

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Monday, April 9, 2018**

**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; and Tanya Siskind, Councilwoman.

**2. PLEDGE OF ALLEGIANCE**

Mayor Gerwig led the Pledge of Allegiance.

**3. REVIEW OF COUNCIL AGENDA**

Mr. Schofield presented the agenda for the April 10, 2018 Regular Wellington Council Meeting for review.

**A. [17-1364](#)****APPOINTMENT OF VICE MAYOR**

Mr. Schofield introduced the agenda item. This was the appointment of Vice Mayor of the Village of Wellington. Mr. Schofield said that the Charter stated that Council shall elect a Vice Mayor from its membership at the first regular meeting after the fourth Tuesday of March.

Vice Mayor McGovern said that historically the Vice Mayor has served in a two-year term. He then asked if it was correct that was not something that is required by the Charter. In response, Ms. Cohen said that it is not required and explained that the Charter specifically says that Council will appoint a Vice Mayor every March. She said that the Vice Mayor serves at the pleasure of Council, so there is no reason that it has to be a two-year term. Mr Schofield added that even when the Vice Mayor served two years, it was two separate appointments.

Councilman Napoleone said that he planned on nominating Councilman Drahos for Vice Mayor. In response to that, Councilman Drahos said, if that was the case, he would insist that Councilman Napoleone serves as Vice Mayor for one of the two years.

Mayor Gerwig said that they could discuss that at the meeting, but that it could raise some problems, one of which was that people get used to calling a councilmember Vice Mayor which is one of the reasons they select the same person for two years.

**B. [18-2001](#)**

A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA RECOGNIZING HOSANNA KROPP ON WINNING THE STATE CHAMPIONSHIP TITLE IN GIRLS WRESTLING

Mr. Schofield introduced the agenda item. This is a Proclamation for Hosanna Kropp recognizing her on winning the State Championship Title in Girls Wrestling and for becoming the first girl at Wellington High School and the second in Palm Beach County to win a State Wrestling Championship. Ms. Cohen said that Ms. Kropp will be in attendance. She explained that she has wrestled with Wellington High School's all-boy wrestling team. She noted that she will be a senior, but did not think she will be wrestling next year as she had a shoulder injury that she had sustained prior to her showing at States.

C. [18-2003](#)

A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA RECOGNIZING VILLAGE ENGINEER, THOMAS J. LUNDEEN, P.E., FOR HIS SELECTION AND AWARD AS THE 2018 FRANK J. GARGIULO GOVERNMENT ENGINEER OF THE YEAR BY THE PALM BEACH BRANCH OF THE AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE)

Mr. Schofield introduced the agenda item. This was a proclamation for Tom Lundeen for his selection and award by the Palm Beach Branch of the American Society of Civil Engineers (ASCE) as the 2018 Frank J. Gargiulo Government Engineer of the Year. There was some discussion on the pronunciation of "Gargiulo."

D. [18-2006](#)

MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF JANUARY 23, 2018 AND THE ACME IMPROVEMENT DISTRICT ANNUAL LANDOWNERS MEETING OF JANUARY 23, 2018

Mr. Schofield introduced the agenda item. This was Council approval of the Minutes of the Regular Wellington Council Meeting of January 23, 2018 and the Acme Improvement District Annual Landowners Meeting of January 23, 2018. Mayor Gerwig advised Council to contact Mr. Nubin if they had any changes or corrections.

E. [18-1979](#)

AUTHORIZATION TO UTILIZE AN EXISTING CONTRACT FOR THE FOREST HILL BOULEVARD CONFLICT STRUCTURE PROJECT

Mr. Schofield introduced the agenda item. This was the authorization to utilize the emergency purchase provision and enter into a previously awarded contract with D.S Eakins Construction Corporation, for the Forest Hill Boulevard conflict structure, in the amount of \$71,104.85,000.00. He noted that this is at Montauk and is the repair of a problem that occurred in 2011 when they were installing the water reuse line and knocked a hole in the storm drainage line where a sinkhole developed. He noted that when the milling machine went there, it actually fell in the hole which has been safed up and covered, but it needs to be fixed. Mr. Schofield said that the Village has an annual contract with D.S. Eakins and they have the lowest cost to do this work. He said that it would take about three weeks to complete the project.

