

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, August 8, 2017

7:00 PM

Village Hall - Council Chambers

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.

Council Members present: Anne Gerwig, Mayor; John T. McGovern, Vice Mayor; Michael Drahos, Councilman; Michael Napoleone, Councilman; and Tanya Siskind, Councilwoman.

Advisors to the Council: Paul Schofield, Manager; Laurie Cohen, Attorney; Jim Barnes, Assistant Manager; Tanya Quickel, Director of Administrative and Financial Services; and Chevelle D. Nubin, Village Clerk.

2. PLEDGE OF ALLEGIANCE

Girl Scout Troop #23902 led the Pledge of Allegiance.

3. INVOCATION

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

4. [17-1377](#) APPOINTMENT OF VICE MAYOR

Mr. Schofield introduced the item. He indicated that Council is required by the Village Charter to appoint a Vice Mayor once a year. He stated their practice has been for the Vice Mayor serve two terms.

A motion was made by Councilman Drahos, seconded by Councilwoman Siskind, and unanimously passed (5-0), to appoint John McGovern as Vice Mayor for one more year.

5. APPROVAL OF AGENDA

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

1) Add to Presentations and Proclamations a "Brief Update from Dr. Maria Vallejo, Palm Beach State College, on the College's Loxahatchee Groves Campus" as item 6A.

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

6. PRESENTATIONS AND PROCLAMATIONS

A. UPDATE ON LOXAHATCHEE GROVES CAMPUS BY DR. MARIA M. VALLEJO, PALM BEACH STATE COLLEGE

Mr. Schofield introduced the item.

Dr. Maria Vallejo updated Council on how the Legislative Session this past spring effected the Palm Beach State College and its Loxahatchee Groves Campus. She stated the state legislature passed Senate Bill 374, Florida Excellence in Higher Education, a higher education overhaul bill and priority of Senate President Negron, but Governor Rick Scott vetoed that legislation.

Dr. Vallejo indicated an \$82.3 million budget was passed for higher education, which includes a recurring permanent cut of \$30.2 million to the Florida State College System. She said this meant a recurring \$1 million for Palm Beach State College.

Dr. Vallejo noted Governor Scott also vetoed the \$200,000 fund for ethics training, which Palm Beach State has always provided for state and local entities as well as elected officials.

Dr. Vallejo stated Palm Beach State received \$5 million for their dental and medical services technology building. She said these funds will be used for the planning phase this year, and they hoped to go back for more funding because this will not cover the bill. She hoped that this Council would want this particular building in their backyard and asked for their support in that endeavor. She stated the Council could write or e-mail a letter to President Parker indicating their support.

Dr. Vallejo announced that Palm Beach State has officially reached gold status as a college. She stated they were one of six out of twenty-eight state colleges to receive this status.

Dr. Vallejo responded to Council's questions and comments. Council congratulated Dr. Vallejo, President Parker and the entire team at Palm Beach State for reaching gold status. They also indicated they would support having the technology building at the Loxahatchee Groves Campus.

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (4-0), with Mayor Gerwig abstaining, to draft a letter in support of moving the facility discussed to the Loxahatchee Groves Campus.

7. CONSENT AGENDA

- A. [17-1380](#) MINUTES OF THE REGULAR WELLINGTON VILLAGE COUNCIL MEETINGS OF JUNE 27, 2017 AND JULY 11, 2017
This item was approved on consent.
- B. [17-1026](#) AUTHORIZATION TO RENEW AN EXISTING CONTRACT WITH WESTERN COMMUNITIES TRANSPORTATION, INC. FOR SENIOR TRANSPORTATION PROGRAM SERVICES
This item was approved on consent.
- C. [17-1248](#) AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR BIG BLUE TRACE AND BARBERRY DRIVE LEFT TURN LANE AND CULVERT REPLACEMENT PROJECT
This item was approved on consent.
- D. [17-1249](#) 1) AUTHORIZATION TO AWARD A CONTRACT FOR THE DRAINAGE IMPROVEMENTS FOR FOREST HILL BOULEVARD; AND 2) APPROVAL OF RESOLUTION NO. R2017-34 AMENDING THE BUDGET FOR THIS PROJECT; AND PROVIDING AN EFFECTIVE DATE.
This item was approved on consent.
- E. [17-1359](#) RESOLUTION NO. R2017-36 (FLORIDA POWER AND LIGHT RIGHT-OF-WAY CONSENT AGREEMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE RIGHT-OF-WAY CONSENT AGREEMENT BETWEEN WELLINGTON AND FLORIDA POWER & LIGHT COMPANY (FP&L) REGARDING THE USE OF EASEMENTS LANDS FOR BICYCLE AND PEDESTRIAN PURPOSES; AND PROVIDING AN EFFECTIVE DATE.
This item was approved on consent.

