Village of Wellington

12300 Forest Hill Blvd Wellington, FL 33414



Action Summary - Final

Tuesday, August 9, 2022 7:00 PM

Village Hall - Council Chambers

Village Council

Anne Gerwig, Mayor Michael Drahos, Vice Mayor John T. McGovern, 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; Michael Drahos, Vice Mayor; John T. McGovern, Councilman; Michael Napoleone, Councilman; and Tanya Siskind, Councilwoman (via Zoom).

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, delivered the invocation.

4. APPROVAL OF AGENDA

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

- 1. Add Hometown Repair Program: 12737 Westhampton Circle Project to the Consent Agenda as Item 6R.
- 2. Move Item 6P, Resolution No. R2022-40 (Palm Beach County Sheriff's Office Village of Wellington Law Enforcement Services Plan (LESP) for FY23) and Item 6Q, Resolution No. R2022-41 (Palm Beach County Sheriff's Office District 8 Wellington FY2023 Budget and Contract) under Proclamations and Presentations as Item 5B and Item 5C, respectively.
- 3. Postpone Item 7B, Ordinance No. 2022-24 (Repealing Chapter 10, Chapter 34, and All Reserved Chapters of the Code of Ordinances) to the September 6, 2022 Village Council Meeting.

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

Ms. Cohen stated that Councilwoman Siskind has requested to appear via Zoom and stated pursuant to the rules, it requires a unanimous vote of

the members present.

A motion was made by Councilman McGovern, seconded by Vice Mayor Drahos, and unanimously passed (4-0), to approve Councilwoman Siskind appearing and participating via Zoom (with the exception of Public Hearing Item 7D due to it being Quasi-Judicial).

5. PRESENTATIONS AND PROCLAMATIONS

A. 22-5291

A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA RECOGNIZING JOY HUGGARD ON HER RETIREMENT AND DEDICATION TO THE VILLAGE OF WELLINGTON FINANCE DEPARTMENT

Mr. Barnes introduced the item.

Ms. Addie read the proclamation.

Council commended and congratulated Ms. Huggard on her retirement and gave various comments.

Ms. Huggard gave comments, thanked Senior Management, employees and Council.

B. 22-5303

RESOLUTION NO. R2022-40 (PALM BEACH COUNTY SHERIFF'S OFFICE VILLAGE OF WELLINGTON LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FY23)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE LAW ENFORCEMENT SERVICES PLAN (LESP) FOR FISCAL YEAR 2022-2023; AND PROVIDING AN EFFECTIVE DATE.

This Item formally Item 6P.

Mr. Barnes introduced the item.

Lieutenant Shavitz presented the Law Enforcement Services Plan (LESP).

Council gave comments.

A motion was made by Councilman Napoleone, seconded by Vice Mayor Drahos, and unanimously passed (5-0), to approve Resolution No. R2022-40 (Palm Beach County Sheriff's Office Village of Wellington Law Enforcement Services Plan (LESP) For

FY23).

C. <u>22-5302</u> RESOLUTION NO. R2022-41 (PALM BEACH COUNTY SHERIFF'S OFFICE DISTRICT 8 WELLINGTON FY2023 BUDGET AND CONTRACT)

RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO LAW **SERVICES** EXECUTE THE **ENFORCEMENT AGREEMENT** WITH THE PALM BEACH COUNTY SHERIFF'S OFFICE FOR LAW ENFORCEMENT SERVICES FOR FY 2023; AND PROVIDING AN EFFECTIVE DATE.

This Item formally Item 6Q.

Mr. Barnes introduced and presented the item.

Council gave comments.

A motion made by Vice Mayor Drahos, seconded Councilman Napoleone, unanimously and passed (5-0),to approve Resolution No. R2022-41 (Palm Beach County Sheriff's Office **District** 8 Wellington FY2023 Budget and Contract).

6. CONSENT AGENDA

Mr. Barnes stated there was one comment card on the Consent Agenda.

Public Comment:

1. O.J. Smith spoke regarding speeding.

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

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

A. 22-5289 MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF JULY 12, 2022

This item approved on Consent.

B. 22-5306 A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA DESIGNATING SEPTEMBER 16, 2022 AS "NATIONAL

J.

22-5280

AUTHORIZATION TO AWARD A SOLE SOURCE CONTRACT TO

BADGER METER, INC. FOR THE PURCHASE OF BADGER METERS AND COMPONENTS

This item approved on Consent.

