

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Monday, August 21, 2017

4:30 PM

Village Hall - Conference Rooms 1E & 1F

Village Council Workshop

*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 4:00 p.m.

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

Advisors to Council: Paul Schofield, Manager; Laurie Cohen, Esq., Attorney; Jim Barnes, Assistant Manager; and Chevelle D. Nubin, Village Clerk.

2. PLEDGE OF ALLEGIANCE

Mayor Gerwig led the Pledge of Allegiance.

3. [17-1372](#) EMPLOYEE OF THE MONTH FOR THE MONTH OF AUGUST, 2017

This item was heard after Agenda Item 17-1395 Resolution No. R2017-43 Palm Beach County Sherriff's Office Village of Wellington Law Enforcement Services Plan (LESP) for FY18.

4. REVIEW OF COUNCIL AGENDA**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 this item. This item a presentation recognizing Chevelle D. Nubin, MMC for her service as President of the Florida Association of City Clerks for the 2016-2017 term.

There were no changes recommended.

- 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 this item. This item is for approval of the Palm Beach County Sheriff's Office Village of Wellington Law Enforcement Services plan (LESP) for FY2018.

There were no changes recommended.

At this point Mr. Schofield introduced the Employee Of The Month For The Month Of August 2017. This item is for the recognition of the August 2017 Employee of the Month, Christopher O'Connor.

Ms. Michelle Garvey introduced Mr. O'Connor. She provided an overview of Mr. O'Connor's history, service and outstanding work he provides and indicated he is a very dedicated employee. She noted Mr. O'Connor started with the Village in September 2014 as a customer service representative in the Parks and Recreation Department and was promoted to Program Coordinator in July 2016. She indicated over the past year the community programs increased to over 50 offerings due to his implementation of a wide range of educational, fitness, meditation, art and music programs along with a relentless pursuit to offer the very best programming and stellar customer service. She noted Mr. O'Connor is a true gift to the Village of Wellington and the residents.

At this point, Council congratulated Mr. O'Connor for being the Employee of the Month.

There were no changes recommended.

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

Mr. Schofield introduced this item. This item is for Authorization to renew existing contracts with multiple vendors for the purchase and delivery of fertilizers, herbicides, insecticides, fungicides and other specialty items in the amount of approximately \$206,500 annually.

There were no changes recommended.

D. [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

Mr. Schofield introduced this item. This item is 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.

Mr. De La Vega noted the renewal is a three year renewal at a cost of \$165,900 for the entire period. He explained the cost is a decrease from the past three year contract.

Mr. Silliman explained the service works with all of the Village departments and ties in with the three data services currently being used.

Vice Mayor McGovern asked if the Village has an existing ERP consultant. Mr. Schofield replied affirmatively and said the consultant assists with the selection and this consultant will assist with the very specific language needed to tie into Flipside, Tyler, and Sungard systems. He noted the contract is less costly than hiring the person as an employee for three years at \$75,000 per year.

Councilman Drahos asked if Flipside takes longer than one year will the Village have to pay additional fees. Mr. Silliman explained in the past Flipside has always delivered on time. Mr. De La Vega noted that Flipside charges an hourly rate and the Village only pays for the time allotted for service at a cost not to exceed \$80,000 or less as needed only.

There were no changes recommended.

E. [17-1232](#)

AUTHORIZATION TO AWARD A SOLE SOURCE CONTRACT FOR THE PURCHASE OF BADGER WATER METERS AND COMPONENTS

Mr. Schofield introduced this item. This item is for the authorization to award a sole contract to Innovative Metering Solutions, Inc. for the purchase of Badger water meters and components in a amount not to exceed \$200,000 in Fiscal Year 2018.

Ms. LaRocque said the meters are for standard replacements and for new services which will include the Village Royale. She explained all developers pay connection fees to the utility but the Village owns the meters.

There were no changes recommended.