Mr. Schofield indicated no comment cards were received for the Consent Agenda.

Mr. Schofield stated staff recommended adoption of the Consent Agenda as presented.

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

Mr. Schofield indicated two public comment cards were received. Two residents spoke against a single family home running a bed and breakfast on Inverness Circle.

8. PUBLIC HEARINGS

A. [17-1312](#) ORDINANCE NO. 2017-09 (DRIVE-THRU ZONING TEXT AMENDMENT [ZTA])

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING SECTION 6.5.19.1.4.c OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS BY PROVIDING ALTERNATIVE DESIGN STANDARDS FOR DRIVE THRU WINDOWS AND LANES WHEN FACING A RIGHT-OF-WAY AND ELIMINATION OF THE RESTRICTION OF A SINGLE DRIVE THRU FACILITY; PROVIDING A CONFLICTS CAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item.

Mr. Basehart stated before Council is Petition 17-066, a Zoning Text Amendment initiated by staff to modify a portion of the code, Section 6.5.19.1.4.c, which is known as the big box ordinance. He explained it was adopted in 2004 to provide design guidelines and standards for large scale commercial properties more than 15,000 square feet. He stated the code today reads that drive-through facilities of any kind are prohibited from facing a public roadway. He said that limitation causes many problems when designing centers for onsite circulation, parking, pedestrian access, and pedestrian circulation. He indicated staff believes that providing an alternative, where the drive-throughs could face the street with proper buffering and mitigation to prevent visual impact on the adjacent street, is a good solution.

Mr. Basehart responded to Council's questions.

A motion was made by Vice Mayor McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve Ordinance No. 2017-09 (Drive-Thru Zoning Text Amendment [ZTA]) as presented on First Reading.

B. [17-1374](#)

ORDINANCE NO. 2017-13 (AMENDING QUALIFYING PERIOD FOR 2018 MUNICIPAL ELECTION)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE DATE OF THE QUALIFYING PERIOD FOR THE 2018 MUNICIPAL ELECTION; AND PROVIDING AN EFFECTIVE DATE.

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

Ms. Nubin explained that the Supervisor of Elections for Palm Beach County, Ms. Susan Bucher, has requested that all municipalities move the dates of their qualifying period to allow sufficient time for her to comply with Florida Statutes Section 101.62, which requires that vote-by-mail ballots be sent no later than 45 days before each presidential preference primary election, primary election and general election; and to each absent uniformed services voter and to each overseas voter who has requested a vote-by-mail ballot.

Ms. Nubin stated that the Village's Charter provides that any resident of the Village who wishes to become a candidate for a village elective office shall qualify with the Village Clerk no sooner than noon on the last Tuesday in January nor later than noon on the second Tuesday in February of the year in which the election is to be held and section 100.3605 of the Florida Statutes permits municipal governments, by ordinance, to change the dates for qualifying and for election of members of the governing body of the municipality.

Ms. Nubin indicated this Ordinance, No. 2017-13, amends the qualifying period to begin at at noon on December 5, 2017 and end at noon on December 19, 2017, for candidates who want to qualify for the 2018 Wellington Municipal Election scheduled for Tuesday, March 13, 2018.

Ms. Nubin responded to Council's comments and concerns.

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and passed (4-1), with Councilman Drahos dissenting, to approve Ordinance No. 2017-13 (Amending Qualifying Period for 2018 Municipal Election) as presented on First Reading.

C. [17-1373](#)

RESOLUTIONS ADOPTING THE BUDGETS AND ASSESSMENT

RATES FOR THE ACME IMPROVEMENT DISTRICT, WELLINGTON SOLID WASTE COLLECTION AND SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT; AND RESOLUTIONS ADOPTING THE BUDGETS FOR THE LAKE WELLINGTON PROFESSIONAL CENTRE AND THE WATER AND WASTEWATER UTILITY.

I. RESOLUTION NO. AC2017-05: 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. AC2017-06: 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, 2017, AND ENDING SEPTEMBER 30, 2018; AND PROVIDING AN EFFECTIVE DATE.

III. RESOLUTION NO. R2017-37: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL 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. R2017-38: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE LAKE WELLINGTON PROFESSIONAL CENTRE BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018; AND PROVIDING AN EFFECTIVE DATE.

V. RESOLUTION NO. R2017-39: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT 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 AREA'S NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item.