K. <u>22-5287</u> RESOLUTION NO. AC2022-02 (13839 BARBERRY DRIVE – ABANDONMENT OF MAINTENANCE EASEMENT)

> A RESOLUTION OF THE BOARD OF SUPERVISORS OF ACME **IMPROVEMENT** DISTRICT **ABANDONING** AN 18-FOOT WIDE PORTION OF Α 25-FOOT WIDE **MAINTENANCE** EASEMENT. 1,208.4 SQUARE TOTALING APPROXIMATELY FEET. LOCATED WITHIN LOT 6, BLOCK 26, SUGAR POND MANOR OF WELLINGTON (13839 BARBERRY DRIVE), MORE **SPECIFICALLY DESCRIBED** HEREIN; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

L. 22-5296 APPROVAL OF CORRECTED RESOLUTION NO. AC2022-04
APPROVING CONTINUATION OF THE PROCESS FOR ADOPTION
OF A PLAN OF IMPROVEMENTS FOR UNIT OF DEVELOPMENT
50TH STREET

This item approved on Consent.

M. 22-5286 RESOLUTION NO. R2022-35 (WELLINGTON HISTORICAL SOCIETY AGREEMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AN AGREEMENT FOR HISTORICAL SERVICES BETWEEN THE VILLAGE OF WELLINGTON AND THE WELLINGTON HISTORICAL SOCIETY, INC.; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

N. 22-5292 RESOLUTION NO. R2022-36 (ANNUAL LISTING OF PROCLAMATIONS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO EXECUTE CERTAIN PROCLAMATIONS FOR FISCAL YEAR 2022/2023; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

O. 22-5293 RESOLUTION NO. R2022-37 (REGULAR COUNCIL MEETING SCHEDULE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING A SCHEDULE FOR REGULAR COUNCIL MEETINGS FOR 2022/2023; AND PROVIDING AN EFFECTIVE DATE.

This item approved on Consent.

- P. THIS ITEM MOVED TO PRESENTATIONS AND PROCLAMATIONS AS ITEM 5A.
- Q. THIS ITEM MOVED TO PRESENTATIONS AND PROCLAMATIONS AS ITEM 5B.
- R. HOMETOWN REPAIR PROGRAM: 12737 WESTHAMPTON CIRCLE PROJECT (THIS ITEM ADDED TO THE AGENDA)

This item approved on Consent.

7. PUBLIC HEARINGS

A. 22-5168

RESOLUTIONS ADOPTING THE **BUDGETS** AND **ASSESSMENT** RATES FOR THE ACME IMPROVEMENT DISTRICT, WELLINGTON COLLECTION SOLID WASTE AND SADDLE TRAIL NEIGHBORHOOD IMPROVEMENT DISTRICT; AND RESOLUTIONS ADOPTING THE BUDGETS FOR THE WATER AND WASTEWATER UTILITY AND THE LAKE WELLINGTON PROFESSIONAL CENTRE.

- I. RESOLUTION NO. AC2022-06: A RESOLUTION OF THE BOARD SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT ADOPTING THE DISTRICT BUDGET AND NON-AD **VALOREM** ASSESSMENT ROLL AS PROVIDED HEREIN; LEVYING OF NON-AD VALOREM **ASSESSMENTS** FOR THE DISTRICT AND APPOINTING REPRESENTATIVE AN **AUTHORIZED** OF THE DISTRICT FOR CERTIFICATION OF THE DISTRICT'S NON-AD VALOREM ASSESSMENT ROLL: AND PROVIDING AN EFFECTIVE DATE.
- II. RESOLUTION NO. AC2022-07: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT ADOPTING THE WATER AND WASTEWATER UTILITY BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; AND PROVIDING AN EFFECTIVE DATE.
- III. RESOLUTION NO. R2022-44: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE SOLID WASTE COLLECTION PROGRAM BUDGET AND NON-AD VALOREM ASSESSMENT ROLL AND LEVYING THE NON-AD VALOREM ASSESSMENTS FOR SOLID WASTE COLLECTION AND DISPOSAL WITHIN THE

JURISDICTIONAL BOUNDARIES OF WELLINGTON; PROVIDING FOR RATES AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF WELLINGTON TO CERTIFY THE SOLID WASTE COLLECTION NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

IV. RESOLUTION NO. R2022-45: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL **ADOPTING** THE LAKE WELLINGTON PROFESSIONAL **CENTRE** FOR THE FISCAL BUDGET YEAR COMMENCING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023: AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2022-46: A RESOLUTION OF WELLINGTON. COUNCIL **ADOPTING** THE SADDLE TRAIL FLORIDA'S NEIGHBORHOOD IMPROVEMENT DISTRICT NON-AD VALOREM ASSESSMENT ROLL AS PROVIDED HEREIN; LEVYING OF THE VALOREM **ASSESSMENTS** FOR THE AREA AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF WELLINGTON CERTIFICATION THE FOR OF AREA'S NON-AD **VALOREM** ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read each of the Resolutions by title.

