

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Monday, September 12, 2016

4:00 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. Council members present: Anne Gerwig, Mayor; John McGovern, Vice Mayor; Michael Drahos, Councilman; Michael Napoleone, Councilman; Tanya Siskind, Councilwoman.

2. PLEDGE OF ALLEGIANCE

Mayor Gerwig led the Pledge of Allegiance.

3. REVIEW OF COUNCIL AGENDA

Paul Schofield, Village Manager presented the Agenda for the September 13, 2016 Council Meeting for discussion and review.

A. [16-0277](#)**PRESENTATION OF 2016 WELLINGTON TOP COP AND TOP FIREFIGHTER AWARDS**

Mr. Schofield introduced this item. This item is a presentation and the approval of the Public Safety Committee recommendations for the 2016 Wellington Top Cop and Top Firefighter.

Mr. Schofield indicated the Public Safety Committee selected Detective David Murray for Top Cop and Lieutenant Sebastian Garay for Top Firefighter.

There were no changes recommended.

B. [16-0390](#)**MINUTES OF THE REGULAR WELLINGTON VILLAGE COUNCIL MEETING OF AUGUST 9, 2016**

Mr. Schofield introduced this item. This item is for the approval of the Minutes of the Regular Wellington Village Council Meeting of August 9, 2016.

There were no changes recommended.

C. [15-1013](#)**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 the authorization to renew existing contracts with multiple vendors for the purchase and delivery of fertilizers, herbicides, insecticides and other specialty items in the amount of approximately \$145,000 annually.

Mr. Schofield mentioned staff has received many questions regarding the mosquito spraying. He stated only approved chemicals were being used and the Village was consistent with Palm Beach County in using a larvicide in the swales. He explained the product is applied at mid range, as recommended by the manufacturer, and staff adheres to the schedule published on the website. Mr. Schofield noted that staff turns off the spray off when people are present and staff does not continue spraying until the people are approximately 100 feet away. Staff commences spraying after 10:00 p.m. and stops spraying

during the early morning hours.

Councilman Napoleone mentioned Council has received emails asking for the chemicals used in the spray and asked if they were listed on the website, especially after the article that ran in the Palm Beach Post.

Both Mr. Barnes and Mr. Schofield stated the list of chemicals and the safety sheet would be added to the website.

There were no changes recommended.

D. [15-1029](#)

AUTHORIZATION TO RENEW THE CONTRACT TO PROVIDE GENERAL LIABILITY, PROPERTY, CASUALTY AND WORKERS' COMPENSATION INSURANCE

Mr. Schofield introduced this item. This item is for the authorization to renew the contract to provide general liability, property, casualty, and workers' compensation insurance with the Florida Municipal Insurance Trust (Florida League of Cities) at an estimated net annual cost of \$732,634.

Ms. Quickel indicated the agent was not present and was running late and asked Council if they would like to readdress the agenda item when the agent arrives. Council agreed was to address this item when the agent arrived.

After Council discussed Ordinance No. 2016-21 Fiscal Year 2016/2017 Capital Improvement Element Update agenda item, Mr. Gehring from The Gehring Group was introduced by Ms. Quickel.

Mayor Gewig asked why there was a 3.9% increase from the FY2016 premium. Mr. Gehring explained a large portion of the increase was due to the property assessments to the Wellington Community Center along with additional coverages that were added. He further explained the increase to the payroll amount increased the Workers' Compensation as well as the various liabilities and coverages.

Mayor Gerwig asked if a policy change was made due to the Ethics comment. Mr. Gehring indicated the extra contractual legal expense remained the same as the prior year, which was \$100,000, and 50% of the limit was not capped at \$5,000 per event. He noted one person could drain the entire amount but not having a cap, was an enhancement to the policy.

Ms. Cohen stated the legal coverage was different from prior years; \$100,000 cap with 100% up to \$25,000 per claim. Mr. Gehring explained the 50% option was in order for the Village to select any defense and payment would be granted up to 50% of that amount. Ms. Cohen said that all of the Board and Committees would first be covered under the policy if not covered by the insurance policy and the Village's ethics policy for reimbursement.

