

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, August 22, 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 p.m.

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

Ms. Nubin's three sons led the Pledge of Allegiance.

3. INVOCATION

Rev. Mark Caldwell, St. Peter's United Methodist Church, Senior Pastor, delivered the invocation.

4. APPROVAL OF AGENDA

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

1) Consent Agenda Item 6H, Resolution No. R2017-42 (Regular Council Meeting Schedule), the December 12, 2017 Council Meeting was changed to Monday, December 11, 2017, due to the start of Hanukah; the January 9, 2018 Council Meeting was changed to Monday, January 8, 2018, so that Council could attend Palm Beach County Days; and the September 11, 2018 Council Meeting will need to be changed because of the Rosh Hashanah holiday and it may conflict with the budget adoption hearings for the School District or the Board of County Commissioners.

2) Consent Agenda Item 6I, Resolution No. R2017-41 (Annual Listing of Proclamations), the dates were corrected and a proclamation for National Alzheimer's Awareness Month was added to November.

3) Public Hearings Item 7E, Resolution No. R2017-40 (Development Review Manual); Item 7G, Resolution No. R2017-28 (Development Review Application Fee Schedule); and Item 7H, Resolution No. R2017-29 (Building Department Fee Schedule); will be postponed until

the authorizing ordinances go to second reading, which should be at the next Council Meeting as no more advertising will be required.

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. [17-1367](#) PRESENTATION BY THE FLORIDA ASSOCIATION OF CITY CLERKS RECOGNIZING CHEVELLE D. NUBIN, MMC FOR HER SERVICE AS PRESIDENT OF THE ASSOCIATION FOR THE 2016-2017 TERM

Mr. Schofield introduced the item.

Ms. Gwen Keough-Johns, President of the Florida Association of City Clerks (FACC) and City Clerk for the City of Mount Dora, FL, stated she was joined by Linda Bridges, Executive Director of the Florida League of Cities as well as several City Clerks from the FACC Southeast District to recognize Ms. Chevelle Nubin. Ms. Keough-Johns thanked the Council for sharing their Village Clerk, Ms. Nubin, with the association while she served as the FACC president last year. Ms. Keough-Johns indicated that it takes a lot of work and dedication to be a Municipal Clerk while also excelling in an association such as FACC. She said Ms. Nubin certainly excelled as their past President.

Ms. Keough-Johns read and presented two resolutions expressing appreciation to the Village of Wellington and Ms. Nubin for their organizational and personal dedication, respectively, to the FACC.

Council congratulated Ms. Nubin on her well-deserved recognition and thanked her for bringing her extensive training and professionalism to the Village of Wellington.

Ms. Nubin thanked the Council for their comments. She also thanked her family and fellow clerks and colleagues for their support.

Mayor Gerwig also recognized Ms. Rachel Callovi, Deputy Clerk of the Village of Wellington, for doing a great job and being a great assistant to Ms. Nubin.

B. [17-1395](#) RESOLUTION NO. R2017-43 (PALM BEACH COUNTY SHERIFF'S OFFICE VILLAGE OF WELLINGTON LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FY18)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL

APPROVING THE LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FISCAL YEAR 2017-2018; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item.

Captain Rolando Silva with the Palm Beach County Sheriff's Office (PBSO) presented the FY 2018 Law Enforcement Services Plan (LESP). He stated this year, like in years past, their focus will be on reducing juvenile related crimes, property crimes and traffic crashes in the Village.

Captain Silva reviewed some of the highlights of the LESP. He stated this year PBSO is asking for two additional officers: one detective and one street team deputy. He indicated that he and his deputies continue to meet regularly with the Village staff and manager to exchange information and discuss their plan going forward. He said the officers also continue to do extensive and rigorous training.

Captain Silva discussed the statistics related to juvenile crimes, property crimes, vehicle burglaries and crashes. He also reviewed the action plans to address these areas of concern.

Captain Silva responded to Council's questions regarding vehicle burglaries and thefts, loitering at plazas, the addition of two deputies, educating students, conviction rates, unmarked cars, etc.

Council thanked Captain Silva and his team for keeping Wellington safe.

Ms. Nubin read the resolution by title.

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2017-43 (Palm Beach County Sheriff's Office Village of Wellington Law Enforcement Services Plan (LESP) for FY18) as presented.

