

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, May 14, 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; and Tanya Siskind, Councilwoman.

Council Members Not in Attendance: Michael Drahos, 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 called upon several children from the audience to lead the Pledge of Allegiance.

3. INVOCATION

Pastor Tucker Owen, New Sound Church, Wellington, delivered the Invocation.

4. APPROVAL OF AGENDA

Mr. Schofield stated that staff recommended approval of the agenda as presented. He noted that several comment cards were received for the Consent Agenda for Items 6G and 6J and recommended they hear those comments prior to the vote. In addition, public comment cards were received regarding Rustic Ranches roads, and he recommended taking them during the Public Forum immediately following the Consent Agenda.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0), to approve the Agenda as presented.

5. PRESENTATIONS AND PROCLAMATIONS**A. [19-2906](#) RECOGNITION OF WELLINGTON'S COP'S FOR VOLUNTEER AWARDS**

Mr. Schofield introduced the item.

Captain Silva gave an overview of the Citizens on Patrol Program. He introduced one of the Citizens on Patrol Supervisors who briefly described the program, and recognized Volunteer Sergeant Kenneth Finkleman and Volunteer Captain Chet McCarthy for their extraordinary service.

Council expressed their congratulations to Sergeant Finkleman and Captain McCarthy on their awards and thanked them for their service. Council then presented them with a Mayor's Recognition and posed for photographs with them and the Citizens on Patrol officers who were present.

6. CONSENT AGENDA

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

Comments on the Consent Agenda:

1. Bruce Tumin spoke about the money spent on the Town Center and public input when the schematics of the design is completed.
2. Bruce Tumin, regarding 6J, spoke about the Florida Boating program, the grants they provide and the deadline for the grant.

Mayor Gerwig asked Mr. Schofield to address Mr. Tumin's comment on the grant deadline date. Mr. Schofield explained that staff has typically been applying for the boating grants that did not require a Council resolution. He said that one of the things the State requested with this grant was a resolution, which was a new requirement. He said the grant was in, but there was no guarantee that they would get it.

Mayor Gerwig said Council had previously voted on this project. She asked if the Village met all the legal requirements. Ms. Cohen said that as long as the Village was providing a resolution, there was no reason why staff could not have applied for the grant as there was no guarantees they were going to get it, and it is certainly subject to Council approval.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0), to approve the Consent Agenda as presented.

Public Comment on Non-Agendaed Items:

1. Andrea Colombino spoke about the maintenance of the roads in Rustic Ranches.

2. Gus Whitelaw spoke about the maintenance of the roads in Rustic Ranches.
3. Phillip Brown spoke about the maintenance of the roads in Rustic Ranches.
4. Ralph Potente spoke about the maintenance of the roads in Rustic Ranches.
5. Cecelia Stewart spoke about the maintenance of the roads in Rustic Ranches.
6. Houstone Meigs spoke about the maintenance of the roads in Rustic Ranches.
7. Bruce Tumin spoke about the Village fixing a pot hole on a private road on Forest Club Road.

With regard to the road mentioned by Mr. Tumin, Mr Schofield said that it should not be maintained by Public Works and he would find out why.

Mr. Schofield then spoke in response to the comments regarding the mainenance of the roads in Rustic Ranches. He gave an overview of the history of Pine Tree Water Control District and their powers and responsibilities and how it relates to Rustic Ranches, and the Village's Interlocal Agreement with Pine Tree.

Ms. Cohen spoke about the previous lawsuit that was filed by Pine Tree and then dropped and her attempt to communicate with their attorney in order to find a solution to the situation.

Additional Public Comments

1. Henry Brody spoke about his ideas for the Village to build a Senior Center.

2. Carol Montgomery thanked Mayor Gerwig and Councilman McGovern for their support on residential issues. She spoke of their community accumulating some discovery and other documents that they wanted to share at a public forum with Council.

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| A. | <u>19-2984</u> | MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETINGS OF MARCH 12, 2019 AND APRIL 9, 2019 |
| | | This item approved on Consent. |
| B. | <u>19-2644</u> | AUTHORIZATION TO AWARD A CONTRACT FOR THE ESSEX PARK OBSERVATION PLATFORM PROJECT |
| | | This item approved on Consent. |
| C. | <u>19-2645</u> | AUTHORIZATION TO RENEW AN EXISTING CONTRACT FOR THE |

SUPPLY AND DELIVERY OF ROAD BASE

This item approved on Consent.