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

Mr. Schofield introduced this item. This item is for the authorization to enter into an agreement for support and maintenance of the Village's IVR system with Selectron Technologies, Inc. at a cost of \$31,245.

Mr. Silliman noted the agreement is for the annual maintenance and support of the Village's IVR system.

Mayor Gerwig asked for the response time for outages with past utility online payment problems. Mr. Silliman explained the online portion of the outage is not handled by this firm. Selectron Technologies handles the systems that work with the telephone equipment that integrates with Sungard. He noted working for the Village Selectron Technologies has been very reputable and works very rapidly.

Vice Mayor McGovern asked for a cost comparison from last year. Mr. Silliman and Mr. De La Vega said they would provide the information to Council.

Mr. Schofield noted there has not been any outstanding IVR outages. Mr. Tomasik noted several short outages occurred during the upgrading or a scheduled maintenance of the system which is not done during business hours. Mr. Schofield said the Building Department uses the IVR system 24 hours a day to schedule inspections.

There were no changes recommended.

G. [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**

Mr. Schofield introduced this item. This item is for the 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 at a cost of \$42,548.10.

Mayor Gerwig asked if the system enables the Village to reply quickly to PIRs. Mr. Schofield indicated the system is used to manage the Village's records and the current contract amount is \$5,000 less than last year's contract.

There were no changes recommended.

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

Mr. Schofield introduced this item. This item is for the authorization to enter into an agreement with Crom Coatings and Restoration for multiple above ground storage tank repairs in the amount of \$69,071.00.

Ms. LaRocque explained Florida Statutes require public water systems to inspect water storage tanks every 5 years and forward the inspection results to the Palm Beach County Health Department. After the inspections were performed, the results noted that minor repairs to 4 tanks are needed which includes: hatches, ladders, water barriers and level indicators.

Councilman Drahos asked if the amount of \$69,071.00 is an estimate for the work to be done. Ms. LaRocque stated the amount is the quoted amount from Crom.

Vice Mayor McGovern asked when will the tanks be inspected again. Ms. LaRocque said the next inspection will be done in 5 years.

There were no changes recommended.

I. [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.

Mr. Schofield introduced this item. This item is for the approval of Resolution No. R2017-27 accepting and approving the Isla Verde of Wellington Commercial Replat.

Councilman Napoleone asked if the applicant asked for this to be done. He asked staff to indicate where on the map the replatting will occur.

Mr. Schofield noted the area is located along Tract C and Tract D on page 168 of the agenda packet.

Councilman Drahos asked if the agenda item needed to be noticed and go through PZB. Mr. Schofield said the item is ministerial and does not change the site plan or configuration in anyway. The request is to subdivide the commercial portion of the Isla Verde project.

Vice Mayor McGovern said the purpose of the replatting is to convey each building separately. Mr. Schofield replied affirmatively.

Vice Mayor McGovern asked staff to provide Council with a diagram that conveys the location, land and the building involved. Mr. Barnes said he will have staff provide a diagram that provides a better view of the area before tomorrow night's meeting.

At this point, Mr. Barnes noted Selectron Technologies budgeted amount from last year was \$30,335.00 and the current year's contract is for \$31,245.00.

There were no changes recommended.

J. [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.

Mr. Schofield introduced this item. This item is for Council's approval of
Resolution No. R2017-42 approving the Regular Council Meeting Schedule for
FY2017/2018.

Mayor Gerwig said she felt that moving the December 12, 2017 meeting date
that conflicts with Hanukkah to December 11th is acceptable.

Council agreed to hold the council meeting on Monday, December 11, 2017.

Council agreed to change the January 9, 2018 meeting date that conflicts with
Palm Beach County Days to Monday, January 8, 2018.

Mayor Gerwig recommended moving the September 11, 2018 meeting that
conflicts with Rosh Hashanah to Tuesday, September 12, 2018. Mr. Schofield
noted before Council commits to the September 12th date he explained that
the Village cannot hold meetings on the same date as Palm Beach County or
Palm Beach County School District adoption hearings are held. Ms. Nubin said
she will check further and provide Council with additional dates.

