

# CITY OF WESTLAKE



## MINUTES

### **City Council Regular Meeting & First Budget Hearing**

Tuesday, September 03, 2024, at 6:00 PM

The Lodge at Westlake Adventure Park  
5490 Kingfisher Blvd.  
Westlake, Florida 33470

#### **CITY COUNCIL:**

JohnPaul O'Connor, Mayor  
Greg Langowski, Vice Mayor  
Gary Werner, Council Member – Seat 1  
Julian Martinez, Council Member – Seat 2  
Charlotte Leonard, Council Member – Seat 3

#### **CITY STAFF:**

Ken Cassel, City Manager  
Zoie P. Burgess, CMC, City Clerk  
Donald J. Doody, Esq., City Attorney  
Nilsa Zacarias, AICP, Planning and Zoning Director  
Suzanne Dombrowski, P.E., ENV SP, City Engineer

A regular meeting and first budget hearing of the City Council of the City of Westlake was held on Tuesday, September 3, 2024, at 6:00 PM., at The Lodge at Westlake Adventure Park, 5490 Kingfisher Blvd. Members of the public also attended the meeting through electronic means and accessed as follows:

1. Webex meeting from a computer, tablet or smartphone at the following link:  
<https://cityofwestlake.my.webex.com/>

Meeting ID: 2633 988 6890

Password: hello

2. Participants also dialed in using phone with the following number:

United States Toll: +1-650-479-3208

Meeting ID: 2633 988 6890

### **CALL TO ORDER**

Mayor O'Connor called the City of Westlake regular meeting and first budget hearing of Tuesday, September 3, 2024, to order at 6:02 PM.

### **ROLL CALL**

Present and constituting a quorum:

Councilman Gary Werner  
Councilman Julian Martinez  
Councilwoman Charlotte Leonard  
Vice Mayor Greg Langowski  
Mayor JohnPaul O'Connor

Also present:

Kenneth Cassel, City Manager  
Donald J. Doody, Esq., City Attorney  
Zoie Burgess, City Clerk  
Jennifer Hankins, Deputy City Clerk

### **PLEDGE OF ALLEGIANCE**

Mayor O'Connor led the Pledge of Allegiance.

### **ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA**

Mayor O'Connor called for any additions, deletions, or modifications to the agenda.

Councilman Werner asked that Council change the format for the Public Hearing- Quasi-Judicial, reversing items to now be item B. SPR-2024-03 first, then item A. MSP-2024-01.

Mayor O'Connor called for a motion to approve the agenda amended.

Motion by Council Werner to amend the order to now B then A, seconded by Vice Mayor Langowski.

**UPON ROLL CALL:**

Councilman Werner	YES
Councilman Martinez	YES
Councilwoman Leonard	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES

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

Mayor O'Connor called for a motion to approve the agenda as amended.

Motion by Councilman Martinez to approve the agenda as amended, seconded by Vice Mayor Werner.

**UPON ROLL CALL:**

Councilman Martinez	YES
Councilwoman Leonard	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilman Werner	YES

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

**PUBLIC COMMENTS**

Public Comment – Mr. Ted Sarandis – 15780 Crestwind Place – Mr. Sarandis discussed the Mayor's leadership which has led him to run for Port of Palm Beach Commissioner Group 2.

**PRESENTATIONS/PROCLAMATIONS**

A. Proclamation 2024-13 - Hunger Action Month

Mayor O'Connor identified the Hunger Action Month Proclamation sponsored by Councilwoman Leonard and read item into record.

B. Florida League of Cities Certificate acknowledgement to Vice Mayor Greg Langowski - Completion of the Institute for Elected Municipal Officials Program

Mayor O'Connor identified the Institute for Elected Municipal Officials Certificate acknowledgement to Vice Mayor Greg Langowski sponsored by the Florida League of Cities and read item into record.

**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 Council Member requests such, in which event, the item will be removed from the Consent Agenda and considered on a future agenda.*

A. Financial Report - June 2024

B. Monthly Financial Report - July 2024

Mayor O'Connor identified the consent agenda items and called for a motion to approve.

Motion by Councilman Martinez to approve the consent agenda, seconded by Councilman Werner.

**UPON ROLL CALL:**

Councilwoman Leonard	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilman Werner	YES
Councilman Martinez	YES

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

**FIRST BUDGET HEARING**

A. RESOLUTION 2024-16 - Approval of Tentative Millage Rate for Fiscal Year 2025

**Submitted By:** Finance

**RESOLUTION 2024-16**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE OF \_\_\_\_\_ FOR THE CITY'S GENERAL OPERATING FUND FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2024, ENDING ON SEPTEMBER 30, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor O'Connor introduced the item.