- D. [19-2920](#) AUTHORIZATION TO AWARD A CONTRACT FOR THE REPAIRS AND INSPECTION OF PUMP STATION NO. 9
This item approved on Consent.
- E. [19-2921](#) AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE WATER TREATMENT PLANT
This item approved on Consent.
- F. [19-2922](#) AUTHORIZATION TO UTILIZE A PALM BEACH COUNTY CONTRACT WITH HINTERLAND GROUP, INC. FOR MANHOLE REPAIRS AND REHABILITATION
This item approved on Consent.
- G. [19-2927](#) AUTHORIZATION TO AWARD A CONTRACT TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE TOWN CENTER BOARDWALK PROJECT
This item approved on Consent.
- H. [19-2928](#) AUTHORIZATION TO EXTEND A LEASE AGREEMENT BETWEEN ACME IMPROVEMENT DISTRICT AND J. ALDERMAN FARMS, INC. FOR THE K-PARK SITE
This item approved on Consent.
- I. [19-2947](#) RESOLUTION NO. R2019-21 (AUTHORIZATION AND APPROVAL OF QUIT CLAIM DEED BETWEEN THE VILLAGE OF WELLINGTON AND PALM BEACH POLO AND COUNTRY CLUB PROPERTY OWNERS' ASSOCIATION, INC.)

A RESOLUTION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA APPROVING A QUIT CLAIM DEED BETWEEN THE VILLAGE OF WELLINGTON AND PALM BEACH POLO AND COUNTRY CLUB PROPERTY OWNERS' ASSOCIATION, INC. FOR CONVEYANCE OF THE STORMWATER MANAGEMENT TRACTS; AND PROVIDING AN EFFECTIVE DATE.
This item approved on Consent.
- J. [19-2954](#) RESOLUTION NO. R2019-22 (TOWN CENTER PROJECT FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FLORIDA BOATING IMPROVEMENT GRANT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE FILING OF A GRANT APPLICATION TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FLORIDA BOATING IMPROVEMENT PROGRAM FOR THE TOWN CENTER PROJECT AND PROVIDING FOR ACCEPTANCE OF THE TERMS AND CONDITIONS THEREOF, PROVIDING THE REQUIRED CERTIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

This item approved on Consent.

- K. [19-2956](#) RESOLUTION NO. R2019-24 (SPECIAL MAGISTRATES APPOINTMENTS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE APPOINTMENT OF SPECIAL MAGISTRATES TO HEAR AND DECIDE CODE ENFORCEMENT CASES PURSUANT TO SECTION 2-203 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

- L. [19-2974](#) APPROVAL OF CHANGE ORDER FOR WELLFIELD 24 REHABILITATION

This item approved on Consent.

- M. [19-2987](#) RESOLUTION NO. R2019-29 (DECLARING AN IMMEDIATE THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC DUE TO THE CONDITION OF CERTAIN ROADWAYS WITHIN THE JURISDICTIONAL BOUNDARIES OF PINE TREE WATER CONTROL DISTRICT)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON DECLARING THAT THE PRESENT CONDITION OF CERTAIN ROADWAYS WITHIN THE SERVICE BOUNDARIES OF THE PINE TREE WATER CONTROL DISTRICT REQUIRES IMMEDIATE COURT ACTION TO COMMAND PINE TREE TO COMPLY WITH ITS MINISTERIAL DUTY TO IMPLEMENT THE WORKS OF ITS WATER CONTROL PLAN, INCLUDING THE MAINTENANCE OF CERTAIN ROADWAYS, IN ORDER TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

7. PUBLIC HEARINGS

- A. [19-2891](#) 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. Callovi read the ordinance by title.

Mr. Basehart presented this item.

Public Hearing

A motion was made by Councilman McGovern, seconded by Vice Mayor Napoleone, and unanimously passed (4-0), to open the Public Hearing.

There being no public comments, a motion was made by Councilman McGovern, seconded by Vice Mayor Napoleone, and unanimously passed (4-0), to close the Public Hearing.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0), to approve as amended Ordinance No. 2019-03 (Nightclub) on second reading.

8. REGULAR AGENDA

A. [19-2884](#) OUTSIDE LEGAL FEES AND COSTS

Mr. Schofield introduced the item.

Ms. Cohen presented the item.

A motion was made by Vice Mayor Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0), to approve the continued use of outside professional legal services with multiple firms in an amount up to \$90,000.00 through September 30, 2019.

