

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, April 27, 2021

7:00 PM

Village Hall - Council Chambers

Village Council

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

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

Mayor Gerwig led the Pledge of Allegiance.

3. INVOCATION

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

4. APPROVAL OF AGENDA

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

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

5. PRESENTATIONS AND PROCLAMATIONS**A. [21-4371](#) PRESENTATION AND RECOGNITION OF WELLINGTON'S PUBLIC SAFETY COMMITTEE ESSAY CONTEST WINNERS**

Mr. Barnes introduced the item.

Ms. Nicole Coates, Director of Emergency Management and Liaison to the Public Safety Committee, introduced the Public Safety Committee Members who attended. She stated they had done some tremendous work over the past year. Mr. Michael Weil provided a brief overview of the Essay Contest. He stated 117 essays were submitted from all of the Wellington Schools. The Committee selected one winner each from the Elementary, Middle and High School categories. Mr. Weil acknowledged Jet Hauling who sponsored the contest and provided the gift cards. Ms. Jacqueline Hutman provided a quick synopsis of the essays that were

submitted on various topics of safety. The 2021 Essay Contest winners were: 1) Donovan Kelley, 5th Grader, Binks Forest Elementary School; 2) Avery Appel, 7th Grader, Wellington Landings Middle School and 3) Martin Blanca, 12th Grader, Wellington Community High School.

Councilman Napoleone stated the essays were very impressive and commended the students.

Councilman Drahos acknowledged the Public Safety Committee and thanked them for their contribution to the community. He congratulated the students on a great job.

Vice Mayor McGovern congratulated the winners and their parents. He thanked the Public Safety Committee and all of the students who wrote essays about being safer and taking care of one another.

Councilwoman Siskind stated this is a great project for the students to be involved with and she is proud to see them take on these projects. She thanked the Public Safety Committee and the parents.

Mayor Gerwig commended the students and thanked the parents. She recognized the Public Safety Committee and Jet Hauling. She said this idea came out of the joint meeting between the Education and Public Safety Committees. Mayor Gerwig congratulated the students on their great work.

Vice Mayor McGovern recognized Judge Kelley on becoming the Chief Judge for Circuit 15.

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 presented.

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

A. [21-4385](#)

MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF APRIL 13, 2021

This item approved on Consent.

B. [20-4163](#)

AUTHORIZATION TO UTILIZE A SOUTHEAST FLORIDA

COOPERATIVE CONTRACT FOR THE PURCHASE AND DELIVERY
OF SWIMMING POOL CHEMICALS

This item approved on Consent.

- C. [20-4316](#) AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE DESIGN
AND ENGINEERING CONSULTING SERVICES FOR THE SOUTH
SHORE FORCEMAIN REPLACEMENT PHASE 2 PROJECT

This item approved on Consent.

- D. [20-4330](#) AUTHORIZATION TO AWARD A CONSTRUCTION MANAGER AT
RISK CONTRACT FOR THE TOWN CENTER PHASE II PROJECT

This item approved on Consent.

- E. [21-4372](#) UTILITY SERVICES AGREEMENT WITH DONATO PROPERTIES, LLC
FOR PROPERTY LOCATED AT 12775 50TH STREET IN
WELLINGTON, FLORIDA

This item approved on Consent.

- F. [21-4369](#) RESOLUTION NO. R2021-18 (CODE COMPLIANCE FINE
REDUCTION FOR 13984 COLUMBINE AVE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL
COMPROMISING A LIEN ASSOCIATED WITH A CODE COMPLIANCE
ACTION NOH-10-3446, 13984 COLUMBINE AVE, PURSUANT TO
SECTION 2-199 OF THE CODE OF ORDINANCES; AND PROVIDING
AN EFFECTIVE DATE.

This item approved on Consent.

- G. [21-4376](#) RESOLUTION NO. R2021-21 (CODE COMPLIANCE FINE
REDUCTION FOR 2635 YARMOUTH DRIVE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL
COMPROMISING A LIEN ASSOCIATED WITH A CODE COMPLIANCE
ACTION NOH-15-750, 2635 YARMOUTH DRIVE, PURSUANT TO
SECTION 2-199 OF THE CODE OF ORDINANCES; AND PROVIDING
AN EFFECTIVE DATE.

This item approved on Consent.

