

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, April 9, 2019

7:00 PM

Village Hall - Council Chambers

Village Council

*Anne Gerwig, Mayor
Michael J. Napoleone, Vice Mayor
John T. McGovern, Councilman
Michael Drahos, 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; Michael Drahos, Vice Mayor; John McGovern, 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

Mayor Gerwig led the Pledge of Allegiance.

3. INVOCATION

Dr. Dave Smith, New Sound Church, Wellington, delivered the invocation.

4. APPROVAL OF AGENDA

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

1) Postpone Item 6A, Presentation of the American Public Works Association (APWA) Re-Accreditation Award to the Village of Wellington Public Works Department, to the April 23rd Agenda.

2) Move Consent Item 7A, National Donate Life Month Proclamation, to Presentations and Proclamations as Item 6B.

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

5. [19-2781](#)**APPOINTMENT OF VICE MAYOR**

Mr. Schofield introduced the item. He indicated that Council is required by the Village Charter to appoint a Vice Mayor once a year. He stated an appointment for Vice President of ACME Improvement District should be made also.

Mr. Schofield suggested a written policy that the Mayor and Vice Mayor serve as the President and Vice President of ACME, respectively.

A motion was made by Vice Mayor Drahos, seconded by Councilwoman Siskind, and unanimously passed (5-0), to appoint Councilman Michael Napoleone as Vice Mayor and as Vice President of ACME Improvement District.

6. PRESENTATIONS AND PROCLAMATIONS

- A.** [19-2672](#) PRESENTATION OF THE AMERICAN PUBLIC WORKS ASSOCIATION (APWA) RE-ACCREDITATION AWARD TO THE VILLAGE OF WELLINGTON PUBLIC WORKS DEPARTMENT

This item postponed to the April 23, 2019 Village Council Meeting.

- B.** [19-2818](#) NATIONAL DONATE LIFE MONTH PROCLAMATION

This item was formerly Item 7A.

Ms. Maureen Budjinski, Life Alliance UM Ambassador For Donate Life, conducted a brief presentation.

Council gave comments.

7. CONSENT AGENDA

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

Bruce Tumin spoke regarding Item 7D.

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

Public Comment on Non-Agendaed Items:

Bruce Tumin spoke regarding the amphitheater sound cable tunnel and action summary minutes.

- A. THIS ITEM MOVED TO PROCLAMATIONS AND PRESENTATIONS AS ITEM 6B.**

- B.** [18-2320](#) AUTHORIZATION TO CONTINUE UTILIZING A SOUTHEAST FLORIDA COOPERATIVE CONTRACT FOR THE PURCHASE AND DELIVERY OF SWIMMING POOL CHEMICALS

This item approved on Consent.

- C. [18-2356](#) AUTHORIZATION TO AWARD A CONTRACT FOR NEW NANOFILTRATION MEMBRANES FOR REVERSE OSMOSIS PLANTS 1 AND 2

This item approved on Consent.

- D. [19-2641](#) AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR THE PURCHASE OF SOD

This item approved on Consent.

- E. [19-2642](#) AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR DISASTER DEBRIS RECOVERY SERVICES

This item approved on Consent.

- F. [19-2753](#) AUTHORIZATION TO AWARD TASK ORDERS FOR THE WATER TREATMENT PLANT RENEWAL AND REPLACEMENT PROJECT

This item approved on Consent.

- G. [19-2764](#) AUTHORIZATION TO AWARD A CONTRACT FOR THE VILLAGE PARK BASEBALL AND SOFTBALL FIELD DUGOUT REPLACEMENT PROJECT

This item approved on Consent.