Ms. Quickel presented to Council the five resolutions adopting the budgets and rates for FY 2023 for Acme, Utilities, Solid Waste, Lake Wellington Professional Centre, and Saddle Trail. She also reviewed the proposed FY 2023 Non-Ad Valorem and Enterprise Budgets, Budget Objectives, and Rates & Assessments accordingly.

Ms. Quickel responded to Council's questions.

Public Hearing:

A motion was made by Councilman Napoleone, seconded by Councilman McGovern, 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 Drahos, and unanimously passed (5-0), to close the Public Hearing.

A motion was made by Councilman Napoleone, seconded by Councilman McGovern, and unanimously passed (5-0), to approve Resolution No. AC2022-06 as presented.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. AC2022-07 as presented.

A motion was made by Councilman Napoleone, seconded by Vice Mayor Drahos, and unanimously passed (5-0), to approve Resolution No. R2022-44 as presented.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-45 as presented.

A motion was made by Councilman Napoleone, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2022-46 as presented.

Council thanked Ms. Quickel and her team for their work on the budget.

B. <u>22-5207</u>

ORDINANCE NO. 2022-24 (REPEALING CHAPTER 10, CHAPTER 34, AND ALL RESERVED CHAPTERS OF THE CODE OF ORDINANCES)

AN ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, CODE AMENDING THE OF **ORDINANCES** BY REPEALING CHAPTER 10, TITLED "AMUSEMENTS AND ENTERTAINMENTS" IN ITS ENTIRETY, REPEALING CHAPTER 34. TITLED "MANUFACTURED HOMES AND TRAILERS" IN ITS ENTIRETY, AND REPEALING ALL RESERVED CHAPTERS IN THEIR PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

This item was postponed.

C. <u>22-5245</u>

ORDINANCE NO. 2022-25 (AMENDING THE CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTERS 1, 2, 3, 6, 14, 18, 22, 23, 26, 27, 30, 33, 35, 36, 38, 42, 46, 50, 54, 58, 62, 66, 70, 71, AND 72 IN THEIR ENTIRETY)

AN **ORDINANCE** OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTERS 1, 2, 3, 6, 14, 18, 22, 23, 26, 27, 30, 33, 35, 36, 38, 42, 46, 50, 54, 58, 62, 66, 70, 71 AND 72 IN THEIR ENTIRETY, CONTAINED HEREIN: **PROVIDING** FOR CODIFICATION: PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Addie read the caption for Ordinance No. 2022-25.

Mr. Basehart recommended Council discuss Chapter 9 first.

Public Hearing:

A motion was made by Councilman Napoleone, seconded by Councilman McGovern, and unanimously passed (5-0), to open the Public Hearing.

Public Comment:

- 1. Haakon Gangnes spoke regarding manure bins, inspections, storm water management and BMPs.
- 2. Kristy Lund thanked Council for sending this back to the EPC and spoke regarding the BMPs.
- 3. Randy Halvorsred (sp) spoke regarding horse hair interceptors and manure bins.
- 4. Jane Cleveland spoke regarding the EPC's and staff recommendations and asked for additional public hearings.

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

Council discussed the EPC and staff recommendations.

Mr. Barnes, Mr. Stillings, Mr. O'Dell and Mr. Reinsvold spoke regarding Chapter 9 and answered Council's questions.

Second Public Hearing:

A motion was made by Councilman McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0), to re-open the Public Hearing.

Public Comment:

- 1. Maureen Brennan spoke regarding the EPC meeting and the BMPS.
- 2. Ben Myers spoke regarding horse washing and septic systems at a

barn.

- 3. Kristy Lund stated the drainfield is the biggest issue due to the setbacks and the contractors.
- 4. Haakon Gangnes spoke regarding the wash areas and asked what the objectives of the BMPs are and inquired about compliance.
- 5. Carlos Arellano spoke regarding the EPC meeting and stated there is not a need for horse hair interceptors.
- 6. Jane Cleveland stated five (5) EPC members are present tonight and their view is different from staff's view.
- 7. O.J. Smith stated FCC is a very good company regarding trash collection and thanked Council for saving money. He stated it has always been about horses.
- 8. Councilman Drahos read a comment card by Victor Connor.

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

Council discussion continued regarding horse racks and the EPC and staff recommendations.

Mr. Barnes, Mr. Stillings, Mr. O'Dell and Mr. Reinsvold spoke regarding Chapter 9 and answered Council's questions.

Mr. Basehart and Ms. Cohen presented the remaining chapters and changes and answered Council's questions.

