

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Tuesday, June 13, 2017**

**7:00 PM**

**Village Hall - Council Chambers**

### **Village Council**

*Anne Gerwig, Mayor  
John T. McGovern, Vice Mayor  
Michael Drahos, Councilman  
Michael J. Napoleone, Councilman  
Tanya Siskind, Councilwoman*

**1. CALL TO ORDER**

Mayor Gerwig called the meeting to order at 7:00 pm.

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

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

**2. PLEDGE OF ALLEGIANCE**

Girl Scout Troop #20556 led the Pledge of Allegiance.

**3. INVOCATION**

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

At this point, Mayor Gerwig asked for a moment of silence in remembrance of the Pulse Night Club tragedy in Orlando.

**4. APPROVAL OF AGENDA**

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

Move Consent item 6F, Authorization to Negotiate Annual Contracts for: 1) Civil Engineering; 2) Traffic Engineering; 3) Wastewater Process and Reclaimed Water Engineering; 4) Electrical, Instrumental, and Control Engineering; and 5) Hydrogeological Engineering, and Related Consulting Services, to the Regular Agenda as item 8B.

**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**

Mr. Schofield indicated there were no Presentations and Proclamations.

**6. CONSENT AGENDA**

- A. [17-1258](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF MAY 23, 2017  
This item was approved on consent.
- B. [17-0944](#) AUTHORIZATION TO AWARD MULTIPLE CONTRACTS FOR VEHICLE TOWING AND STORAGE SERVICES  
This item was approved on consent.
- C. [17-1207](#) AUTHORIZATION TO AWARD A CONTRACT TO PROVIDE A HOUSING AND ECONOMIC IMPACT STUDY  
This item was approved on consent.
- D. [17-1228](#) AUTHORIZATION TO UTILIZE A LAKE COUNTY SCHOOL BOARD CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE, DELIVERY, AND INSTALLATION OF A DIGITAL RADIO SYSTEM  
This item was approved on consent.
- E. [17-1229](#) RATIFICATION OF EXPENDITURES FOR PUMP REPAIRS AND RECONDITIONING  
This item was approved on consent.

## 7. PUBLIC HEARINGS

- A. [17-1166](#) ORDINANCE NO. 2017-07 (CONGREGATE LIVING FACILITY TYPE 2B ZONING TEXT AMENDMENT)
- AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL; APPROVING A ZONING TEXT AMENDMENT [PETITION NUMBER 17-37 (2017-25 ZTA)] TO AMEND THE VILLAGE OF WELLINGTON LAND DEVELOPMENT REGULATIONS ARTICLE 6, CHAPTER 4, SECTION 6.4.4.30 CONGREGATE LIVING FACILITY (CLF) RELATED TO THE SEPARATION REQUIREMENT FOR TYPE 2(B) CLF TO ALLOW A MAXIMUM OF FOUR (4) TYPE 2(B) CLF WITHIN A HALF (1/2) MILE RADIUS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- Mr. Schofield introduced the item. He stated this was the second and final reading. He indicated no changes had been made from first to second reading and no public comments or objections had been received since the first reading.
- Ms. Nubin read the Ordinance by title.

Mr. Basehart and Ms. Cramer made the presentation for staff. Mr. Basehart stated staff would like to include in the record the testimony on first reading, the minutes of the last meeting, and the staff report.

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 read four comment cards into the record in support of this item.

Mr. Basehart indicated the Planning, Zoning and Adjustment Board unanimously recommended approval and Council unanimously passed the proposed Ordinance on first reading at the last meeting.

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 Vice Mayor McGovern, seconded by Councilwoman Siskind, to approve Ordinance No. 2017-07 (Congregate Living Facility Type 2B Zoning Text Amendment) as presented on second reading.**

**B. [17-1257](#)**

ORDINANCE NO. 2017-10 (PROHIBITING CONVERSION THERAPY ON MINORS)

AN ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING CHAPTER 36; ADDING ARTICLE V (PROHIBITION OF CONVERSION THERAPY ON MINORS); ADDING SECTIONS 36-45, 36-46, 36-47, AND 36-48; TO PROHIBIT THE PRACTICE OF CONVERSION THERAPY ON PATIENTS WHO ARE MINORS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

Public Hearing

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

Dr. Rachel Needle, 5 Harvard Circle, West Palm Beach, stated she is

a Licensed Psychologist and Certified Sex Therapist at the Center for Marital and Sexual Health of South Florida. She said she is also the Executive Director of the Whole Health Psychological Center and CEO of the Advanced Mental Health Training Institute. She stated she specializes in sexuality and trains people around the world. Dr. Needle spoke in support of the approval of the ordinance providing Council with the history and dangers of conversion therapy.

Dr. Julie Hamilton stated she is a Licensed Marriage and Family Therapist and the former President of the Alliance for Therapeutic Choice and Scientific Integrity. She introduced Dr. David Pickup as someone who has experienced therapy and is now a therapist himself.

Dr. Pickup stated he is a Licensed Marriage and Family Therapist in California and Texas, and almost all of his clients receive authentic reparative therapy. He spoke against the passage of the ordinance. He shared a personal story, and believed a ban on conversion therapy would be child abuse. He hoped the Council would at least amend the ordinance as it was presently written, and if not, do away with it.

Dr. Hamilton stated it was illegal for cities to preempt the state noting this did not make it out of committee at the state level. She said the cities do not have jurisdiction over licensed therapists, as the state does. She spoke in opposition to the passage of the ordinance.

Dr. Needle and Dr. Hamilton responded to Council's questions.

At this point, the public provided their comments on either supporting or opposing the Ordinance.

