

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, April 23, 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 Napoleone, Vice Mayor; John McGovern, Councilman; Michael Drahos, 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

Minister Geraldo Viera, the Sanctuary of the Palm Beaches, delivered the invocation.

4. APPROVAL OF AGENDA

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

1) Move Consent Item 6D, Authorization To (1) Award a Task Order to provide Design, Construction Documents And Permitting Services for the Water Treatment Plant Warehouse, Generator Storage, Field Services Building Modifications and Miscellaneous Site Improvements Project; and (2) Award a Construction Manager At Risk Contract for the Water Treatment Plant Warehouse, Generator Storage, Field Services Building Modifications and Miscellaneous Site Improvements Project, to the Regular Agenda as Item 8B.

2) Move Regular Item 8B, Consideration of Village Attorney's Employment Agreement, to Item 8C.

3) Dr. Seth Bernstein advised us this afternoon that he would not be able to attend tonight's meeting to accept the Mental Health Awareness Proclamation. He did not request that this Item be postponed, but should council take a photograph with the Proclamation, he would like a copy of it.

A motion was made by Councilman McGovern, seconded by

Councilwoman Siskind, and unanimously passed (5-0), to approve the Agenda as amended.

5. PRESENTATIONS AND PROCLAMATIONS

- A. [19-2860](#)** PRESENTATION OF THE AMERICAN PUBLIC WORKS ASSOCIATION (APWA) RE-ACCREDITATION AWARD TO THE VILLAGE OF WELLINGTON PUBLIC WORKS DEPARTMENT

Mr. Schofield introduced the item.

Mr. Doug Layton, American Public Works Association (APWA), gave brief comments about the recognition.

Council gave comments and congratulated the Public Works staff.

- B. [19-2897](#)** A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA DESIGNATING MAY 2019 AS "MENTAL HEALTH AWARENESS AND TRAUMA INFORMED CARE MONTH" IN THE VILLAGE OF WELLINGTON

Mr. Schofield introduced the item.

Ms. Nubin read the proclamation into record.

Council took a photo with the proclamation which will be provided to Dr. Seth Bernstein along with the proclamation.

- C. [19-2851](#)** PRESENTATION OF SCHOLARSHIPS AND CONTRIBUTIONS BY WASTE MANAGEMENT, INC. OF FLORIDA TO LOCAL AREA SCHOOLS

Mr. Schofield introduced the item.

Ms. Paulette Edwards introduced Ms. Ellen Smith, Government Affairs Area Director for Waste Management, who spoke regarding the scholarships for students at Wellington and Palm Beach Central High Schools, and contributions for the purchase of books for Binks Forest and New Horizons Elementary Schools and Polo Park Middle School.

Representatives from all five schools were present.

Council gave comments regarding the scholarships.

- D. [19-2890](#)** A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA RECOGNIZING AND CONGRATULATING THE LOCAL WINNERS OF THE AMERICAN WATERWORKS ASSOCIATION'S "DROP SAVERS" WATER CONSERVATION POSTER CONTEST

Mr. Schofield introduced the item. Ms. Shannon LaRocque, Utilities Director, thanked the participants, teachers, parents and principals. She provided background information about the local contest and how each student placed in the different divisions and also commented about the national event regarding April as Water Conservation month.

Ms. Nubin read the proclamation.

Council presented the proclamations to students who were in attendance.

E. [19-2817](#) PALM BEACH COUNTY SHERIFF'S OFFICE DISTRICT 8
WELLINGTON FY18 ANNUAL REPORT PRESENTATION

Mr. Schofield introduced the item.

Captain Rolando Silva presented the FY 2018 Annual Report for Wellington District 8 of the Palm Beach County Sheriff's Office.

Council gave comments and asked various questions in regards to the report.

Council extended their thanks to Captain Silva and his staff.

6. **CONSENT AGENDA**

Mr. Schofield indicated a comment card was received for Item 6I.

