

# CITY OF WESTLAKE



## MINUTES

**City Council Regular Meeting**  
Tuesday, July 02, 2024, at 6:00 PM

Westlake Council Chambers  
4005 Seminole Pratt Whitney Road  
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, PE, ENV SP, City Engineer

A regular meeting of the City Council of the City of Westlake was held on Tuesday, July 2, 2024, at 6:00 PM., at The Lodge at Westlake Adventure Park, 5490 Kingfisher Blvd. Members of the public also live streamed the meeting through electronic means and accessed as follows:

1. Webex Meeting: <https://cityofwestlake.my.webex.com/>

Meeting ID: 2632 888 9851

Password: hello

2. By Phone:

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

Meeting ID: 2632 888 9851

### **CALL TO ORDER**

Mayor O'Connor called the City of Westlake Regular City Council meeting of Tuesday, July 2, 2024, to order at 6:00 PM

### **ROLL CALL**

Present and constituting a quorum:

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

Absent: Vice Mayor Greg Langowski

Also present:

Kenneth Cassel, City Manager  
Donald J. Doody, Esq., City Attorney  
Zoie Burgess, City Clerk  
Osniel Leon, Assistant City Planner

### **PLEDGE OF ALLEGIANCE**

Mayor O'Connor led the Pledge of Allegiance

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

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

### **UPON ROLL CALL:**

Councilman Werner	YES
Councilman Martinez	YES
Councilwoman Leonard	YES

Mayor O'Connor YES

With all in favor, motion carried without dissent (4-0).

**PUBLIC COMMENTS AND REQUESTS**

Public Comment - Christina Chatzidakis - 5580 Starfish Road – Concerns about fighting at the Adventure Park.

**PRESENTATIONS/PROCLAMATIONS**

No presentations or proclamations.

**CONSENT AGENDA**

- A. Minutes\_City Council Budget Workshop - 05.21.2024 DRAFT
- B. Minutes\_City of Westlake and Seminole Improvement District Joint Workshop - 05.21.2024 DRAFT
- C. Minutes\_City Council Regular Meeting - 06.04.2024 DRAFT
- D. Monthly Financial Report - April 2024
- E. Monthly Financial Report - May 2024

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

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

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

**PUBLIC HEARING**

- A. RESOLUTION 2024-12 - Proposed Millage Rate for the Fiscal Year 2024-2025 Ad Valorem Tax and a Date, Time and Place for the First Public Budget Hearing

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

**RESOLUTION 2024-12**

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

Mayor O'Connor asked for comments from City Manager, Ken Cassel. Mr. Cassel provided an overview of the millage rate, recommending a 4.95 millage rate and will continue to look for other areas to lower it further.

Mr. Doody stated that once the millage rate is set, it cannot go higher, but that it can be lowered.

Further discussion on the millage rate and factors that would allow a lower millage rate and other factors that could affect revenue.

Mr. Doody stated that the Council needs to entertain a motion to set a preliminary millage rate for incorporation into Resolution 2024-12.

Mayor O'Connor called for a motion.

Motion by Councilman Werner approval of Resolution 2024-12 of the City Council establishing a proposed millage rate of 4.95 for the City's general operating fund, for fiscal year beginning October 1, 2024, through September 30, 2025, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

Mr. Doody read Resolution 2024-12, by title only, into the record. Mr. Doody directed the Council to entertain a motion to adopt the resolution.

Mayor O'Connor called for a motion.

Motion by Councilman Werner to adopt Resolution 2024-12 as stated, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

Mr. Doody stated that the Council needs to announce the next public hearing.

Mayor O'Connor announced that there would be a public hearing on September 3, 2024, 6:00 p.m. at Westlake Council Chambers for the first vote of the budget.

- B. RESOLUTION 2024-13 - Levying the Annual Special Assessment for Residential Solid Waste Services for Fiscal Year 2024-25

**Submitted By:** Administration

**RESOLUTION NO. 2024-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES IN THE CITY OF WESTLAKE, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024; DIRECTING THE PREPARATION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.**

Mayor O'Connor introduced Resolution 2024-13, establishing an estimated rate for the residential solid waste services special assessment for the upcoming fiscal year, and deferred to the City Manager, Ken Cassel to provide an overview.

Mr. Cassel stated that instead of doing a direct bill, it would become an Ad Valorem tax, and the funds would be a 100% passthrough the designated hauler. The contract will be out for bid later in the year. Further discussion on the details of the contract with Council and City Manager.

Inaudible public comment from the audience.

Further Council discussion regarding the bid and discussion on how the assessment fee is calculated.