- H. [21-4384](#) RESOLUTION NO. R2021-22 (LICENSE AGREEMENT BETWEEN
WELLINGTON AND THE PALM BEACH COUNTY SCHOOL BOARD
FOR TROPOS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL

APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND THE SCHOOL BOARD OF PALM BEACH COUNTY FOR TROPOS INSTALLATION, MAINTENANCE AND OPERATION AT PALM BEACH CENTRAL HIGH SCHOOL; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

7. PUBLIC HEARINGS

- A. [21-4377](#) RESOLUTION NO. AC2021-04 [VACATION OF ROW 1 – VILLAGE ROYALE (TUTTLE)]

A RESOLUTION OF THE BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT (ACME), A DEPENDANT SPECIAL DISTRICT OF THE VILLAGE OF WELLINGTON, TO VACATE AND ABANDON A 1.002-ACRE REMNANT PORTION OF RIGHT-OF-WAY (ROW), FOR CERTAIN PROPERTY LOCATED WITHIN VILLAGE ROYALE, A TUTTLE (NEM, LLC) PROJECT LOCATED IN THE VILLAGE OF ROYAL PALM BEACH, AS MORE SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION AC2021-05 [VACATION OF ROW 2 – VILLAGE ROYALE (TUTTLE)]

A RESOLUTION OF THE BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT (ACME), A DEPENDANT SPECIAL DISTRICT OF THE VILLAGE OF WELLINGTON, TO VACATE AND ABANDON A 0.098-ACRE REMNANT PORTION OF RIGHT-OF-WAY (ROW), FOR CERTAIN PROPERTY LOCATED WITHIN VILLAGE ROYALE, A TUTTLE (NEM, LLC) PROJECT LOCATED IN THE VILLAGE OF ROYAL PALM BEACH, AS MORE SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2021-16 [VACATION OF 10-FOOT WIDE UTILITY EASEMENTS AND LIFT STATION EASEMENT – VILLAGE ROYALE (TUTTLE)].

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL CONSENTING TO TERMINATION OF THE VILLAGE'S INTEREST IN APPROXIMATELY 2.15 ACRES OF A 10-FOOT WIDE UTILITY EASEMENT AND A 1,225 SQUARE FOOT AREA DEDICATED FOR WATER/WASTEWATER AND LIFT STATION PURPOSES, RESPECTIVELY, FOR CERTAIN PROPERTY LOCATED WITHIN

VILLAGE ROYALE, A TUTTLE (NEM, LLC) PROJECT LOCATED IN THE VILLAGE OF ROYAL PALM BEACH, AS MORE SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He suggested having one public hearing for the Resolutions with three separate motions.

Ms. Addie read the Resolutions by title.

Ms. Cory Cramer presented this item and submitted the staff report and file into the record. She answered Council's questions.

Public Hearing

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

Public Hearing

1) Jeff Evans, on behalf of the applicant, stated he was present for any questions.

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

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution AC2021-04 [Vacation of Row 1 - Village Royale (Tuttle)]

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution AC2021-05 [Vacation of Row 2 - Village Royale (Tuttle)]

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution No. R2021-16 [Vacation of 10-Foot Wide Utility Easements and Lift Station Easement - Village Royale (Tuttle)].

B. [21-4393](#)

RESOLUTION NO. R2021-11 (CHICKEN SALAD CHICK DRIVE-THRU

CONDITIONAL USE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A CONDITIONAL USE (PETITION NUMBER 2020-0003-CU) TO ALLOW A DRIVE-THRU LANE AT AN EXISTING RESTAURANT FOR CERTAIN PROPERTY, KNOWN AS CHICKEN SALAD CHICK (FKA BOSTON MARKET), WHICH IS PARCEL C4, AN OUTPARCEL OF THE PINES OF WELLINGTON TRACT C REPLAT (AKA WELLINGTON COMMONS MALL), TOTALING 0.72 ACRES, MORE OR LESS, LOCATED AT 12792 FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; IN A PLANNED DEVELOPMENT ZONING DISTRICT AND SUBJECT TO THE CONDITIONS OF APPROVAL SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Resolution by title.

Ms. Cohen administered the oath to those who wished to speak on the item.

Village Council disclosed any ex-parte communications.

Ms. Cory Cramer presented this item.

Mr. Eric Royal, owner/applicant, was present for questions.

Staff and the applicant answered Council's questions.

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 Drahos, seconded by Councilwoman Siskind, and unanimously passed (5-0) to close the public hearing.

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution No. R2021-11 (Chicken Salad Chick Drive-Thru Conditional Use).

8. REGULAR AGENDA

A. [21-4396](#) RESOLUTION NO. R2021-24 (OPIOID LITIGATION – MEMORANDUM OF UNDERSTANDING)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING WELLINGTON TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS PARTICIPANTS IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN (THE "FLORIDA PLAN") RELATING TO THE OPIOID LITIGATION FOR THE ALLOCATION AND USE OF PROSPECTIVE SETTLEMENT DOLLARS FROM OPIOID RELATED LITIGATION AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE MEMORANDUM OF UNDERSTANDING; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Cohen presented this item. She said this is a request by the Florida Attorney General who is asking local governments to enter into a Memorandum of Understanding. Wellington was not a party to the litigation but could benefit from the proceeds that may be received by the county.

Council gave comment and asked questions.

Ms. Cohen answered Council's questions.

A motion was made by Councilwoman Siskind, seconded by Councilman Napoleone, and unanimously passed (5-0) to approve Resolution No. R2021-24 (Opioid Litigation-Memorandum of Understanding).

9. PUBLIC FORUM

Mr. Barnes indicated one public comment card was received.