- H. [19-2749](#) RESOLUTION NO. R2019-14 (INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO LEASE FUEL DISPENSING EQUIPMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE A FUEL CONTROL EQUIPMENT AGREEMENT WITH PALM BEACH COUNTY; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

- I. [19-2838](#) RESOLUTION NO. R2019-16 FOR THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FUNDS AND RESOLUTION NO. R2019-17 FOR A BUDGET AMENDMENT TO ALLOCATE THE GRANT

RESOLUTION NO. R2019-16: 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 PEACEFUL

WATERS PHASE II TRAIL IMPROVEMENT PROJECT NUMBER T1828; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2019-17: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FISCAL YEAR 2018-2019 CAPITAL FUND BUDGET FOR THE RECREATIONAL TRAILS PROGRAM FOR THE PEACEFUL WATERS PHASE II TRAIL IMPROVEMENT PROJECT NUMBER T1828; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

J. [19-2846](#)

RESOLUTION NO. R2019-18 (BUILDING DEPARTMENT BUDGET AMENDMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE BUILDING FUND BUDGET FOR FISCAL YEAR 2018-2019 BY ALLOCATING MONIES FROM BUILDING RESERVES TO THE OPERATING BUDGET FOR INSPECTION SERVICES AND ERP PROJECT SUPPORT THROUGH SEPTEMBER 30, 2019; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

8. **PUBLIC HEARINGS**

A. [19-2795](#)

ORDINANCE NO. 2019-03 (NIGHTCLUB) AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING ARTICLE 3 (DEFINITIONS); AMENDING ARTICLE 6, TABLE 6.4-1 (USE REGULATION SCHEDULE), TABLE 6.8-2 (PLANNED DEVELOPMENT DISTRICT USE REGULATION SCHEDULE), AND TABLE C (EOZD PERMITTED, CONDITIONAL AND PROHIBITED USES); AMENDING SECTION 6.4.4 (SUPPLEMENTARY USE STANDARDS) OF THE LAND DEVELOPMENT REGULATIONS OF THE VILLAGE OF WELLINGTON, FLORIDA, RELATING TO USES; TO REGULATE THE LOCATION OF NIGHTCLUB BUSINESSES AND CREATE OPERATION STANDARDS AND REQUIREMENTS; PROVIDING A CONFLICTS CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Basehart presented this item.

Public Hearing

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

Public Comments:

1. Bruce Tumin spoke regarding the ordinance and whether there was data to support it.

2. Catherine Green spoke regarding the ordinance and feels the requirements are unclear.

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

A motion was made by Councilman McGovern, seconded by Vice Mayor Napoleone, and unanimously passed (5-0), to approve as amended Ordinance No. 2019-03 (Nightclub).

B. [19-2839](#)

ORDINANCE NO. 2018-10 (SMALL CELL WIRELESS ORDINANCE)

AN ORDINANCE OF THE VILLAGE OF WELLINGTON AMENDING THE VILLAGE CODE BY REPEALING AND REPLACING CHAPTER 23, "COMMUNICATIONS FACILITIES RIGHTS-OF-WAY ORDINANCE", TO PROVIDE FOR CERTAIN STANDARDS AND REGULATIONS RELATING TO THE LOCATION OF COMMUNICATION FACILITIES AND OTHER STRUCTURES WITHIN THE VILLAGE'S PUBLIC RIGHTS-OF-WAY, CONSISTENT WITH FEDERAL AND STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item.

Ms. Cohen discussed the reason for the postponement.

A motion was made by Councilwoman Siskind, seconded by Councilman Drahos, and unanimously passed (5-0), to postpone Ordinance No. 2018-10 (Small Cell Wireless Ordinance) to a time certain of April 23, 2019.

9. REGULAR AGENDA

10. PUBLIC FORUM

Mr. Schofield indicated there were no comment cards received for Public Forum.

11. ATTORNEY'S REPORT

MS. COHEN: Ms. Cohen presented the following report:

Ms. Cohen stated she had no report.

12. MANAGER'S REPORT

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

He stated the next Regular Council Meeting will be held on Tuesday, April 23, 2019, at 7:00 p.m. in the Council Chambers.

Village Offices will be closed on Friday, April 19, 2019, in observance of Good Friday.

The next Lakeside Family Fun night is Thursday, April 11, 2019 in conjunction with the food trucks. The event starts at 4:30 p.m. and will feature a "carnival" theme.

Wellington's Annual Egg Hunt is Saturday, April 20, 2019 at the Village Park Softball Fields. The event begins promptly at 10:00 a.m.

