

CITY OF WESTLAKE



MINUTES - DRAFT

City Council Regular Meeting

Monday, August 09, 2021 at 6:30 PM

Westlake Council Chambers,
4005 Seminole Pratt Whitney Road
Westlake, Florida 33470

In efforts to balance the need for the City of Westlake to function and conduct business during the COVID-19 pandemic, we will adhere to the recommended social/physical distancing (staying at least six feet away from each other) guidelines, per the Centers for Disease Control and Prevention (CDC) and Palm Beach County's directives. There will be limited seating available in the Council Chambers. Therefore, preregistration will be required for in-person participation.

The instructions for preregistration attendance/participation and viewing of the meeting are outlined below:

PREREGISTRATION FOR IN-PERSON ATTENDANCE:

- All interested persons, Quasi-Judicial meeting applicants, their representatives, and witnesses must preregister to attend/participate in a meeting by sending an email to City Clerk, Zoie Burgess at zburgess@westlakegov.com or by phone at 561-530-5880 no later than one (1) business day prior to the meeting date (e.g. by 4:00 P.M. on a Friday, if the meeting is scheduled for that Monday, etc.)
- In-person attendance/participation will be based upon the order in which the preregistration requests are received by the City Clerk. For Public Hearing Quasi-Judicial meetings, precedence into the Council Chambers will be given to applicants, their representatives, and/or witnesses over all other preregistered parties.

COMMUNICATIONS MEDIA TECHNOLOGY – WEBEX:

Members of the public may also participate in the meeting through electronic means and may access as follows:

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

Meeting ID: 132 296 9946

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: 132 296 9946

For participants attending the meeting via WebEx, public comments will be accepted via an electronic comment card, at least 24 hours prior to the public meeting and also acknowledged during the meeting when participants utilize the “raise your hand” feature during the designated time.

Procedures for Public Comment are also provided via the City website:

<https://www.westlakegov.com/cityclerk/page/covid-19-public-meetings>

CITY COUNCIL:

Roger Manning, Mayor

JohnPaul O’Connor, Vice Mayor

Patric Paul, Council Member – Seat 1

Kara Crump, Council Member – Seat 2

Katrina Long Robinson, Council Member – Seat 4

CITY STAFF:

Ken Cassel, City Manager

Zoie P. Burgess, City Clerk

Jacob Horowitz, Esq., Interim City Attorney

A Regular meeting of the City Council of the City of Westlake was held on Monday, August 9, 2021 at 6:30 PM., at the Westlake Community Center, 4005 Seminole Pratt Whitney Road.

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

Ms. McNeil noted that City Manager Kenneth Cassel and Interim City Attorney Jacob Horowitz, were present physically. Planning & Zoning Director, Nilsa Zacarias, City Clerk Zoie Burgess and Deputy City Clerk Jomekeyia McNeil was present physically.

Ms. McNeil identified the speakers on the agenda, Ms. Emily O'Mahoney was present via electronic media technology and present and capable of speaking and hearing.

Ms. McNeil 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 August 9, 2021 to order at 6:33 PM.

ROLL CALL

Present and constituting a quorum:

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

Also, present:

Kenneth Cassel, City Manager
Jacob Horowitz, Interim City Attorney
Zoie P. Burgess, CMC, City Clerk
Jomekeyia McNeil Deputy City Clerk
Nilsa Zacarias, Planning & Zoning Director

PLEDGE OF ALLEGIANCE

Mayor Manning led the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Mayor Manning called for any additions, deletions, or modifications to the Agenda.

Motion by Councilwoman Long-Robinson to approve agenda, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

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

Mayor Manning inquired of any public comments.

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

Ms. McNeil 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.

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.

A. Approval of Meeting Minutes

1. July 12, 2021 - Regular City Council Meeting Minutes - DRAFT

B. Approval Finance Statement

1. Financial Report - June 2021

Motion by Vice Mayor O'Connor to approve Consent Agenda, seconded by Councilwoman Crump.

UPON ROLL CALL:

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

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

PRESENTATIONS/PROCLAMATIONS

There being no Presentations or Proclamations, the next item followed.

PUBLIC HEARING - FIRST READING

There being no Public Hearing, the next item followed.

PUBLIC HEARING - SECOND READING

- A. SECOND READING:** Ordinance 2021-08 – Establishing Qualifying Dates for the March 2022 Municipal Election

Submitted By: City Clerk

ORDINANCE 2021-08

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING QUALIFYING DATES FOR THE MARCH 2022 GENERAL MUNICIPAL ELECTIONS, IN ACCORDANCE WITH THE DIRECTION OF THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning introduced item.

