

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Monday, March 9, 2020

4:00 PM

Village Hall - Conference Rooms 1E & 1F

Village Council Workshop

*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 4:00 p.m.

Council Members in Attendance: Anne Gerwig, Mayor; Michael Napoleone, Vice Mayor; John McGovern, Councilman; and Michael Drahos, Councilman.

Councilmembers not present: Tanya Siskind, Councilwoman.

2. PLEDGE OF ALLEGIANCE

Mayor Gerwig led the Pledge of Allegiance.

Mayor Gerwig informed the Council that Alexander Domb, the winner of the Boys and Girls Club auction, would be in attendance at the Council meeting tomorrow night as Mayor for a Day.

3. [20-3614](#)

EMPLOYEE OF THE MONTH FOR JANUARY, 2020 – JASHLY BOTEX, ACCOUNTING TECHNICIAN

Mr. Schofield introduced Jashly Botex, Accounting Technician, as the Employee of the Month for January, 2020.

Sharon Almeida provided information to Council regarding Ms. Botex and why she was selected as the Employee of the Month for January.

Council congratulated Ms. Botex.

4. [20-3631](#)

WELLINGTON YOUTH COUNCIL UPDATE

Mr. Schofield introduced this item.

Mr. Ed De La Vega introduced a couple of members of the Wellington Youth Council to give an update on the activities of the group. Mariana Valencia, Chair, Palm Beach Central High School, described some of the activities that the Youth Council has been involved in. She mentioned that they completed a successful DodgeBall tournament as well as a Dance Marathon. Karinne Mitchell, Chair, Wellington High School, explained the De-Stress Fest that will be held on April 11, 2020 at the Wellington Amphitheater to assist kids with their stress levels during exams. She also mentioned that the Youth Council has been involved with an afterschool tutoring program.

Mayor Gerwig mentioned how proud she was of the Youth Council and thanked them for the work they are doing.

Councilman Drahos mentioned that he would like to have a game with the Dodge Ball winners against the Council and staff.

Mayor Gerwig asked if there were any upcoming activities that the Youth Council would be involved in.

Ms. Mitchell mentioned that there is a possibility of a Senior Luncheon and that a few other ideas have been in discussion.

Ms. Cohen stated that Ms. Mitchell is the student member of the Wellington Historical Society.

Ms. Valencia introduced the rest of the youth council members from Palm Beach Central High School.

5. REVIEW OF COUNCIL AGENDA

Mr. Schofield introduced the agenda for the March 10, 2020 Regular Council Meeting for review.

A. [20-3585](#) PRESENTATION BY MR. DAVID GRAD, STEM/DIGITAL ART AND DESIGN TEACHER AT POLO PARK MIDDLE SCHOOL

Mr. Schofield introduced the agenda item. Mr. David Grad, STEM/Digital Art and Design teacher for Polo Park Middle School will present his students and their projects.

B. [20-3665](#) PRESENTATION OF ELBRIDGE GALE LEGO LEAGUE ROBOTICS TEAM

Mr. Schofield introduced this item. This is the presentation of the Elbridge Gale Lego League Robotics Team and recognition of their selection to participate in the First Lego League World Championship Expo.

There was discussion regarding Councilman Napoleone winning the Pinewood Derby.

