

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Monday, August 27, 2018**

**4:00 PM**

**Village Hall - Conference Rooms 1E & 1F**

## **Village Council Workshop**

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

Council Members not present: Michael Napoleone, Councilman

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. [18-2226](#)**

EMPLOYEE OF THE MONTH FOR JULY, 2018 – LUIS MENDEZ, MAINTENANCE TECHNICIAN II

Mr. Schofield introduced the agenda item. He announced that Luis Menez, Maintenance Technician II, was being recognized as the Employee of the Month for the Month of July, 2018.

Mr. Peter Diaz, Supervisor, stated that Luis began his career with the Village in March of 2016 as a part time Maintenance Worker. In August, he was made a full-time employee just in time for the opening of the new Community Center. In September of the following year, he was promoted to Maintenance Technician II due to his attention to detail and organizational skills. Luis' friendly and outgoing demeanor, combined with his willingness to always go above and beyond, made him the perfect Employee of the Month for July, 2018.

Mr. Menez expressed his thanks to Council and Mr. Diaz, his mentor, and to his other co-workers.

Council expressed their congratulations on a job well done.

**4. REVIEW OF COUNCIL AGENDA**

Mr. Schofield presented the agenda for the August 28, 2018 Regular Council Meeting for review.

**A. [18-2248](#)**

PRESENTATION ON THE PALM BEACH MUSEUM OF NATURAL HISTORY

Mr. Schofield introduced the agenda item. He said that there will be a brief presentation from the Palm Beach Museum of Natural History. He said that these people are located at the Mall at Wellington Green, and he thought it would be good for them to come in and talk to the Council.

Mayor Gerwig asked if this group was associated with the West Palm Beach Historical Society. Mr. Schofield indicated that he was not aware of any association between the two.

Mr. Schofield indicated that he looked at their website and they have some interesting things regarding archaeology. He said that he is scheduled to visit there with his grandchildren.

**B.**     [17-1625](#)

**AUTHORIZATION TO AWARD A CONTRACT FOR THE SUPPLY AND DELIVERY OF LIQUID DISPERSION POLYMER**

Mr. Schofield introduced the agenda item. This was authorization to award a contract to Southwest Engineers for the supply and delivery of liquid dispersion polymer in the amount of approximately \$75,000 annually.

Ms. LaRocque explained that this is a product that is used at the Water Reclamation Facility for the processing of biosolids. She said that there were five entities who submitted pricing and products for the Village's testing. She said that the first two products submitted by the low bidders Polydyne and Solenis do not meet the specifications in that they are an emulsion type polymer instead of a dispersion type polymer which she described as oil and water. She said that they went to the third which is Southwest Engineers who is the Village's current supplier. Ms. Zembruski, Purchasing, indicated that they were the current supplier and the price is the same as the Village currently pays. Ms. LaRocque said that they budget about \$75,000 per year for polymer.

Mayor Gerwig asked why they would submit those products. Ms. Zembruski said the Village asked for their existing product or equal and those companies thought that their products were equal. She said that since they were low, they were tested at the plant. Ms. LaRocque thought that other plants may be able to use them because they have mixing components in their storage facilities which the Village doesn't have.

**C.**     [18-2090](#)

**AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR THE PURCHASE AND DELIVERY OF FERTILIZERS, HERBICIDES, INSECTICIDES, FUNGICIDES AND OTHER SPECIALTY ITEMS**

Mr. Schofield introduced the agenda item. This was 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 \$210,000 annually. He noted that a slight increase was being proposed this year noting that Site One Landscaping's total increase is \$80.20 and Howard Fertilizer's total increase would be \$116.00. He said that they were asking for permission to renew the contract.

Ms. Zembruski explained that it is a renewal from a contract that was bid in 2015. She said that during the renewal period, the companies are allowed to ask for an increase which some did. She noted that they had two decreases as well.