Mayor O'Connor opened discussion for public comments.

Public Comment - Inaudible – Resident – Goldfinch Circle – Inquired why it is being calculated at this time. The City Manager explained that calculations related to tax rates are made as of January 1<sup>st</sup> of the year.

Public Comment – Ms. Jessica Limage – 15941 Whippoorwill Circle – Inquired about the timeline of payment, noting that it is prepaid at closing and that the amount is current as of 2024, and where do the funds go. The City Manager explained that it is in the fund to pay the bill, noting that it does not pay the entire bill and the balance comes out of that which was prepaid for those that closed, noting that the shortfall is absorbed in the general fund.

Mayor O'Connor also noted that it avoids direct billing. The City Manager noted that previous efforts with direct billing resulted in unpaid fees.

Further discussion on future bid for services.

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

Motion by Councilman Werner to approve Resolution 2024-13 as read by City Attorney, seconded by Councilman Martinez.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

- C. Approving and Authorizing the Mayor or Vice Mayor to Execute the Sixth Addendum to Law Enforcement Agreement

**Submitted By:** Administration

**RESOLUTION NO. 2024-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR OR VICE MAYOR TO EXECUTE THE SIXTH ADDENDUM TO THE LAW ENFORCEMENT SERVICE AGREEMENT BETWEEN THE CITY OF WESTLAKE AND THE SHERIFF OF PALM BEACH COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Mayor O'Connor introduced Resolution 2024-14 and deferred to City Manager Ken Cassel to provide an overview of the resolution.

Mr. Cassel stated that this is the City's Annual contract renewal with PBSO, noting a 4% increase in their rates.

Mayor O'Connor inquired if there would be an increase in deputies. Mr. Cassel noted that there would not be any additional officers.

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

Motion by Councilwoman Leonard to adopt Resolution 2024-14, authorizing the Mayor or Vice Mayor to Execute the Sixth Addendum to Law Enforcement Services Agreement between the City of Westlake and the Sheriff of Palm Beach County, seconded by Councilman Martinez.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

**D. FIRST READING - ORDINANCE 2024-02 — Establishing Residency Prohibitions and Exceptions for Sexual Offenders and Sexual Predators**

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

**ORDINANCE NO. 2024-02**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING CERTAIN RESIDENCY PROHIBITIONS AND EXCEPTIONS FOR SEXUAL OFFENDERS AND SEXUAL PREDATORS; PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

Mayor O'Connor introduced Ordinance 2024-02 and asked for comments from the Council.

Mr. Doody stated that the Ordinance is an amendment to the code as a text amendment presenting new restrictions regarding this activity and creates a distance requirement that did not exist in the City of Westlake's Code of Ordinances, but under the Florida Statutes and consistent with case law decisions in the State of Florida they are proposing to increase the distance to 2,500 feet, being consistent with other cities and counties.

Mayor O'Connor opened discussion for public comments.

Inaudible comment from the audience.

Public Comment - Mr. Orlando Chiverias - Orchards Resident - Concern over renters that may be a predator and a concern for allowing renters.

Public Comment - Ms. Andreina Moyssidis - 15506 Orchard Drive – Expressed her concern and resolution for someone that passes the HOA Bylaws.

Public Comment - Mr. Chad Issacson - 15398 Goldfinch Circle – Inquired how this would stop the Cresswind community.

Public Comment - Mr. Larry Chatzidakis - 5580 Starfish Road – Inquired what does the term living means and what it means for people visiting, and if there is a timeline. Further inquired if it covers the entire town and if there is any area where a predator may reside.

Public Comment - Ms. Sindy Winnick - 15944 Key Biscayne Lane – Provided information on how to look up predators.

Public Comment - Ms. Jessica Limage – 15941 Whippoorwill Circle– Inquired as to how long before the Ordinance would take effect and if the Ordinance supersedes what the HOA does regarding renters.

Public Comment - Inaudible name - 4527 Saint Vincent Lane – Inquired if Council considered the issue of a business operating in the home, bringing up other issues of operating a business from a residential home.

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

Motion by Councilman Werner to approve Ordinance 2024-02 of the City Council for the City of Westlake Establishing Residency Prohibitions and Exceptions for Sexual Offenders and Sexual Predators, providing for findings and intent; providing for definitions; penalties; and codification, conflicts; severability, and an effective date, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

City Manager Cassel informed Council that they could call a Special Council Meeting to have the second reading of Ordinance 2024-02, on July 16, 2024, at 5:30 p.m.

Mayor O'Connor called for a motion.

