

CITY OF WESTLAKE



MINUTES-DRAFT

City Council Regular Meeting - DRAFT

Monday, December 14, 2020 at 6:30 PM

This meeting took place at the **Westlake Community Center/City Council Chambers located at 4005 Seminole Pratt Whitney Road, Westlake, Florida, 33470** and publicly viewed **Via Communications Media Technology**. Members of the public participated in the meeting through electronic means with access as follows:

1. Webex meeting from computer, tablet or smartphone at the following link:

<https://cityofwestlake.my.webex.com/>

Meeting ID: 132 967 0798

Password: hello

2. Participants may also dial in using your phone with any of the following number(s):

United States Toll: +1-408-418-9388

Meeting ID: 132 967 0798

CITY COUNCIL:

Roger Manning, Mayor
Katrina Long Robinson, Vice Mayor
Patric Paul, Council Member – Seat 1
Kara Crump, Council Member – Seat 2
JohnPaul O'Connor, Council Member – Seat 3

CITY STAFF:

Ken Cassel, City Manager
Pam E. Booker, City Attorney
Zoie P. Burgess, City Clerk

A Regular meeting of the City Council of the City of Westlake was held on Monday, December 14, 2020 at 6:30 PM., at the Westlake Community Center, 4005 Seminole Pratt Whitney Road.

As a preliminary matter, Ms. Burgess noted that Mayor Roger Manning, Vice Mayor Katrina Long-Robinson, Councilman Patric Paul, Councilwoman Kara Crump, Councilman JohnPaul O'Connor are present physically.

Ms. Burgess noted that City Manager Kenneth Cassel and City Attorney Pam Booker, were present physically. Planning & Zoning Director, Nilsa Zacarias, City Engineer Suzanne Dombrowski were present physically. City Clerk Zoie Burgess was present via communications media technology.

Ms. Burgess identified the speakers on the agenda, Mr. Donaldson Hearing, Seth Ben of Lewis, Longman & Walker were present and capable of speaking and hearing.

Ms. Burgess provided further instruction regarding public comments, noting that comments will be acknowledged by the Mayor and accepted at the appropriate times as indicated in the Agenda and those who wish to speak may use the "virtual" hand raise feature.

Ms. Burgess provided the disclaimer that the meeting is being recorded by both voice and video, reminding the audience that microphones are live. Ms. Burgess further explained that microphones will be muted; audience members have the ability to unmute themselves and anyone that has called in should mute their device. Ms. Burgess noted that anyone causing a disruption or being inappropriate will be removed from the meeting.

Ms. Burgess reminded Council Members physically present to utilize microphones.

CALL TO ORDER

Mayor Manning called the City of Westlake Regular City Council meeting of December 14, 2020 to order at 6:32 PM.

ROLL CALL

Present and constituting a quorum:

Councilman JohnPaul O'Connor
Councilwoman Kara Crump
Councilman Patric Paul
Vice Mayor Katrina Long-Robinson
Mayor Roger Manning

Also, present:

Kenneth Cassel, City Manager- Present via communication media technology
Pam E. Booker, Esq. City Attorney
Zoie P. Burgess, CMC, City Clerk - Present via communications media technology
Nilsa Zacarias, Planning & Zoning Director Present via communications media technology
Susanne Dombrowski, City Engineer

PLEDGE OF ALLEGIANCE

Mayor Manning led the Pledge of Allegiance at a preceding meeting, and the next item therefore followed.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Mayor Manning made a request to remove item B from the Regular Agenda.

Motion by Councilman Paul to remove item B from the Regular Agenda, Seconded by Vice Mayor Long Robinson.

UPON ROLL CALL:

Councilman Paul	YES
Councilwoman Crump	YES
Councilman O'Connor	NO
Vice Mayor Long-Robinson	YES
Mayor Manning	YES

Motion carries (4-1), Councilman O'Connor dissenting.

Councilwoman Crump made motion to approve the agenda as modified, seconded Vice Mayor Long-Robinson.

UPON ROLL CALL:

Councilwoman Crump	YES
Councilman O'Connor	YES
Vice Mayor Long-Robinson	YES
Mayor Manning	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).

