

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, January 26, 2021

7:00 PM

Village Hall - Council Chambers

Village Council

*Anne Gerwig, Mayor
Tanya Siskind, Vice Mayor
John T. McGovern, Councilman
Michael Drahos, Councilman
Michael Napoleone, Councilman*

1. CALL TO ORDER

Mayor Gerwig called the meeting to order at 7:00 p.m.

Council Members present: Anne Gerwig, Mayor; Tanya Siskind, Vice Mayor; John McGovern, Councilman; Michael Drahos, Councilman; and Michael Napoleone, Councilman.

Advisors to the Council: Jim Barnes, Manager; Laurie Cohen, Attorney; Tanya Quickel, Deputy Village Manager; Ed De La Vega, Assistant Village Manager; and Chevelle D. Addie, Village Clerk.

2. PLEDGE OF ALLEGIANCE

Victoria McGovern led the Pledge of Allegiance.

3. INVOCATION

Pastor Peter Bartuska, Christ Community Church, delivered the invocation.

4. APPROVAL OF AGENDA

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

1. Change Public Hearing Item 7D {Resolution No. AC2021-02 (15000 46th Lane South Vacation)} to Item 7A.

2. Change Item 7A {Ordinance No. 2020-18 (Repeal the Land Use Element and Replace with the Land Use and Community Design Element)} to 7B.

3. Change Item 7B {Ordinance No. 2020-19 (Repeal the Intergovernmental Coordination Element and Replace with the Community Partnerships Element)} to Item 7C.

4. Change Item 7C {Ordinance No. 2020-12 (Repeal and Replace the Capital Improvements Element)} to Item 7D.

5. Move Item 8A (Outside Legal Fees and Costs - David Dee, Esquire, Gardner, Best, Bowden, Bush, Dee, Lavia, Wright & Perry, PA.) to Consent Agenda as Item 6I.

6. Change the amount from \$75,000 to an amount up to \$50,000 for Item 6I on the Consent Agenda.

7. Move Item 8C (Request for Council Direction Relating to Partial Release of Palm Beach Polo Liens and Lis Pendens to Facilitate Sale of Property to the Palm Beach Polo and Country Club Property Owners Association ("POA")) to Consent Agenda as Item 6J.

8. Change Item 8B (Outside Legal Fees and Costs - Kula & Associates, P.A.) to Item 8A.

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

5. PRESENTATIONS AND PROCLAMATIONS

A. [20-4175](#) FISCAL YEAR 2021 KEELY SPINELLI GRANT AWARDS

Mr. Barnes introduced the item.

Ms. Paulette Edwards, Community Services Director, gave brief comments and introduced the principals from each school (11 schools) and Ms. Valerie Zuloaga-Haines, Palm Beach County Regional Superintendent (Central-Regional Office). Ms. Valerie Zuloaga-Haines spoke regarding the schools and students needing additional resources in order to provide equity. She thanked Council for their investment in the children. She introduced Vivian Green and Karen Whetsell, Instructional Superintendents (Central-Regional Office) and commended the principals. She stated the principals have thought of great ways to utilize the funds from the grant awards. Ms. Marcia Andrews brought greetings from Palm Beach County Superintendent Dr. Donald Fennoy and Deputy Superintendent Keith Oswald. She thanked Council for thinking out of the box for the students and stated Keely Spinelli's legacy lives on. She stated she marvels at the things that the Council does and commended the Education Committee for staying in touch with the principals and schools. Ms. Edwards acknowledged the Education Committee members who were present and stated it is \$400,000 in grant funding that Wellington is providing.

Council gave comments and presented the checks to the principals of each school.

B. [20-4196](#) PRESENTATION TO THANK COMMUNITY PARTNERS WHO HAVE

SPONSORED VILLAGE EVENTS AND PROGRAMS DURING THE PANDEMIC

Mr. Barnes introduced the item.

Ms. Jenifer Brito, Senior Services Specialist/Community Services Department, stated they would like to recognize the community partners and gave an overview of what the community partners have provided.

Council gave comments and the community partners were presented with awards from the Village.

6. CONSENT AGENDA

Mr. Barnes stated there were no comment cards on the Consent Agenda.

Mr. Barnes indicated staff recommended approval of the Consent Agenda as amended.