Mayor Gewig said that someone had asked her what the Village spent on fertilizer for the year and asked if it was \$210,000. In response, Ms. Zembruski said that was correct and the cost was for Public Works and Parks. Mayor Gerwig said that this doesn't include roadways. Mr. Barnes explained that it does include roadways, right-of-way landscaping and maintenance. He said that this item not only includes fertilizer, but herbicides, insecticides and fungicides as well. Mr. Barnes said that they could find out what is specifically spent on fertilizers.

D. [18-2092](#)

AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR SUPPORT AND MAINTENANCE OF THE VILLAGE'S INTERACTIVE VOICE RESPONSE (IVR) SYSTEM

Mr. Schofield introduced the agenda item. The was authorization to enter into an agreement for support and maintenance of the Village's IVR system with Selectron Technologies, Inc. in the amount of \$32,175.00. He explained that this system is used both in the Utilities and Building Departments which allows customers to call in inspections as well as other things. He said that the Village is currently paying \$31,245.00 for it and the proposal is for \$321,175.00 which is a 3% increase. Mr. Schofield said that because of the system the Village invested in, this is the only company that can maintain it. He noted that more people are switching to web-based or voice-based systems and fewer people are coming into the Village in every place except in Parks.

Councilman McGovern asked if the Village enters into the contract each year. Mr. Schofield explained that the Village has a system of hardware and software that are used to control and operate all the systems. He said once they purchased that there is an annual operating and maintenance contract. He said it was correct that this is done every year. Councilman McGovern said that after they purchased all of that, was there still a \$3,000 a month expenditure to use it. Mr. Schofield responded affirmatively. Councilman McGovern then asked how long has that been happening. Mr. Schofield said that has been happening as long as the Village has had the IVR system. He compared it to buying a car when you have maintenance and operating expenses. He noted that

there is a cost to maintain every Village facility. Mr. Schofield said that they buy licenses for all of their software. He noted that the Village's business software is from Sungard/HTE and there are annual license and maintenance fees that the Village also pays for that system.

Councilman McGovern asked what was the number of people who are using this system. Mr. Schofield said that it is a large number and he could get that number.

**E.**     [18-2095](#)

**AUTHORIZATION TO CONTINUE UTILIZING A CITY OF BOCA RATON CONTRACT, AS A BASIS FOR PRICING, TO PROVIDE BANKING SERVICES, TO THE VILLAGE**

Mr. Schofield introduced the agenda item. This was authorization to continue utilizing City of Boca Raton contract #2013-030 with Bank of America (BOA), as a basis for pricing, to provide banking services to the Village in the amount of approximately \$50,000 annually. He noted that the Village currently uses Bank of America who provides all of their banking services.

Mayor Gerwig asked how long has Bank of America been servicing the Village. Ms. Quickel said that it was five years, but they were also used before as well.

Ms. Zembrzuski said that Bank of America has also worked with Tyler which is a plus for the Village's new system as it will also make the transitioning easier.

**F.**     [18-2261](#)

**APPROVAL OF A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE BINKS POINT PEDESTRIAN BRIDGE**

Mr. Schofield introduced the agenda item. This was approval of a Local Agency Program Agreement with the Florida Department of Transportation for the Binks Point Pedestrian Bridge as well as Resolution No. 2018-46 which approved the agreement. He explained that the total cost of the project is \$715,000. Mr. Schofield explained that a number of years ago when the Village approved the multi-family units on Binks, the developer was required to construct a pathway from Binks Forest to the project after which the Village would then complete the pathway to the canal and then construct a bridge to the pathway on the other side. He said that there is a \$371,000 grant from the Department of Transportation, and \$343,000 will come from Village road impact fees. He noted that those impact fees have to be used for transportation-related projects. Mr. Schofield said that the budget transfer is for \$344,000.

Mayor Gerwig asked how long was the pathway. Mr. Michael O'Dell, Planning Manager, said that it is a 10 foot wide pathway. Mr. O'Dell showed a slide presentation which showed what will be constructed, where it will go and the areas it will connect with, as well as what it will look like. He said that it also ties into Section 24.