PUBLIC COMMENTS AND REQUESTS- (OPEN FORUM NON-AGENDA ITEMS)

This section of the agenda allows for comments from the public to speak on any item not presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk. When you are called to speak, please go to the podium, and prior to addressing the Council, state your name and address for the record.

Ms. Burgess noted that there were no public comment cards received prior to the meeting.

Ms. Burgess gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

Point of Order made by Mr. Cassel noting that Mayor Manning made motion for removal of an item but not the approval of agenda as modified under the Consent Agenda.

Mayor Manning said that is correct we will go back and do that.

Alicia Torres - 5847 Whipoorwill Circle - Ms. Torres mentioned that everyone loves the park and they are happy for it and cannot wait for Phase 2. Her concern is that the Public Adventure Site Plan includes four sports courts which are shown as four basketball courts. She said that the residents would like to see more inclusivity and versatility with the courts; two basketball courts, two tennis courts and/or a pickle ball court. She is very impressed with the City's communication to it's residents and appreciates the Coffee with the City Manager; the

Q& A's from Vice Mayor Long-Robinson and her keeping the constituents informed, and Councilman O'Connor for his social media updates. She stated that she would like to hear and see more from the Mayor going forward. She mentioned her concerns with the two 7-Eleven's and the Publix. She inquired on who the City's Planners are and who is responsible for fixing the City's Charter to ensure the City is safe and efficient. She stated that she wants to hear more about City Planning.

City Clerk Burgess called for any additional comments and gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

There being no further comments, the next item followed.

Councilman Paul inquired with Ms. Booker as to whether he could speak during public comment.

Ms. Booker advised that public comment would need be closed and if there is no objection by Council then Councilman Paul could speak.

Mayor Manning said that if no one else has any questions or statements Councilman Paul can speak.

Councilman Paul made a reference to comments made at the previous City Council meeting and stated that he did not mean any bias and he apologized if he offended anyone.

There being no further comments, the next item followed.

CONSENT AGENDA

This section of the agenda consists of routine or administrative items that require final approval by the City Council and may be approved in its entirety by a single motion. There will be no discussion of these items unless a City Council Member requests such, in which event, the item will be removed from the Consent Agenda and considered on a future agenda.

Mayor Manning introduced the Consent Agenda Item.

Motion by Vice Mayor Long-Robinson to approve consent agenda, seconded by Councilwoman Crump.

UPON ROLL CALL:

Councilman O'Connor	YES
Vice Mayor Long-Robinson	YES
Mayor Manning	YES
Councilman Paul	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (5-0).

A. Approval of Finance Statement

1. Financial Statement as October 31, 2020

PRESENTATIONS/PROCLAMATIONS

There being no presentations or proclamations, the next item followed.

PUBLIC HEARING

Mayor Manning introduced item, Resolution 2020-12 -Final Plat Sky Cove South - Phase 1 A (Pod N).

Donaldson Hearing, Cotleur & Hearing - On behalf of applicant Label and Company presented a Power Point Presentation of Pod N- Sky Cove South Phase 1 Plat.

Mayor Manning inquired on Cotleur progress.

Mr. Hearing said that he would get an update and advise.

Ms. Burgess read into record, by title only, Resolution 2020-36.

Motion by Councilwoman Crump to adopt Resolution 2020-36, seconded by Vice Mayor Long- Robinson.

UPON ROLL CALL:

Vice Mayor Long Robinson	YES
Mayor Manning	YES
Councilman Paul	YES
Councilwoman Crump	YES
Councilman O'Connor	YES

With all in favor, motion carried without dissent (5-0).

- A. Final Plat Sky Cove South - Phase 1 A (Pod N)

Submitted By: Engineering Department

RESOLUTION 2020-36

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR SKY COVE SOUTH - PHASE 1 A (POD N), BEING A REPLAT OF A PORTION OF OPEN SPACE TRACT #1 AND ALL OF OPEN SPACE TRACT #2, ILEX WAY PHASE II, PLAT BOOK 128, PAGES 22 THROUGH 25, INCLUSIVE, AND A PORTION OF OPEN SPACE TRACT #1, PERSIMMON BOULEVARD EAST - PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PORTION OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning introduced item, Resolution 2020-12 -Final Plat Sky Cove South - Phase 1 A (Pod N).