6. CONSENT AGENDA

- A.** [17-1025](#) AUTHORIZATION TO RENEW EXISTING CONTRACTS WITH MULTIPLE VENDORS FOR THE PURCHASE AND DELIVERY OF FERTILIZERS, HERBICIDES, INSECTICIDES, FUNGICIDES AND OTHER SPECIALTY ITEMS

This item was approved on Consent.

- B.** [17-1230](#) AUTHORIZATION TO: 1) RENEW AN EXISTING SOLE SOURCE AGREEMENT TO PROVIDE GEOGRAPHIC INFORMATION SYSTEMS

(GIS) LICENSING, MAINTENANCE AND SUPPORT; AND 2) UTILIZE A CONSULTANT TO PROVIDE ADDITIONAL GIS SUPPORT, DEVELOPMENT AND INTEGRATION

This item was approved on Consent.

- C. [17-1232](#) AUTHORIZATION TO AWARD A SOLE SOURCE CONTRACT FOR THE PURCHASE OF BADGER WATER METERS AND COMPONENTS

This item was approved on Consent.

- D. [17-1235](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR SUPPORT AND MAINTENANCE OF THE VILLAGE'S INTERACTIVE VOICE REPONSE (IVR) SYSTEM

This item was approved on Consent.

- E. [17-1400](#) AUTHORIZATION TO UTILIZE AN EXISTING NATIONAL COOPERATIVE PURCHASING ALLIANCE (NCPA) CONTRACT WITH MUNICIPAL CODE CORPORATION, INC. (MCCI) FOR LASERFICHE DOCUMENT MANAGEMENT ANNUAL LICENSING, MAINTENANCE AND SUPPORT

This item was approved on Consent.

- F. [17-1435](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR MULTIPLE ABOVE GROUND STORAGE TANK REPAIRS

This item was approved on Consent.

- G. [17-1304](#) RESOLUTION NO. R2017-27 (ISLA VERDE OF WELLINGTON COMMERCIAL REPLAT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ACCEPTING AND APPROVING THE ISLA VERDE OF WELLINGTON COMMERCIAL REPLAT BEING A REPLAT OF PARCEL A, ISLA VERDE OF WELLINGTON COMMERCIAL, AS RECORDED IN PLAT BOOK 115, PAGES 62 THROUGH 68 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTIONS 6 AND 7, TOWNSHIP 44 SOUTH, RANGE 42 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA.

This item was approved on Consent.

- H. [17-1381](#) RESOLUTION NO. R2017-42 (REGULAR COUNCIL MEETING SCHEDULE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING

A SCHEDULE FOR REGULAR COUNCIL MEETINGS FOR 2017/2018; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent as amended.

I. [17-1382](#)

RESOLUTION NO. R2017-41 (ANNUAL LISTING OF PROCLAMATIONS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO EXECUTE CERTAIN PROCLAMATIONS FOR FISCAL YEAR 2017/2018; AND PROVIDING AN EFFECTIVE DATE.

This item was approved on Consent as amended.

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

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

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

7. **PUBLIC HEARINGS**

A. [17-1443](#)

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 CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. Ms. Nubin read the ordinance by title. Mr. Schofield indicated this was second reading and there had been no changes since first reading.

Mr. Basehart stated the public has shown no interest in this zoning text amendment. He said it was reviewed by the Planning, Zoning and Adjustment Board, which recommended approval unanimously. He noted that staff would like to make the complete file on this application

part of the record.

Mr. Basehart explained this is an amendment to Section 6.5.19.1.4.c. of the Land Development Regulations of the Village of Wellington. He stated it creates additional opportunities and flexibility when designing drive-through facilities for a restaurant, bank or any of the other uses staff has shown Council. He said the current code prohibits drive-through lanes and windows from being located on the street side of a site.

Mr. Basehart pointed out that drive-through facilities are conditional uses, no matter the type of business, so every case or proposal will continue to come to Council for review.

Mr. Basehart stated this is a minor change that staff believes will increase flexibility, safety, and a number of other issues; therefore, they recommend approval.

Council provided their comments on the proposed drive-through zoning text amendment.

Public Hearing

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

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

B. [17-1426](#)

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 indicated that before Council was the second reading of this ordinance, as it passed (4-1) at their [August 8, 2017] Council Meeting.

She stated staff is requesting that the qualifying period be changed, from its standard time of the last Tuesday in January through the second Tuesday in February, to 12:00 noon on December 5, 2017 through 12:00 noon on December 19, 2017. She said the change was requested by Ms. Susan Bucher, Palm Beach County Supervisor of Elections.