Mr. Barnes reminded Council that a 9/11 remembrance ceremony was usually
held in the past. Mr. Schofield said the sunset time is at 7:34 p.m. on
September 11, 2018.

Mayor Gerwig said the 9/11 observance could begin at 8:00 p.m. so no one will
feel excluded.

Councilman Napoleone said that another date for the council meeting will be
needed.

Staff took note of the Council's requests.

K. [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.

Mr. Schofield introduced this item. This item is for the approval of Resolution No. R2017-41 approving the Annual Listing of Proclamations for FY 2017/2018.

Mayor Gerwig asked Mr. Barnes for an update regarding the colored lighting for the clock tower. Mr. Barnes noted all the requests for the lights have been fulfilled and staff is looking at systems that are automated and easier to implement.

Mayor Gerwig said National Alzheimer's month is not on the list. Mr. Schofield said that National Alzheimer's month is in November. She noted the colors for National Epilepsy Month and National Alzheimer's Month are the same and the Village can observe both entities during the same month. Mr. Schofield said he will have staff add this to the list.

L. [17-1443](#) ORDINANCE NO. 2017-09 (DRIVE-THRU ZONING TEXT
AMENDMENT [ZTA])

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING SECTION 6.5.19.I.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 this item. This item is for the approval of Ordinance No. 2017-09 Drive-Thru Zoning Text Amendment to amend Section 6.5.19.I.4.c. of Wellington's LDRs by providing alternative design standards for drive-thru windows and lanes when facing a right-of-way and eliminating the restriction of only one (1) drive-thru-facility per business.

Mr. Basehart said this is the second reading and there have not been any changes since first reading. The change is to allow a more flexible design to the outparcel areas. He noted PZAB recommended the approval of the change and staff has not received any citizen input regarding the change.

Vice Mayor McGovern noted all conditional use changes have to come back to Council for approval. Mr. Basehart replied affirmatively and stated the changes will go through PZAB also.

Mayor Gerwig said if the public wanted to comment on the agenda item or on any of the consent agenda items. she urged them to come to the meeting.

There were no changes recommended.

M. [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 this item. This item is for the approval of Ordinance No. 2017-13 on Second Reading amending the date of the qualifying period for Wellington's 2018 Municipal Election.

Ms. Nubin said staff checked with other municipalities in order to obtain their date ranges for the qualifying period as per Council's request. She noted; Haverhill is the only municipality that has made a permanent change to December 5th through December 19th; Belle Glade is elected to have one week of qualifying: November 15th through November 22nd. She noted they are closed on Friday and during the Thanksgiving holiday which will allow for only 4 days; Riviera Beach's is November 22nd through December 13th; Lake Worth's is November 29th through December 13th; West Palm Beach's is December 27th through January 10th; Boca Raton's is the first week in January; Royal Palm Beach's is the first week in January; Lantana and Jupiter are both selecting January 2nd through January 16th. She said Jupiter has made the dates of January 2nd through January 16th as a permanent change; Greenacres has a council meeting with their charter review committee on September 18th to set their dates and they currently do not have any proposed dates; Boynton Beach is not having an election in 2018.

Ms. Nubin said if Council wants staff to review or propose new dates she would do so because there was enough time.

Ms. Cohen said Ms. Butcher's concern is to have everything done prior to the ballots being printed and mailed out overseas and the absentee ballots. She indicated Council can still change the dates on second reading since the ordinance's title will not change and the amended advertisement will need to go out and be brought back to Council for another reading. Ms. Nubin explained the Village Charter calls for 2 weeks.

Councilwoman Siskind said she is fine with the dates that staff proposed.

Councilman Napoleone said he is fine with the dates that staff proposed.

Mayor Gerwig said she would like staff to find out what the actual window of time is needed by the Supervisor of Elections in order to plan ahead. She understood legally the Village can move forward with the dates that staff proposed but in the future she would like to have dates that are closer as per the Village's Charter without causing grief.

