

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary

Thursday, January 17, 2019

8:30 AM

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 8:30 a.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. REVIEW OF COUNCIL AGENDA

Mr. Schofield presented the agenda for the January 22, 2019 Village Council meeting for review.

A. [17-1612](#)**AUTHORIZATION TO AWARD A CONTRACT FOR THE PERMANENT WATERMAIN SAMPLING POINT PROJECT**

Mr. Schofield introduced the agenda item. This was authorization to award a contract to R&M Service Solutions, LLC, for the permanent waterman sampling point project at a cost of \$196,700.00. He noted that there were 70 points at a cost of \$2,810 each which and said they questioned why they hadn't thought of this sooner. He noted that this will make sampling much easier and is critical.

Ms. LaRocque said that this was part of their approved capital project. She advised Council that this is a regulatory requirement explaining that every month they sample sites around the Village for bacteria, chlorine and PH to ensure the distribution is safe. She said that these are all water quality requirements. Ms. LaRocque said that they currently use hose bibbs at residential properties and lift stations, which is not ideal from a quality control standpoint. She said that these will be permanent stations at six locations so they no longer have to go on private property, so it is much better from a quality control standpoint. Ms. LaRocque said that most utilities are migrating to this type of system.

Mayor Gerwig asked if since the sampling was previously done randomly, would knowing where the sampling point disturb the process.

Ms. LaRocque explained that the Health Department has to approve the locations, but the problem was that the way the Village was doing it there was the potential for contamination and manipulation so it was just not good from a quality control standpoint for laboratory samples.

Vice Mayor Drahos said this was under the \$50,000 reserve for this. He noted the quote was significantly lower than the highest bid, and he asked why there was such disparity. He then asked if staff was confident with the vendor they were using. In response, Ms. LaRocque said that it is always hard to tell why there is a disparity noting that this is a pretty simple project. She said they were very comfortable with the contractor.

Mr. Schofield added that when you start looking at the cost, the second low bidder was within \$2,000 and there was a \$25,000 spread between the three lowest bidders and the high bidder. He said that he was not worried about the spread because it was pretty good with the three low bidders.

Councilman McGovern asked about the maintenance cost for this going forward. Ms. LaRocque said that it was very limited explaining that there is stainless steel piping in six cabinets that are locked and the sampler opens it up and takes the sample out and closes it. Councilman McGovern asked if there was annual maintenance. Ms. LaRocque said that there was none noting that they just have to make sure they are intact and are safe. Mr. Schofield said it would be about the same amount of maintenance you have to do with the hose bibbs outside your house.

Mayor Gerwig asked about contamination. Ms. LaRocque said that the contamination would be dirt, debris, and people touching their hoses all the time. She said that you have to take a lot of care when you send samples to ensure they are not contaminated. She said if they get false readings it requires the Village to do a lot of testing and can sometimes cause unnecessary water events.

Mayor Gerwig said that these are made for this purpose so they won't have rings around them. Ms. LaRocque said that they will be locked so only the Village staff will be able to access them.

B. [18-2316](#)

AUTHORIZATION TO CONTINUE UTILIZING A CITY OF BAYTOWN, TEXAS CONTRACT, AS A BASIS FOR PRICING, FOR UTILITY BILL PRINTING AND MAILING SERVICES

Mr. Schofield introduced the agenda item. This was authorization to continue utilizing a City of Baytown, Texas contract with Dataprose, LLC, as a basis for pricing, to provide utility bill printing and mailing services to the Village in the amount of approximately \$120,000.00 annually. He noted that they are the low bidder on this and staff recommends using

them because they are by far the least expensive and have provided the Village with excellent service for a number of years.

Mayor Gerwig said that the Village tried to use local people. Mr. Schofield said that Boca Raton has a contract with the same company and while the Village pays 0.088 cents, Boca Raton is at \$0.106 cents. He said that they figured they will use the cheaper of the two contracts which is with the City of Baytown, TX.

C. [18-2314](#)

AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR THE PURCHASE AND DELIVERY OF MOSQUITO CHEMICALS

Mr. Schofield introduced the agenda item. This was authorization to renew existing contracts with Adapco, LLC and Univar USA, Inc., for the purchase and delivery of mosquito chemicals in the amount of approximately \$60,000 annually. He noted that this was originally awarded for two years with two additional one year extensions. He noted that there is a very slight price increase that is within the contract. He asked Council to look at the third chemical on the list which increased from \$33.15 per gallon to \$33.81 per gallon. He then then noted that the fourth item was increasing from \$20.24 per gallon to \$20.85. He reiterated that the price increases were minimal.

