPMENT STANDARDS IN THE EQUESTRIAN OVERLAY ZONING DISTRICT; PROVIDING A CONFLICTS CAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. Ms. Callovi read the Ordinance by title.

Mr. Basehart stated this amendment grew out of a discussion with a property owner looking to construct a home and have a design feature that exceeded the height limit. He said the home itself was at the height limit and the feature would beneficially affect the appearance of the building, but it was not allowed. He indicated this ordinance amendment would be limited to the EOZD and limited to properties at least five acres in size, which is ample room for someone to install a feature to enhance the appearance of their home. He stated it was only for residential buildings, so they could enhance the appearance of their homes without negatively affecting the surrounding

properties. He noted staff also added a provision so that anyone taking advantage of this opportunity would be required to increase the setback by an additional foot from minimum setback lines for every additional foot in height the feature is over 35 feet. He said it would be limited to a maximum height, with the extension, of 50 feet. He thought this was a beneficial change that allows some design flexibility and allows people to build structures to enhance the appearance of their homes.

Mr. Basehart stated staff believes it is a good change and is recommending approval. He indicated the change was reviewed and passed unanimously by the EOZD, and PZAB unanimously recommended approval at their last meeting as well.

Mr. Basehart and Mr. Schofield responded to Council's questions regarding the size limitations of the feature or structure.

Public Hearing:

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

Mr. Schofield indicated the amendment is to add the 10% of the total roof area limitation to the architectural feature or features. Mayor Gerwig stated the final verbiage will be in the second reading at their next meeting.

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Ordinance No. 2016-20 on first reading as amended.

9. REGULAR AGENDA

- A. [15-1102](#) RESOLUTION NO. R2016-19 (PALM BEACH COUNTY SHERIFF'S OFFICE DISTRICT 8 WELLINGTON FY2016 BUDGET AND CONTRACT ADDENDUM)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE SECOND ADDENDUM TO THE LAW ENFORCEMENT SERVICES AGREEMENT WITH THE PALM BEACH COUNTY SHERIFF'S OFFICE FOR LAW ENFORCEMENT SERVICES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. Ms. Callovi read the Ordinance by title.

Mr. Schofield stated a total dollar amount of \$8,811,627.00 has been included in the budget. He said it represents a 2% increase or \$167,876.00 in last year's cost and reflects two additional deputy sheriffs whose primary function will be commercial vehicle enforcement at a cost of \$249,938.00. He indicated these deputies were added at the request of staff and not PBSO, to deal with the

numerous complaints about commercial vehicles. Mayor Gerwig noted the deputies were also for the Aggressive Driving Task Force. Mr. Schofield stated staff was recommending approval of this contract as presented.

Council and staff discussed how the commercial vehicle patrols will be utilized.

Mayor Gerwig indicated no comment cards were received from the public.

A motion was made by Councilwoman Siskind, seconded by Vice Mayor McGovern, and unanimously passed (5-0) to approve Resolution No. R2016-19 as presented.

B. [16-0299](#)

RESOLUTION NO. R2016-53 (PALM BEACH COUNTY SHERIFF'S OFFICE VILLAGE OF WELLINGTON LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FY17)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FISCAL YEAR 2016-2017; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He stated as part of the Sheriff's Office contract, they are required to present a Law Enforcement Services Plan (LESP). He said Captain Silva was there to make that presentation. He indicated the service plan has been reviewed and is consistent with the budget and consistent with the goals and objectives laid out.

Captain Silva thanked Council for the passing the budget. He spoke to the Uniform Crime Report, which is released by the Florida Department of Law Enforcement and kind of like their grade report for the way reported crimes have gone for the first six months of this year. He also discussed the Law Enforcement Service Plan, which is basically a blueprint going forward for FY 2017.

Captain Silva responded to Council's questions concerning traffic around the schools, mental health initiatives, and the opioid situation.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution No. R2016-53 as presented.

10. PUBLIC FORUM

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

11. ATTORNEY'S REPORT

Ms. Cohen had no report.

12. MANAGER'S REPORTS

Mr. Schofield presented the following report:

- The next regular Council Meeting will be held on Tuesday, September 13, 2016, at 7:00 p.m. in the Council Chambers.
- He reminded them that Village offices will be closed Monday, September 5, 2016, in observance of Labor Day.
- He announced the 9/11 Ceremony will take place at the Patriot Memorial on Sunday, September 11th, and the guest speaker will be Mark Harris. He noted the time of the event is still being worked out and will be posted on the website.