Mayor Gerwig asked what was done to make it safe. In response, Mr. Lundeen explained that they plugged the hole in the pipe as best as possible and then filled it back up with sand and paved over it.

Mr. Schofield said that since this is the second place they have had a problem with that reuse line, they will also be inspecting all the lines on Forest Hill where that reuse line is anywhere near.

Vice Mayor McGovern asked where the other locations were where there was a problem. In response, Mr. Lundeen said there had been a problem in front of Polo at Royal Fern Drive. He noted that they are checking the as-builts.

Mayor Gerwig asked what year was the reuse line installed. In response, Mr. Schofield said that it was installed in 2010/2011. He said that the as-builts were from 2011 so they are doing a little bit before then.

Vice Mayor McGovern asked what was the normal life expectancy. Mr. Schofield said that the normal life expectancy of the drainage pipe is 30 years; the reuse pipe is about the same, and this happened when they were installing the reuse which hit the pipe and fractured it or broke it completely.

Vice Mayor McGovern asked who the contractor was who hit the pipe. Mr. Schofield said that he did not know who the contractor was, but that was something that he and Mr. Lundeen were going to discuss in the morning. Mr. Barnes said that they are sub-contracted to H&J. Mr. Schofield said that they will be going back to H&J on this issue. Ms. Cohen thought it might be a latent defect. Mr. Schofield said that he would talk to H&J about it and will report back to Council.

Mayor Gerwig asked if the design for the reuse line was done in-house. Mr. Barnes said that it was not, but it was part of the project for Forest Hill Blvd. He noted that Miller Legg and Mock Roos designed the components of the project, but he was not sure about this particular portion. He said that the landscaping design was performed by IBI Engineering and Landscape Architecture.

Mr. Lundeen said it was a directional drill so they could have avoided the pipe itself by going in deeper.

Mayor Gerwig said if there were more than one problem, she felt there may be other things to look at as well. Mr. Lundeen agreed stating that was why they were checking those out to see where the crossings are.

Mayor Gerwig thought they should also look for the elevations of the elements.

There were no changes recommended for this item.

**F.**      [18-1989](#)

AUTHORIZATION TO UTILIZE A CITY OF PALM BAY CONTRACT WITH TAYLOR SUPPLY, LLC, AS A BASIS FOR PRICING, FOR THE PURCHASE AND DELIVERY OF DUGOUTS FOR VILLAGE PARK

Mr. Schofield introduced the agenda item. This was the authorization to utilize the City of Palm Bay Contract #180612 with Taylor Supply, LLC, as a basis for pricing, for the purchase and delivery of dugouts for Village Park in the amount of \$45,600.

Mr. Barnes explained that these were replacement items that were budgeted for Village Park. He said that they are picking up the actual material which are engineered metal structures. He said they will be included in the following year in the design and construction of the dugout replacements for the three fields at Village Park. Mr. Barnes said that they will also be utilizing the same dugouts for consistency and design standard purposes at the new park that are being constructed. He said the goal is that as other dugouts come up for renewal, replacement or substantial repair that they will be retrofitting them to these standards of pre-engineered metal dugouts.

Vice Mayor McGovern asked if Mr. Barnes was saying that they were buying the material now, but won't be installing them until next year. Mr. Barnes said that was correct. He explained that there is a contract now that has a savings of over 30% from what you can pick up from the different distributorships. He said that there was a public contract that was bid by the City of Palm Bay which they are taking advantage of now given that the project is currently funded. He reiterated that they will install them as part of the field improvements they are doing at Village Park next year.

Mayor Gerwig asked how many dugouts the Village would be getting. In response, Mr. Barnes said that there would be four at Village Park. He said the conceptual plan for the South Shore Park has six fields. He reiterated that they were only getting the dugouts at this point for Village Park.

Vice Mayor Govern asked what four dugouts meant. Mr. Barnes said that they would be getting four sets or eight individual dugouts.

Mr. Barnes said that there would be more coming attractions at Village Park as far as future projects. He said that Village Park has four ballfields there - three softball and one hardball baseball field. He said

that they envision doing the three softball fields first and then they would do the actual installation for the baseball field when that field is redone.