Vice Mayor McGovern thought comparisons from other carriers were provided to Council during the past year and asked if an automatic renewal was being accepted. Mr. Gehring explained in the past they went out into the market to obtain better pricing for the Village. But if they continue to do that, it would create an adverse affect, as the carriers would stop providing proposals. He mentioned during the current year they saw favorable trends within the market and noticed the reduction of premium savings and took advantage of the decreases.

Ms. Quickel referred to the chart on page 65 and to Coverage Type; Property 2015-2016. She noted the premium amount was \$361,222 and the current year's was \$363,166 which included the addition of the new Community Center. She indicated an appraisal of the entire Village and facilities was done and it provided a significant savings. Mr. De La Vega mentioned the premium for the Wellington Community Center alone was \$16,000.

Mr. Schofield stated he received a call from a representative of another company asking why the Village was not opting to bid for the coverage. He provided the caller with the quoted amount, who then understood their company would not be able to match the amount.

Mr. Gehring indicated Council would be approving the amount of \$784,025. He said he would be present at the following night's meeting to answer additional questions.

There were no changes recommended.

E. [16-0369](#)

AUTHORIZATION TO AWARD A CONTRACT FOR ENTERPRISE RESOURCE PLANNING (ERP) CONSULTING SERVICES

Mr. Schofield introduced this item. This item is for the authorization to award a contract for Enterprise Resource Planning (ERP) Consulting Services.

There were no changes recommended.

F. [16-0411](#)

RESOLUTION NO. R2016-64 (MID-YEAR BUDGET AMENDMENT TO INCREASE THE BUDGET FOR ACTUAL IMPACT FEE RECEIPTS AND ASSIGN THE INCREASE TO FUND RESERVES)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE RECREATION IMPACT FUND AND ROAD IMPACT FUND FOR INCREASED IMPACT FEE REVENUES AND TO INCREASE ASSIGNED FUND BALANCES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced this item. This item is for the approval of Resolution No. R2016-64 for mid-year budget amendment to increase impact fees revenues and reserves in the Recreation Impact Fees and Road Impact Fees Capital Funds.

There were no changes recommended.

G. [16-0379](#)

FIRST PUBLIC HEARING FOR PROPOSED FISCAL YEAR 2016/2017 BUDGET AND ADOPTION OF THE FY 2016/2017 CAPITAL IMPROVEMENT PLAN

Mr. Schofield introduced this item. This item is for Council's approval of the proposed fiscal year 2016/2017 operating and capital budget including balances brought forward and restoration of the Emergency Reserve fund to \$3 million. This is the first Public Hearing on the proposed budget and the corresponding ad valorem millage rate in accordance with the Wellington Charter and FS Chapter 200.065. The second Public Hearing and adoption will

be held on September 27, 2016.

Ms. Quickel indicated a full presentation would be provided at the following night's council meeting.

Mayor Gerwig suggested discussing the five day work week and how it was included in the budget. Ms. Quickel explained the budget included Monday, Tuesday, Thursday and Friday with work hours of 8:00 a.m. to 5:00 p.m. and Wednesday with extended work hours of 7:00 a.m. to 6:00 p.m. She said the new hours would start effective the first of the calendar year and all staffing changes were included.

Councilman Napoloene asked about the new roof for the Wellington Professional Centre. Ms. Quickel indicated the new roof was approved at the August 9th meeting and part of one of the enterprise funds. She said it would return to Council for approval when staff was ready to move forward with the project.

Vice Mayor McGovern thought having extended hours on Wednesday along with being open 5 days was a good compromise.

Mayor Gerwig stated Council was not directing staff on how to schedule the employees, as her goal was to provide the services in the most effective manner for the Village. Mr. Schofield indicated staff was always looking for opportunities to educate the public, being that the Council Manager form of government sets the policy. He explained the policy was to set the amount of days and hours that Village offices would be open. Within that framework, the management staff and himself would determine which departments would need to be open. He noted, only the departments would be changing to a five day work week, or business functions would be within Village Hall. As most of the field operations would stay on a four day work week because that schedule is more efficient for the Village.