Councilman McGovern asked what was the measurement of the units of the cost, i.e., drum, gallon, etc. For the third item, Mr. Barnes explained that it is a 30 gallon drum and the Village is getting 550 gallons which is the basis for the pricing. Mr. De La Va noted the price with Univar, the primary, maintained the \$17.50 price.

Mayor Gerwig said that this is the product that gets put in the truck, and asked if there was any hand spraying. Mr. Barnes said that they use the foggers on the roads, public rights-of-ways, etc. He noted that they don't do any private property. He said they also handle all of the Village's public spaces. Mr. Barnes said this also includes some of the larvacide products that they use on the actual inlet invasives. He said that it is not just the foggers, but all the other products that the Village uses for prevention. Mr. Barnes indicated that all the applications are done in-house.

D. [19-2629](#)

RESOLUTION NO. R2019-06 (WALLY WORLD VILLAS REPLAT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ACCEPTING AND APPROVING THE WALLY WORLD VILLAS REPLAT LYING IN SECTION 16, TOWNSHIP 44 SOUTH, RANGE 41 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA, BEING A REPLAT OF LOT 26, BLOCK 71, GREENVIEW SHORES NO. 2 OF WELLINGTON (P.U.D.), AS RECORDED IN PLAT

BOOK 31, PAGES 120 THROUGH 136, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2019-06 accepting and approving the Wally World Villas Replat. He explained that a number of years ago, the famous blue tarp unit was demolished and was purchased by Wally Sanger bought. He further explained that is going to redevelop that and put four rental units on it which he believed will become townhomes. He said in order to do that, he has to have it platted.

Mayor Gerwig said Mr. Sanger must be selling these units because the property is being platted. Mr. Schofield responded affirmatively noting that the units will be individually owned, which was something that the Village was trying to encourage. Mayor Gerwig asked if Council had ever passed an ordinance where you don't have to replat property if it was already platted. Mr. Schofield explained that if you want to do a condo you don't have to replat it; however, if you want to take a unit that has a four-plex on it and want for it to be fee simple, then you would have to plat it. Mr. Schofield said that what was changed were the regulations that made it nearly impossible to plat those based on setbacks and separations.

Mayor Gerwig said that Mr. Sanger was changing the size of the units. Mr. Barnes explained that what was previously there was not set up as fee simple units so he still has to plat them. Mayor Gerwig thought that they had made a way around that. Mr. Schofield explained that the Village did alot of things to make it so that it could happen. Mayor Gerwig said that this is a platted subdivision. Mr. Barnes responded affirmatively.

Mr. Barnes then advised Council that staff was recommending postponing this item to the next meeting based on a request from the property owner and agent who have some corrections they want to make to the plat dedication. He also noted that as townhomes, there needs to be a party wall agreement, which was provided to the Village the previous day.

Ms. Rachel Bausch, Assistant Village Attorney, explained that the party wall agreement was only received by the Village the previous day, and both Engineering and Planning had some concerns about the changes they were requesting. She said that it would be very difficult for those departments and legal to review the changes and have it ready for approval on Tuesday so staff was recommending that it be postponed.

E. [19-2652](#)

RESOLUTION NO. R2019-07 (OAKMONT ESTATES TRAFFIC AND PARKING ENFORCEMENT AGREEMENTS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AGREEMENTS FOR TRAFFIC CONTROL AND PARKING ENFORCEMENT JURISDICTION BETWEEN THE VILLAGE OF WELLINGTON AND THE OAKMONT ESTATES HOMEOWNERS ASSOCIATION, INC.; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2019-07 approving standard agreements for traffic control and parking enforcement for the Oakmont Estates Homeowners Association, Inc. He explained that in private gated communities, PBSO does not do traffic or parking enforcement because they are private streets, and there is no guarantee that they meet the standards. He said that in order for the Village to do that, any community can enter into an agreement whereby the community agrees to ensure that their signs meet FDOT standards and those types of things. Mr. Schofield said that it is fairly standard and the Village has them throughout the Village. He said that this simply allows PBSO to deal with issues like parking, speeding and running traffic signs in those subdivisions which they cannot currently do.

Councilman McGovern said that many other communities have these agreements. Mr. Schofield said this is a standard agreement that operates with most of the communities. He noted that Olympia is a type of a hybrid community because they have such an agreement in most of sections of that community but some of the sub-HOAs have opted out because they don't like the way the Village enforces parking on the streets.