Mr. Doody read the Resolution, by title only, into the record.

Mr. Doody asked to have presentation, then adoption of tentative millage rate then consideration of the Resolution.

Mayor O'Connor asked for presentations.

The City Manager states they have moved the proposed millage rate down from 4.95 down to 4.7 based on the last discussion. The City Manager discusses questions given to him and he wanted to clarify for the public.

Mayor O'Connor opened for council discussion.

Councilman Werner asks the City Manager how he arrives at the millage rate number.

The City Manager responds by stating the way you develop your budget is to develop your anticipated expenses then you look at your revenue sources. Whether it is your state fees, franchise fees or any other fees. After looking at your budget, you discover what is needed as a millage rate to fulfill and what the desires of the council. From there you will need to generate X dollars based upon the estimated value the county gives you based on all the properties within your district. Then you decide what millage you will need to receive to get that amount of revenue. Council looks at the budget and in this case, they decided they only wanted to put \$1 million dollars into reserves versus almost \$2 million dollars. This change reduced the millage rate lower than the 4.95 that was originally proposed.

Mayor O'Connor opened for public comment. No public comments.

The City Attorney asked for additional information for the roll back rate as well as the percentage if the 4.7 is adopted is less or greater than the rollback rates.

The City Manager states the general fund proposed mills is 4.7 mills and that it is greater than a rollback rate of 4.5649 mills. Stating that is 2.96% higher than the rollback rate.

Mr. Doody read the Resolution, by title only, into the record.

Mayor O'Connor called for a motion.

Motion by Councilman Werner to approve Resolution 2024-16, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilman Werner	YES
Councilman Martinez	YES
Councilwoman Leonard	YES

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

Mr. Doody states to ensure compliance with the Florida statutes, please allow me to announce that there will be a public hearing held at 6:00 P.M. on the 11th day of September 2024. The lodge of Westlake Adventure Park being located at 5490 King Fisher Blvd, Westlake Florida. For the purposes of hearing objections or criticism of the tentative budget and tentative millage, the purpose for the meeting is to set a final millage rate.

**B. RESOLUTION 2024-17 - Approval of Tentative Budget for Fiscal Year 2025**

**Submitted By:** Finance

**RESOLUTION 2024-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING ON SEPTEMBER 30, 2025; DETERMINING AND FIXING THE AMOUNTS NECESSARY TO CARRY ON THE GOVERNMENT OF THE CITY FOR THE ENSUING YEAR; DETERMINING THE AMOUNT OF APPLICABLE FUNDS ON HAND; ESTIMATING RECEIPTS AND EXPENDITURES FOR ALL FUNDS, EXHIBIT "A"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor O'Connor asked for presentations. No Presentations.

Mayor O'Connor opened for council discussions.

Councilman Werner asks question about the funds received going to the park improvements.

The City Manager states the funds are not apart of the current budget as the money was received during COVID, and that the funds were moved to SID.

Mayor O'Connor called for public comments. No public comments.

Mr. Doody read the Resolution, by title only, into the record.

Motion by Councilman Martinez Resolution 2024-17, seconded by Councilman Werner.

**UPON ROLL CALL:**

Mayor O'Connor	YES
Councilman Werner	YES
Councilman Martinez	YES
Councilwoman Leonard	YES
Vice Mayor Langowski	YES

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

Mr. Doody states to ensure compliance with the Florida statutes, please allow me to announce that there will be a public hearing held at 6:00 P.M. on the 11th day of September 2024. The Lodge of Westlake Adventure Park being located at 5490 King Fisher Blvd, Westlake Florida. For the purposes of hearing objections or criticism of the tentative budget and tentative millage, the purpose for the meeting is to set a final millage rate.

**PUBLIC HEARING - QUASI-JUDICIAL**

- A. (Originally B) SPR-2024-03:** The applicant is requesting site plan approval of a 1.3-acre site for a proposed 10,400 sq.ft. Commercial use building to be known as “Westlake Palms” located in Parcel F1, within the Westlake Landings development. **The applicant is also requesting two (2) Waivers as part of this application. Waiver (1) to eliminate two (2) 12’ x 35, loading zones requirement from Chapter 8, Article 8.7, Section 8, Table 8-4.; and Waiver (2) to eliminate one (1) terminal landscape island adjacent to a lift station as required in Chapter 4, Section 4.6,A),2).**

**Submitted By:** Planning and Zoning

Mayor O'Connor introduced item and asked for Mr. Doody to swear in witnesses.