Donaldson Hearing, Cotleur & Hearing - On behalf of applicant Label and Company presented a Power Point Presentation of Pod N- Sky Cove South Phase 1 Plat.

Mayor Manning inquired on Cotleur progress.

Mr. Hearing said that he would get an update and advise.

Ms. Burgess read into record, by title only, Resolution 2020-36.

Motion by Councilwoman Crump to adopt Resolution 2020-36, seconded by Vice Mayor Long- Robinson.

UPON ROLL CALL:

Vice Mayor Long Robinson	YES
Mayor Manning	YES
Councilman Paul	YES
Councilwoman Crump	YES

Councilman O'Connor YES

With all in favor, motion carried without dissent (5-0).

B. Final Plat Sky Cove South - Phase 1 B (Pod N)

Submitted By: Engineering Department

RESOLUTION 2020-37

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR SKY COVE SOUTH - PHASE 1 B (POD N), A SUBDIVISION IN SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING A REPLAT OF TRACT "N", SKY COVE SOUTH - PHASE 1 A, PLAT BOOK ____, PAGES __ THROUGH ____, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDACITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning introduced item, Resolution 2020-37 -Final Plat Sky Cove South - Phase 1 B (Pod N)

Mr. Hearing advised that this presentation was inclusive with both plats.

Ms. Burgess read into record, by title only, Resolution 2020-37.

Motion by Councilman Paul to adopt Resolution 2020-37, seconded by Councilwoman Crump.

UPON ROLL CALL:

Mayor Manning YES

Councilman Paul YES

Councilwoman Crump YES

Councilman O'Connor YES

Vice Mayor Long Robinson YES

With all in favor, motion carried without dissent (5-0).

C. 7-Eleven 1.0 - Master Sign Plan Amendment

Submitted By: Planning & Zoning

RESOLUTION 2020-38

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING A MASTER SIGN PLAN FOR 7-ELEVEN 1.0, GAS STATION, CONVENIENCE STORE AND CAR WASH FACILITY, LOCATED AT 4670 SEMINOLE PRATT WHITNEY ROAD, PURSUANT TO CHAPTER 6, SIGN CODE, THE APPLICANT IS REQUESTING THREE WAIVERS OF SIGN CODE PROVISIONS, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item, Resolution 2020-38 -7-Eleven 1.0 - Master Sign Plan Amendment.

Ms. Nilsa Zacarias, Planning Director for City of Westlake, provided a Power Point Presentation of 7-11 1.0 Master Sign Plan MPA-2020-01.

Councilman O'Connor inquired on the landscaping near signage.

Ms. Zacarias provided clarification as to what she meant by overgrown.

Mayor Manning asked about the height of the signage base.

Mr. Hearing provided the height for the base and advised what the intent of the landscaping will be.

Further council discussion

Mr. Hearing continued the presentation and proceed to the Content of the Master Sign Plan.

Mayor Manning inquired whether the staff were working together on the signage.

Mr. Hearing said that they worked with City staff on the signage and continued with the presentation.

Councilman O'Connor said that he is hesitate on doubling the signage. He inquired on the Publix waiver and asked if precedence was given.

Mr. Hearing said that the Publix waiver is different.

Ms. Zacarias provided a summary of requested waivers.

Further council discussion

Ms. Booker responded that the legal answer is yes and no and explained how the Code is set up. She said that each applicant gets considered on a case by case basis.

Councilman O'Connor inquired on the size of the ER signage.

Mr. Hearing responded that it went through the Master Signage Plan and he does not recall.

Further council discussion

Vice Mayor Long- Robinson asked recommendation of motion.

Ms. Burgess read into record, by title only, Resolution 2020-38.

Motion by Councilman O'Connor Resolution 2020-38 including all the waivers with the exception of the sign to be revised from 6ft to 5ft, seconded by Vice Mayor Long-Robinson.