Vice Mayor McGovern said after staff provides the needed time, then Council will be able to consider permanent dates.

Mayor Gerwig asked if Council selects permanent dates will the charter have to be changed. Ms. Cohen said the charter will not have to be changed but the change must be done by ordinance. Mayor Gerwig said she would like to

maintain the same amount of days for the qualifying period as they currently have.

N. [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 this item. This item is for the adoption of Ordinance No. 2017-14 adopting new Flood Damage Prevention provisions. Staff recommends approval to repeal the current language contained within Chapter 18, Article III "Flood Damage Prevention", Sections 18-40 through 18-55 Wellington Code of Ordinances in its entirety and insert the attached language currently titled: "Flood Damage Prevention".

Mr. Tomasik noted a portion of the ordinance includes a new floodplain in order to maintain mandatory compliance with the National Flood Insurance Program and approved by the Florida Department of Emergency Management and will be effective October 5, 2017. He referred Council to the map on the screen and noted that 2,500 homes or structures as being in the blue section or flood zone. After FEMA's and Village appeals the amount has been reduced to 125 homes or structures currently located in a flood zone. He explained the purpose of the ordinance, flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety and general welfare and to minimize public, and private losses due to flooding through regulation of development in flood hazard areas. The cost of flood insurance for the residents will reduce due to the ratings.

Mr. Tomasik noted a significant change has been made to Section 18-62 regarding permit requirements and any resident that is located within the flood area must obtain a building or land development permit in order to comply with the ordinance.

Mayor Gerwig asked if the farm structure exists but does not have a floor will they still need a permit. Mr. Tomasik said the idea is to protect the structure and the equipment but if there is a floor the owner must comply. He reiterated that the ordinance was not created by the Village. It was created by FEMA and the State of Florida.

Mr. Schofield said if the Village fails to adopt the ordinance, then the State of Florida version becomes what is harbored. The Village is entitled to make certain amendments in the administrative sections only and stated that the Village does not have an option in adopting the ordinance.

Mayor Gerwig said the maps were being revised nationwide during the current

year. Mr. Tomasik replied affirmatively and said the last revision was done in the 1980's.

Mr. Schofield explained the reason for redoing the FEMA flood maps, the rate maps are used as insurance rate maps which establish new premiums that cover the cost of flood damage that the federal government pays out. He noted he is looking forward to having a council workshop in the near future to discuss the flood maps in Florida and within the country. Mr. Tomasik noted the grade that the Village has will reduce the flood insurance policy premium by 25% and continued with the presentation.

Mr. Tomasik noted another section that is interesting: 1) Section 18-103 Limitations on placement of fill which prohibits. The ordinance does not allow for the placement of fill on the property that is smaller than 1 acre; and Section 3. Technical Amendments to the Florida Building Codes regarding 1 foot free board or stem wall construction.

Mayor Gerwig said there have been numerous complaints in the Sugar Pond Manor and the updated information will help those problems. Mr. Tomasik said this will help tremendously and will ultimately help the neighbors from new construction effecting them. Mayor Gerwig said stem wall construction is more expensive. Mr. Tomasik said the cost is the same but the construction is done differently; the footer is constructed first and then the wall is constructed on top of the footer. The fill will go inside the foundation walls. Mayor Gerwig said the owner will have more benefits especially since you will not harm the neighboring trees. She asked Mr. Tomasik to provide Council with a rough estimate of the difference in price to use the technique. Mr. Tomasik said he will contact some builders to obtain the price difference.

Councilman Drahos asked how will the property owners be notified of the change in the flood map, is it the Village's obligation. Mr. Schofield said they will be alerted when they apply for a building permit. Councilman Drahos said he can see many residential zones on the map that are affected the property owners should receive a notice. Mr. Schofield said that FEMA does not send out notices. Mr. Drahos asked if the Village has exhausted all of the appeals for the homes that are still considered as being in a flood zone. Mr. Schofield said all the appeals are exhausted and there are no more opportunities. The appeal process has taken 2 years.