Mayor Gerwig asked if the pedestrian bridge would also be used for horse traffic. Mr. O'Dell said that it would accommodate only pedestrians and bicycles, but not horses. Mr. Schofield added that the horse crossing is located at the southern end where there is a dedicated bridle trail and multi-use path. Mr. O'Dell indicated that they have spoken to FPL about an agreement to use the easement for a bridle path on this portion.

Mayor Gerwig said that the bridle path is under the powerlines that run on Big Blue. Mr. O'Dell said that the pathway that they call the bridle path actually goes from Palm Beach Little Ranches and goes across Forest Hill Blvd and Big Blue all of which are very difficult crossings which they probably need to revisit.

Vice Mayor Drahos asked what the relationship was with the developer for this project. Mr. Schofield explained that the pathway had been in the plan for a while and explained that a portion of it was constructed by the developer. He said that the Village required the developer to turn over the pathway as a public improvement.

Mayor Gerwig asked if the developer got permission from the property owner to put the pathway there. Mr. O'Dell said that the developer actually owned the property and deeded it to the Village.

Vice Mayor Drahos asked if the developer fulfilled their obligation. Mr. O'Dell responded affirmatively.

Vice Mayor Drahos asked if there would be any argument that the pathway can be used by the residents in that area as well as anybody travelling through there. Mr. Schofield said that it is publicly-owned and publicly-maintained.

Councilman McGovern asked what the usage was for the part that is currently constructed. Mr. Schofield said that about five years ago or longer, the Village constructed the pathway that goes from Section 24 north to the West Palm Beach canal which was done with a grant of about \$750,000. He said after that, they constructed a pathway along the C-23 canal from Flying Cow Road in Ousley Farms and this is the last piece required to close that loop. Mr. Schofield said that those pathways are getting increased usage every year. He thought they may even see more people from the Binks communities along that trail system.

**G.      [18-2148](#)      RESOLUTION      NO.      R2018-44 (REGULAR      COUNCIL      MEETING  
SCHEDULE)**

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING A SCHEDULE FOR REGULAR COUNCIL MEETINGS FOR 2018/2019; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was Council approval of Resolution No. R2018-44 approving the Regular Council Meeting Schedule for FY2018/2019. He noted that there were four holidays observed on Mondays when the Village would have normally held an agenda review. He advised Council that they needed to discuss when they wanted those agenda review meetings rescheduled. Council consensus was to schedule the agenda review meetings for the preceding Thursday when there is a holiday on a Monday before the Council meeting. Council may forego the meeting if the agenda is light.

Mayor Gerwig noted that March 26th through March 27th were Florida League of Cities' Legislative Action Days. She thought it was important for most of Council to attend those days. Ms. Nubin also pointed out that the Palm Beach County Schools will be out for Spring Break on March 18th through March 22nd and Monday is also a Teacher Planning Day. Council consensus was to have only one meeting in March and to cancel the second meeting.

**H.      [18-2149](#)      RESOLUTION      NO.      R2018-45 (ANNUAL      LISTING      OF  
PROCLAMATIONS)**

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO EXECUTE CERTAIN PROCLAMATIONS FOR FISCAL YEAR 2018/2019; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2018-45 approving the Annual Listing of Proclamations for FY 2018/2019. He said that these were all of the proclamations that are done by the Village and they add to them as necessary. He noted that the proclamations highlighted in red were new ones.

Mayor Gerwig requested they add a proclamation for Mediation Week for October.

Vice Mayor McGovern requested they add a proclamation for Chronic Pain for the Month of September.

Mayor Gerwig said that she appreciated that Village Hall was lit up

green. She noted that the Palm Beach Post noted that the Village was lit up green for Muscular Dystrophy Month which she felt was good publicity.

Mayor Gerwig asked if the Village ended up using the lights that can be easily changed. Mr. Barnes said that they have not implemented those yet, but the goal was to be able to program the color rather than using the filters on the lamps.