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

- A.** [20-4209](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF JANUARY 12, 2021
This item approved on Consent.
- B.** [20-4154](#) AUTHORIZATION TO RENEW A CONTRACT WITH ZAMBELLI FIREWORKS MANUFACTURING CO. FOR THE ANNUAL JULY 4TH FIREWORKS DISPLAY
This item approved on Consent.
- C.** [20-4160](#) AUTHORIZATION TO 1) AWARD A CONTRACT FOR THE WASTEWATER LIFT STATIONS 10, 48, 76 AND 79 REHABILITATION PROJECT; AND 2) AWARD A TASK ORDER TO PROVIDE CONSTRUCTION PHASE ENGINEERING SERVICES
This item approved on Consent.
- D.** [20-4186](#) AUTHORIZATION TO EXECUTE A CHANGE ORDER FOR THE AERATION TANK INFLUENT PIPING AT THE WASTEWATER TREATMENT PLANT
This item approved on Consent.

- E. [20-4187](#) AUTHORIZATION TO UTILIZE A TERM CONTRACT WITH PALM BEACH COUNTY, FLORIDA, AS A BASIS FOR PRICING, FOR THE WATER DISTRIBUTION VALVE MAINTENANCE PROGRAM
This item approved on Consent.
- F. [20-4188](#) AUTHORIZATION TO AWARD A SOLE SOURCE CONTRACT FOR PUMP REPAIRS TO PUMP STATION 5 AND PUMP STATION 8
This item approved on Consent.
- G. [20-4190](#) AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE C-8 FORCEMAIN REPLACEMENT PROJECT
This item approved on Consent.
- H. [20-4210](#) CERTIFICATE OF CORRECTION PARCELS 73-43-41-44-14-00-000-1040 & 73-43-41-44-42-001-0010
This item approved on Consent.
- I. [20-4198](#) OUTSIDE LEGAL FEES AND COSTS - DAVID DEE, ESQUIRE, GARDNER, BEST, BOWDEN, BUSH, DEE, LAVIA, WRIGHT & PERRY, P.A.
This item was formerly Item 8A. This item approved on Consent.
- J. [20-4212](#) REQUEST FOR COUNCIL DIRECTION RELATING TO PARTIAL RELEASE OF PALM BEACH POLO LIENS AND LIS PENDENS TO FACILITATE SALE OF PROPERTY TO THE PALM BEACH POLO AND COUNTRY CLUB PROPERTY OWNERS ASSOCIATION ("POA")
This item was formerly Item 8C. This item approved on Consent.

7. PUBLIC HEARINGS

- A. [20-4177](#) RESOLUTION NO. AC2021-02 (15000 46th LANE SOUTH VACATION)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT VACATING THE ENTIRE 100-FOOT WIDE ROAD AND UTILITY EASEMENT 300 FEET IN LENGTH, TOTALING APPROXIMATELY 0.69 ACRES, LOCATED WITHIN TRACT 15, SUN GLADE POINT SUBDIVISION (UNRECORDED) (15000 46TH LANE SOUTH), MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

This item was formerly Item 7D.

Mr. Barnes introduced the item.

Ms. Addie read the Resolution by title.

Mr. Stillings presented the item and answered Council's questions.

Public Hearing

A motion was made by Councilman Napoleone, seconded by Vice Mayor Siskind, and unanimously passed (5-0) to open the public hearing.

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

Council gave comments.

A motion was made by Councilman Drahos, seconded by Vice Mayor Siskind, and unanimously passed (5-0) to approve Resolution No. AC2021-02 (15000 46th Lane South Vacation).

B. [20-4199](#)

ORDINANCE NO. 2020-18 REPEAL THE LAND USE ELEMENT AND REPLACE WITH THE LAND USE AND COMMUNITY DESIGN ELEMENT

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL THE LAND USE ELEMENT AND REPLACE WITH THE LAND USE AND COMMUNITY DESIGN ELEMENT, INCLUDING ANY ELEMENT MAPS, IN ITS ENTIRETY, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

This item was formerly Item 7A.

Mr. Barnes introduced the item.

Ms. Addie read the Ordinance by title.

Mr. Stillings presented this item and submitted the staff report and file into the record. He answered Council's questions.

Public Hearing

A motion was made by Councilman Drahos, seconded by Vice Mayor Siskind, and unanimously passed (5-0) to open the public hearing.

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

Council gave comments.

A motion was made by Councilman McGovern, seconded by Vice Mayor Siskind, and unanimously passed (5-0) to approve Ordinance No. 2020-18 (Repeal the Land Use Element and Replace with the Land Use and Community Design Element) on first reading.