Ms. Quickel indicated \$200,000 was included in the budget to a five day work week.

Vice Mayor McGovern asked where the funding for the five day work week was located in the budget. Ms. Quickel explained the amount was divided among multiple departments, additional staffing and operational expenditures, as there was not an additional line item for the entire amount.

Mr. Schofield explained the cost of having one extended day during the five day work week was less costly than having extended hours for all the days of the week, including Friday. He indicated additional staff and overtime would be needed since many staff members would need to stay after 5:00 p.m. He stated staff would provide a breakdown of the cost to Council.

Councilman Napoleone understood the cost for one day of extended hours was \$200,000, but if they were to go to a five day work week, the total amount would be \$500,000. Ms. Quickel replied affirmatively.

Mayor Gerwig indicated she did not support having six weeks of family leave included in the budget. Ms. Quickel said the estimated amount allotted was \$30,000 and was included in the budget.

There were no changes recommended.

At this point in the meeting, Mr. Gehring was introduced.

H. [16-0375](#)

ORDINANCE NO. 2016-21 (FISCAL YEAR 2016/2017 CAPITAL IMPROVEMENT ELEMENT UPDATE)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, UPDATING THE WELLINGTON COMPREHENSIVE PLAN BY INCORPORATING THE ANNUAL REVIEW AND REVISIONS TO THE CAPITAL IMPROVEMENTS ELEMENT TO REFLECT THE 2016/2017 THROUGH 2021/2022 FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR LEVEL OF SERVICE PROJECTS; AND UPDATING THE SCHOOL DISTRICT OF PALM BEACH COUNTY CAPITAL IMPROVEMENT SCHEDULE; PROVIDING FOR CONFLICT AND SEVERABILITY; AUTHORIZING THE MANAGER TO UPDATE THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Schofield introduced this item. This item is for the approval on First Reading Ordinance No. 2016-21 updating the Capital Improvement Element (CIE) Schedule for Level of Service Improvements for Fiscal Years 2016/2017 to 2021/2022 (Table CIE 1) and the School District of Palm Beach County Capital Improvement Schedule (Table CIE 2) located in the Capital Improvement Element of Wellington's Comprehensive Plan.

Mayor Gerwig asked if the the two turn lanes for Barberry and Wiltshire were part of the schedule. Mr. Schofield said both turn lanes were listed in the Capital budget.

At this point, a copy of the Fiscal Year 2016-2017 Proposed Budget Overview - Version 2, August 29, 2016 was distributed to Council. Ms. Quickel referred to page 19; Turn Lanes & Traffic Engineering; and explained that \$1,000,000 was dedicated for the turn lanes and drainage for Big Blue/Barberry and Big Blue/Wiltshire intersections as well as extending the turn lane at Pierson and South Shore.

Mayor Gerwig asked if some of the expenses would be recovered under the Acme drainage expenses. Ms. Quickel indicated the following night's presentation would include the carry forward amounts for the turn lanes.

Ms. Barnes noted that pages 88 through 90, as mentioned earlier, were for the School District Budget, which by statute must be included with the Village's Capital Improvement Element (CIE). He said page 86 includes the Village's Level of Service projects.

There were no changes recommended.

I. [16-0372](#)

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

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL

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

Mr. Schofield introduced the item. This item is for the approval of Ordinance No. 2016-20, a Zoning Text Amendment to 6.10.6 - Table B of Wellington's Land Development Regulations related to building height limitations.

There were no changes recommended.