Vice Mayor McGovern asked if the baseball field was the least in need of a redo. Mr. Barnes said that field at Village Park requires the most work as the three softball fields are in decent shape whereas the baseball field is not in as good a shape for the use that it needs to get. Mr. Barnes noted that it was the only high school sized field that the Village has in use now outside of the fields at the high schools.

Mayor Gerwig asked where they would be storing the dugouts. In response, Mr. Barnes said that they would be storing them at Public Works. He reiterated that they are pre-engineered metal structures that get installed based on the size of the dugout. Mr. Barnes said the goal is to go to a standardized dugout so that over time they will see the same type of dugout throughout the Village parks. He said that presently most of the dugouts are a combination of either a wood deck roof, shingles with fencing around noting that the ones at Village Park are some of the oldest.

There were no changes recommended for this item.

#### **4. WORKSHOP**

NONE

#### **5. ATTORNEY'S COMMENTS**

Ms. Cohen reported on several items:

(1) There is a hearing for a Motion for Temporary Injunction in the soccer case on Wednesday morning.

(2) Thursday is the Special Magistrate Hearing and she believed the soccer violations are scheduled to go before the Magistrate.

(3) There is a mediation on the FMIT cases scheduled for Friday which she believed Councilman Napoleone will be attending as a representative of Council. She said that nothing can be agreed to at that meeting as he will have to come back and report to Council at a Shade Session.

Vice Mayor McGovern asked if the meeting on Wednesday was a special set hearing or 845. Ms. Cohen said that it is a special set of two fifteen minute hearings back to back which was the best she could get. She noted that Judge French would be presiding.

Mr. Schofield asked what was an 845 hearing. Councilman Drahos said

that you would be in and out quickly while a special set gives you more time. Ms. Cohen added that if you need more than five minutes you might have to wait. She said that it can be very difficult to get lengthy hearings and if you need more than 45 minutes you might have to go on a trial docket.

Councilman Drahos asked what the final response was from Polo. Ms. Cohen said that Polo did not file a response, but filed a Motion in Limine. She said that they alleged that the Code Officer and possibly the Police Officer came on to their property unauthorized. She said that she did not have a chance to read it as it had just come in, but she believed the argument was going to be a "Fruit of the Poisonous Tree" argument.

## **6. MANAGER COMMENTS**

Mr. Schofield stated that there were two requests from the Transportation Planning Agency (TPA), formerly the Metropolitan Planning Organization (MPO). He said that the first request was that they are asking local governments to pay their proportionate share and for the Village it would be \$6,187 per year. Mr. Schofield said that the Village is a member of the TPA and it will be like any other thing where a payment is required. He said that the second request is that they are looking for three local governments who are willing to provide administrative support services to allow the TPA to operate independently. He said that they are asking those three governments to set up a fund of up to \$300,000 for a period of five years, and any money that they use will be reimbursed. He said that any staff costs would be reimbursed in the end, but it is what allows them to be operational.

Mayor Gerwig said that the Board has not yet voted to go independent. She said at this time, they are funded by the federal and state government and the County gets reimbursed. She said that even though it is hosted by the County it is somewhat independent because it uses federal and state money and allocates it. She said they have voted to look at going independent and to decide if it is beneficial. Mayor Gerwig said that in talking to other TPAs/MPOs around the state, they all suggested that it would be better for everyone if they are independent because now it seems like the County controls the organization even though they only have three seats. She noted that the Village has one seat and not every city has a seat although some other cities have more seats. Mr. Barnes said that the number of seats a city has is based upon its population.

Mayor Gerwig said if the organization becomes independent, it has to have the start up. She asked if the Village paid last year to which Mr. Schofield indicated that the Village didn't. Mayor Gerwig said that they

had talked about this last year, but did not actually ask for the commitment. She said that cities are all being asked based on their population for a yearly fee, but for the startup it is the \$300,000. Mayor Gerwig indicated that they would want to have a seat at the table if the board voted to go independent. She said that things could change if one of the larger or smaller cities doesn't want to pay. She said that the question is whether the Village wanted to pay and secondly do they want to be one of the cities to help finance as Wellington has the reserves to do that as TPA would pay the cost of funding the money as well as staff time managing it.

