

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Tuesday, October 26, 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 Napoleone, Councilman and Tanya Siskind, Councilwoman.

Council Members absent: Michael Drahos, 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

Mayor Gerwig led the Pledge of Allegiance.

3. INVOCATION

Deacon Bob Rodriguez, St. Therese de Lisieux Catholic Church, delivered the invocation.

4. APPROVAL OF AGENDA

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

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

5. PRESENTATIONS AND PROCLAMATIONS**A. [21-4703](#) PRESENTATION OF 2021 WELLINGTON TOP COP AND TOP FIREFIGHTER AWARDS**

Mr. Barnes introduced this item. Each year the Village Council, through the Public Safety Committee, recognizes the Top Cop and Top Firefighter. Palm Beach County Sheriff's Office (PBSO) Captain Rolando Silva and District Chief Philip Olavarria, Palm Beach County Fire Rescue, were in attendance to make the presentations.

PBSO Captain Silva introduced Detective Jason Villiers, provided background information and stated he is the 2021 Top Cop.

District Chief Philip Olavarria, Palm Beach County Fire Rescue, introduced Lieutenant Jen Kleier, provided background information and stated she is the 2021 Top Firefighter.

Council congratulated the 2021 Top Cop and Top Firefighter.

B. [21-4760](#)

TEMPLE BETH TORAH CHECK PRESENTATION

Mr. Barnes introduced the item.

A representative from the Brotherhood of Temple Beth Torah explained that they have an annual fundraiser (a golf tournament) to help the community. He presented a check to the Village of Wellington for the holiday food drive.

Council thanked the Brotherhood of Temple Beth Torah for the check.

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 Councilwoman Siskind, and unanimously passed (4-0), to approve the Consent Agenda as presented.

At this time, Mr. Barnes indicated that for Public Hearing Item 7F, Resolution No. R2021-48 (Valerie's Place Type 2A CLF), the applicant requested that the item be postponed.

There was Council consensus to move Public Hearing Item 7F to Item 7A.

A. [21-4753](#)

MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF OCTOBER 12, 2021

This item approved on Consent.

B. [21-4755](#)

AUTHORIZATION TO AMEND AN EXISTING CONTRACT TO ADD ADDITIONAL CONSULTING SERVICES FOR PHASE II OF THE TOWN CENTER PROJECT

This item approved on Consent.

7. PUBLIC HEARINGS

A. [21-4731](#) ORDINANCE NO. 2021-17 (ADOPTING THE PRIVATE PROPERTY RIGHTS ELEMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING A PRIVATE PROPERTY RIGHTS ELEMENT, IN ITS ENTIRETY, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the Ordinance by title.

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

Public Hearing

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

There being no public comments, a motion was made by Councilwoman Siskind, seconded by Councilman Napoleone, and unanimously passed (4-0) to close the public hearing.

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind and unanimously passed (4-0) to approve Ordinance No. 2021-17 (Adopting the Private Property Rights Element) as presented on second reading.

B. [21-4732](#) ORDINANCE NO. 2021-21 (FY 2021/2022 ANNUAL CAPITAL IMPROVEMENT ELEMENT UPDATE OF WELLINGTON'S COMPREHENSIVE PLAN)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, UPDATING THE WELLINGTON COMPREHENSIVE PLAN BY INCORPORATING THE ANNUAL REVIEW AND REVISIONS TO THE CAPITAL IMPROVEMENTS ELEMENT TO REFLECT THE 2021/2022 THROUGH 2026/2027 FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR LEVEL OF SERVICE PROJECTS; UPDATING POLICY CI 1.2.5 TO ADOPT THE SCHOOL DISTRICT OF PALM BEACH COUNTY'S FISCAL YEAR 2021/2022 10-YEAR CAPITAL IMPROVEMENTS SCHEDULE BY REFERENCE; PROVIDING FOR CONFLICT AND

SEVERABILITY; AUTHORIZING THE MANAGER TO UPDATE THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Barnes introduced this item.

Ms. Addie read the Ordinance by title.

Mr. Stillings stated this is the annual update to the Comprehensive Plan. The Village is required to do this each year following the adoption of the capital improvement plan. He referenced corrections that staff handed out to Council. Mr. Stillings answered Council's questions. Staff recommends approval with the changes as illustrated and highlighted.

Public Hearing

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0) to open the public hearing.

There being no public comments, a motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0) to close the public hearing.

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve Ordinance No. 2021-21 (FY 2021/2022 Annual Capital Improvement Element Update of Wellington's Comprehensive Plan) as presented on second reading.

C. [21-4734](#)

ORDINANCE NO. 2021-15 (LWDD-LOTIS (0.35-ACRE) FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN AMENDMENT (FLUM))

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) OF WELLINGTON'S COMPREHENSIVE PLAN, (PETITION NUMBER 2021-0001-CPA), TO MODIFY THE LAND USE DESIGNATION FROM PALM BEACH COUNTY LOW RESIDENTIAL TO MIXED USE (MU) FOR CERTAIN PROPERTY KNOWN AS LAKE WORTH DRAINAGE DISTRICT 25-FOOT WIDE RIGHT-OF-WAY, TOTALING 0.35-ACRE, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE ROAD 7 INTERSECTION, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY

CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. Ms. Cohen recommended that there be one concurrent staff and corresponding presentation since the items (Ordinance No. 2021-15, Ordinance No. 2021-16 and Resolution No. R2021-62) are related; with a separate motion for each item.