UPON ROLL CALL:

Councilman Paul	YES
Councilwoman Crump	YES
Councilman O'Connor	YES
Vice Mayor Long Robinson	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (5-0).

D. Publix - Master Sign Plan

Submitted By: Planning & Zoning

RESOLUTION 2020-39

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER SIGN PLAN FOR THE PUBLIX AT WESTLAKE PLAZA, COMMERCIAL PLAZA, LOCATED AT 16841 PERSIMMON BOULEVARD SOUTH, ON APPROXIMATELY 20.21 ACRES, PURSUANT TO CHAPTER 6, OF THE SIGN CODE, THE APPLICANT IS REQUESTING A MASTER SIGN PLAN APPROVAL FOR GROUND, WALL AND DIRECTIONAL SIGNAGE AND SIX WAIVERS OF CODE PROVISIONS, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item, Resolution 2020-39 -Publix - Master Sign Plan.

Ms. Zacarias provided a Power Point Presentation of the Publix Master Sign Plan MSP-2020-02.

Mr. Hearing advised that Craig Buchanan- Representative Developer of Windcrest Development is here to answer any questions that the Council may have and proceeded to present the PowerPoint Presentation of Publix at Westlake Plaza Master Sign Plan Amendment.

Mayor Manning asked where will the individual signs be located and inquired on window signage.

Mr. Hearing advised where the signage areas will be.

Ms. Zacarias said that the tenant wall signs are not part of the waiver.

Mr. Buchan said that Publix has a strict sign critical that they provide to tenants. When it comes to window signs there will be some requirements to the limit of signage that tenants can have. Publix has a signage department designated to regulate signage.

Ms. Zacarias mentioned that there are no window signage included in this application.

Councilman O'Connor asked about the base changes for the signage. He mentioned the concerns and feedback from residents.

Mr. Buchanan responded that this Publix will be a first class shopping center; addressed the the concerns and if there are any issues Publix is on top of it.

Ms. Burgess read into record, by title only, Resolution 2020-39.

Motion by Councilman Paul to approve Resolution 2020-39, seconded by Councilman O'Connor .

Ms. Pam E. Booker City Attorney clarified the conditions of 1the motion.

UPON ROLL CALL:

Councilwoman Crump	YES
Councilman O'Connor	YES
Vice Mayor Long Robinson	YES
Mayor Manning	YES
Councilman Paul	YES

With all in favor, motion carried without dissent (5-0).

- E. Collection and Disposal of Solid Waste Services - Notice of Intent to utilize the uniform Method of Collection Non-Ad Valorem Assessments

Submitted By: Administration

RESOLUTION 2020-40

A RESOLUTION OF THE CITY OF WESTLAKE, FLORIDA PROVIDING NOTICE OF INTENT TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM Assessments LEVIED WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WESTLAKE, STATING THE NEED FOR SUCH LEVY, PROVIDING FOR THE MAILING OF THE RESOLUTION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning introduced item.

Mr. Cassel explained that the item is for the fee to be added on the tax roll.

Ms. Burgess read into record, by title only, Resolution 2020-40.

Motion by Councilman O'Connor to approve Resolution 2020-40, seconded by Vice Mayor Long-Robinson.

UPON ROLL CALL:

Councilman O'Connor	YES
Vice Mayor Long Robinson	YES
Mayor Manning	YES
Councilman Paul	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (5-0).

REGULAR AGENDA

- A. Resolution 2020-41 Declaring Emergency Regulations Related To Certain Public Meetings During The Covid-19 State Of Emergency

Submitted By: Legal

RESOLUTION 2020-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, DECLARING EMERGENCY REGULATIONS RELATED TO CERTAIN PUBLIC MEETINGS DURING THE COVID-19 STATE OF EMERGENCY; AUTHORIZING THE CITY MANAGER TO ARRANGE FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND ADVISORY BOARD ATTENDANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item.

Ms. Booker explained that this item is for the continuation to hold meetings virtually.

Further Council discussion.

Ms. Burgess read into record, by title only, Resolution 2020-41.

Motion by Vice Mayor Long-Robinson to approve Resolution 2020-41, seconded by Councilwoman Crump.