J. [16-0323](#)

RESOLUTION NO. R2016-46 (THE EQUESTRIAN CLUB PUD – TRACT J-1)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A MASTER PLAN AMENDMENT (PETITION NUMBER 16-64 / 2016-26 MPA 7) FOR CERTAIN PROPERTY KNOWN AS THE EQUESTRIAN CLUB PUD; CONSISTING OF APPROXIMATELY 149.79 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF 120TH AVENUE AND ON THE NORTH SIDE OF LAKE WORTH ROAD, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO MODIFY THE DESIGNATION OF THE 5.1 ACRE PARCEL KNOWN AS TRACT J-1 FROM A COMMUNITY EQUESTRIAN WORKOUT AREA TO ONE (1) SINGLE FAMILY DWELLING UNIT AND EQUESTRIAN USES, KNOWN AS LOT 11A; INCREASING THE RESIDENTIAL UNITS FROM 148 DWELLING UNITS TO A TOTAL OF 149 DWELLING UNITS AND TO AMEND CONDITIONS OF APPROVAL; 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. R2016-46, Master Plan Amendment Petition 16-64 (2016-26 MPA 7) to amend the Equestrian Club PUD to modify the Master Plan designation of Tract J-1 from a community equestrian workout area to one (1) single family dwelling unit and equestrian uses, known as lot 11A.

Mr. Basehart referred Council to page 147 of their agenda packet. He recapped and reviewed the location map main entrance to the community on Lake Worth Road, J-1 Tract Parcel and indicated that the day-to-day entrance for the entire community was through the main gate.

Vice Mayor McGovern asked if the entrance to J-1 was through the main gate. Mr. Basehart replied affirmatively. He noted that barn and equestrian uses were permitted for parcel J-1 and the entire western portion of the community could have one home per lot, plus rings and barns.

Mr. Schofield said that all vehicles, except service vehicles, enter through the main entrance, as the service vehicles and horse trailers enter through the far western gate entrance next to the canal.

Mayor Gerwig asked if the parcel was in the original Wellington PUD. Mr. Basehart said it was not in there, as it was in a separate free standing PUD.

Councilman Drahos asked if the amendment went through the Planning and Zoning Advisory Board. Mr. Basehart replied affirmatively. He said that the request went through Planning and Zoning Advisory Board and the Equestrian Preserve Committee the prior year and both boards recommended approval unanimously. The applicant's current request is that the amendment be handled as an expedited application, in order to have the application come before Council. He stated, currently, the residents have been polled and none of them have objected to the change.

Ms. Cohen said they meet the requirements of the declaration as to the number of residents needed.

There were no changes recommended.

K. [16-0400](#)

RESOLUTION NO. R2016-62 (FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FUNDS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF RECEIVING A GRANT UNDER PROVISIONS OF THE RECREATIONAL TRAILS PROGRAM FOR THE BROWN TRAIL CONNECTOR PROJECT; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2016-63 (BUDGET AMENDMENT TO ALLOCATE THE GRANT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FISCAL YEAR 2015-2016 CAPITAL FUND BUDGET FOR FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FUNDS AWARDED TO THE RECREATIONAL TRAILS PROGRAM FOR THE BROWN TRAIL CONNECTOR PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced this item. This item is for the approval of Resolution No. R2016-62 to enter into an agreement with the Florida department of Environmental Protection for a \$200,000 grant and Resolution No. R2016-63 to amend the budget for grant proceeds.

Councilman Napoleone asked for a copy of the map indicating the Brown Trail. Mr. O'Dell stated he would provide Council with a copy of the map at the following night's Council meeting.

There were no changes recommended.

4. WORKSHOP

A. DISCUSSION ON LIVESTOCK WASTE DISPOSAL

Discussion on Livestock Waste Disposal

Mr. Schofield said during the next several months there would be changes in the way horse waste would be dealt with within the Village. Staff has been trying to facilitate where horse waste could go and make it as cost effective possible. He stated Mr. O'Dell has been working with U.S. Sugar Corp., and for the last several years the waste has been going to U.S. Sugar Corp. without charge, but that method would be changing within the next several months.

Mr. O'Dell explained the U.S. Sugar Corp. operation has been a free-of-charge operation to the haulers and they had carte blanche to the fields. During the current year they would be installing a staging area which would require the haulers to take the waste to a specific location during certain operating hours and a disposal charge fee would be incurred. The exact disposal fee was currently in the works, but it would be in the neighborhood of \$75.00 to \$120.00 per load. The Solid Waste Authority (SWA) and Wellington were developing an inter-local agreement, which would reduce the SWA tipping/fee (disposal fee) paid by the livestock hauler from the published \$15.00 per ton to an estimated \$12.50 per ton. He indicated that the savings would be as much as \$25 per load on a 10 ton load.