Bruce Tumin spoke regarding Item 6I.

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

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

A. [19-2850](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETINGS OF
FEBRUARY 12, 2019 AND FEBRUARY 26, 2019

This item approved on Consent.

B. [18-2315](#) AUTHORIZATION TO CONTINUE UTILIZING A SOUTHEAST FLORIDA
CO-OP CONTRACT FOR THE PURCHASE AND DELIVERY OF
WATER METER FITTINGS AND WATER LINE ACCESSORIES

This item approved on Consent.

- C. [18-2318](#) AUTHORIZATION TO RENEW AN EXISTING CONTRACT FOR BUS RENTAL AND DRIVER SERVICES

This item approved on Consent.

- D. **THIS ITEM MOVED TO ITEM 8B ON THE REGULAR AGENDA.**

- E. [19-2650](#) AUTHORIZATION TO RENEW AN EXISTING CONTRACT FOR INSURANCE BROKERAGE SERVICES

This item approved on Consent.

- F. [19-2765](#) AUTHORIZATION TO AWARD A CONTRACT FOR THE VILLAGE PARK CONCESSION STAND DOOR REPLACEMENT - PHASE II PROJECT

This item approved on Consent.

- G. [19-2832](#) AUTHORIZATION TO AMEND AN EXISTING AGREEMENT WITH AVOLVE SOFTWARE FOR PROJECTDOX UPGRADES

This item approved on Consent.

- H. [19-2841](#) AUTHORIZATION TO AWARD A CONTRACT TO CDW-G FOR THE PURCHASE OF ADDITIONAL MICROSOFT LICENSES

This item approved on Consent.

- I. [19-2856](#) AUTHORIZATION TO UTILIZE A PALM BEACH COUNTY CONTRACT FOR THE PURCHASE AND DELIVERY OF HYDRANT ACTIVATOR CAPS

This item approved on Consent.

- J. [19-2885](#) RESOLUTION NO. R2019-19 (PALM BEACH TRANSPORTATION PLANNING AGENCY - TRANSPORTATION ALTERNATIVES GRANT APPLICATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE PALM BEACH TRANSPORTATION PLANNING AGENCY FOR A TRANSPORTATION ALTERNATIVES GRANT REQUESTING \$934,101 TO CONSTRUCT BICYCLE LANES ON GREENVIEW SHORES BOULEVARD FROM WELLINGTON TRACE TO BINKS FOREST DRIVE; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

- K. [19-2888](#) RESOLUTION NO. R2019-20 (PALM BEACH TRANSPORTATION PLANNING AGENCY - LOCAL INITIATIVES GRANT APPLICATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE PALM BEACH TRANSPORTATION PLANNING AGENCY FOR A LOCAL INITIATIVES GRANT REQUESTING \$1,781,058 TO CONSTRUCT BICYCLE LANES ON GREENBRIAR BOULEVARD FROM AERO CLUB DRIVE TO GREENVIEW SHORES BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

7. PUBLIC HEARINGS

- A. [19-2866](#) 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. Nubin read the ordinance by title.

Ms. Cohen presented this item.

Mr. Anthony Lepore, Vice President/Owner and Telecommunications Attorney and Elizabeth Herington-Smith, Government Relations/Marketing Manager, CityScape Consultants, Inc., were present for questions.

Public Hearing

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

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

A motion was made by Councilwoman Siskind, seconded by

Vice Mayor Napoleone, and unanimously passed (5-0), to approve Ordinance No. 2018-10 (Small Cell Wireless Ordinance) on second reading.

8. REGULAR AGENDA

- A. [18-2298](#) AUTHORIZATION TO: 1) AWARD A CONSTRUCTION CONTRACT FOR THE REHABILITATION OF SIX LIFT STATIONS; 2) AWARD A TASK ORDER TO PROVIDE CONSTRUCTION PHASE ENGINEERING SERVICES; AND 3) APPROVAL OF RESOLUTION NO. R2019-09 AMENDING THE UTILITY FUND FOR FISCAL YEAR 2018-2019 BY ALLOCATING FUND BALANCE FOR THE LIFT STATION UPGRADES CAPITAL PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item.