Mr. Doody swore in all witnesses who would be providing testimony.

Mayor O'Connor asked for members to disclose any ex-parte communications. Members stated no. Mayor O'Connor called for presentations.

Planning & Zoning PowerPoint presented by Mr. Leon.

Applicant presentation, presented by Donaldson Hearing of Cotleur & Hearing on behalf of Westlake Palms, LLC.

Ms. Suzanne Dombrowski, the Engineer, gave clarity to the Council concerning measurements of pathways and sidewalks. She clarified that the eight feet wide pathways are to accommodate golf carts, and five feet sidewalks are for walking for pedestrians, not driven on by golf carts.

Mayor O'Connor called for a motion.

Motion by Councilman Werner for approval of SPR-2024-03 as recommended by staff and presented, with four conditions, the artwork conditions, the semi-truck conditions, the loading zone conditions and E-V Charging condition; seconded by Vice Mayor Langowski.

**UPON ROLL CALL:**

Councilman Werner	YES
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Councilman Martinez	YES
Councilwoman Leonard	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES

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

Mayor O'Connor called for a motion for the waivers.

Motion by Councilwoman Leonard to adopt the two waivers as part of the application for SPR-2024-03; seconded by Vice Mayor Langowski.

**UPON ROLL CALL:**

Councilman Martinez	YES
Councilwoman Leonard	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilman Werner	YES

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

- B. (Originally A) MSP-2024-01:** The applicant is requesting approval of a Master Sign Plan for a commercial shopping center known as "Westlake Palms" located in Parcel F1, within the Westlake Landings development. Parcel F1 consists of 1.3 acres and will contain one (1) 10,400 square foot building. The subject application includes eight (8) waivers.

**Submitted By:** Planning and Zoning

Mayor O'Connor introduced item and Mr. Doody proceeded to swear in witnesses. Mr. Doody swore in all witnesses who would be providing testimony.

Mayor O'Connor asked for members to for any ex-parte regarding sign plans. Members responded no. Mayor O'Connor called for presentations.

Planning & Zoning PowerPoint presented by Mr. Leon.

Donaldson Hearing presented PowerPoint on behalf of Westlake Palms, LLC. Mayor O'Connor called for public comments, there being none, Mayor O'Connor called for a motion.

Motion by Councilman Martinez to approve MSP-2024-01 which includes the eight waivers, seconded by Councilman Werner.

**UPON ROLL CALL:**

Councilwoman Leonard	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilman Werner	YES
Councilman Martinez	YES

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

## **PUBLIC HEARING**

### A. RESOLUTION 2024- 20 - Residential Solid Waste Services Annual Special Assessment

**Submitted By:** City Attorney's Office

#### **RESOLUTION 2024-20**

**A RESOLUTION OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES, IN THE CITY OF WESTLAKE, FLORIDA; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE SERVICES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2024; IMPOSING A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WESTLAKE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2024; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

Mayor O'Connor introduced the item.

Mr. Doody read the Resolution, by title only, into the record.

Mayor O'Connor called for Council comments and comments from the City Manager.

The City Manager stated that it is on 2,478 units and the rest are already prepaid for the rest of the year.

Mayor O'Connor reiterated that it is a 100% pass-through. The City Manager confirmed the pass-through stating it all goes towards paying the contractors for services rendered.

Mayor O'Connor called for Council comments, there being none, Mayor O'Connor called comments from the public.

Public Comment – Paul Farina -5694 Saint Armands Way – Mr. Farina asked about the missed deadline to increase the assessment last year and now playing catch up. He asked why the assessment wasn't broken up into paying monthly payments versus paying it all at one time. Mr. Farina also asked why pickup is scheduled for two days versus one day.

Public Comment – Audrey Johnson -5600 Sanibel Ln – Ms. Johnson asked about missed deadlines, she asked who is held accountable when something is missed. Ms. Johnson asked are the citizens the only individuals held accountable or is the Council held accountable.

Public Comment – Rick Musumeci -5389 Saint Vincent Ln – Mr. Musumeci asked about the monthly fee \$28 for trash pickup going to remain and when will the contract end. He also asked about bids.

Public Comment - Resident -15393 Goldfinch Circle – Resident asked does every city have waste management included in their taxes.

Public Comment – Alicia Torres -5847 Whippoorwill Circle – Ms. Torres asked about missing deadlines; asked were they paying any punitive damages. She confirmed that all they are doing is making up for the year they didn't get the increase notice. She stated she needed two days pickup for trash.