Mayor Gerwig said that the Village doesn't do this enforcement in areas where they don't have an agreement. Mr. Schofield said that was correct. Mayor Gerwig asked if communities pay separately for this coverage. Mr. Schofield responded that they did not. He said that this agreement applies the same rules to these private roads as they would on any public street.

F. [19-2637](#)

ORDINANCE NO. 2019-01 (NUISANCE)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 30, ARTICLE II (NUISANCES) SECTION 30-51 (DEFINITIONS), SECTION 30-53 (NUISANCE DECLARED) AND SUBSECTION 30-54 (NUISANCE TO BE ABATED) OF THE CODE OF ORDINANCES OF THE VILLAGE OF WELLINGTON, FLORIDA; TO MODIFY AND CLARIFY THE SPECIFIC REGULATIONS FOR THE CONTROL OF EXCESSIVE GROWTH OF GRASS, WEEDS AND

LOW-GROWING VEGETATION ON UNDEVELOPED, VACANT, DEVELOPED OR PARTIALLY DEVELOPED PROPERTIES AND ON ACTIVE, INACTIVE OR ABANDONED GOLF COURSE PROPERTIES; PROVIDING A CONFLICTS CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was the approval of Ordinance 2019-01, the Nuisance ordinance. He said he and Ms. Bausch, Assistant Village Attorney, met with the golf course owner and his agent yesterday. He said they had a wide range of discussion, but in the end they hadn't really read the ordinance. Mr. Schofield said that he asked them to take yesterday and today and give him any concerns that they had and he would bring them up Tuesday night to Council if he has them. He said that they talked about a couple of other things, but mostly it was why the Village's definition of a golf course was developed land. He explained that was because it is not in its natural condition. He reiterated that if they have specific concerns, he would bring them to Council as soon as he knows what they are. Mr. Schofield said that it was a cordial meeting and they talked about a variety of other things that didn't relate to this, but he would talk to Council separately about them.

Councilman Napoleone questioned that from the last meeting they had not read the ordinance that they objected to. Mr. Schofield said they had not read the ordinance, so he provided it to them yesterday.

Mayor Gerwig said that their general discussion was that this was codifying what the rules already are. She said that a resident had raised the issue that the North Course has been out of operation for at least 18 years. She said that for some areas where you might call it low growing, it looks natural to the resident. She said that her concern was if they are going to go in and say this is a low growing thing that is now six feet tall and bushy that the residents like, she didn't want people to see clear cutting and mowing and think that the Village directed that.

Mr. Schofield said that he personally did not believe it was ever going to be a golf course. He said that if they are going to take it out of use as a golf course and want to do something else, he believed the Village would be amenable to doing that. He said that the current code allows for a management plan for it and if the management plan says something that the areas that are closed we maintain and the areas they let go of they control the nuisance vegetation. He said if they give the Village a management plan for that, the Planning Department can deal and approve it today. He said that it is not anything that would be difficult or onerous and the code currently provides for that provision. Mr. Schofield believed at the Council meeting one of Council asked the question about

if an area couldn't be returned to its natural condition. He said that code does provide for that.

Mayor Gerwig asked if they were talking about invasives such as holly, brazilian pepper, australian pines and were those part of the nuisance. Mr. Schofield said that it certainly could be. He explained that the issue was that you are dealing with two separate sets of standards: (1) nuisance ordinance and (2) landscaping and property maintenance standards which are in the land development regulations. He explained that this is already governed by the land development regulations, and noted that the goal was to make the nuisance ordinance and land development ordinances more consistent. Mr. Schofield said that they are in the process of making the land development regulations more readable and at some time they may attempt to do that with the code of ordinances which is a much more difficult process and one he gets to happily hand to legal.

Ms. Bausch directed Council to the packet that was put at their places. She said that it was an amended ordinance where the word "water body" was added in Section 1. She said that addition was based on the discussion that was held by Council last time this was discussed. As a result of that, they decided to include the word water way and waterbody to make sure that it was inclusive. She noted that the ordinance the Council received that morning was the final version. She also noted that the tenses of the underlined words were also corrected because some were plural and some were singular, but there were no substantive changes.

Mayor Gerwig questioned why a water body didn't include a waterway or lake as she felt it was redundant. Mr. Schofield said that one of the issues was if you are a practicing planner or engineer in Florida, the term water body would include both natural and manmade things and anything that has standing surface water.