Ms. Addie read the Ordinances and Resolution by title.

At this time, Ms. Cohen administered the oath to those individuals who wished to speak on the Items.

Council disclosed any ex-parte communications.

Mr. Stillings presented the item.

The agent for the applicant was present.

Public Hearing

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0) to open the public hearing.

There being no public comments, a motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0) to close the public hearing.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve Ordinance No. 2021-15 (LWDD-LOTIS (0.35-Acre) Future Land Use Amendment to the Comprehensive Plan Amendment (FLUM)) as presented on second reading.

D. [21-4737](#)

ORDINANCE NO. 2021-16 (LWDD-LOTIS (0.35-ACRE) REZONING)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING (PETITION NUMBER 2021-0001-REZ) TO MODIFY THE OFFICIAL ZONING MAP OF WELLINGTON FROM PALM BEACH COUNTY AGRICULTURAL RESIDENTIAL TO MULTIPLE USE PLANNED DEVELOPMENT (MUPD) FOR CERTAIN PROPERTY KNOWN AS LAKE WORTH DRAINAGE DISTRICT 25-FOOT WIDE RIGHT-OF-WAY, TOTALING 0.35-ACRE, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE

ROAD 7 INTERSECTION, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. Ms. Cohen recommended that there be one concurrent staff and corresponding presentation since the items (Ordinance No. 2021-15, Ordinance No. 2021-16 and Resolution No. R2021-62) are related; with a separate motion for each item.

Ms. Addie read the Ordinances and Resolution by title.

At this time, Ms. Cohen administered the oath to those individuals who wished to speak on the Items.

Council disclosed any ex-parte communications.

Mr. Stillings presented the item.

The agent for the applicant was present.

Public Hearing

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0) to open the public hearing.

There being no public comments, a motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0) to close the public hearing.

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (4-0) to approve Ordinance No. 2021-16 (LWDD-LOTIS (0.35-Acre) Rezoning) as presented on second reading.

E. [21-4741](#)

RESOLUTION NO. R2021-62 (LWDD-LOTIS WELLINGTON VACATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, TO ABANDON THE ROAD EASEMENT AND ALL RIGHTS OF THE VILLAGE OF WELLINGTON FOR 0.35-ACRE OF THE 25-FOOT WIDE ROAD EASEMENT LYING NORTH OF TRACTS 13 AND SOUTH OF TRACT 12 BLOCK 18, AS DEDICATED ON PALM BEACH FARMS COMPANY PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGE 45; PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. Ms. Cohen recommended that there be

one concurrent staff and corresponding presentation since the items (Ordinance No. 2021-15, Ordinance No. 2021-16 and Resolution No. R2021-62) are related; with a separate motion for each item.

Ms. Addie read the Ordinances and Resolution by title.

At this time, Ms. Cohen administered the oath to those individuals who wished to speak on the Items.

Council disclosed any ex-parte communications.

Mr. Stillings presented the item.

The agent for the applicant was present.

Public Hearing

A motion was made by Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0) to open the public hearing.

There being no public comments, a motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0) to close the public hearing.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve Resolution No. R2021-62 (LWDD-Lotis Wellington Vacation).

F. [21-4751](#)

RESOLUTION NO. R2021-48 (VALERIE'S PLACE TYPE 2A CLF)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A CONDITIONAL USE [PETITION NUMBER 2020-0001-CU] TO ALLOW A TYPE 2A CONGREGATE LIVING FACILITY FOR CERTAIN PROPERTY KNOWN AS VALERIE'S PLACE, CONSISTING OF 0.23 ACRE, MORE OR LESS, LOCATED AT 12450 GUILFORD WAY; IN A PLANNED UNIT DEVELOPMENT ZONING DISTRICT AND SUBJECT TO CONDITIONS OF APPROVAL; AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

The applicant briefly spoke about the request to postpone the item.

Ms. Cohen discussed the procedures for the postponement and notice to the public.

Council asked questions of the applicant regarding bringing back the item to a Council Meeting.

Mr. Stillings asked that a date certain not be set regarding when the item will come back before Council.

Council asked that the public be made aware of when the item will come back before Council.

Mr. Barnes advised the public to provide their contact information to staff.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, to postpone Item 7F, Resolution No. R2021-48 (Valerie's Place Type 2A CLF).

Ms. Cohen discussed public comment and submission of the petition.

It was Council consensus to allow the public to comment, if they so desired, with the knowledge that their comments would not be a part of the record.

Public Comment:

1. Michele Ardecki Stewart spoke regarding the petition she emailed and stated the residents in the neighborhood oppose the project.
2. Julio Languazco (sp) spoke regarding the project and stated he would like the information the applicant plans to present in order to review it.
3. David Mueller spoke about the postponement.
4. Janet Michaels submitted her original petition to the Clerk.