Ms. McNeil read into record, by title only, Ordinance 2021-08, noting second reading and approval on first reading July 12, 2021.

Mayor Manning inquired of Council discussion.

Mr. Cassel responded that there are no changes.

Mr. Horowitz advised that this is a public hearing for public comments.

Mayor Manning inquired of public comments.

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

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

Motion by Councilwoman Long-Robinson to approve Ordinance 2021-08, seconded by Councilwoman Crump.

UPON ROLL CALL:

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

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

PUBLIC HEARING - QUASI JUDICIAL

- A.** A Resolution for the POD PC-1 Westlake Recreation Center Phase 2

Submitted By: Planning & Zoning

RESOLUTION 2021-05

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE SITE PLAN SUBMITTED BY MINTO PBLH, LLC FOR POD PC-1, AMENITY PARCEL PHASE 2, KNOWN AS WESTLAKE ADVENTURE PARK LOCATED AT 5490 KINGFISHER BOULEVARD IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item

Ms. McNeil advised that this item requires disclosure of any Ex-Parte communications.

Ms. McNeil read into record, by title only, Resolution 2021-05.

Ms. McNeil swore in all participants that will be speaking on this item.

Ms. Zacarias presented a PowerPoint presentation of Phase 2 Westlake Adventure Park Site Plan Review. She noted that Council approved Phase 1 in 2018 and advised that Phase 2 will complete the amenity center.

Donaldson Hearing of Coteleur & Hearing on behalf of applicant Minto PBLH, LLC presented a PowerPoint presentation Westlake Adventure Park Pod PC-1, Phase 2. He mentioned they are trying to open in Spring 2022 and mentioned the features and parking being added to the area near the amenity center.

Councilman Paul inquired on the access points in Phase 2 to of the Amenity Center and parking.

Mr. Hearing responded that access points are interconnected and noted the access points and parking. He mentioned that they are working with the City Manager about more spaces and regulations for low speed electrical spaces.

Mayor Manning inquired on additional charging stations.

Mr. Hearing responded that he does not believe that additional stations are being added.

Ms. Zacarias advised that there will be 5 charging stations.

Council questions and discussion on the lodge building and the look of the formal lawn.

Mr. Hearing responded to Council questions.

Councilman Long-Robinson commented on the compliance report and inquired if individuals can rent the space.

Mr. Hearing said that he does not have all of the details.

Tara Duhy advised that she has specific answers for the Council; if Council would like for her to respond.

Mr. Horowitz advised the Mayor that Ms. Duhy would need to be sworn in.

Ms. Duhy advised that she was already sworn in.

Mr. Horowitz said that as long as you have been sworn in state your name for the record.

Tara Duhy Lewis, Longman & Walker on behalf of the applicant PBLH. LLC said that the lodge is a large meeting room that can be dividing into smaller rooms and she noted what is available in the space.

Councilwoman Long-Robinson inquired if the formal lawn will be lawn or turf.

Mr. Hearing responded that it is regular grass.

Mayor Manning inquired of public comments.

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

Ms. McNeil 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 Whipoorwill Circle - inquired on construction fencing.

Mr. Horowitz asked Ms. Torres if she was sworn in.

Ms. Torres advised that she is a resident that has a question.

Mr. Horowitz advised that she still needs to be sworn in.

Ms. McNeil swore in Ms. Torres.

Ms. Torres commented that she is a resident and she has a question.

Mr. Horowitz advised the Mayor that it is fine for Ms. Torres to ask her questions, but all testimony given should be on the record as testimony as this a Quasi-Judicial hearing.

Mayor Manning said okay.

Ms. Torres asked what will be fenced in and how will the kids be kept out of the adult pool.

Mr. Hearing advised that the construction fencing will come down and noted that there will be fencing for the formal lawn and pool areas.

Ms. Torres inquired on the access points to the adult pool.

Mr. Hearing responded that there is a primary access point to the adult pool and it is controlled access.

Vice Mayor O'Connor requested Mr. Hearing to expand on the Cabana pool.

Mr. Hearing advised that it is an open space structure and noted the area where it will be located.

Mayor Manning inquired on additional public comments.

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

Motion by Vice Mayor O'Connor to approve Resolution 2021-05, seconded by Councilwoman Long-Robinson.

UPON ROLL CALL:

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

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

B. A Resolution for the 7-11 2.0 Master Sign Plan

Submitted By: Planning & Zoning

RESOLUTION 2021-23

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER SIGN PLAN SUBMITTED BY VRE WESTLAKE 2.0 LLC FOR 7-ELEVEN 2.0 CONVENIENCE STORE AND GAS STATION LOCATED AT 4965 SEMINOLE PRATT WHITNEY ROAD PURSUANT TO CHAPTER 6 OF THE SIGN CODE, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item

Ms. McNeil advised that this item requires disclosure of any Ex-Parte communications.