13. COUNCIL REPORTS

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

She wished a Happy Passover and Happy Easter to those who celebrate these holidays.

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

He thanked the Parks & Recreation crew for operating the Fraternal Order of Police John Scollo Memorial Softball Tournament this past weekend. He said it was another successful event.

He congratulated three local teachers for being finalists for the 2019 Dwyer Awards: Karen Epstein of Wellington Landings Middle School, Kathy Zangen from Binks Forest Elementary, and Tracy Sheppard of Elbridge Gale Elementary. He said the Dwyer Award is a wonderful commendation for teachers who really go above and beyond.

He wished everyone a Happy Passover and Happy Easter.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

He stated he had no report.

VICE MAYOR NAPOLEONE: Vice Mayor Napoleone presented the following report:

He thanked the Council for appointing him Vice Mayor of the Village of Wellington and Vice President of the Acme Improvement District. He said he appreciated the vote and that he looks forward to it.

MAYOR GERWIG: Mayor Gerwig presented the following report:

She stated it was great having the students for Civics 101. She said only one school is doing it this year, but it is nice to hear the engagement with Council. She stated the students had some really good questions. She acknowledged Ms. Edwards and staff for coordinating it, as it is an outstanding program. She said it has gone from a one night overview of government and meet the Council to a real exercise in city government.

She announced that Kona Ice will be giving free cups of shaved ice on Monday, April 15, 2019, from 5:00 PM to 6:30 PM to the children at Scott's Place playground. She said it will be provided by the owner of Kona Ice of Southwest Palm Beach in honor of National Chill Out Day.

She thanked everyone for participating in the Relay for Life. She said it was nice to see the community come out for a great cause.

She asked Ms. Cohen about the new state law that is being implemented. She asked if their Small Cell ordinance will need to be changed based on what they end up doing in Tallahassee.

Ms. Cohen stated it could potentially change, but the Village needs to get the standards in place. She said the Village has an agreement with the small cell providers that they not submit any applications until the Village gets this ordinance adopted. She stated it is in the Village's best interest to adopt it. She said if they need to amend it based on what the legislature does, they will do that at a later date.

Mayor Gerwig stated it has been a difficult battle because of the money invested in communications. She said with all of the lobbyists in Tallahassee, it does not give them a good feeling. She stated it again feels like a little disregard for local government and that they are not viewing them in the right light. She said none of them want their residents to have less cell service. She stated the Village wants to encourage that in every way possible, but to give up all of the community standards and the types of things they are again asking for is difficult. She thanked staff for bringing it forward and for the work they have done.

Mayor Gerwig indicated Mr. Schofield has talked to the Village lobbyists about this. Mr. Schofield stated the lobbyists will be appearing to express the Village's opposition as it moves forward. He said it appears the legislation will clear the legislature and the Governor's desk. Mayor Gerwig stated it would help the Village if they could get the revised language in there.

Mayor Gerwig stated the tree trimming ordinance is another problematic one. She said the language they were asking for is basically that tree trimming would be allowed in circumstances where there is a storm and an arborist is saying that the tree is diseased and has to be removed, so certifications like that would still happen. She stated the part that was problematic for her was that they could one-by-one lose all of their trees and their canopy would be gone. She said it was clearly stated that they would not have to mitigate for those trees.

Mr. Schofield stated the language was provided. He said it was brief, but it said mitigation would be required where there was a minimum tree standard.

Mayor Gerwig hoped that the legislature could understand that the Village would not want to deforest the entire community over someone. She stated she spoke with Senator Albritton. She said her example was that they were are trying to fix a problem statewide that really only happened in one place. She hoped they could get that revision in there to make sure the Village could still meet its minimum standards for trees. She said it is important because the Village is a tree city and it is important for cooling the area, and it is something they feel strongly about.

She stated the Village did very well in the Let's Move competition. She said tomorrow night she will be at the South Florida Science Museum at 6:00 PM to celebrate the Let's Move campaign. She stated she was really proud of how everyone stepped it up for this competition.

14. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at approximately 8:05 p.m.