I. [18-2227](#)

RESOLUTION NO. R2018-48 (PALM BEACH COUNTY SHERIFF'S OFFICE VILLAGE OF WELLINGTON LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FY19)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FISCAL YEAR 2018-2019; AND PROVIDING AN EFFECTIVE DATE.

J. [18-2228](#)

RESOLUTION NO. R2018-47 (PALM BEACH COUNTY SHERIFF'S OFFICE DISTRICT 8 WELLINGTON FY2019 BUDGET AND CONTRACT ADDENDUM)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE FOURTH 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 indicated that the Palm Beach County Sheriff items should have been on the regular agenda and will be moved there. The first item was the approval of the Palm Beach County Sheriff's Office Village of Wellington Law Enforcement Services Plan (LESP) for FY19. The second component was the approval of Resolution No. R2018-47 for the Palm Beach County Sheriff's Office District 8 Wellington FY2019 budget and contract addendum.

Mr. Schofield said that the Sheriff's Office will be in attendance at the Council meeting to give the presentation on the Law Enforcement Services Plan. He said that Council should have a copy of that plan as well as the contract for the 3% budget adjustment. He noted that it was an increase of \$277,911 which will bring them to a total of \$9,451,602.00.

Councilman McGovern asked if the other municipalities were also paying the same increase. Mr. Schofield said that he had asked that question and he was advised that all municipalities were getting a 3% increase, but noted that Loxahatchee Groves received a contract for a 2% which



they turned down and were able to use last year's rate because of a late notice.

Vice Mayor Drahos questioned why it would affect the Village if there was a shortage. Mr. Schofield said that Wellington's deputies are their deputies as the Village pays for them. He said that the Village has a minimum staffing requirement and the deputies assigned to the Village only work in the Village. However, if they are seen somewhere else, it is because they are working on a detail that is on their own time. He said that the exception is that the detectives and street team may sometimes work outside of the Village. He noted that there were some auto burglaries and some arrests made. Mr. Schofield said that all of the cars that were burglarized were unlocked, and the cars that were stolen had the keys. He said he was going to have Captain Silva talk about how quickly juveniles are being released.

Mayor Gerwig questioned how much control they would have regarding problem kids and arresting them. Ms. Cohen said it comes down to the prosecutory discretion that the State Attorney's Office has to how much bond they are going to ask for. She said that the judge has the discretion to set the bond, and if the State is asking for a higher bond that may be factored in. Mayor Gerwig said that the residents are asking for a safer environment. She reiterated that she felt it was difficult for the officers to do their jobs if the kids they arrest are going to be processed and then out in 15 minutes. Ms. Cohen said that the deputies worked fairly closely with the State Attorney's Office. She said she was sure that if they spoke with Captain Silva and higher up in the organizations that message can be conveyed. She said that Council may even be able to meet with the State Attorney and let them know this is important and perhaps they can ask for higher bonds. Ms. Cohen said she was not familiar with what the standards might be for juveniles which would have to be looked at as well. Mayor Gerwig believed that the groups of car thieves are using juveniles because of this issue.

Mr. Schofield said he was raising this now because he thought it might be time to have this conversation with the State Attorney. He said that they hear from residents all the time that they want to be safer. He said that deputies in Palm Beach County make about 45,000 to 50,000 arrests a year and the system simply can't handle that so they have to be processed in some manner. He felt it was time to let the State Attorney's Office know that Wellington has a concern about the rapidity that people are being released.

## 5. WORKSHOP

None

## **6. ATTORNEY'S COMMENTS**

Ms. Cohen said that the Village received the decision on the 130 violations case that was affirmed by the Appellate Division of the Circuit Court. She said that she would be asking Council at their meeting tomorrow night for authorization to move forward with foreclosure. However, she said that, pursuant to the Statute, it also has to be authorized by the Special Magistrate so it will be scheduled for the Special Magistrate Hearing in September. Ms. Cohen said that at that time, they will ask the Magistrate for authorization to move forward with the foreclosure.