Mr. Brad Johnson spoke regarding solicitations in Sugar Pond Manor. He asked if there are any regulations that address solicitations.

Ms. Cohen stated the Village is limited in how it regulates solicitation and explained that homeowners can place "no solicitation" signs on their property.

10. ATTORNEY'S REPORT

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

Ms. Cohen stated the Village received a summary judgement in favor of Wellington in the Pine Tree lawsuit regarding roadways within Rustic Ranches.

Councilman Drahos asked what will the Village do going forward to notify the residents.

Ms. Cohen stated Pine Tree would notify their residents. She said it is officially their responsibility.

Regarding Pine Tree imposing assessments on the Village's Marjory Stoneman Douglas Habitat, Ms. Cohen stated they have been unsuccessful in getting Pine Tree to respond to the pre-suit negotiation provisions of F.S. Chapter 164 and it is their intention to move forward with the preparation of a complaint.

Councilman Drahos asked if the pre-suit procedures allows for fees.

Ms. Cohen responded affirmatively.

11. MANAGER'S REPORT

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

The Next Regular Council Meeting will be held on Tuesday, May 11, 2021, at 7:00 P.M.

Mr. Barnes showed Council a video of the high school sports complex. He stated this is almost substantially completed with the contractor and final permits. He stated staff plans to have a ribbon cutting in June.

Mayor Gerwig stated this is very impressive.

Councilman Napoleone stated the field is amazing and it is great for the community.

Councilman Drahos said the field is awesome.

Mayor Gerwig expressed she is impressed with the lighting on the fields and that there is no spillover into the neighborhoods.

Mr. De La Vega stated the Village came into first place for the Let's Move Campaign. He showed Council the trophy and plaque. Mr. De La

Vega said the Village logged in over 26+ million minutes. He recognized Michelle Garvey, Gus Ponce, and Ian Williams and said they were integral in making sure the Village succeeded. They collaborated with the Parks and Recreation Department.

Vice Mayor McGovern commented that the Village won by a significant distance. He referred to the trophy and plaque. Vice Mayor McGovern stated it was a lot fun and the team who put it together deserves much credit.

Councilman Napoleone stated the Village had the trophy for consecutive years.

Mayor Gerwig complimented the community partners who were involved.

12. COUNCIL REPORTS

Councilman Napoleone asked if the Johnson & Johnson vaccine would be distributed in conjunction with Feeding South Florida.

Mr. Barnes stated Ms. Coates and Ms. Garvey confirmed that the staff that operates those particular sites were at training today for the new procedures and protocol for the Johnson & Johnson vaccine. He said the first day of Johnson & Johnson distribution in Palm Beach County would be tomorrow in Royal Palm Beach. He said the Village also did a week of the Pfizer vaccine.

Councilman Drahos stated Schaefer Drugs is providing Moderna vaccines.

Mayor Gerwig stated she, Vice Mayor McGovern and Mr. Barnes attended the vaccine distribution at the Temple Beth Torah. She stated there were no doses wasted and provided an update on the process. She briefly spoke about the blood drive. Mayor Gerwig asked that the Village get the information out regarding tomorrow's vaccine distribution in Royal Palm Beach.

Vice Mayor McGovern stated the Johnson & Johnson vaccine distribution is available tomorrow in the Village of Royal Palm Beach beginning at 9 a.m.

Mr. Barnes stated the information would be placed on social media.

Councilman Drahos stated he read that over six million people have not received their second doses of vaccines due to worry about the side effects.

Vice Mayor McGovern discussed the number of COVID cases in Wellington. He said vaccination is the pathway to getting back to normal.

Mayor Gerwig stated Premier Health has vaccines also.

Mr. Nelson, who was in the audience, stated Premier Health has the Moderna and Johnson & Johnson vaccines.

Vice Mayor McGovern recognized community partners, PBSO and staff who were involved with the Temple Beth Torah vaccine distribution.

Councilman Napoleone stated the Bacon and Bourbon event was great. He said staff did a great job with the event and managing the outflow and inflow. He mentioned that food trucks and concert series are starting in May. Councilman Napoleone said you have to obtain tickets for the food trucks and concert series.

Councilman Drahos stated the boardwalk was awesome and created a unique vibe. He said the boats docks are extremely busy. He commented that he is happy to have those there.

Councilwoman Siskind thanked PBSO for being at the promenade to keep the event orderly. She said the Great American Cleanup and the Earth/Arbor Day celebration was held at the promenade also and thanked all of the volunteers for being there.

Vice Mayor McGovern stated the community center is reopening on Monday, May 3, 2021.

Mr. Barnes stated the lobby is opening in May from 8:00 a.m. until 5:00 p.m., Monday through Friday. In June, the lobby will resume regular hours on Fridays.

Mayor Gerwig stated Relay for Life is hosting a drive through experience on Saturday, May 1, 2021 from 3:00 p.m. until 7:00 p.m. at Okeeheelee Park. She stated they need kids to volunteer if they need community service hours. Mayor Gerwig said she would not be able to attend due to her child graduating.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 8:23 P.M.