Mayor Gerwig noted that the Village may own some of the water bodies. Mr. Schofield said that one of the things he was very clear about was that the way the rules are amended would apply to the Village as well as everyone else in the Village. He said that one place where he has more concern than any other place is if the Alderman's decide not to farm K-Park. He said in that case, the Village will be out providing regular maintenance on that property and will be spending \$50,000 per year instead of making it.

Mayor Gerwig referred to the Executive Course at the Wanderer's Club where it is being developed as large lot equestrian use and thought the

Village actually owns lakes. Mr. Schofield noted that the Village had transferred the lakes to the owner and kept maintenance and drainage and storage easements, but the owner physically owns the lakes. He added that as you get into Lakefield North, the lakes belong to and are maintained by the Village.

G. [19-2635](#)

AUTHORIZATION TO AWARD A TASK ORDER, TO PROVIDE ENGINEERING CONSULTING SERVICES, FOR THE TOPOGRAPHIC SURVEY OF BIG BLUE TRACE RIGHT-OF-WAY FROM SOUTH SHORE BOULEVARD TO WELLINGTON TRACE

Mr. Schofield announced that this agenda item, which is a task order for Engenuity Group, would normally be on the Consent Agenda; however, Mayor Gerwig had a conflict with it. Mayor Gerwig said that she has a conflict with this item and said she would recuse herself because the engineering firm that she works for and owns one share of stock in has other contracts unrelated to Wellington with Engenuity Group.

At this time, Mayor Gerwig left the room.

Mr. Schofield explained that this was the authorization to approve a task order to Engenuity Group, Inc. to provide engineering consulting services for the topographic survey of Big Blue Trace right-of-way from South Shore Boulevard to Wellington Trace in the amount of \$34,190.00. He explained that they had done surveys about a decade ago to challenge the FEMA breakdown; however, they were not detailed enough to use for this. Mr. Schofield said that the Village has the money to do this and for the pathway. Mr. Lundeen added that the design would be done in-house. He said this is just a survey to do this noting it is sent to one of the Village's consultant as they don't have that capability on staff.

Mayor Gerwig returned to the room at the conclusion of the discussion of this agenda item.

4. WORKSHOP

None.

5. ATTORNEY'S COMMENTS

None.

6. MANAGER COMMENTS

Mr. Schofield said that there will be an Acme Landowners meeting at the conclusion of the regular Council meeting. He said that the Landowners meeting calls for the selection of the Chairperson, but he recommended

that they also select the Vice Chairperson at that time. He said they had something that came up this year and they had to reconvene and do that because it had not been done formally in the past. Mr. Schofield said that typically those offices go to the Mayor and Vice Mayor.

7. COUNCIL COMMENTS

Councilman Napoleone asked if it was possible that when there is a Monday holiday could they dispense with rescheduling the agenda review because he felt they could have done this in 20 minutes at Tuesday's meeting versus coming in for a separate meeting. He said they don't have to have an agenda review.

Mr. Schofield said that Council does not have to have an agenda review. He said that meeting is a convenience for staff and sometimes for Council. He explained that previously they used to spend two days with Council one-on-one resulting in five people thinking they had exactly their way. He said that he did not have any problem with not rescheduling the agenda review on those occasions. Mr. Schofield said if there is an issue, he could speak separately to Council; however, he requested that Council look at the agenda and advise him of any questions so he could be prepared.

Mayor Gerwig thought it was good to hold the agenda review prior to the meeting so that staff can gather any other information that the Council has questions on prior to the meeting. She said that, in cases where there is a very light agenda similar to this one, not holding the agenda review is something they could do.

Mayor Gerwig thought that they had to hold the meeting if they advertised for one and wasn't sure how early they would know Council had questions on. Mr. Schofield said that staff looks at agendas at least 90 days in advance. He said that sometimes he will take a look at those agendas and when they have enough time where there is a Monday holiday, they can move things around if they are not critical.

Mayor Gerwig felt that there was a benefit to holding agenda reviews because they can almost workshop the items.

Councilman Napoleone indicated he was referring to those times where there was a Monday holiday. He said if they have questions for staff they can address it prior to the meeting. Mayor Gerwig thought it made sense when the agendas are light.

Mr. Schofield said that his direction was that when there are Monday holidays that conflict with the agenda reviews, he will contact Council to advise whether he felt an agenda review was necessary.

Mayor Gerwig asked if an agenda review could be canceled once it is scheduled. Mr. Schofield responded affirmatively.

8. ADJOURN

There being no further comments to discuss, the meeting was adjourned at 9:27 a.m.