Council discussed Ms. Bucher's request, the proposed and potential dates, and the associated impact if the qualifying period is changed. Ms. Nubin responded to their questions.

Mayor Gerwig stated a resident asked why the qualifying period has a beginning date, as they could understand it having an ending date. Ms. Nubin stated the qualifying period is set by Charter, but it is within Council's discretion to change it.

Ms. Cohen indicated there was no prejudice to anyone by changing the qualifying date to accommodate Ms. Bucher. She stated the legislature may very well change these dates in the future. Therefore, the Village may be ultimately required to do as such or hold their own election, which would be virtually impossible for the Village to do.

Mayor Gerwig stated, in the future, she would like to see a permanent change with a different date range. She thought expanding the whole process was not necessarily benefiting the Village.

Public Hearing

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

1. Vince Weber, 2146 Wingate Bend, Wellington. Mr. Weber asked what the existing Charter specifically states in terms of qualifying time periods for elections.

Ms. Cohen stated the Charter provides for a two-week time period that starts January 30th and ends February 13th. She said typically Council would not be able to change a provision in their Charter without a referendum, but the Florida Legislature has provided that this one item can be changed by ordinance without requiring a vote of the electorate. She noted Florida Statute 101.62 is cited in the ordinance and Staff Report.

Mayor Gerwig stated that did not mean a more permanent change should not be made in the future, as some communities have already done this by ordinance.

There being no further comments, a motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (5-0), to close the Public Hearing.

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

C. [17-1427](#)

ORDINANCE NO. 2017-14 (FLOOD DAMAGE PREVENTION)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON CODE OF ORDINANCES BY REPEALING CHAPTER 18 "BUILDINGS AND BUILDING REGULATIONS", ARTICLE III "FLOOD DAMAGE PREVENTION", SECTIONS 18-40 THROUGH 18-55; TO ADOPT A NEW ARTICLE III; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

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

Mr. Tomasik explained the Village was advised by the Federal Emergency Management Agency (FEMA) to adopt this ordinance prior to October 5, 2017 in order to continue participating in the National Flood Insurance Program (NFIP). He indicated the Village is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of floodplain management regulations that meet the standard of paragraph 60.3 of the NFIP Regulations and Title 44 of the United States Code of Federal Regulations.

Mr. Tomasik reviewed with Council the changes contained in the ordinance and responded to Council's questions.

Mr. Tomasik indicated the Village received some plaques from FEMA indicating that it participates in the NFIP Community Rating System. He stated this recognition from FEMA keeps the Village in good standing with the agency, but more importantly it reduces the cost of flood insurance for residents.

Mr. Tomasik showed Council the comparison between the old and new

flood maps. He indicated 2,515 addresses were identified on the old flood zone maps and on the new maps that number has been reduced to 122 structures. He stated the Village can assist these residents in trying to remove their properties from the flood zone areas.

Mayor Gerwig understood that the state maps were being redone, so the Village may have to go through this whole process again.

Mr. Schofield explained the history the Village has had with hundred year storms, the reason staff undertook this project, and how the Village is designed to flood.

Mr. Tomasik showed Council how residents can go to the Village website to see if they are located in a flood zone. He indicated having this information on the website and their outreach gives the Village points, which keeps them in good standing with FEMA and the Community Rating System. He stated the Village gets audited every two years.

Public Hearing

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

There being no public comments, a motion was made by Vice Mayor McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0), to close the Public Hearing.

A motion was made by Councilwoman Siskind, seconded by Councilman Napoleone, and unanimously passed (5-0) to approve Resolution No. R2017-14 (Flood Damage Prevention) as presented on first reading.

D. [17-1454](#)

ORDINANCE NO. 2017-11 (ARTICLE 5 – DEVELOPMENT REVIEW PROCEDURES)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO REPEAL AND REPLACE ARTICLE 5, IN ITS ENTIRETY, AS CONTAINED HEREIN; TO ESTABLISH SPECIFIC STANDARDS RELATED TO THE DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Mr. Basehart indicated Article 5 is the process portion of the Code, which sets up the review processes for the various types of zoning related applications. He stated staff wanted to shorten it, clarify it, simplify it and make it more transparent.

Ms. Cramer reviewed the ordinance and the details of the changes with Council. She also discussed Resolution No. R2017-40 (Development Review Manual), which will be brought back for Council's consideration when this ordinance comes back for second reading.