Councilman Drahos asked if he wanted to install a pool would he have to adhere to the current code. Mr. Tomasik said no, the new code is only for significant improvements to the residence. He explained that the flood zone map is be located on the Village's website and anyone can access it. At this point he indicated how to view the flood map and explained the different layers to Council.

Mr. Barnes said that all parking lots are designed to hold water.

Mr. Tomasik said part of the program is to answer resident questions regarding the flood zones and advise them the flood determination of their property.

At this point, Councilman Drahos said he had to leave the meeting.

There were no changes recommended.

O. [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 this item. This item is for the approval of Ordinance No. 2017-11 to repeal and replace Article 5 - Development Review Procedures of the Land Development Regulations.

Mr. Basehart said staff is undergoing a complete re-write of the Land Development Regulations and the end product will be shorter, clearer, simpler and more transparent. He noted that PZAB and the Equestrian Committee support the changes.

Mr. Schofield indicated the applicants will have the opportunity to meet with staff, provide comments during the meeting which will be televised. The goal is to remain consistent with the Sunshine Law in regards to public meetings.

Mayor Gerwig asked is this the same procedure that the county uses. Mr. Basehart replied affirmatively. Ms. Cramer explained that staff does not make any independent decisions. Staff's role is to ensure that the applications are reviewed administratively, are in compliance with the code and conditions are added to further the intent of the code. She noted anything that requires a formal approval will still go through the public hearing process and everything will continue to function as it currently is being handled. She explained a single person in the Planning and Zoning Department will compile the department comments and will manage the project which is what is being done currently. Mr. Basehart noted the procedure entails making the application ready to enter the public hearing process and be reviewed by PZAB.

Mayor Gerwig asked if DM means Developmental Review Manager. Mr. Basehart replied affirmatively.

Ms. Cramer said another layer of appeal was added so when the DRC does not exist, if an applicant is not in favor of the decision made by the DM, they will be able to appeal to the Planning and Zoning Director before the application goes through a formal appeal through the PZAB.

Mayor Gerwig asked if the PZAB Director is ever going to be the DM. Mr. Basehart said that could happen at times. Mayor Gerwig asked if that would create a situation with the appeal process. Mr. Basehart said no not really because any decision that he makes is done to the PZAB.

Vice Mayor McGovern said the applicant will have 2 chances to appeal. Ms. Cramer replied affirmatively and explained most of the time Mr. Basehart will be the DM for anything that is staff or Village initiated so technically we are not going to appeal to ourselves. Mr. Basehart said in that case the appeal will fall on Ms. Cramer or an assigned project manager but not the PZB Director.

Ms. Cohen said the ordinance has been reviewed by her office and the appropriate revisions were made.

Mr. Schofield noted his direction to staff was to take the code that is difficult to understand and write it in a way that anyone that picks it up can read and understand it. The document was provided to laymen and staff asked them after they read it if they understood the information and they understood. The old code was 80 pages long and with the revised code now is 14 pages long. He noted the people, entry level planners, and the committee members understand the language. All of the procedures are there, they are clear, simple and understandable and that is the intention of the entirety of this code and to do the same with the Development Review Manual. Several years ago, the departments had little booklets that included the standards being applied and he noted that the Village will not apply any standard to anyone that is not published on the Village's website. If the applicant is not able to read the standards before coming into Village Hall, staff will not use that standard.

Mayor Gerwig said the Land Development Code will need to be codified with a memo to be enforceable. Ms. Cohen said Mr. Schofield was referring to department manuals.

Mr. Schofield said he does not want any of the applicants to be surprised when they submit an application.

Ms. Cohen said the department manuals should be approved by resolution.