Mayor Gerwig recused herself from this item and the next item (8B) and left the dais.

Ms. LaRocque presented this item.

A motion was made by Councilman McGovern, seconded by Councilman Drahos, and unanimously passed (4-0) for Authorization to: 1) Award a Construction Contract for the Rehabilitation of Six Lift Stations; 2) Award a Task Order to Provide Construction Phase Engineering Services; and 3) Approval of Resolution No. R2019-09 Amending the Utility Fund for Fiscal Year 2018-2019 by Allocating Fund Balance for the Lift Station Upgrades Capital Project; and Providing an Effective Date.

- B. [18-2451](#) AUTHORIZATION TO (1) AWARD A TASK ORDER TO PROVIDE DESIGN, CONSTRUCTION DOCUMENTS AND PERMITTING SERVICES FOR THE WATER TREATMENT PLANT WAREHOUSE, GENERATOR STORAGE, FIELD SERVICES BUILDING MODIFICATIONS AND MISCELLANEOUS SITE IMPROVEMENTS PROJECT; AND (2) AWARD A CONSTRUCTION MANAGER AT RISK CONTRACT FOR THE WATER TREATMENT PLANT WAREHOUSE, GENERATOR STORAGE, FIELD SERVICES BUILDING MODIFICATIONS AND MISCELLANEOUS SITE IMPROVEMENTS PROJECT.

Mr. Schofield introduced the item. This item was formerly Item 6D.

Mayor Gerwig recused herself from this item.

Ms. LaRocque presented this item.

A motion was made by Councilman McGovern, seconded by Councilman Drahos, and unanimously passed (4-0) for Authorization to 1) Award a Task Order to Provide Design, Construction Documents and Permitting Services for the Water Treatment Plant Warehouse, Generator Storage, Field Services Building Modifications and Miscellaneous Site Improvements Project; and 2) Award a Construction Manager at Risk Contract for the Water Treatment Plant Warehouse, Generator Storage, Field Services Building Modifications and Miscellaneous Site Improvements Project.

C. [19-2889](#)

CONSIDERATION OF VILLAGE ATTORNEY'S EMPLOYMENT AGREEMENT

Mr. Schofield introduced the item.

At this time, Bruce Tumin spoke regarding Ms. Cohen.

Vice Mayor Napoleone provided an update and stated that he and Ms. Cohen had continued the negotiations regarding her contract.

Ms. Cohen responded to Council's questions.

A motion was made by Vice Mayor Napoleone, seconded by Councilman McGovern, and unanimously passed (5-0) approving the extension of the Village Attorney's contract as amended.

9. PUBLIC FORUM

Mr. Schofield indicated no public comment cards were received.

10. ATTORNEY'S REPORT

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

Ms. Cohen stated she had no report.

11. MANAGER'S REPORT

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

He stated the next Regular Council Meeting will be held on Tuesday, May

14, 2019, at 7:00 p.m. in the Council Chambers.

Wellington Council's Directions Workshop is scheduled for Friday, April 26, 2019 at 9:00 a.m. at Village Hall in room 1E/1F.

The only Council Meeting in June will be held on Tuesday, June 25, 2019.

12. COUNCIL REPORTS

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

Councilman McGovern asked for an update on the road construction projects at Lake Worth Road, Greenview Shores Boulevard and Wellington Trace. Mr. Schofield indicated the Lake Worth Road project has been completed, except for the striping.

Mr. Schofield stated the construction at Forest Hill Boulevard is related to the shopping center where the new drug store is being built. He said he believed there would be about four more weeks of intermittent lane closures.