Mr. Cramer noted that she wanted to enter into the record the files of tonight's meeting.

Ms. Cramer indicated that over the last year, staff has workshopped many items with the Village's boards and committees and one item has been the rewrite of the entire Land Development Regulations (LDRs). She said Council was reviewing the first article of the rewrite tonight, Article 5, which provides for the development review procedures that will apply to all development applications. She indicated it does not provide site specific or land development regulations.

Ms. Cramer explained that this request will accomplish two things: replace the current Article 5 and adopt a Development Review Manual that will assist applicants in preparing their development applications. She reviewed the objectives of the request as well as the proposed changes.

Mr. Basehart and Ms. Cramer responded to Council's questions regarding the alternative that staff proposed for equestrian permits that exceed 30 event days in a six month period and special use permits in general. Council discussed changing the language to "seasonal use permits that exceed 30 event days in a six month period."

Vice Mayor McGovern commended Mr. Basehart and Ms. Cramer for reducing the process from 80 pages to 13 pages, as it is much shorter and more manageable.

Public Hearing

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

Vice Mayor McGovern called upon those who wished to speak.

1. Jane Cleveland, 2905 Piper Way, Wellington. Ms. Cleveland indicated as the Chairman of the Equestrian Preserve Committee, she was providing the committee's view on special use and equestrian permits. She said it has been important to everyone who is serving or who has served on this committee that they support all horse shows and competitive events, whether big or small. She indicated the committee has received feedback from some of the horseshow presenters that coming to Council year after year is cumbersome, time constraining and expensive. She mentioned that one of their big presenters moved to Jim Brandon and leased it for three months. She said the committee wanted to keep their competitions in Wellington and make it as easy as possible for them to get the required special permits and equestrian use permits.

Ms. Cleveland responded to Council's questions.

Ms. Cleveland stated she would contact the series that went to Jim Brandon as to why they moved to a different venue and come back at second reading to update Council.

2. Victoria McCullough, 13801 Gracida Street, Wellington. Ms. McCullough stated she was concerned with staff's recommendation to reduce the review of an application to one project manager, as she thought the Development Review Committee was outstanding. She understood that it might be complex, but she had confidence in the transparency that was there. She said one project manager makes her feel very uncomfortable.

Council discussed Ms. McCullough's concern. Mr. Schofield explained the development review process.

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

Council and staff continued to discuss Ms. McCullough's concern of having one project manager reviewing applications and the issue the Development Review Committee has with the Sunshine Law.

Council returned to discussing staff's alternative to processing equestrian permits that exceed 30 event days in a six month period. Council thought 30 event days was a good number to start with until further feedback is received. Council also suggested revisiting if Council should consider all first time events over 30 event days.

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (5-0) to approve Ordinance No. 2017-11 (Article 5 - Development Review Procedures) as amended on first reading with the language in Table 5.1.2-1 of Article 5 to read "Seasonal Use Permits that Exceed 30 Event Days Within a 6 Month Period (Season)" and the same change on page 12.

E. [17-1455](#)

RESOLUTION NO. R2017-40 (DEVELOPMENT REVIEW MANUAL)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, ADOPTING THE DEVELOPMENT REVIEW MANUAL, AS MORE SPECIFICALLY DESCRIBED HEREIN, TO PROVIDE FORMS FOR PLANNING AND ZONING APPLICATION TYPES, SUBMITTAL REQUIREMENTS, REVIEW CRITERIA AND DETAIL THE PROCESS FOR DEVELOPMENT APPLICATIONS AS REQUIRED IN ARTICLE 5 OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS AND TO COMPLY WITH FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield indicated this resolution will be postponed until the second reading of Ordinance No. 2017-11 (Article 5 - Development Review Procedures).

F. [17-1451](#)

ORDINANCE NO. 2017-12 (DEVELOPMENT APPLICATION FEES)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING WELLINGTON'S CODE OF ORDINANCES BY REPEALING CHAPTER 2 "ADMINISTRATION", ARTICLE VIII "RECOVERY OF COSTS OF ADMINISTRATIVE REVIEW AND PROCESSING", SECTION 2-361 "COST RECOVERY; AND CREATING SECTION 2-361 "DEVELOPMENT APPLICATION FEE"; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Basehart stated this was an amendment to Wellington's Code of Ordinances relating to the establishment of fees. He said in 2008 the Village went to a cost recovery system where applicants pay an initial application fee and staff keeps track of all the time spent by each staff member throughout the process. He explained, with each initial application, an escrow fee is paid for which time, legal ads and outside consultant fees are charged against, and then the applicant is billed. He said it is a very difficult and cumbersome system that creates a lot of

surprises and heartburn for applicants, as they cannot be advised, at the beginning of the process, what it is going to cost them. He indicated staff spends a lot of time processing time sheets and sending out invoices, and it is often difficult to collect the fees. He said nothing in the Village code provides for suspending development rights if an applicant owes the Village money. He stated overall it is a system that many municipalities have gone away from in favor of a straight fee approach, which is what staff is proposing.