Ms. Quickel presented to Council the five resolutions adopting the budgets and rates for FY 2018 for Acme, Utilities, Solid Waste, Lake Wellington Professional Centre, and SaddleTrail. She also reviewed the proposed FY 2018 Non-Ad Valorem and Enterprise Budgets, Budget Objectives, and Rates & Assessments accordingly.

Ms. Quickel responded to Council's questions regarding use of reserves.

Mr. Schofield explained the Village's rate studies and pay-as-you-go program.

Public Hearing

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

Mr. Schofield indicated no public comment cards were received.

A motion was made by Vice Mayor McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0) to close the Public Hearing.

Ms. Nubin read each of the five resolutions by title.

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution No. AC2017-05 as presented.

A motion was made by Councilwoman Siskind, seconded by Vice Mayor McGovern, and unanimously passed (5-0) to approve Resolution No. AC2017-06 as presented.

A motion was made by Councilman Drahos, seconded by Councilman Napoleone, and unanimously passed (5-0) to approve Resolution No. R2017-37 as presented.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution No. R2017-38 as presented.

A motion was made by Vice Mayor McGovern, seconded by Councilman Drahos, and unanimously passed (5-0) to approve Resolution No. R2017-39 as presented.

D. [17-1280](#)

RESOLUTION NO. R2017-26 (FIVE YEAR CONSOLIDATED PLAN, ANNUAL ACTION PLAN AND CITIZEN PARTICIPATION PLAN)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND ADOPTING A FISCAL YEAR 2017/2018 THROUGH FISCAL YEAR 2021/2022 FIVE YEAR CONSOLIDATED PLAN, FISCAL YEAR 2017/2018 ACTION PLAN, AND CITIZEN PARTICIPATION PLAN, FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AUTHORIZING THE VILLAGE MANAGER TO PROVIDE THE PLANS TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. Ms. Nubin read the resolution by title.

Ms. Edwards indicated that the Village of Wellington is an entitlement community for the Community Development Block Grant and this Annual Action Plan is part of the process in order for the Village to receive those dollars from the Federal Government. She explained the Five Year Annual Action Plan allows the Federal Government to understand the Village's population, housing needs, public services needs, etc. She stated those assessments allow the Village to be an entitlement community.

Mr. Schofield stated the Village becomes entitled once their population is more than 50,000 residents, as it is a formula grant. He and Ms. Edwards indicated the Village has used these funds for programs and services such as ADA improvements to sidewalks, training programs in the summer, housing and rehabilitation programs for seniors, the senior transportation program, economic improvement, an internship program for their high school seniors, etc.

Staff recommended that Council adopt this plan, as it is mandatory for the Village to submit this plan in order to receive the funds.

Public Hearing

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (5-0) to open the Public Hearing.

No public comment cards were received.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to close the Public Hearing.

Council congratulated Ms. Edwards on the recent Back-to-School event and thanked her for the great programs and services coming out of the Community Services Department.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution No. R2017-26 (Five Year Consolidated Plan, Annual Action Plan, and Citizen Participation Plan) as presented.

9. REGULAR AGENDA

A. [17-0971](#) AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE HYDRAULIC MODELING SERVICES FOR A WASTEWATER TRANSMISSION SYSTEM

Mr. Schofield introduced the item. Mayor Gerwig recused herself from this item as well as the next item, and then left the Chambers.

Ms. LaRocque explained the hydraulic model will be done on the utilities forcemain system. She stated her department will utilize this tool to not only evaluate impacts of growth on the system, but to monitor and manage the systems. She said it is a very normal tool for a utility to have and her department currently does not have one. She stated once they do this, they will not have to do it again.

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (4-0) to approve the Authorization to Award a Task Order to Provide Hydraulic Modeling Services for Wastewater Transmission System.

B. [17-1311](#) AUTHORIZATION TO AWARD ANNUAL CONTRACTS FOR: 1) CIVIL ENGINEERING; 2) TRAFFIC ENGINEERING; 3) WASTEWATER PROCESS AND RECLAIMED WATER ENGINEERING; 4) ELECTRICAL, INSTRUMENTAL, AND CONTROL ENGINEERING; AND 5) HYDROGEOLOGICAL ENGINEERING, AND RELATED CONSULTING SERVICES

Mr. Schofield introduced the item. He indicated this authorization would not actually award any work, but would allow the selection of a list of engineers to serve on a rotating basis from time to time.

Mr. De La Vega stated staff was seeking authorization to award

multiple consulting firms under the different disciplines. He explained the Selection Committee followed the Consultants Competitive Negotiation Act (CCNA) 287.055. He said they first evaluated each firm based on their qualifications and then made a recommendation to negotiate contracts with the highest ranked firms.