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

Ms. Cohen responded to Council's questions and clarified the language in the Ordinance.

Council provided their comments on this issue.

**A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and passed (4-1), with Mayor Gerwig dissenting, to approve Ordinance No. 2017-10 (Prohibiting Conversion Therapy on Minors) as presented on First Reading.**

## 8. REGULAR AGENDA

### A. [17-0708](#) AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE

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ENGINEERING CONSULTING SERVICES FOR A WASTEWATER LIFT STATION CONDITION ASSESSMENT

Mr. Schofield introduced the item. Mayor Gerwig recused herself and left the Council Chambers.

Ms. LaRocque responded to Council's questions.

**A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve the Authorization to Award a Task Order to Provide Engineering Consulting Services for a Wastewater Lift Station Condition Assessment.**

**B. [17-1260](#)**

AUTHORIZATION TO NEGOTIATE ANNUAL CONTRACTS FOR: 1) CIVIL ENGINEERING; 2) TRAFFIC ENGINEERING; 3) WASTEWATER PROCESS AND RECLAIMED WATER ENGINEERING; 4) ELECTRICAL, INSTRUMENTAL, AND CONTROL ENGINEERING; AND 5) HYDROGEOLOGICAL ENGINEERING, AND RELATED CONSULTING SERVICES

Mr. Schofield introduced the item.

This item was moved to the Regular Agenda as item 8B. Mayor Gerwig recused herself.

Mr. De La Vega and Mr. Barnes responded to Council's questions.

**A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0), to approve the Authorization to Negotiate Annual Contracts for: 1) Civil Engineering; 2) Traffic Engineering; 3) Wastewater Process and Reclaimed Water Engineering; 4) Electrical, Instrumental, and Control Engineering; and 5) Hydrogeological Engineering, and Related Consulting Services.**

Consent Agenda

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

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

Mr. Schofield indicated no comment cards were received from the public on the Consent Agenda or Public Forum.

**9. PUBLIC FORUM**

No comment cards were received from the public for the Public Forum.

**10. ATTORNEY'S REPORT**

*At this point, Mayor Gerwig returned to the Council Chambers.*

**Ms. Cohen:** Ms. Cohen indicated 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, June 27, 2017 at 7:00 PM in the Council Chambers.

The Water Utility annual disinfection process is taking place from Monday, June 12th to Monday, June 26th. Customers served by the Village of Wellington water treatment plant may notice a slight chlorine taste and odor in the drinking water during this period. These temporary conditions will not cause adverse health effects.

The Annual Father's Day 5K Run will be held at Village Park on Sunday, June 18th beginning at 7:00 AM. The event is presented by the Leukemia and Lymphoma Society.

At this point, Council acknowledged Vice Mayor McGovern's upcoming birthday and presented him with a cake.

**12. COUNCIL REPORTS**

**Councilman Napoleone:** Councilman Napoleone stated he had no report.

**Councilman Drahos:** Councilman Drahos presented the following report:

He wished Vice Mayor McGovern a Happy Birthday.

He thought tonight was a testament to the effectiveness of this Council, as he did not know of a more sensitive issue a Council could face.

**Councilwoman Siskind:** Councilwoman Siskind presented the

following report:

She wished Vice Mayor McGovern a Happy Birthday.

She agreed with Councilman Drahos' comments regarding Council's professionalism in discussing a sensitive topic.

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

He explained the Western Communities Council met on June 7th and discussed the State Road 7 extension. He said the Administrative Law Judge had ruled in favor of FDOT and the County against the protests of the City of West Palm Beach. He stated it was then adopted by the Water Management District, which initiated the City of West Palm Beach to file an appeal in the Fourth District Court of Appeals in West Palm Beach. He stated the discussion was that the Councils should consider filing an amicus brief or friend of the court brief to show that, while the City of West Palm Beach is opposed, many other municipalities and governmental entities of Palm Beach County support the ruling and moving forward with the project.

Ms. Cohen thought Lewis, Longman & Walker would be more than qualified to handle this type of a brief, as they are well known for dealing with environmental issues. She indicated she reached out to Mr. Diffenderfer from that firm and he quoted a flat fee at the rate of \$300/hr. and capped it at 40 hours. She said the maximum exposure to the Western Communities Council would be \$12,000, which would be shared. She noted even though the Western Communities Council has numerous members, only five have contributed to the legal fund in the past.

Vice Mayor McGovern indicated Wellington's population was roughly 39% of the overall total, so their share would be approximately \$4,700. Ms. Cohen stated that each municipality or district had to decide what they felt they could contribute, but she thought it was fair for Wellington to pay a larger share given its population and interest.

Vice Mayor McGovern thought it was important for as many entities as possible to contribute and be a signatory on the brief, but also be a financial contributor in making it happen. He recommended that this Council authorize Ms. Cohen or the Village Manager to expend up to \$5,000 as Wellington's share of that \$12,000.

Ms. Cohen suggested having one or two attorneys, Wellington and one other municipality, be the liaison between the law firm and the Western Communities Council while the amicus brief is being



prepared. She stated this had to be decided by the Western Communities Council, but she would be willing to do it. Council indicated they would be more comfortable with Ms. Cohen being the point person. Vice Mayor McGovern said he would discuss this at the Western Communities Council and keep Council posted.

Vice Mayor McGovern continued with his report:

He thanked everyone for the birthday wishes.

He echoed Councilman Drahos' comments on tonight's meeting. He thought it was high watermark for all of them and he was proud to be there with them.

**Mayor Gerwig:** Mayor Gerwig indicated she had no report.

### **13. ADJOURNMENT**

There being no further business to come before the Village Council, the meeting was adjourned at 9:47 PM.