- C. [20-3600](#) PROCLAMATION RECOGNIZING MARCH 16-20, 2020 AS GOVERNMENT FINANCE PROFESSIONALS WEEK IN THE VILLAGE OF WELLINGTON
- Mr. Schofield introduced the agenda item. This is the proclamation recognizing March 16-20, 2020 as Government Finance Professionals Week in the Village of Wellington.
- D. [19-3411](#) AUTHORIZATION TO APPROVE A TASK ORDER TO HAZEN AND SAWYER, P.C. TO PROVIDE ENGINEERING SERVICES FOR THE PEACEFUL WATERS HYDRAULIC PHASE 1 DESIGN
- Mr. Schofield introduced this agenda item. This is for authorization to approve a task order to Hazen and Sawyer, P.C. to provide engineering services for the Peaceful Waters Hydraulic Phase 1 Design at a cost of \$48,896 to double the amount of water around the wastewater plant into Peaceful Waters.
- Shannon LaRocque explained that this item is already in the capital budget and they have also put in for a legislative appropriation to fund the construction for this project. She explained that they are wanting to get the design portion approved in anticipation of the legislative appropriation. This would double the reuse water from 200,000 gallons a day to 400,000 gallons a day.
- Councilman McGovern inquired on the status regarding this item in Tallahassee.
- Mr. Schofield informed them that the item still exists in the House and there is no word yet on where it stands in the Senate.
- E. [19-3503](#) AUTHORIZATION TO RENEW AN EXISTING CONTRACT FOR THE PURCHASE OF MULCH, PINE STRAW, AND GROUND PREPARATION, VILLAGE-WIDE
- Mr. Schofield introduced the agenda item. This is for authorization to renew an existing contract with multiple vendors for the purchase of mulch, pine straw, and ground preparation, Village-wide, in the amount of \$119,500 for Fiscal Year 2020. There is no price increase proposed and the contracts are with East Coast Mulch Corporation and Amerigrow Recycling Delray.

F. [19-3513](#) AUTHORIZATION TO RENEW AN ANNUAL AUDITING SERVICES CONTRACT WITH GRAU AND ASSOCIATES

Mr. Schofield introduced the agenda item. This is for authorization to renew an annual auditing services contract with Grau and Associates, for two years, in the amount of \$76,500 (2020) and \$78,500 (2021).

Mayor Gerwig asked if there was comfort in the level of services that the Village is getting from these Auditors.

Ms. Tanya Quickel stated that they were indeed comfortable with the services. She said that they would like to get through the ERP conversion with these auditors before changing. She mentioned that they could be comfortable with any auditor, but they would like to get through with the conversion before possibly recommending to look for a new firm.

Vice Mayor Napoleone asked if there were any best practices recommendations for changing auditors after a certain number of years.

Ms. Quickel explained that there are recommendations for an Audit Committee to review periodically.

G. [20-3572](#) AUTHORIZATION TO UTILIZE A GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE OF A NEW PARKS AND RECREATION MANAGEMENT SOFTWARE SOLUTION

Mr. Schofield introduced the agenda item. This is for authorization to utilize GSA contract #GS-35F-0124U, with Civic Plus, LLC, as a basis for pricing, for the purchase of a new Parks and Recreation management software (Civic Rec), in the amount of \$63,400 for the first year and \$37,500 in subsequent years. He explained that what the village is currently using is over 15 years old and the village is still doing some things by hand. He stated that we also have hardware that we are required to maintain. With the new software, there would be no hardware/equipment to maintain as everything will be cloud-based and everything we do by hand now will be automated.

Mr. William Silliman explained that we are basically using an aging technology and that with the new software, it is very mobile friendly.

Mr. Ed De La Vega mentioned that the Civic Rec is owned by the

same company as our website, so that would make this an easier integration. He explained our current system is very cumbersome for online registration.

Councilman McGovern asked what the cost difference is of this software compared to what we are doing now.

Ms. Quickel explained that it is significantly more, but the benefits/services are much better. She stated that the user interface is much better and people can do their registrations online for efficiency. She explained there will be an implementation process with the software that includes a successful roll-out promotion.

Councilman McGovern mentioned that there have been talks in the past regarding decreasing full-time employees. He asked if this software would eventually allow us to do that.

Mr. Schofield explained that if implementing this software allows us to receive double the registrations online, then it would save us at least a half a person.

Mayor Gerwig stated that it will increase the effective use of our facilities as it is easier for people to participate in activities when they have been able to easily register for the programs.

Mr. Eric Juckett mentioned that the public will have tutorials on how to register online. With this program, they will not be importing the information from the old system. Much of the information is outdated and this will be an opportunity to make sure all is up to date.

Councilman Drahos asked about identity safeguards and if it would have the same platform as all the other systems use.

Mr. William Silliman responded that the company's securities have passed all of our security requirements.