Mr. Basehart noted that Council will consider the associated proposed fee schedule on second reading of this ordinance.

Mr. Basehart stated this amendment eliminates the cost recovery system and specifies a straight fee system, with the cost of legal ads and outside consultants being additional charges for which there will be an escrow. He said they will know generally what the costs will be, as the system will allow for a fee schedule.

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

Mr. Basehart responded to Council's questions regarding the motivation behind this ordinance and the positive feedback received by the applicants.

Mr. Schofield clarified that this was an amendment to the Code of Ordinances and not the Charter.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Ordinance No. 2017-12 (Development Application Fees) as presented on first reading.

G. [17-1452](#)

RESOLUTION NO. R2017-28 (DEVELOPMENT REVIEW APPLICATION FEE SCHEDULE)

A RESOLUTION OF WELLINGTON, FLORIDA'S VILLAGE COUNCIL ADOPTING A REVISED FEE SCHEDULE FOR PLANNING AND ZONING DEVELOPMENT APPLICATIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield indicated this resolution will come back to Council on the second reading of Ordinance No. 2017-12.

H. [17-1453](#) RESOLUTION NO. R2017-29 (BUILDING DEPARTMENT FEE
SCHEDULE)

A RESOLUTION OF WELLINGTON, FLORIDA'S VILLAGE COUNCIL ADOPTING A REVISED FEE SCHEDULE FOR BUILDING PERMITTING; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield indicated this resolution will come back to Council on the second reading of Ordinance No. 2017-12.

8. **REGULAR AGENDA**

A. [17-1213](#) RESOLUTION NO. R2017-21 (PALM BEACH COUNTY SHERIFF'S
OFFICE DISTRICT 8 WELLINGTON FY2018 BUDGET AND
CONTRACT ADDENDUM)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE THIRD 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. Nubin read the resolution by title.

Mr. Schofield indicated this was the contract for the upcoming fiscal year that implements the Law Enforcement Services Plan (LESP) that they discussed earlier this evening. He stated it includes the 2% or \$176,233.00 increase for the fiscal year, which is one of the lowest rates the Sheriff's Department has given to any contract municipality. He said it also includes the addition of two deputies, a detective deputy and street team deputy, in the amount of \$275,831.00. He stated that brings the total contract to \$9,236,691.00, which is the amount that has been budgted by the Village.

Council commended the Village manager and staff for negotiating this contract down from the initial request and increase of 3%.

Mr. Schofield indicated staff was recommending approval.

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (5-0), to adopt Resolution No. R2017-21 (Palm Beach County Sheriff's Office District 8 Wellington FY2018 Budget and Contract Addendum) as

presented.

B. [17-1450](#)

APPOINTMENTS TO FILL THE VACANT BOARD AND COMMITTEE SEATS

Mr. Schofield introduced the item. He stated an Equestrian Preserve Committee vacancy and an At-Large Public Safety vacancy needed to be filled.

Vice Mayor McGovern thanked the people who have served on his behalf. He indicated he has a third opening, as Ms. Deidre Newton has resigned from the Architectural Review Board. He stated anyone interested in serving on his behalf should reach out to him.

Council discussed the applicants for the Public Safety Committee. Councilman Napoleone suggested that Ms. Cheri McBrayer fill that vacancy. Council supported that suggestion.

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), to appoint Ms. Cheri McBrayer to the Public Safety Committee.

Mayor Gerwig thanked Mr. Brad Johnson and Mr. Scott Wortman for their interest. She hoped that they will be able to serve in another capacity.

Vice Mayor McGovern indicated he will be contacting Mr. Wortman about serving on the Tree Board.

9. PUBLIC FORUM

Mr. Schofield indicated one comment card was received from the public.