The motion unanimously passed (4-0), to postpone Item 7F, Resolution No. R2021-48 (Valerie's Place Type 2A CLF).

G. [21-4752](#)

ORDINANCE NO. 2021-18 (ZONING TEXT AMENDMENT TO SECTION 6.4.1.A.5. OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS FENCES, WALLS, AND HEDGES)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT

AMENDMENT TO MODIFY SECTION 6.4.1.A.5 OF ARTICLE 6 TO ESTABLISH A CONSISTENT APPEARANCE OF HEDGES AND FENCES, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced this item.

Ms. Addie read the Ordinance by title.

Mr. Michael O'Dell presented this item and responded to Council's questions.

Public Hearing

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

Public Comment:

1. Johnny Meier inquired about existing hedges in relation to the ordinance.

Mr. O'Dell spoke regarding the hedges.

There being no public comments, a motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0) to close the public hearing.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve Ordinance No. 2021-18 (Zoning Text Amendment to Section 6.4.1.A.5. of Wellington's Land Development Regulations Fences, Walls, And Hedges) on second reading.

8. REGULAR AGENDA

- A. [21-4759](#)** RESOLUTION NO. R2021-65 APROOVING PURCHASE AND SALE AGREEMENT FOR 4001 FLYING COW ROAD, PARCEL ID# 73-40-44-24-00-000-1070, 160TH AVENUE NORTH, WELLINGTON, FL TO EXPAND AND ENHANCE THE WELLINGTON ENVIRONMENTAL PRESERVE AT THE MARJORY STONEMAN DOUGLAS HABITAT.

RESOLUTION NO. 2021-65 (APPROVAL OF PURCHASE AND SALE AGREEMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL TO APPROVE THE PURCHASE AND SALE AGREEMENT FOR 4001 FLYING COW ROAD, PARCEL ID# 73-40-44-24-00-000-1070, 160TH AVENUE NORTH, WELLINGTON, FL TO EXPAND AND ENHANCE THE WELLINGTON ENVIRONMENTAL PRESERVE AT THE MARJORY STONEMAN DOUGLAS HABITAT; AUTHORIZING THE MAYOR OR VICE MAYOR, VILLAGE MANAGER, AND VILLAGE CLERK TO EXECUTE THE PURCHASE AND SALE AGREEMENT, INCLUDING ANY REVISION TO INCLUDE REVERTER LANGUAGE REQUIRED BY LAW, AND TO EXECUTE ALL NECESSARY CLOSING DOCUMENTS, AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Quickel presented the item.

Ms. Cohen, Ms. Quickel and Mr. Barnes responded to Council's questions.

Public Comment:

1. Bruce Tumin spoke regarding the property, the cost of the land and appraisals.

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (4-0) to approve Resolution No. R2021-65 (Approval of Purchase and Sale Agreement) as presented.

9. PUBLIC FORUM

Mr. Barnes indicated one public comment card was received.

Public Comment:

1. Bruce Tumin spoke regarding roadways.

10. ATTORNEY'S REPORT

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

Ms. Cohen referenced a federal lawsuit filed by Palm Beach Polo against the Village. She stated the Village prevailed in that action on summary judgment. She discussed reimbursement of attorney's fees and

costs.

11. MANAGER'S REPORT

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

The Next Regular Council Meeting will be held on Tuesday, November 9, 2021 at 7:00 p.m.

On November 2, 2021 at 5:00 p.m., the Neighborhood Watch "Pet Amnesty Program" Seminar with Florida Fish and Wildlife via Zoom is scheduled. Persons can register online at wellingtonfl.gov/neighborhoodwatch for this and other past seminars and watch group meetings.

Vice Mayor McGovern asked for an update regarding the Curative Testing Site.

Mr. Barnes stated Curative has begun the rapid PCR test site with results available in two to three hours.

Councilman Napoleone stated he was there today and the process was very smooth. He suggested putting tents up for the public.

12. COUNCIL REPORTS

VICE MAYOR MCGOVERN: Vice Mayor McGovern presented the following report:

Vice Mayor McGovern congratulated the Young Professionals of Wellington on their Wicked 7 Halloween Costume Party held on Saturday at Wellington National Golf Club.

Vice Mayor McGovern commended staff and residents on the Fall Festival. He said it was spectacular this year. He discussed attendance at the event and referenced the costume contest.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

Councilman Napoleone commented that Wellington DecaTrunk or Treat is this weekend from 10:30 a.m. until noon in the high school stadium parking lot. He wished everyone a safe and happy Halloween.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

Councilwoman Siskind congratulated the Palm Beach Central High School students on Civics 101 and commended them for their questions. She stated she is looking forward to Civics 101 with Wellington High School also.

MAYOR GERWIG: Mayor Gerwig presented the following report:

Mayor Gerwig stated there is a vacancy on the Tree Board and Lisa Stattmiller-Ferrano applied for the At-Large member. It was Council consensus to appoint Ms. Stattmiller-Ferrano to the Tree Board.

Mayor Gerwig thanked Council for filling in and doing a great job while she was gone.

13. ADJOURNMENT

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