Mr. De La Vega informed the Council that the third year is subject to price increases and that is when he would recommend that they bring the contract back to the Council for review. He explained the price increase is subject to an up to 5% increase each year.

Mayor Gerwig stated that CivicPlus is the company that many of the other municipalities are using because of the ADA compliance

issues.

Vice Mayor Napoleone asked if any other municipalities are utilizing this software and have we inquired on how they are doing with it.

Mr. De La Vega stated that Miami Dade County, Indian River County, Stuart and about 15 other municipalities throughout Florida are using this software. Miami Dade reported that they were very happy with the program.

Mr. Juckett informed the Council that it takes six to eight months to roll out the program. He said that with the Council's approval in April, they would be ready to start in October or November.

Mayor Gerwig asked if there would be computers available for the public to use if they do not have a computer at home.

Mr. Juckett said that there would be computers available.

H. [20-3652](#)

APPROVAL OF AN AGREEMENT WITH WELLINGTON THE MAGAZINE TO PRODUCE AND PUBLISH THE VILLAGE OF WELLINGTON'S 25TH SILVER ANNIVERSARY MAGAZINE; AND PROVIDING AN EFFECTIVE DATE

Mr. Schofield introduced the agenda item. This is for approval of an agreement with Wellington The Magazine to produce and publish the Village of Wellington's 25th silver anniversary magazine; and providing an effective date. He said that the anticipated total cost should not be more than \$45,100 as parts of that are expected to be offset by advertising. He stated that he feels that there should be some limitation on the amount of advertising. He personally feels that the advertising should be around half or less of the pages of the magazine.

Councilman McGovern stated that we did not do this type of thing for the 20th anniversary and asked why we are doing it for this anniversary.

Mr. Schofield said that they felt that the 25th anniversary was a bigger milestone and is just a part of the 25th Anniversary marketing plan.

Councilman McGovern stated that he would like to pull this item off the agenda or postpone it until he can hear the entire 25th Anniversary marketing plan and how this plays into it before they

agree to 10,000 copies of the magazine.

Mr. Schofield said that he will go ahead and pull this item and bring the whole presentation to them.

Councilman McGovern said that he wants to hear what will go in the magazine, how much advertising there will be, and who is selling the advertising.

Mayor Gerwig wanted to know who was driving the idea of the magazine.

Mr. Schofield stated that this would be coming more from Ms. Quickel's office in conjunction with Ms. Nunez. He said that he would have the item on the next agenda for presentation.

At this point, Mr. Schofield informed Council that there are only two items on the next agenda and it is also spring break. He suggested cancelling the meeting since it was a light agenda and moving those items to the April 14, 2020 meeting.

There was a consensus to move those items to the April 14th meeting.

I. [20-3661](#) RESOLUTION NO. R2020-10 (FEDERALLY FUNDED SUBAWARD AND GRANT AGREEMENT – HURRICANE DORIAN)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING HURRICANE DORIAN FEDERALLY FUNDED SUBAWARD AND GRANT AGREEMENT BETWEEN THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT AND THE VILLAGE OF WELLINGTON; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This is the acceptance of the State of Florida Division of Emergency Management Federally Funded Subaward and Agreement for Hurricane Dorian (DR-4468). This agreement is for \$170,000 worth of reimbursements for Hurricane Dorian. We are expecting a reimbursement of at least \$148,750 if we enter into the agreement.

J. [20-3662](#) ORDINANCE NO. 2020-04 (ALCOHOLIC BEVERAGES HOURS OF SALE)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 6, SECTION 6-2, "ALCOHOLIC BEVERAGES, HOURS OF SALE" OF THE VILLAGE'S CODE OF ORDINANCES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This is the approval of the proposed Ordinance amending Chapter 6, Section 6-2 (Alcoholic Beverages, Hours of Sale) of the Wellington Code of Ordinances for all businesses that sell alcoholic beverages to remove antiquated restrictions, simplify the regulations and provide for equal treatment of licensed businesses. This is the second reading of the ordinance.

