

CITY OF WESTLAKE



MINUTES

City Council Workshop Meeting

Monday, June 22, 2020 at 5:30 PM

This meeting was held at the Westlake Community Center/City Council Chambers located at 4005 Seminole Pratt Whitney Road, Westlake, Florida, 33470 for City Council Members only and publicly viewed Via Communications Media Technology in accordance with the Governor's Executive Order 2020-69. Due to COVID-19, and the need to ensure public health safety and welfare, this meeting was conducted utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

Members of the public were able to participate in the meeting through electronic means accessed as follows:

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

Meeting ID: 793 428 227

Password: hello

2. Participants also were able to dial in using phones with any of the following number(s):

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

Meeting ID: 793 428 227

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 WORKSHOP meeting of the City Council of the City of Westlake was held on Monday, June 22, 2020 at 5:30 PM., via Communications Media Technology in accordance with the Governor's Executive Order 2020-69, due to COVID-19 and the need to ensure public health, safety and welfare.

CALL TO ORDER

Mayor Manning called the City of Westlake Workshop City Council meeting of Monday, June 22, 2020 to order at 5:32 PM.

Mayor Manning explained that this meeting is being held in accordance with the Governor's Executive Order 2020-69. Due to COVID-19, and the need to ensure public health safety and welfare, this meeting may be conducted without a quorum of its members present physically or at any specific location and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

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; however, audience members have the ability to unmute themselves.

Ms. Burgess provided further instruction regarding public comments, noting that full instructions to provide a comment are also available on the City's Website and comments will be acknowledged 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 reminded participants and Council members to speak clearly for the record.

ROLL CALL

Present and constituting a quorum physically at the Westlake Community Center/City Council Chambers located at 4005 Seminole Pratt Whitney Road, Westlake, Florida, 33470:

Roger Manning, Mayor
Katrina Long Robinson, Vice Mayor
Kara Crump, Councilwoman
Patric Paul, Councilman

Present Via Communications Media Technology:

JohnPaul O'Connor, Councilman

Also present were:

Kenneth Cassel, City Manager
Pam E. Booker, Esq., City Attorney
Zoie P. Burgess, CMC, City Clerk - Via Communications Media Technology

PLEDGE OF ALLEGIANCE

Mayor Manning led the Pledge of Allegiance.

WORKSHOP AGENDA

A. Presentation of Proclamation - John Stanavitch

Presented By: Mayor Roger Manning

Mayor Manning presented former Council Member John Stanavitch with a plaque and proclamation for serving as a member of the City of Westlake's Inaugural City Council.

B. Presentation of Proclamation - Phillip Everett

Presented By: Mayor Roger Manning

Mayor Manning presented former Council Member Phillip Everett with a plaque and proclamation for serving as a member of the City of Westlake's Inaugural City Council.

C. Generators Discussion

Submitted/Discussion By: Kenneth Cassel, City Manager

Mr. Cassel discussed generators and the challenges of making them fit in side-yard setbacks. Mr. Cassel noted that several codes were researched and reviewed, including the electrical, safety and building codes as there are certain clearance requirements that are needed.

Mr. Cassel explained that a full presentation will be brought back to Council for direction at the July meeting and thereafter a code correction or adjustment will be presented for consideration at the August meeting.

D. 2020/2021 Fiscal Year Budget - Briefing

Submitted/Discussion By: Kenneth Cassel, City Manager

Mr. Cassel explained that he and staff have been working on the 2020/2021 Fiscal Year Budget and as previously reported, they have also reviewed the impacts of COVID-19. Mr. Cassel reminded Council that he froze a number of expenditures when the pandemic arose and have been reviewing the forecast to be self sufficient through 2026.

Mr. Cassel noted that there will be minimal increase or some reduction in various line items.