Mr. O'Dell further explained during the prior year's event there was a large amount of rain fall and the fields that U.S. Sugar Corp. used had to be closed down for a period of time. During that timeframe, Mr. O'Dell said he received many telephone calls from the haulers asking him where to haul the waste, and he told them to go to the Solid Waste Authority.

Mayor Gerwig asked if the haulers were able to take the manure to Odom's. Mr. O'Dell said the haulers could take the waste to Odom's but all of the end users were stock piling the product or using as compost due to the wet winter, so all of the other facilities were full and the cost increased.

Mr. O'Dell stated the Village has been trying to work with the haulers during the last 4 years to open a line of communication and understand their issues. He said this was essential due to the Village, Loxahatchee Groves and Palm Beach County having the same issues with water quality. He noted he has met with the haulers during the current year and has attended round table discussions with the County. He felt progress was being made and they were on the cusp of solving the issues. With U.S. Sugar Corp. changing their operations, it is critical to the industry that a permanent location be available for the end users.

Mr. Schofield indicated Council may receive additional complaints when the free disposal fee increases and enforcement may be needed. He noted when the manure is located on the farm, it is classified as an agricultural waste product and the Village is not allowed to franchise it. He explained once the product is on the moving truck, it becomes a waste product. Mr. Schofield stated that the Village was trying to avoid the illegal dumping that took place within the Village in the past. He indicated when U.S. Sugar Corp. gets their pricing in place in November, the fees could get very expensive and some may

think that the increase is the Village's fault. He said that the SWA tipping/fee disposal fee started at \$42 a ton and staff was able to negotiate a reduction to \$15 a ton. When the interlocal agreement takes effect, the fee will change to \$12.50 a ton. He commended Mr. O'Dell on reminding the Environmental Director of Solid Waste Authority that he had made the offer to make that reduction.

Mayor Gerwig asked if the waste was to be burned once it gets to the SWA facility. Mr. O'Dell replied affirmatively. He explained that SWA has communicated that they would not be long term players and the length of time that they have committed to was for the next three to five years, because their goal was to burn 100% trash within five to seven years. He noted that SWA was not interested in handling waste for an extended amount of time, because their capacity was limited and they could only receive one hundred tons of livestock waste a year.

Mr. O'Dell stated outlets and entities following the governmental regulations were limiting their use of the waste. He thought it was very important that the Village look at the growth of the industry and find several end users that have an end product that goes away. He said the end users take the product and produce something else with it and the product leaves Wellington. Mr. O'Dell indicated that GIT Waste recently entered the market, they produce shavings in Leesburg and then bring them back to the area.

Mayor Gerwig stated the waste could be recycled, as she has seen several presentations regarding the different processes.

Mr. O'Dell explained the current waste in Wellington was increasing due to more horse owners staying year round or calling Wellington their permanent operations base. He noted the practice was happening in neighboring areas, such as Loxahatchee Groves. Because of this practice, he said the waste supply would be steady and would assist in having the end users create good business plans and stay in business.

Mayor Gerwig indicated the Village does not have zoning in place that would allow for a facility that could handle waste or transfer stations. She noted the Village has looked towards the County to assist with the issue but she has not heard of any suggestions from them. Mr. O'Dell stated that our commissioner was assisting with the issue and there was favorable communication during a recent roundtable meeting. He felt the Village would receive notifications from the County regarding activities occurring in the agricultural areas very soon.

5. ATTORNEY'S COMMENTS

Ms. Cohen reminded Council of the Shade Session to be held the following day at 6:00 p.m.

6. MANAGER COMMENTS

Mr. Schofield noted he would be out of the office on Wednesday and Thursday.

Mayor Gerwig asked Mr. Schofield to send Council a note when he was going out of town in order to not bother him and contact Mr. Barnes.

7. COUNCIL COMMENTS

8. ADJOURN