Mr. Stillings explained that this item would uniformly prohibit the sale of alcohol beverages between the hours of 3:00 am to 7:00 am daily, whereas currently the hours vary based on the day. He said that they have not received any comments from any businesses since the last meeting. If the item should pass at the Council meeting, then they will be notifying all the businesses that sell alcohol so that they will be informed of the change.

Mayor Gerwig asked how long this would take to go in effect once it was approved.

Ms. Cohen explained that it would go into effect immediately.

Mayor Gerwig said that she had heard from the public that had encouraged this item and it was all positive.

K. [20-3663](#)

ORDINANCE NO. 2020-05 (AMENDMENT TO ARTICLE III, CHAPTER 58, SECTION 58-69 ENTITLED ISSUANCE OF RECEIPT)

AN ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING CHAPTER 58, ARTICLE III, SECTION 58-69 OF WELLINGTON'S CODE OF ORDINANCES, TITLED "ISSUANCE OF RECEIPT," TO ELIMINATE THE REQUIREMENT THAT THE RECEIPT BE SIGNED BY A VILLAGE OFFICIAL; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This is approval of Ordinance No. 2020-05 amending Article III, Chapter 58, Section 58-69 entitled Issuance of Receipt. This item allows for an electronic receipt so that they do not have to be physically signed by a person.

Mr. Stillings stated that they had not received any feedback from the

public on this item.

- L. [20-3664](#) ORDINANCE NO. 2020-06 (AMENDMENT TO CHAPTER 33, ARTICLE II, DIVISION 3 "PARKS AND RECREATIONAL FACILITIES IMPACT FEE", SECTION 33-151 ENTITLED "IMPOSITION")

AN ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING CHAPTER 33, ARTICLE II, DIVISION 3 "PARKS AND RECREATIONAL FACILITIES IMPACT FEE," SECTION 33-151 OF WELLINGTON'S CODE OF ORDINANCES TITLED "IMPOSITION" TO LINK THE AVERAGE NUMBER OF PERSONS PER DWELLING UNIT TO THE MOST RECENT CENSUS DATA FOR WELLINGTON; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. This is approval of Ordinance No. 2020-06 amending Chapter 33, Article II, Division 3, Section 33-151 entitled Imposition. This changes the unit occupancy to keep it consistent with the current census number and the figure will change as the census changes.

Councilman McGovern asked if this figure will change if the census increases or decreases.

Mr. Stillings stated that it would change and they could do it without having to revise the ordinance. This would take into account each year the American Community Survey, which is a part of the US Census annually.

6. WORKSHOP

Mr. Schofield stated that he had four items. The first was already discussed regarding the March 24th meeting being cancelled. He said that he wanted to have a discussion regarding Special Magistrates and that would take a while. The other items were setting the date of the groundbreaking for Tiger Shark Cove and that he has received two names to be added to the Founders' Plaque. Those names are Kathy Foster and Carmine Priore. He said that he believes they should look at how they determine what names go on the plaque going forward.

Mayor Gerwig stated she had previously asked to see if the Historical Society would evaluate, because none of the Council were involved in

local government at that time. She stated that she thinks they would be able to give the Council some direction and take the “political” aspect out of the selection process.

Vice Mayor Napoleone stated he agreed and also thinks that the Historical Society should definitely give the Council some sort of criteria guidelines or perhaps make the nominations.

Councilman McGovern stated he felt the Historical Society should just give the Council a set of criteria to work with.

Councilman Drahos stated that he agreed more with Councilman McGovern and felt they should start with just receiving the criteria from the Historical Society and then let the Council use that to nominate who they feel fit that criteria.

Attorney Cohen stated that she thought the Historical Society could definitely come up with the criteria and get that to the Council.

Mayor Gerwig stated that she thought maybe they should change the name of the plaque as having a future “Founder” is not really ideal. She said that there were a few other names that she thought may need to be on the plaque and that the Historical Society should give them the guidelines.

There was consensus that they ask the Historical Society for a set of criteria and then the Council could decide who they would like to have on the plaque next.

Councilman Drahos stated that he felt putting a name on the plaque should be a unanimous decision from the Council.