1. Jeffrey Kurtz, 12012 South Shore Blvd, Wellington. Mr. Kurtz stated he represented the Pine Tree Water Control District (PTWCD). He requested that the Village Council meet with the PTWCD Board before September 30, 2017 to discuss the issue of road maintenance in the district by the Village or extend the current Interlocal Agreement for another year.

Mr. Schofield stated his recommendation yesterday was for the Pine Tree Administrator and the Village's Director of Operations to meet to see if they can come to an agreement, have that discussion with Council, and then have the Boards meet. He thought there was enough time to work that out.

Mayor Gerwig understood the Village was currently maintaining the roads for the PTWCD. Mr. Schofield stated he suspected that on September

30th the roads will be the best they have ever been.

Mayor Gerwig indicated Mr. Leland Wright had asked her as the Mayor of the Village to meet with him as the Chair of the PTWCD Board. She stated she told him she wanted to meet when they were able to make a decision together, because she did not have the authority to agree to something, and she wanted it to be very transparent. She said she did not want anyone to think anything untoward had happened. She stated she wanted to have the joint meeting, so the Village could fulfill the commitment they made previously. She did not think the Village needed to have every answer to the policy questions from staff.

Mr. Schofield stated he would like the Village's operations people to sit down with the PTWCD people to see if they can come to an agreement. He indicated a significant part of the discussion would be how it would work going forward.

Vice Mayor McGovern thought they needed to move forward with the policy discussion and then get the meeting scheduled. Mr. Schofield stated staff came away with a sense of urgency on that yesterday, as he believed that was his direction. Council agreed.

Mr. Schofield stated the sense of urgency for him was meeting with PTWCD's Executive Director and working out an agreement. He said there has to be something mutually acceptable to both parties that deals strictly with the road maintenance and not with the Interlocal Agreement they had before.

Mr. Kurtz indicated the PTWCD hired a management company and asked who at the Village they would be meeting with. Mr. Schofield stated the meeting would be with Mr. Barnes and Mr. Wagner. Mr. Kurtz said he would have the PTWCD schedule that meeting as soon as possible with the Village staff.

10. ATTORNEY'S REPORT

MS. COHEN: Ms. Cohen stated she had no report.

11. MANAGER'S REPORT

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

The next Regular Council Meeting will be held on Tuesday, September 12, 2017, at 7:00 pm in the Council Chambers.

The Village Offices will be closed on Monday, September 4, 2017, in observance of Labor Day. Information on closures of some park facilities can be found on the Village website.

12. COUNCIL REPORTS

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

She hoped everyone had a smooth start to the school year, as traffic is calming down. Mayor Gerwig stated they did receive some phone calls and e-mails during the first few days of school, but staff has been working with the schools to try make everything as smooth possible.

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

He stated it was nice to travel with Mayor Gerwig and Mr. Schofield to the League of Cities Annual Conference, as a lot of important subjects were discussed there. He thought it was good that Council moved their meeting so they could attend Palm Beach County Days and the Legislature in January, because there may be a lot of things happening in the Legislature that may require Council's attention and vigilance.

Mayor Gerwig indicated Palm Beach City Days are two weeks after Palm Beach County Days. She said she will try to attend both if possible. She thought that would be the time to lobby with their other cities for home rule.

COUNCILMAN NAPOLEONE: Councilman Napoleone stated he had no report.

COUNCILMAN DRAHOS: Councilman Drahos stated he had no report.

MAYOR GERWIG: Mayor Gerwig presented the following report:

She stated Ms. Kelly will be sending out the link to the audio recording of the marijuana symposium, as it was very good. She said it was 4½ hours and pretty comprehensive, as it was about what is being done now, what is going to be done, delivery methods, and dosing methods. She indicated the marijuana available now is 23 times stronger than what they would have seen in high school. She stated they were saying it is a different animal and there is a lot for them to think about. She said there is no real medical data on it because it has never been tested and it is a schedule 1 drug, which means it cannot be tested.

She indicated that she will not be able to attend the Safety Luncheon tomorrow where Mr. Schofield and Captain Silva will be speaking. She encouraged her fellow Council members to attend if they can, as she has a League of Cities commitment in Palm Beach Gardens. Vice Mayor McGovern, Councilwoman Siskind and Councilman Napoleone stated they planned to attend the Safety Luncheon.

She asked Ms. Cohen to draft a letter to Ms. Susan Haynie, Mayor of Boca Raton, from the Village Council to congratulate her on the Palm Beach County League of Cities programming that supported her mantra of Safe Cities, Safe Florida.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 9:57 PM.