Ms. McNeil read into record, by title only, Resolution 2021-23.

Ms. Burgess said that you are a virtual participant and wish to speak please state your name for the record.

Ms. Duhya stated her name for the record.

Ms. McNeil swore in all participants that will be speaking on this item.

Ms. Zacarias presented a PowerPoint presentation 7-Eleven 2.0 Master Sign Plan. She noted the approval dates of the site plan and site plan amendments by Council. She said that the applicant is requesting 3 waivers per Chapter 6. Sign Section 6.9 Master Sign Plan.

Mr. Hearing of Cotleur and Hearing on behalf of the owner VRE Westlake 2.0 LLC., and the Verdad organization presented a PowerPoint presentation 7-Eleven 2.0 Master Sign Plan Amendment. He mentioned the benefits of a master sign plan and the reasons for change in signage; he advised that the signage is consistent with 7-Eleven 1.0.

Vice Mayor O'Connor commented that he knows that 7-Eleven 1.0 requested a variance and he does not think that it was at 6 feet but 5 feet.

Mr. Hearing said he believes it was 6 feet and agrees to be consistent with 7-Eleven 1.0.

Vice Mayor O'Connor said that he is comfortable with what Council approved for 7-Eleven 1.0.

Mr. Hearing said that the rural parkway needs to be considered in the world of retail.

Ms. Zacarias advised that staff review the resolution that approved 7-Eleven 1.0 and said that a condition of approval that it needs to comply with the height in square footage of 7-Eleven 1.0.

Mayor Manning asked Mr. Cassel if he has any questions.

Mr. Cassel asked Mr. Hearing to clarify whether the stripping on the buildings were removed and if the striping's will remain on the car wash building and canopy.

Mr. Hearing responded this is correct.

Mayor Manning inquired of Council questions.

Councilwoman Crump inquired on landscaping.

Mr. Hearing responded that the landscaping within the rural parkway is maintained by Seminole Improvement District (SID) and noted that the landscape on the buffers and site can be maintained so that it meets the intent of the landscape.

Mayor Manning inquired of public comments.

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

Ms. McNeil gave the virtual participants a moment to raise a virtual hand or unmute their devices and provided a reminder to state name and address. Ms. McNeil advised participants to state their name for the record if they will be providing testimony.

Motion by Vice Mayor O'Connor to approve the 7-Eleven 2.0 sign plan Resolution 2021-23 with the provision that the variances will not exceed what Council approved for 7-Eleven 1.0 by, seconded by Councilwoman Long-Robinson.

UPON ROLL CALL:

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

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

C. A Resolution for the Grove Market Master Sign Plan

Submitted By: Planning & Zoning

RESOLUTION 2021-25

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER SIGN PLAN SUBMITTED BY 5060 LOXAHATCHEE RETAIL LLC FOR GROVE MARKET AT WESTLAKE LOCATED AT 5060 SEMINOLE PRATT WHITNEY ROAD PURSUANT TO CHAPTER 6 OF THE SIGN CODE, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item

Ms. McNeil advised that this item requires disclosure of any Ex-Parte communications.

Ms. McNeil read into record, by title only, Resolution 2021-25.

Ms. McNeil swore in all participants that will be speaking on this item.

Ms. Zacarias presented a PowerPoint presentation Grove Market Master Sign Plan.

Ms. Burgess advised that staff lost internet connection.

Mayor Manning called for a 5 minute recess.

Due to technical difficulties this portion of the meeting starts at 7:40 PM.

Ms. Zacarias advised that the applicant was before Council in June. She explained each waiver and said that staff recommends approval of the 3 waivers. She noted that Grove Market applied for another site plan modification that is being reviewed to come before Council in September for parking and landscaping.

Emily O'Mahoney of Gentile Glas, Holloway, O'Mahoney, Associates Inc., introduced herself and advised that Michael Narula of Starwood Property Trust, Inc., Rob Spiak of Crossman & Company and the representative from Winn Dixie are in attendance in Chambers. She presented a PowerPoint presentation Grove Market at Westlake.

Mayor Manning called for Council questions.

Council questions on the existing signage and tenants leases.

Mr. Narula responded to Council questions. He said that they are willing to require and stipulate that any tenant during renewal refurbish or replace their signage.

Further Council questions on height of signage.

Mr. Narula responded to Council questions.