Mr. Cassel further identified that the COVID impact is approximately \$35,000. He noted that gas tax, sales tax and pro rata shares can be impacted 15-20%. Mr. Cassel explained that currently the City receives approximately \$133,000. Mr. Cassel stated that he is reviewing all of the line items to cut as many as possible and noted that many line items that were in last year's budget did not materialize or to the rate anticipated and will consider decreasing.

Mr. Cassel further explained personnel structure including those contracted and working for the City.

Mr. Cassel stated that the taxable value increased significantly over the last year but will still need to balance the budget with a significant contribution from Minto as a part of their funding agreement, noting that the agreement expires in 2023 and noted that it will be important to keep the workforce as lean as possible to operate effectively.

Mr. Cassel explained that he will recommend maintaining the millage rate at 5.125 in efforts to be in a position to be self-sufficient in 2023. Mr. Cassel noted that last year's assessment value generated approximately \$551,000 of ad valorem taxes and the current year's projected value to generate \$1,086,636, however the developer contribution is still approximately \$1.7 million.

Mr. Cassel noted that the combined budget with building, planning and zoning is about \$4.65 million and \$1.4 million is in the building, planning and zoning departments which are supported by fees and charges.

Mr. Cassel stated that staff will continue to trim as much as possible and will be bringing the budget presentation before Council at the July meeting.

Vice Mayor Long-Robinson followed up on her request to see a couple of budgets to see the variations based on COVID and would like to see the line item information and details. Mr. Cassel confirmed that he will provide.

Vice Mayor Long-Robinson noted that emails have been received regarding budget analysis for attorney's and would like to see a budget analysis on management services in comparison with other municipalities with a population of 25,000 or less. Mr. Cassel confirmed that he will provide.

Vice Mayor Long-Robinson insisted Council consider implementing an evaluation prior to moving forward with budgets. Mr. Cassel inquired if Council had reviewed the evaluation information that was provided as feedback had not been received and upon receipt he can begin putting it together. Mayor Manning stated that based on what he reviewed the process can move forward. Councilwoman Crump stated she would need to review again but felt there were questions on the evaluations that could not be directly answered as she does not work with the City Manager directly. Vice Mayor Long-Robinson requested that the City Manager provide the Town of Lake Clarke Shores and the Village of Wellington's evaluations. Mr. Cassel stated that he would provide again.

Councilman Paul inquired of the Sheriff's Office budget. Mr. Cassel acknowledged that there has been a 1% increase requested.

Councilman Paul inquired to what has changed for them in the City. Mr. Cassel explained that there are some cost increase in overhead.

Vice Mayor Long-Robinson for clarification, stated that \$700 million is received from the County, but does not include the City's contract which is \$700,000. Vice Mayor Long-Robinson further inquired if there is an opportunity to negotiate. Mr. Cassel stated that he will discuss the increase with the Sheriff's Office.

Mayor Manning noted that the Westlake population has not increased.

Councilwoman Crump noted that the neighborhoods cannot be patrolled at this time.

Mayor Manning inquired to the status of getting those agreements for the Sheriff to patrol the neighborhoods.

Mr. John Carter, Vice President - Minto, PBLH, LLC, provided an update to the agreements that are needed with the County to allow for traffic enforcement within the developments.

Mayor Manning called for any additional comments or questions.

Mr. Cassel added that the Sheriff's office has received the all-terrain vehicle which will be stored on-site in Westlake and will be using it to patrol the undeveloped areas of the City. Mayor Manning inquired to the undeveloped areas, being owned by the developer and the City's responsibility of cost to patrol. Mr. Cassel noted that the individual homes or the roads are not owned by the City, but all are within the City boundaries and the City is responsible for the protection of all the land within.

Mayor Manning inquired to the liability on the City to the Sheriff's Office driving the all-terrain vehicles. Mr. Cassel noted that it is a Sheriff vehicle as with any other and it is their responsibility.

Councilman O'Connor requests that an ordinance be crafted to protect the golf carts prior to implementing a traffic enforcement agreement. Mr. Cassel noted that an ordinance has not been crafted

although in the comprehensive master plan, multi-use paths which are wide enough to allow golf carts. Ms. Booker noted that would be a separate ordinance and anticipate August or September before it is before Council.