Mr. Schofield said that he included a spreadsheet in Council's Weekly Report that tells all the currently open violations, when they were initiated and when are the anticipated Magistrate hearings.

Ms. Cohen said that the outstanding fine on the 130 violations is currently at \$6.2 million and is continuing until corrected.

Mayor Gerwig asked if the Village would get that property if they foreclosed on it. Ms. Cohen said that the property would be sold at a judicial sale and the Village would get the proceeds to apply toward the judgement.

Vice Mayor Drahos said that doesn't relieve the owner of the \$6.2 million as it just removes it from the balance. Ms. Cohen said that was correct. She said that they could also decide to add additional properties to that foreclosre action in order to satisfy the judgement. She said that the lien is valid against not only the property that is in violation, but any other property owned by the person or entity in the County.

## **7. MANAGER COMMENTS**

Mr. Schofield spoke about the September 11th meeting noting that they had agreed that the time would roll back to 8:00 p.m. However, the TRIM notices were published for the meeting starting at 7:00 p.m. so they will at least have to open the meeting and then adjourn it to 8:00 p.m.

Mr. Schofield said that he had sent to Council before the weekend on two events that were happening in the Village. He said there was the March for Justice which he said was a well-runned event that had no incidents or bad behavior. He said that there was one thing that happened at the Suri West event and he indicated he would send information on that to Council.

Mayor Gerwig asked who was operating the Suri West event. Mr.

Barnes said that the facility is available for rent and it was rented by an independent concert promoter who had some previous concerts there in the past. He said that the event was held indoors noting that any outdoor activities would have required a special use permit. He said that Code did an inspection there to ensure there was no activity that required a permit.

Mr. Schofield advised Council that the Palm Beach County Sheriff's Office was there with several units, and there were six arrests made, five guns were confiscated, amphetamines, heroine, crack, codeine, and marijuana were also confiscated at that site. He said that he will be contacting the owner of the property, and noted that Council received a copy of the flyer. He said that the group headlined was called "Glokknine." He said he did not want to be in the position again to have something like that occur. Mr. Schofield said it was his inclination to make law enforcement presence much more visible than it was this last time as it was mostly undercover. He praised PBSO for doing a remarkable job this weekend. He reiterated that they got in there, made the arrests, recovered the guns, recovered the stolen car, and no one was injured and it didn't get out of hand. He said that they also identified early on a house that was rented for a party where over 200 people were invited to and got that cleared out.

Vice Mayor Drahos said that Mr. Schofield was going to contact the owner. Mr. Schofield responded affirmatively noting that he was going to advise him what was happening and what could they do about it.

Councilman McGovern asked if there was going to be a report at the Council meeting on the recent events at the Palm Beach Central football game. Mr. Schofield said that he has asked Captain Silva to provide an update. He also noted that Palm Beach Central was having a home game on Friday night, and some of them were planning to attend. He asked Council to advise him if they planned on attending as Mr. Barnes was making transportation provisions for them. Mayor Gerwig and Councilwoman Siskind indicated they they had conflicts that wouldn't allow them to attend. Vice Mayor Drahos was not sure if he could attend. Vice Mayor McGovern planned on attending.

## **8. COUNCIL COMMENTS**

Mayor Gerwig spoke to Council about a group that produces coffee table type books for cities. She said that they were looking for people who wanted to promote themselves in order to help offset the costs. She said that they suggested that they order about 10% of the population for books. She wanted to give everyone a chance to look at them and see if it was something they should pursue.

Mayor Gerwig noted that the Village's flags were at half staff for Senator John McCain. Councilman McGovern asked if they would remain there through the funeral. Mr. Schofield said that they would remain in compliance with what the Governor's Executive Order was.

Council extended their sympathies to Councilman McGovern over the passing of his wife's grandmother.

## **9. ADJOURN**

There being no further business to be discussed by the Village Council, the meeting was adjourned at 4:50 p.m.