Mr. Cassel said that if the applicant is stating that anytime the tenant is coming up for renewal that part of his condition of renewal would be to update the sign to meet the current sign code; this would give the City sufficient protection to get things changed.

Mr. Narula advised that tenants are being encouraged to update signage.

Ms. Zacarias advised that when the signs were installed the signs followed the Palm Beach County Code; therefore, the signs are nonconforming signs. The City would need to look at each sign to determine if the signs are in compliance with the City's Code.

Further Council questions and discussion on signage and tenant renewals.

Mr. Narula responded to Council questions.

Ms. O'Mahoney said that it was not identified in the justification statement that there were non-conformity standards on the signs. She advised that regardless they would meet the standards of the City on those signs.

Vice Mayor O'Connor requested for a standard to be set in the next 3 years that the signage be refurbished or replaced.

Mr. Narula said that he would be comfortable with that condition.

Vice Mayor O'Connor inquired on the max height approved for signage.

Ms. Zacarias said that she will look at the signage approved for Publix.

Council discussion on height of signage

Councilwoman Long-Robinson mentioned that a stipulation needs to be put in for 3 years and said that she would like to see the parking lot and it needs to be consistent with everything that is being developed.

Mr. Narula said that a number of concerns are being addressing that were raised and noted the next steps.

Councilman Paul said that residents are not happy with the parking lot.

Mr. Cassel inquired on ground signs.

Mr. Narula explained what the signs would be used for.

Mayor Manning inquired on additional Council comments.

Mayor Manning inquired of public comments.

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

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

Ms. McNeil advised participants to state their name for the record if they will be providing testimony.

Motion by Vice Mayor O'Connor to approve Resolution 2021-25 with a few provisions that all existing tenant signs be refurbished or replaced within 36 months not to exceed 36 months; and the variances applied for in terms of the height of the wall signs do not exceed any existing variance that the City has already approved.

Mr. Horowitz requested that the applicant confirm for the record that he is in agreement with the conditions for the record.

Mr. Narula said that he does agree.

Seconded by Councilman Long-Robinson.

Councilman Paul inquired if Council can make this 36 month provision.

Mr. Horowitz responded that this is a commitment that the applicant has made with the City.

Mr. Narula said that he is willing to make this commitment.

UPON ROLL CALL:

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

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

NEW BUSINESS

A. Palm Beach County League of Cities Voting Delegate and Alternates

Submitted By: City Clerk

Mayor Manning introduced the item.

Mr. Cassel explained the reason for the item.

Mayor Manning inquired on the alternates.

Mr. Cassel advised who would be alternates.

Mayor Manning commented that new Council members will be in office in March and inquired how often this is done.

Council discussion on alternates.

Mr. Cassel advised that the alternates can be amended after the March 2022 meeting.

Councilwoman Long-Robinson advised that whoever takes her place; they must be willing to take her place on the Administrative Municipal Committee.

Motion by Councilwoman Long-Robinson to make Mayor Manning the Palm Beach County Voting Delegate with Vice Mayor O'Connor as the next in line alternate, second by Vice Mayor O'Connor.

UPON ROLL CALL:

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

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

CITY COUNCIL COMMENTS

A. Councilwoman Katrina Long Robinson

No Comment.

B. Councilwoman Kara Crump

Councilwoman Crump asked Mr. Cassel who sprays the area.

Mr. Cassel responded that the County sprays.

C. Councilman Patric Paul

No Comment.

D. Vice Mayor JohnPaul O'Connor

Vice Mayor O'Connor asked Mr. Cassel for the FPU update.

Mr. Cassel responded that the report is due bi-monthly.

Vice Mayor O'Connor thanked everyone for their leadership.

E. Mayor Roger Manning

Mayor Manning thanked all the presenters for their presentations and a tremendous job they are doing. He mentioned an email from the City Manager regarding some exciting things that will be coming to Westlake.

REPORT - STAFF

There being no Staff Reports, the next item followed.

REPORT - CITY ATTORNEY

Mr. Horowitz advised that he has nothing.

REPORT - CITY MANAGER

Mr. Cassel mentioned the Coffee with the City Manager tomorrow. He advised that the mail notice for the assessment letter will be going out later this week. Everything else is moving along rapidly.

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. McNeil noted there were no public comment cards received prior to the meeting.

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

Mr. Cassel confirmed with Council that the workshop is set for August 23rd at 6:30 PM.

Council consensus on the August 23rd workshop.

Vice Mayor O'Connor inquired on the water at the dog park.

ADJOURNMENT

Mayor Manning adjourned the meeting at 8:31 PM.

Zoie P. Burgess, City Clerk

Roger Manning, Mayor