Councilman Drahos questioned what the Village would be getting out of this. Mr. Schofield said that the Village gets a fair amount of money from the TPA. He said that one of the grants the Village just received was \$850,000 for adding bicycle lanes at Aero Club, and for the pathway that went through the Binks townhomes which was done partially through a MPO and now a TPA grant. He thought that it was a good thing for the agency to become independent for everyone. Mr. Schofield said that when they are talking about a payment, they are really talking about being able to vote on award of grants which they do now.

Mayor Gerwig said if they don't want to pay the fee and the Village is not at the table, then they won't be able to access that.

Councilman Napoleone said that they would lose out for potential grant money.

Mr. Schofield said that the other question was if they are going independent and they will all have to fund it separately and apart, then who selects the Executive Director of the TPA. He said that the last director was a County employee before the current director. Mayor Gerwig said that it would no longer be a County employee because if they went independent they would just work for the board. Mr. Schofield felt that the present director is a good guy who worked for the board for a long time, but they have functioned to this point as a County department. He felt it would be a very good thing for them to not think of themselves as a County department.

Mayor Gerwig said that it would be difficult for Wellington to get a lot of the transportation grants because of the type of community Wellington is. She said that they are looking for complete street designs and things that are difficult for rural communities as is the case with some of Wellington's communities. She felt that they needed to be engaged in it although it could change if the board doesn't vote towards independence.



Mr. Schofield said that the initial funding amount they are looking at is 10 cents per capita which for the Village would be \$6,200 or something in that range; however, for the County it would be \$10,000+ so he did not know if money was the issue.

Mayor Gerwig said presently TPA's office space is hosted by the County and the employees are County employees even though the funding mechanism reimburses the County for those employees. She said if they were independent, they would have their own office space, employees, benefits and other things like that. Mayor Gerwig said in speaking to people whose opinions she feels comfortable with, it would benefit the Village to be engaged and stay at the table which they won't be able to do if they don't pay.

Councilwoman Siskind asked if the grant opportunities would still exist if TPA goes independent. Mr. Schofield responded affirmatively.

Mr. Schofield said that most of MPO's funding is formulaic. He said that they do run into a couple of problems as independent transportation planning organizations have flexibilities that county ones don't specifically have, but in the end they are a little bit better. He said that there are a couple of questions that he has in terms of the resolutions they are asking for the Village to do. He pointed out that if they vote to go independent it won't happen until 2019; however, they are asking for funding to begin in 2018.

Mayor Gerwig said that she did not want to leave them with the impression that if they weren't at the table, they could not get government grants for transportation. She said that now every city is not at the table, but the number of seats is controlled under the current format. However, if it becomes independent, they can increase the size of the board and are allowed more flexibility and some cities who currently don't have access may then have then access.

Mr. Schofield said that MPO has been changing over the years. He said that for many years, Wellington has been the largest municipality in the County and for many years, they did not have a seat on the MPO Board which was because there were multiple people sitting from the larger cities. He noted that for years, Royal Palm Beach had to share a seat with Greenacres. He pointed out that if they look at past years, most transportation projects that were funded were either in their transportation master plan or a significant amount of the funding went to Boca, Jupiter and West Palm Beach. Mr. Schofield said that an independent agency makes that funding a little more likely to be spread around.

Mr. Schofield felt that they should absolutely do the first request, but he wasn't sure about the second request where they are putting up \$300,000.

Vice Mayor McGovern asked who has been asked to put up the \$300,000. Mr. Schofield said that everyone has been asked for the first request; however, they only need three for the second one.

Councilman Napoleone asked if Council had a copy of what Mr. Schofield was reading from. Mr. Schofield said that he had only just received it, but he would provide it to Council this evening.

Councilman Napoleone asked if Council would be asked to vote on it at tomorrow's Council meeting. Mr. Schofield said they would not be asking to vote. Councilman Napoleone then asked about the timing of it. Mr. Schofield said that they had to do some more research, and they may see it at the end of the month, but they were more likely to see it at the first meeting in May. Mr. Schofield said that it would require the passage of a resolution which they provided.

**7. COUNCIL COMMENTS**

NONE

**8. ADJOURN**

There being no further business to come before Council, the meeting was adjourned at 4:31 p.m.