Mr. Barnes indicated staff put out an Administrative Transmittal today on Greenview Shores. He said he can check the schedule, but it is not complete as repairs need to be made. Councilman McGovern stated, according to the Administrative Transmittal, the construction begins Monday, April 29, 2019.

He hoped that everyone will join Council and staff on Friday at 8:30 a.m. for the groundbreaking at the Water Reclamation Facility on Pierson Road.

He thanked the Parks & Recreation staff for another great Wellington Egg Hunt this past weekend.

He stated Dr. Frank Rodriguez is in the process of negotiating a contract to become the Superintendent of Schools in Beaufort County, S.C. He said our loss will be their gain. He thanked Dr. Rodriguez for working with the Village to get all of their schools back to A ratings and through some very challenging times.

He thanked Congresswoman Lois Frankel for donating books from the Library of Congress to the Binks Forest Elementary School library. He also thanked her for being in the Village yesterday.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

Councilwoman Siskind congratulated Ms. Quickel and her team for receiving an Investment Policy Certificate of Excellence for the first time.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

Councilman Drahos stated his oldest and closest friend is the Sports Director for Special Olympics, Palm Beach County and his challenge every year is to work within the budget to put on some great events. He said his friend asked him to participate in a golf marathon on May 6th, as they try to play 100 holes in one day. Councilman Drahos stated he will provide a direct link on Facebook and the website is specialolympicsflorida.org/support. He said to click on the hyperlink to donate \$100 for the day, \$1 per hole, \$2 per birdie, etc. He stated he and his friend are teaming up to see how much they can raise for Special Olympics, Palm Beach County.

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

Vice Mayor Napoleone commended staff on the Egg Hunt. He said everyone had a great time and the weather was beautiful.

He indicated Veronica McCue resigned from the Senior Advisory Committee to move closer to family. Councilman Drahos stated he has a couple of people in mind for that spot. He said it is his appointee, so he will be looking to add someone who can bring value to the board.

MAYOR GERWIG: Mayor Gerwig presented the following report:

Mayor Gerwig stated that tomorrow is her last League of Cities meeting as president. She indicated Representative Brian Mast will be speaking tomorrow about the FCC rules on wireless and not about the lake levels. She said it will be nice having a hero speaking to them. She invited Council to come, especially with the wireless issues on what the State Law preempts and the Federal Law preempts.

Mayor Gerwig stated Civics 101 was really fun, as it has gotten better

over the years. She congratulated Ms. Edwards and staff. She said she was glad to see the program expand the way it has. She was hoping that both schools could participate next year. She thanked the Palm Beach Central students for being great participants.

Ms. Cohen stated it was interesting to hear the students' Council comments at the end. She said they were trying to motivate each other. She stated it was nice and she thought it was one of the highlights.

Mayor Gerwig asked about the Supreme Court choosing not to find jurisdiction in the Village's case. She asked if the Village needed to change its code to accommodate the ruling or if there was some kind of process the Village had to do now.

Ms. Cohen stated the Village did not have to change its code, as 604.50 is a State Statute. She explained the Village does need to bring the matter back before the Special Magistrate, because the portion dealing with storm water, flood plain, etc., was upheld. She stated she has been in contact with the attorney for the property owner and she has submitted a proposed order stipulating the dismissal of the portions where the writ was granted. She said she has also sent the attorney the information the property owner needs to come into compliance, so they could comply before the hearing next month. She stated the Village will give the property owner a reasonable period of time to comply.

Mayor Gerwig asked about what the property owner has to submit. Ms. Cohen said they have to submit a paving, grading and drainage application with calculations as well as an elevation survey.

Mayor Gerwig asked if further changes needed to be made by the Village on how this is applied. Ms. Cohen stated the Village has changed the way they are applying it. She said whatever changes needed to be made, have already been made.

Mr. Schofield stated the current process for review is compliant with the statute and with the appellate order.

Mayor Gerwig thanked everyone for a great meeting.

13. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at approximately 8:52 p.m.