Motion by Councilman Werner to call a Special Meeting on July 16, 2024, for the purpose of approving Ordinance 2024-02, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

Councilwoman Leonard	YES
Mayor O'Connor	YES

Councilman Werner YES  
Councilman Martinez YES

With all in favor, motion carried without dissent (4-0).

Public Comment - Ms. Anita Kaplan – 5459 Santa Rosa Lane – Inquired if a conflict exists as the Advisory Board is scheduled to meet on July 16<sup>th</sup> at 6:00 PM.

Public Comment - Mr. Chad Issacson - 15398 Goldfinch Circle – Inquired of what the purpose of the Ordinance is.

## **NEW BUSINESS**

- A. Update to City of Westlake’s Housing Assistance Guidelines

**Submitted By:** Administration

### **RESOLUTION 2024-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND ADOPTING THE CITY OF WESTLAKE’S REVISED HOUSING ASSISTANCE PURCHASE PROGRAM YEARLY GUIDELINES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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

Mayor O’Connor called for a motion.

Motion by Councilwoman Leonard to adopt Resolution 2024-15, approving and adopting the City of Westlake’s revised housing assistance purchase program yearly guidelines; providing for conflicts; providing for severability; and providing an effective date, seconded by Councilman Martinez.

### **UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

## **CITY COUNCIL COMMENTS**

- A. Councilwoman Charlotte Leonard – No comment.  
B. Councilman Julian Martinez - Provided additional background and purpose of the HAPPY program.  
C. Councilman Gary Werner – No comment.  
D. Mayor JohnPaul O’Connor – Highlighted the upcoming FourthFest celebration.

## **REPORT – STAFF**

Chief Vomero, Palm Beach County Fire Rescue - Provided Response Time Report update. Chief Vomero also addressed the possibility of additional command staff.



Captain Turner, Palm Beach Sheriff's Office - Provided Staff Report, including the crime report for the City and discussed the local fight video that is being circulated. Captain Turner also offered to meet residents on sexual predator issue.

### **REPORT - CITY ATTORNEY**

No Comment.

### **REPORT - CITY MANAGER**

Mr. Cassel addressed the coordination efforts with the City, School Principal, Sheriff's Office, and Fire Rescue, prior to the start of school to review routes in the case of an emergency.

Gave an update on the FourthFest set up.

### **PUBLIC COMMENTS AND REQUESTS**

Public Comment – Ms. Christina Chatzidakis - 5580 Starfish Road – Addressed the fighting among teens at the Adventure Park.

Public Comment - Inaudible audio – Provided information on how to look up information regarding sex offenders and predators.

Public Comment – Ms. Mary Ellen Manning – 15780 Cresswind Place – Offered appreciation for implementing Ordinance 2024-02.

Public Comment – Mr. Theodore Sarandis – 15780 Cresswind Place – Offered appreciation for having a citizen friendly council meeting. Offered suggestion: Develop consistency on agenda and allow citizens comments on each item and prior to any vote and have the City Clerk prepare more meeting agendas for the public.

Public Comment – Mr. Orlando Echeverias (sp) The Orchards – Expressed his concern over people wandering through his property to fish in the lake.

Public Comment - Ms. Jackie Cesaretti – 15599 Goldfinch Circle – Inquired about a workshop for the public to better understand the budget.

Public Comment - Ms. Andreina Moyssidis - 15506 Orchard Drive – Addressed the issue regarding alligators and fishing and the need for "No Fishing" signs.

Public Comment – Mr. Gaston – 4612 Citrus Blossom Court – Addressed the need for cul-de-sac signage.

Public Comment – Mr. Chad Issacson - 15398 Goldfinch Circle – Requested clarification of the election process for Seminole Improvement District board.

Public Comment – Mr. Theodore Sarandis – 15780 Cresswind Place – Requested a special meeting with City and Seminole Improvement District.

Public Comment – Mr. Chad Issacson - 15398 Goldfinch Circle – Acknowledged the City does a great job posting for events and requests the same efforts be made for meeting notices.

Public Comment - Ms. Andreina Moyssidis - 15506 Orchard Drive – Inquired if council meeting dates can be included in the Orchards HOA bulletin. Comment continued, noting that a commercial developer wants to develop in Westlake and has not been able to hear back from Minto and seeking assistance.

There being no further comments, the next item followed.

### **ADJOURNMENT**

There being no further business, Mayor O'Connor adjourned the meeting at 7:43 p.m.

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Zoie P. Burgess, City Clerk

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JohnPaul O'Connor, Mayor