Vice Mayor McGovern asked for the reason the agenda item is on the current agenda when it was listed to be on a future agenda. Mr. Schofield said when he left to go on vacation the item was not on the agenda but the item was advertised for this agenda and added Wednesday morning. Mr. Basehart said he will take the blame for placing the items on the agenda.

Mayor Gerwig said if Council feels that the items should not be on the agenda they can be postponed. Ms. Cohen said the agenda items can be postponed to a date certain. Legal reviewed the entire item and has approved it.

Mayor Gerwig said this was the first reading. Mr. Schofield replied affirmatively.

Ms. Cohen said the manual does not become effective until Council adopts the second reading of the ordinance. Time will be allotted for review or go back to the second reading for revisions.

Mayor Gerwig said certain details will be in the manual. Mr. Schofield replied affirmatively. Ms. Cramer said there is nothing in this manual that does not exist today, staff just changed the housing and reorganized it in a manner that is better suited, more user friendly and houses the fee schedules or typical details such as parking space, dumpster, landscape cross section details. She

indicated the current manual is a work in progress and only addresses the items out of Article 5 and the check list from the applications that currently exist.

Mr. Schofield said Article 8 will not be seen in the manual for a while but the civil and utility engineering standards which currently are being worked on. In the future, information regarding horse hair interceptors and road curbing will be available but will not be published in the current manual.

Mr. Basehart said the current manual before Council will identify every zoning related application and will provide the types: 1) Type A; 2) Type B; and 3) Type C which depends on the process they will go through. He indicated the manual includes: 1) flow charts of the process for each type of application; 2) what the applicant has to submit; 3) application requirements; 4) review standards which include the things that will be reviewed by staff and Council in deciding if the application will be approved; and 5) revised fee schedule.

Mayor Gerwig said there are blank areas on page 229 of 346. Ms. Cohen said it will be completed by staff. Ms. Cramer said she will make the revision and explained that staff fills in the information after the PZB meeting depending on the results.

At this point, Councilman Napoleone stated he needed to leave the meeting due to the need of picking up his child from school.

There were no changes recommended.

P. [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 introduced this item. This item is for the approval of Resolution No. R2017-40 to adopt the Development Review Manual.

This item was heard with Ordinance No. 2017-11 Development Review Procedures.

Q. [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 this item. This item is for the approval of Ordinance 2017-12, an amendment to the Code of Ordinance repealing Chapter 2, Article VII, Section 2-361 "Cost Recovery" and replacing within "Development Application Fee.

Mr. Schofield said that the agenda item was included in a Council Workshop. Staff wants to provide a practical and predictable flat application fee schedule.

Mr. Basehart said that staff has analyzed the cost to process each type of application by reviewing staff's time in processing over a 4 to 5 year period. Staff believes the final costs will allow the Village to process the applications with a fair fee that ends up covering the cost of the application and not supported by taxpayers. The Charter notes that the Village residents should not pay for the cost of development and felt the fee schedule will be open, efficient and better for everyone, to include the applicants and the Village.

Mr. Schofield said there will be 2 readings for the ordinance. He said the next agenda item; Resolution No. R2017-28 is the actual fee schedule to be adopted by resolution. He indicated the fee schedule does not have to be heard tomorrow night.

Vice Mayor McGovern said the manual and the fee schedule should be moved to the agenda where Council passes the final forms at second reading. Mr. Schofield replied affirmatively. Ms. Cramer said the manual will not get executed until the ordinances are passed on second reading. Mr. Schofield suggested postponing the 2 fee schedules which includes Resolution No. R2017-29 Building Department Fee Schedule and the development manual until the governing ordinances have passed and have been adopted.

Vice Mayor McGovern agreed with Mr. Schofield's suggestion.

Council agreed to postpone Resolution No. R2017-40 (Development Review Manual), Resolution No. R2017-28 (Development Review Application Fee Schedule) and Resolution No. R2017-29 (Building Department Fee Schedule) to time certain second reading.

**R. [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 introduced this item. This item is for approval of Resolution No. R2017-28 (Development Review Application Fee Schedule).