Public Comment – Ted Sarandis – 15780 Crestwind Place – Mr. Sarandis asked if there was an opportunity for the Council to negotiate with another entity or were we locked in with SWA.



Mayor O'Connor closed public comment and asked for a motion.

Motion by Vice Mayor Langowski to approve Resolution 2024-20 the Residential Solid Waste Services Annual Assessment, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilman Werner	YES
Councilman Martinez	YES
Councilwoman Leonard	YES

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

**NEW BUSINESS**

- A. FIRST READING:** ORDINANCE 2024-03 – CHAPTER 8 ENTITLED “PARKING REGULATIONS” AMENDING SECTION 7 ENTITLED “RECREATIONAL VEHICLES, TRAILERS AND WATERCRAFT”

**Submitted By:** Planning and Zoning

**ORDINANCE NO. 2024-03**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY SPECIFICALLY AMENDING CHAPTER 8 ENTITLED “PARKING REGULATIONS” BY SPECIFICALLY AMENDING SECTION 7 ENTITLED “RECREATIONAL VEHICLES, TRAILERS AND WATERCRAFT”; PROVIDING FOR DEFINITION OF TRAILERS; PROVIDING FOR PROHIBITION OF PARKING ON RIGHTS OF WAY; PROVIDING FOR THE DELETION OF ARTICLE 8.9 (E) RELATIVE TO ELECTRIC VEHICLE CHARGING STATIONS; PROVIDING FOR THE AMENDMENT TO TABLE 8-6 ENTITLED “REQUIRED OFF-STREET PARKING SPACES”; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

Mayor O'Connor introduced the item.

Mr. Doody read the Resolution, by title only, into the record.

Mayor O'Connor stated this item was heard and presented at the previous LPA meeting and recommended to adopt.

Mayor O'Connor called for Council comments, there being none, Mayor O'Connor called for a motion.

Motion by Councilman Martinez to approve Ordinances 2024-03, seconded by Councilwoman Leonard

**UPON ROLL CALL:**

Mayor O'Connor	YES
Councilman Werner	YES
Councilman Martinez	YES
Councilwoman Leonard	YES

Vice Mayor Langowski YES

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

### **CITY COUNCIL COMMENTS**

A. Councilwoman Charlotte Leonard – No further comments.

B. Councilman Julian Martinez – Discussed the Westlake 5k has been planned and it is January 25<sup>th</sup>. Those looking to join sign up on the Westlake website. Already have first day sign-up and sponsors on board.

C. Councilman Gary Werner – No further comments.

D. Vice Mayor Greg Langowski – No further comments.

E. Mayor JohnPaul O'Connor – Mayor O'Connor thanked those attending the Council meeting for all the public comments.

### **REPORT – STAFF**

Lieutenant Sowers of the Palm Beach County Sherifs Office states they had 1,537 calls for service, of those 1,230 self-initiated business and residential checks. 110 self-initiated traffic stops and 197 calls for service, 90 written warnings, 17 verbal warnings, and 21 citations. There were three reported crimes. Currently working with the City Manager on some traffic hot spots.

### **REPORT - CITY ATTORNEY**

No additional comments.

### **REPORT - CITY MANAGER**

Mr. Cassel announced he will be serving on the Palm Beach County City Managers Association task force regarding the Master Transportation plan for the county. He stated there are fourteen communities on the Managers Association that will be gathering details and data to come back to the elected officials so they can set a policy to look at master transportation that suits the entire county.

### **PUBLIC COMMENTS**

*This section of the agenda allows for comments from the public to speak. 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 Council, state your name and address for the record. All public comments will be noted and may receive a response if necessary. Any follow-up will be handled by staff later.*

Public Comment – Paul Farina -5694 Saint Armands Way – Mr. Farina asked a question about Water's edge that turns onto Seminole Pratt; asked if there is any consideration about putting a light there.

Public Comment – Marcilio Passaglio -5408 Quiet Lake Pl – Mr. Passaglio referenced the kids spinning the bikes on the drive and next to driveways: asked City to look out for them.

Public Comment – Rick Musumeci -5389 Saint Vincent Ln – Mr. Musumeci asked about the two brawls at the basketball court and asked was anything done concerning the fights.

Public Comment – Marcilio Passaglio -5408 Quiet Lake Pl – Mr. Passaglio asked about the lights at the basketball courts. States he sells LED lights and his concern of the many lights that are out.

**ADJOURNMENT**

There being no further business, Mayor O'Connor adjourned the meeting at 8:07 PM.

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Zoie P. Burgess, City Clerk

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JohnPaul O'Connor, Mayor