UPON ROLL CALL:

Councilman O'Connor	YES
Vice Mayor Long Robinson	YES
Mayor Manning	YES
Councilman Paul	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (5-0).

- B. Discussion regarding the Dual Role of City Manager

Submitted By: Administration

Mr. Cassel stated that the dual role and contract were previously discussed back in August when majority of the council voted that there was not a conflict. He has contacted the Inspector General to review.

Mayor Manning asked to obtain copies of documents forward to the Inspector General.

Mr. Manning responded he will provide copies.

Further Council discussion.

Mayor Manning mentioned the September 3rd memo sent out by Mr. Cassel and responded to the four misperceptions.

- C. Discussion regarding City Attorney Contract

Submitted By: Administration

Mayor Manning introduced item.

NEW BUSINESS

There being no new business, the next item followed.

CITY COUNCIL COMMENTS

A. Councilman JohnPaul O'Connor

Councilman O'Connor reiterated time and said that he would like for the City to work like a finely tuned Swiss watch. Even the most well designed watch will fail and the only way to prepare is to replace parts. He said that we have to get back on track.

B. Councilwoman Kara Crump

Councilwoman Crump stated that time has been wasted and she just wants to move forward.

C. Councilman Patric Paul

Councilman Paul proposed for a workshop be held in two months to evaluate City Management and if the conclusion is made that things are not improving then we have to make replacements whether it is one or two parts.

D. Vice Mayor Katrina Long Robinson

Vice Mayor Long-Robinson echoed what the previous Council members stated. She that she wants to engage Council in a conversation that the City of Westlake fall under the Palm Beach County Ethics Commission in order to have another set of eyes. Also, she mentioned tasking Councilman O'Connor with being the overseer of the Community Advisory Committee.

Vice Mayor Long-Robinson asked Mr. Cassel whether the Groove Shopping Center is in litigation.

Mr. Cassel responded that he was advised that they were working with one or more tenants to come, making renovations and that was 3 months ago. He has not heard anything since. He said that as soon as he can make it public, he will let Council know.

Councilman O'Connor said he loves the idea for a Community Advisor Committee and how it will roll out.

Vice Mayor Long-Robinson mentioned her Virtual Office hour with Mr. Carter and said that she will be airing on her social media platform, but she wanted to advise Council first.

E. Mayor Roger Manning

No Comments

REPORT - STAFF

A. Palm Beach County Sheriff's Office - Monthly Report: November

Submitted By: Lieutenant Craig Turner

For Informational Purposes Only

Lieutenant Turner mentioned that he will be attending the Coffee with the City Manager.

REPORT - CITY ATTORNEY

A. Monthly Report - November

Submitted By: Legal

City Attorney Pam E. Booker

Ms. Booker said that if Council has any questions and/or comments relating to the report provided she can answer them.

REPORT - CITY MANAGER

Mr. Cassel advised that an email along with a copy of the updated City Hall; Annual Department report updates and a memo of the number of parks within the various communities within the County and Municipalities have been provided to Council as well as list of things that he has been handling. He mentioned the proposal for to start the Team Building process.

Mr. Cassel mentioned the comments made on the taco stands and provided additional information on the general food service and the corporate store for the 7-Elevens.

PUBLIC COMMENTS - AGENDA ITEMS ONLY

This section of the agenda allows for comments from the public to speak on items only presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk.

Mayor Manning called for any public comments.

Ms. Burgess noted that a public comment card was received from Mr. Michael Joblove.

Michael Joblove 100 SE 2nd Street- Mr. Joblove said that he listened to the meeting with full interest and has no public comment.

Ms. Burgess gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address.

Alicia Torres - 5847 Whippoorwill Circle - Ms. Torres asked for clarified as to when the Coffee with the City Manager will be held.

Ms. Burgess responded Tuesday at 6pm.

Ms. Burgess gave an additional moment for the virtual participants to raise a virtual hand or unmute their devices and provided a reminder to state name and address

There being no further comments, the next item followed.

ADJOURNMENT

Mayor Manning adjourned the meeting at 9:16 PM

Zoie P. Burgess, City Clerk

Roger Manning, Mayor