A motion was made by Councilman Napoleone, seconded by Vice Mayor Drahos, and unanimously passed (5-0), to approve Ordinance No. 2022-25 (Amending The Code Of Ordinances By Repealing And Replacing Chapters 1, 2, 3, 6, 14, 18, 22, 23, 26, 27, 30, 33, 35, 36, 38, 42, 46, 50, 54, 58, 62, 66, 70, 71, and 72 in their entirety) with revisions to Chapter 9 as discussed.

D. 22-5301 RESOLUTION NO. R2022-38 (EQUESTRIAN VILLAGE DEVELOPMENT ORDER AMENDMENT FOR THE COMMERCIAL EQUESTRIAN ARENA COMPATIBILITY DETERMINATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A **DEVELOPMENT AMENDMENT** (PETITION ORDER NUMBER 2022-001-DOA) FOR CERTAIN PROPERTY. KNOWN AS VILLAGE/GLOBAL DRESSAGE. **EQUESTRIAN** COMMERCIAL EQUESTRIAN ARENA, LOCATED ON THE NORTHEAST CORNER OF PIERSON ROAD AND SOUTH SHORE BOULEVARD: AS MORE SPECIFICALLY DESCRIBED HEREIN; APPROVING A MODIFICATION TO THE CONDITIONS OF APPROVAL TO ALLOW A PAYMENT IN LIEU OF PERFORMING THE CONSTRUCTION OF ROAD AND INTERSECTION IMPROVEMENTS; PROVIDING Α **CONFLICTS** CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item.

Ms. Cohen indicated that Councilwoman Siskind would not participate in this item.

Ms. Addie read the Resolution by title.

At this time, Ms. Cohen stated this item is Quasi-Judicial and administered the oath to those individuals who wished to speak on the Items.

Council disclosed any ex-parte communications.

Mr. Stillings presented the item.

Public Hearing

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

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

motion made Mayor was by Vice Drahos, seconded by Councilman Napoleone, and unanimously (4-0;with passed Councilwoman Siskind not present) to approve Resolution No. 2022-38 (Equestrian Village Development Order for the Commercial Equestrian Arena Compatibility Determination).

8. REGULAR AGENDA

There were no Regular Agenda Items.

9. PUBLIC FORUM

Mr. Barnes indicated there were no comment cards received.

10. ATTORNEY'S REPORT

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

Ms. Cohen stated there is a Pine Tree Mediation that will be held via Zoom at 10:00 a.m. on September 27, 2022. She asked Council to designate a Council representative for the mediation.

It was Council consensus for Councilman McGovern to be the Council representative.

11. MANAGER'S REPORT

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

Next Council Meeting will be held on Tuesday, September 6, 2022 at 7:00 p.m.

Mr. Barnes stated there was an Exhibit that shows a revised configuration at Council's spots on the dais as a follow up from yesterday's discussion. He stated this can be placed on the September agenda if there is consensus to proceed.

There was Council consensus for the item to be placed on the September agenda.

12. COUNCIL REPORTS

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

Councilman McGovern stated he would like an update regarding cell service.

Councilman McGovern referenced a Palm Beach Post article regarding rent and asked about having a workshop on this.

Mr. Barnes stated staff has reviewed what has been adopted so far by other communities. Mr. O'Dell is reviewing this and has received information from the County regarding the possible adoption of a Countywide Ordinance that municipalities will be able to opt in to.

There was brief Council discussion.

Mr. O'Dell stated an AT was circulated on this topic. He spoke briefly about what staff had done.

VICE MAYOR DRAHOS: Vice Mayor Drahos presented the following report:

Vice Mayor Drahos waived comment.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

Councilman Napoleone thanked EPC and residents for coming out tonight.

Councilman Napoleone commended staff for the end of summer event at Tiger Shark Cove park.

Councilman Napoleone encouraged every to be patient, safe and take your time for the first day of school tomorrow.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

Councilwoman Siskind thanked Council for letting her attend by Zoom.

Councilwoman Siskind commented regarding the first day of school and encouraged everyone to be safe and not text and drive.

MAYOR GERWIG: Mayor Gerwig presented the following report:

Mayor Gerwig stated she appreciated the press release on the sample ballot issue. She stated the Supervisor of Elections is preparing another sample ballot mailing.

Mr. Barnes provided a brief update regarding the sample ballots.

Councilman McGovern reminded everyone that early voting has begun and stated the hours are 10 a.m. to 7 p.m. daily.

Mayor Gerwig commented regarding a vote-by-mail ballot.

Mayor Gerwig stated her appointment to the Parks & Recreation Advisory Board resigned. She appointed Tommy Bueno. She commented regarding other board/committee openings and encouraged individuals to apply.

Mayor Gerwig stated she attended the King's Academy student union opening today.

Mayor Gerwig said she will attend the Florida League of Cities (FLC) Conference beginning tomorrow.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 10:40 P.M.