9. PUBLIC FORUM

Mr. Schofield indicated there were no comment cards received.

10. ATTORNEY'S REPORT

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

Ms. Cohen advised Council that she would be out of the office next week, and Ms. Bausch would be covering the Agenda Review Meeting which was moved up to Thursday, May 23, 2019 because of the holiday.

11. MANAGER'S REPORT

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

The next Regular Council meeting will be held on Tuesday, May 28, 2019 at 7:00 pm in the Council Chambers.

Due to the Monday holiday, the Agenda Review Meeting is scheduled for Thursday, May 23, 2019 at 4:00 p.m. in room 1E/1F.

Council will be holding only one meeting in June - June 25, 2019. The June 11, 2019 meeting has been cancelled.

Village offices will be closed on Monday, May 27, 2019, in observance of Memorial Day.

The Memorial Day Parade will take place on Monday, May 27, 2019 at Village Hall at 8:15 a.m. and proceed to the Veteran's Memorial where the ceremony will begin at 8:30 a.m.

The pool will be closed to the public from 3:00 p.m. Friday, May 17, 2019 through Saturday, May 18, 2019, as the Aquatics Complex will be hosting a swim meet.

Project Graduation will be held at Palm Beach Central High School on Tuesday, May 21, 2019 and at Wellington High School on Wednesday, May 22, 2019.

He reported that the Village will once again be holding the Masters Swimming Program.

He announced that he would be out of the office on Friday.

Mayor Gerwig recommended that the Village do a PSA on the Masters Swimming Program. She said that she would do that PSA.

Mayor Gerwig advised Vice Mayor Napoleone that he would have to serve as Master of Ceremony on Memorial Day as she would be out of town.

12. COUNCIL REPORTS

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

Councilwoman Siskind reported that graduations for Palm Beach Central and Wellington High Schools would be held next week, and that she would be attending. She offered her congratulations to the graduates.

She announced that one of Wellington High School teachers, Ms. Thomas (Chemistry) had passed away last week and offered her condolences.

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

Councilman McGovern also extended his congratulations to the graduates and their parents.

He congratulated Mayor Gerwig for her service as President of the Palm Beach County League of Cities, and also congratulated Councilman Jeff Hmara, Royal Palm Beach, who is the incoming President.

Mayor Gerwig said that due to a conflict with the League meeting, she would not be able to attend Wellington High's graduation. She asked Council to extend her apologies to Ms. Hayden, Wellington's principal.

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

Vice Mayor Napoleone congratulated the high school seniors on their graduation.

He said that Mayor Gerwig had done a great job this year as President of the Palm Beach County League of Cities.

He hoped there would be a great turnout on Memorial Day.

MAYOR GERWIG: Mayor Gerwig presented the following report:

Mayor Gerwig said that she enjoyed her year as President, had taken on way too much, but that many things were accomplished.

She referred to the email that was received regarding the recipient of the Home Rule Hero Award, and asked Mr. Schofield who the recipient was as it was not shown on the email. She noted that when she had asked who had received the email, it showed 15 people. Mr. Schofield said Mayor Gerwig was the recipient of the award. He noted that he had spoken to Mr. Silliman about the email problem and he will have it resolved.

Mayor Gerwig spoke about an email that was received from a resident regarding fireworks. She said that they put up tent signs in the Equestrian Preserve Area that fireworks are illegal; however, she asked if they could get some information out because fireworks are also stressful to residents with PTSD, pets, etc.

Mr. Schofield said that Mr. Barnes indicated he has been working with Public Works and PBSO and they will try to put more information out.

Mayor Gerwig said she had someone ask her about the roads in Saddle Trail and who should they call regarding them. Mr. Schofield said that they should contact Dennis Flaherty. He noted that the roads are being graded as often as they can be graded. He said that they were also having a problem with the shell rock on 50th.

Mayor Gerwig asked if the complaint section of the website was working again. Mr. Schofield believed that is functioning and the only thing that wasn't were PDFs.

Mayor Gerwig asked if anyone knew how Mr. Drahos did at his golf tournament for the Special Olympics. Councilman McGovern said that his understanding was that they played 92 holes last Monday.

Mayor Gerwig said that she would be at Wellington Elementary School the next morning participating in the Ride Your Bike to School Day. Vice Mayor Napoleone said that he would be joining her.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at 8:45 p.m.