13. COUNCIL REPORTS

COUNCILWOMAN SISKIND:

Councilwoman Siskind presented the following report:

- She hoped everyone had a great start to the new school year. She thought traffic was pretty manageable, even though it is a lot heavier. She thanked the Sheriff's Office and Village staff for identifying the problem areas and concentrating their efforts there. She also thanked everyone for obeying the school zones and looking out for the kids.
- She attended the Wellington High School staff meeting, which was also the Central Region Meet and Greet. She said Mayor Gerwig spoke at that meeting as well as school board member Marcia Andrews and the Central Region Superintendent Dr. Rodriguez who spoke about plans for the upcoming school year. She stated she looked forward to working with all of them, as there are a lot of new people in the district and a lot of great things coming their way.
- She stated Council attended the League of Cities convention over the weekend, and it was their first time attending except for Mayor Gerwig. She explained the League of Cities is an organization and resource for municipalities and public servants. She said she found it very interesting. She stated the focus of this year's convention was on how cities can work together and make the State of Florida stronger. She indicated the sharing of ideas and resources to help other cities was the message.
- She mentioned that early voting started in Palm Beach County on August 15th and ends August 28th. She stated the primary is August 30th and reminded everyone to vote. She noted the League of Women Voters has great information on where the candidates stand on issues and where to vote.
- She stated Coffee with the Village Manager, Mr. Schofield, is Thursday at 8:00 AM at Wellington High School. She thought it was important to engage their young people in local government and this was a great way to introduce that to them.
- She wished everyone a fun and safe Labor Day.

VICE MAYOR MCGOVERN:

Vice Mayor McGovern presented the following report:

- Vice Mayor McGovern provided the residents with an update on the status of the major construction projects around the Village via Mr. Barnes.
- Vice Mayor McGovern brought up the issue of Zika. Mr. Schofield indicated the front page of the Village website has a button to click to find out more information on the mosquito spraying. He also explained the process of spraying the Village neighborhoods and lakes.
- Vice Mayor McGovern indicated some storms could be potentially headed their way. He asked where residents should go to be apprised of that information. Mr. Schofield stated that information was on the website. He said as the storms get closer it will be on Channel 18 and, if needed, they will utilize the Code Red process where people will actually receive calls.

COUNCILMAN DRAHOS:

Councilman Drahos presented the following report:

- He stated he wanted to get the Boards and Committees completed, as he understands the Construction Board is still incomplete. He said a couple of applicants have turned their names in for consideration and he wanted to appoint Mr. Donaldson to the Construction Board. Councilman Napoleone indicated he reached out to Mr. Donaldson twice and he has not heard back from him yet. Councilman Drahos asked if someone could reach out to the two applicants, confirm they are interested and get them appointed, so the Construction Board can be completed. Ms. Callovi stated she would see that this is done.

COUNCILMAN NAPOLEONE:

Councilman Napoleone presented the following report:

- He indicated he had no report.

MAYOR GERWIG:

Mayor Gerwig presented the following report:

- Mayor Gerwig asked how residents should contact the boards and committees. Mr. Barnes stated residents could either approach the staff liaison, which are listed the website for the various committees, or the Chair will entertain any public comment at the public meetings.

Regarding the Council Meetings, Ms. Cohen explained the law requires they take public comment at some point in the decision making process, prior to the final decision. She said they typically do not take public comment at Council Workshops, but when they get to that same issue at the Council Meeting, they open it up for public comment. She stated that is why they now take public comment on the Consent Agenda, because that is the final action on that particular issue.

Ms. Cohen mentioned there was a pending lawsuit against either West Palm or the County Commission regarding public comment on the Consent Agenda, as their policy limits the speakers to three minutes on all of the consent items as opposed to three minutes on each individual consent item. She stated the Village will need to watch and see how the court rules on this.

Mayor Gerwig stated as it stands now the Village is in compliance for public comment at the Council Meetings as well as the Board and Committee Meetings. She said she wanted to make sure Council was on the same page for having residents engage the boards and committees.

- She mentioned she was invited to the Meeting of the Mayors by the Mayor of West Palm Beach with Dr. Avossa. She said some members had responded saying they would come, but the Mayor indicated it was just for the Mayors. She wanted them to know that was not her idea.

- She indicated she is supposed to speak at the Rotary Meeting on Thursday, September 22nd, when the Mayor's Literacy Luncheon is scheduled. She stated she will need two people to stand in for her. Councilman Napoleone and Vice Mayor McGovern indicated they could attend. Mayor Gerwig asked them to get the book and bring it back, because she wanted to read the story or maybe they could all do it together. She also stated she would like all of them to do Read for the Record.

14. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned.

NOTICE