Mayor Gerwig stated that she did not want this decision to be a political feeling. She stated that they could add Carmine Priore at the April meeting since she was pretty sure that Kathy Foster would be at the meeting tomorrow. She said that if Mrs. Foster was at the meeting, she would make that motion.

Vice Mayor Napoleone wanted to know why Mrs. Foster was invited to the meeting if the decision to add her had not been made at that time.

Mayor Gerwig stated that she had not been officially invited, but that most likely would be there because her son was going to be at the meeting saying the pledge.

Councilman McGovern expressed that there should be more of an impact made for the honoree to be placed on the plaque. He stated that it should not be a surprise for the honoree so that family and friends were able to be there to witness the honor.

Discussion ensued about whether or not to rush this process of adding the names at the next meeting.

Mayor Gerwig reiterated that if Mrs. Foster were in the audience tomorrow, she would make the motion to add her name.

A. [20-3642](#)

CODE COMPLIANCE SPECIAL MAGISTRATE APPOINTMENT POLICY AND PROCESS, TERM LIMITS, RESIDENCY, NUMBER OF MAGISTRATES AND REAPPOINTMENT PROCESS

Mr. Schofield introduced the item. This was to receive Council's direction on recommended changes to the Special Magistrate appointment policy and process.

Mr. Steve Koch explained that he was looking for direction on policy and procedure on the term limits, residency requirements, number and reappointments of special magistrates.

Mayor Gerwig stated that she recalled that there should be a term limit similar to that of a Council person of eight years.

Mr. Schofield informed the Council that the State outlines two methods of Code enforcement hearings. They can use a code enforcement board or a special magistrate. He said that they first opted to use a board, until residents said they were not getting treated fairly by the board. He said that the Council then opted to go with the magistrate and that has worked well. He stated that the residency requirements have not seemed to be an issue one way or the other.

Mayor Gerwig stated that she thought the magistrate should live in the area so that they would know the area that they are making decisions for.

Mr. Schofield explained that with three different magistrates, the chances of seeing the same magistrate the next time a hearing comes around is very slim.

Mayor Gerwig asked if other communities require residency.

Ms. Cohen stated she was not aware of that requirement in other communities.

Councilman McGovern asked if they removed the term limit requirement, what would be the staff recommendation.

Mr. Koch stated that the staff's recommendation is that they stay with the current two year cycle and then 120 days prior to expiration date, they would reach out to the magistrate and see if they would like to continue to serve. At that point, they would reach out to Council and if there is no objection, they would just move forward with re-appointment. This would give the Council the ability to remove a magistrate. He said that he would like to have that put into an ordinance instead of resolution. He mentioned that currently, the Council has the ability to suspend or remove a magistrate at any time.

Ms. Cohen mentioned that some municipalities have only one magistrate that has a hearing every month.

Mayor Gerwig stated that would be good for more continuity, but asked if that would be more of a strain on the magistrate.

There was a consensus to have at least two magistrates.

Mr. Koch stated that they would like to consolidate all of the resolutions into an ordinance form that would include the removal of term limits, remove the suggestion of residency requirements, reduce the number of magistrates to two, and clarify the process of re-appointment.

Mr. Schofield suggested that we stagger their terms.

Mr. Stillings informed the Council that by current rule, they are supposed to start the selection process now. He stated that with the Council's direction and acceptance, they will hold off on that process to bring the ordinance draft forward for their consideration before they put the time and expense into the selection process.

7. ATTORNEY'S COMMENTS

None

8. MANAGER COMMENTS

None

9. COUNCIL COMMENTS

Vice Mayor Napoleone asked Ms. Cohen for an update on the memorandum from last week regarding a hearing on March 4, 2020.

Ms. Cohen informed the Council that Judge Nutt is still considering whether to enter in the summary judgement. She stated that there has not been much movement. She said that they will wait out that time period and then submit what is necessary to the court and then hopefully get a ruling.

Ms. Quickel asked the Council for a date for the Tiger Shark Cove groundbreaking.

After some discussion, a tentative date was set for April 23, 2020 at 5:30 pm.

10. ADJOURN

There being no further business to be discussed by Council, the meeting was adjourned at 5:30 pm.