C. [20-4200](#)

ORDINANCE NO. 2020-19 REPEAL THE INTERGOVERNMENTAL COORDINATION ELEMENT AND REPLACE WITH THE COMMUNITY PARTNERSHIPS ELEMENT

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL THE INTERGOVERNMENTAL COORDINATION ELEMENT AND REPLACE WITH THE COMMUNITY PARTNERSHIPS ELEMENT, INCLUDING ANY ELEMENT MAPS, IN ITS ENTIRETY, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

This item was formerly Item 7B.

Mr. Barnes introduced the item.

Ms. Addie read the Ordinance by title.

Mr. Stillings presented this item.

Council gave comments.

Public Hearing

A motion was made by Councilman Napoleone, seconded Councilman Drahos, and unanimously passed (5-0) to open the public hearing.

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

A motion was made by Councilman Napoleone, seconded by Vice Mayor Siskind, and unanimously passed (5-0) to approve Ordinance No. 2020-19 (Repeal the Intergovernmental Coordination Element and Replace with the Community Partnerships Element) on first reading.

D. [20-4201](#)

ORDINANCE NO. 2020-12 (REPEAL AND REPLACE THE CAPITAL IMPROVEMENTS ELEMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL AND REPLACE THE CAPITAL IMPROVEMENTS ELEMENT IN ITS ENTIRETY, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

This item was formerly Item 7C.

Mr. Barnes introduced the item.

Ms. Addie read the Ordinance by title.

Mr. Stillings presented this item.

Council gave comments.

Public Hearing

A motion was made by Vice Mayor Siskind, seconded by Councilman Napoleone, and unanimously passed (5-0) to open the public hearing.

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

A motion was made by Councilman Drahos, seconded by Councilman McGovern, and unanimously passed (5-0) to approve Ordinance No. 2020-12 (Repeal and Replace The Capital

Improvements Element) on second reading.**8. REGULAR AGENDA****A. [20-4207](#) OUTSIDE LEGAL FEES AND COSTS – KULA & ASSOCIATES, P.A.**

Mr. Barnes introduced the item.

Ms. Cohen stated this is a request to continue to utilize outside counsel for the appeal and cross appeal in the 130 Violations Case.

Mayor Gerwig stated she did not agree with the concept and intent of the appeal.

Ms. Cohen answered questions from Council.

A motion was made by Councilman Drahos, seconded by Councilman Napoleone, and unanimously passed (5-0) to approve the continued use of outside professional legal services to assist in the matter relating to the appeal of the fine reduction order by the Wellington Special Magistrate in Code Enforcement Case No. NOH 14-3630 up to \$35,000.

9. PUBLIC FORUM

Mr. Barnes indicated no public comment cards were received.

10. ATTORNEY'S REPORT

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

Ms. Cohen stated she sent out a litigation report and asked Council to call if they have questions.

11. MANAGER'S REPORT

MR. BARNES: Mr. Barnes presented the following report:

The Next Regular Council Meeting will be held on Tuesday, February 9, 2021, at 7:00 P.M.

Village Offices will be closed on Monday, February 15, 2021, in observance of the Presidents' Day Holiday.

Mr. Barnes stated there is a vacancy on the Public Safety Committee and Mr. John Archambo, who is a Wellington resident, has volunteered to fill the vacancy. It was Council consensus to appoint Mr. John Archambo.

The Annual ACME Landowners Meeting will be held immediately following this meeting.

12. COUNCIL REPORTS

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

Councilman McGovern stated that Council, staff and community partners are trying to get a vaccine distribution site in Wellington. He wanted everyone to know that Wellington is doing everything that the can.

Mr. Barnes stated that is a daily effort. Staff is continuing to reach out to Palm Beach County, the Governor's Office, state EOC and the health department demonstrating the Village's readiness to establish a POD site and to assist with other COVID-19 matters.

VICE MAYOR SISKIND: Vice Mayor Siskind presented the following report:

Vice Mayor Siskind stated she had no report.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

Councilman Napoleone stated there is an opening on the Palm Beach Transportation Planning Agency (TPA) for a community alternate member and asked that it be put on the website for appointment.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

Councilman Drahos stated he had no report.

MAYOR GERWIG: Mayor Gerwig presented the following report:

Mayor Gerwig stated she had no report.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 8:57 P.M.