This agenda item was heard with Ordinance No. 2017-12.

**S. [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 introduced this item. This item is for approval of Resolution No. R2017-29 (Building Department Application Fee Schedule).

This agenda item was heard with Ordinance No. 2017-12.

T. [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 this item. This item is for approval of Resolution No. R2017-21 for the Palm Beach County Sheriff's Office District 8 Wellington FY2018 Budget and Contract Addendum.

Mr. Schofield said the addendum reflects a 2% increase in the cost which is \$176,233.00 and the recommendation of 1 deputy and 1 detective for an increase of \$275,831.00. The additional cost brings the total revised annual contract to \$9,263,691.00. He said initially the increase was a 3% increase and was reduced to the 2% increase which is the lowest rate within the county and is under the government inflation rate.

Vice Mayor McGovern asked for the plan for the new deputy. Mr. Schofield said one is a detective and the other will be doing community policing or the street team in order to identify special needs.

Mayor Gerwig said the public will be very pleased with the additional law enforcement.

There were no changes recommended.

U. [17-1450](#) APPOINTMENTS TO FILL THE VACANT BOARD AND COMMITTEE SEATS

Mr. Schofield introduced this item. This item is for the naming of appointments to fill vacant seats on the Equestrian Preserve Committee, Public Safety Committee and Tree Board.

Vice Mayor McGovern said he can add to the list of names and he has an appointment to the Architectural Board because his previous appointment has moved out of the Village. He said he spoke to former Chief Arena who declined the appointment to the Public Safety Committee.

Mayor Gerwig asked staff to make sure Council receives all the applications for tomorrow night's Council meeting.

Vice Mayor McGovern said he thought there was another applicant for the Public Safety Committee. Ms. Nubin said there are 3 applicants for the Public Safety Committee: 1) Brad Johnson; 2) Cheri McBrayer; and 3) Scott Wortman who is a new applicant as of August 17th and this an at large appointment that will have to approved by Council as a whole.

There were no changes recommended.

5. WORKSHOP

None.

6. ATTORNEY'S COMMENTS

None.

7. MANAGER COMMENTS

None.

8. COUNCIL COMMENTS

Mayor Gerwig said Council had agreed to meet with Pine Tree and the new Pine Tree Board is in place and asked if Council can come to an agreement on a date to meet with them. Mr. Schofield suggested having a policy evaluation on the road maintenance before meeting with them but the evaluation has not been completed. He wanted the Village to meet with their administrator to find out what they want and then schedule the date.

Vice Mayor McGovern said he agrees with Mayor Gerwig regarding staff proceeding and following through with the request.

Ms Cohen said she felt that Pine Tree's hope was that the meeting would be before the end of September. Mayor Gerwig said the meeting needed to be expedited in order for them to make plans and Council to have clear discussions. Everyone has discussed the issues and the repercussions and she felt currently the Village did not stick to true policy to set everything up. She said she felt the Village owes them a public airing but everything must be in order before so that we have a clear legal opinion. She noted that the Village cannot create a circumstance for one subdivision and not for the other. We have been presented with their desire of the dedications needed due to the collection of the gas taxes. She noted the Village needs to be very clear and very open in order not to receive a large amount of backlash about misunderstanding things in the future because they are Village of Wellington residents.

At this point, Mr. Barnes referred Council to the monitors which indicated the Isla Verde Commercial Replat location diagram. He noted: 1) Tract B is the CVS; 2) Tract C is the HCSB Bank; 3) Tract D is the inline retail food location that holds Anthony's Coal Fire Pizza and Panda Express; and 4) Tract A is the rest of the inline retail stores; Sports Authority, Best Buy.

Vice Mayor McGovern asked if the entire area is currently considered one parcel. Mr. Barnes replied affirmatively and explained Tracts B, C and D are not separated out.

9. ADJOURN

There being no further business for Village Council to discuss, the meeting was adjourned at 5:53 p.m.