Mr. De La Vega indicated staff came to Council on June 13, 2017 asking for authorization to negotiate contracts with these firms, which they have done. He noted that page 520 lists the hourly rates for each of those firms. He stated staff feels very comfortable with the hourly rates, as they compared them to existing contracts the Village has with consultants. He said staff also compared the rates to Palm Beach County's engineering hourly rates and they are very comparable. He stated these rates will be used for future projects and any project over \$25,000 will come back to Council.

Mr. De La Vega and Mr. Barnes responded to Council's questions regarding the rates and the selection of firms.

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (4-0), as Mayor Gerwig recused herself, to approve the Authorization to Award Annual Contracts for: 1) Civil Engineering; 2) Traffic Engineering; 3) Wastewater Process and Reclaimed Water Engineering; 4) Electrical, Instrumental, and Control Engineering; and 5) Hydrogeological Engineering, and Related Consulting Services as presented.

Mayor Gerwig returned to the Chambers.

10. PUBLIC FORUM

No public comment cards were received.

11. ATTORNEY'S REPORT

Mr. Dunlap: Mr. Dunlap, Assistant Village Attorney, reminded Council that a shade session will be held on Monday, August 14, 2017, at 4:00 pm to discuss the Florida Municipal Insurance Trust (FMIT) litigation.

12. MANAGER'S REPORT

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

The next Regular Council Meeting will be held on Tuesday, August 22, 2017, at 7:00 pm in the Council Chambers.

A Directions Workshop with Council will be held tomorrow, August, 9, 2017, from 1:00 pm to 5:00 pm in conference rooms 1E/1F. He noted that the workshop will be televised.

The Florida League of Cities Annual Conference will be held in Orlando next week, August 17-19, 2017. He indicated he, Mayor Gerwig and Vice Mayor McGovern are planning to attend.

13. COUNCIL REPORTS

Councilman Napoleone: Councilman Napoleone presented the following report:

He asked about the status of the construction on 40th Street to Lake Worth Road. Mr. Schofield stated a conversation with both the engineer and applicant indicate that it will be substantially complete by September 1, 2017.

He reminded everyone that school starts on Monday, August 14, 2017 and to watch for children.

Councilman Drahos: Councilman Drahos indicated he had no report.

Vice Mayor McGovern: Vice Mayor McGovern presented the following report:

He asked Mr. Schofield to discuss the event that happened on Forest Hill Boulevard today. Mr. Schofield stated that at about 1:30 pm or 1:45 pm, the contractor working on the bank building at the Wellington Plaza ruptured a gas line. He said Palm Beach County Fire Rescue and Palm Beach County Sheriff's Office were on the scene very quickly. He indicated that the contractor called for the necessary locates and had dig permits. He stated the gas leak was contained and shut off by 4:30 pm and the road was reopened by 4:45 pm. He said there was an initial evacuation of the buildings closest to the gas main break. He stated it was initially reported that a watermain had been hit but it had not. He explained the contractor was using a wellpoint system that pulls the groundwater out, so they could work in a dry trench, and that is what actually hit the gas line. He said it was natural gas, but there was no real danger of explosion. He stated the evacuations were done as a precaution and the leak was resolved successfully and safely.

He asked that everyone have a safe and patient beginning of the school year.

Councilwoman Siskind: Councilwoman Siskind presented the following report:

She suggested they talk about the openings on the Public Safety Committee and the Equestrian Preserve Committee. Mayor Gerwig announced the openings. Vice Mayor McGovern indicated he had a recent opening on the Tree Board. Mayor Gerwig stated they will discuss the openings and make appointments at the next Council Meeting.

She reminded everyone that the Budget Challenge is still online through August 15, 2017. She stated staff and Council were receiving great feedback and that they wanted to hear from everyone.

She wished for everyone to have a safe school year. She suggested parents do a trial run dropping off and picking up their kids at school and to be prepared for delays.

She announced that she has filed to run in the March election to keep Seat #2.

Mayor Gerwig: Mayor Gerwig presented the following report:

She stated that she will be going to the League of Cities Annual Conference next week, August 17-19, 2017. She said she will be attending the Marijuana session along with Mr. Schofield.

She mentioned that she did a ride along with Sergeant Kennedy of the Palm Beach County Sheriff's Office and urged her fellow Council members to do so as well.

She encouraged everyone to walk or ride their bikes to school.

Vice Mayor McGovern asked everyone to follow the normal dropoff/pickup pattern at their particular school. He said stopping on the swale or in the middle of the road to let their child out is not constructive or safe, as it ultimately leads to delays in the process.

14. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 8:43 pm.