Mr. Cassel inquired if there are any additional questions, comments or concerns regarding the budget.

There being no further questions or comments, the next item followed.

E. Development Order/Agreement - Progress Update

Submitted/Discussion By: Kenneth Cassel, City Manager

Mr. Cassel noted that several details are still in process of being worked out as it relates to the Development Order and Agreement. Mr. Cassel provided a history of the development of Westlake from the developer purchase in 2013 and the involvement of the special improvement district at that time.

Mr. Cassel further explained the role of the land development regulations which are in process of being completed and the need to bring the City under such regulations through a Development Agreement, noting that there are 136 conditions in the original Development order, which staff is currently reviewing to determine which have been completed, which have not, which need to be completed and which as a City will no longer wish to have.

Mayor Manning addressed the letter Council received from the County to Ms. Duhy and noted that there appears to be an extensive list of comments and inquired if they have been addressed. Mr. Cassel noted that they have not been reviewed internally as the letter was addressed to the developer and it is their responsibility to respond.

Councilman Paul inquired of the open spaces and if it is being addressed as a part of the City or Seminole Improvement District's control. Mr. Cassel noted that multi mobile paths and landscape buffers are addressed in the comprehensive master plan and staff continues to work through the item to ensure the intent of what those landscape corridors were originally for are maintained. Ms. Booker added that upon discussions with Ms Duhy, language will be added in the Development Agreement and will provide consistent language to make sure they stay in place and whether or not Seminole Improvement District or the City owns them.

Mayor Manning inquired if it is customary of the developer to be involved in an agreement that meet the City's requirements. Ms. Booker explained that the development agreement is a request from the developer.

Mayor Manning inquired of a timeline. Ms. Booker noted that there is not an absolute date.

Councilman Paul inquired of the park and if more clarification can be provided as it is part of the development agreement. Mr. Cassel confirmed that he will gather additional information for Council and noted that Council will have full input on programming, style, site plan, etc. Councilman Paul inquired of the time frame the Park would be build and if there is a delay. Mr Cassel explained that the park was never in the plan to built for a while as it was probably another 5-7 years out before it was to be a discussion.

Mayor Manning inquired if additional staff would be needed to move faster on the Development Order/Agreement. Ms. Booker noted and explained that there are a couple of legal issues that need to be addressed and she has considered additional staff. Ms. Booker continued explaining that she has concerns regarding the transportation items, housing obligations from the prior development order and the park conveyance. Ms. Booker added that with the Planning and Zoning Board requests, golf cart ordinance, along with Minto's continued developments on the plats, it would be preferred to have

additional assistance to keep thee items moving. Vice Mayor Long-Robinson inquired if additional assistance would mean an additional attorney. Ms. Booker acknowledged that she would prefer to use Mr. Jarolem to assist in providing input , noting that the request was included in the upcoming budget but would not occur until October and if the mentioned items are to be presented before that assistance would be required now.

Vice Mayor Long-Robinson inquired further explanation for the need of an additional attorney and if it is the work load or the complexity of the items. Ms. Booker explained that it is both and provided additional detail.

CITY COUNCIL COMMENTS

A. Councilman JohnPaul O'Connor

Councilman O'Connor apologized for no being able to be physically present but offered his recognition to the former Councilmen Phillip Everett and John Stanavitch.

B. Councilwoman Kara Crump

Councilwoman Crump expressed her appreciation to staff for holding this workshop and encourages more to be held.

C. Councilman Patric Paul

Councilman Paul was pleased to see that after the many days of rain, there have not been any issues with standing water, drainage and the canals.

D. Vice Mayor Katrina Long Robinson

Vice Mayor Long-Robinson noted that based on conversations there is a need to see the budget numbers before decisions are made.

Vice Mayor Long-Robinson addressed and inquired the issue of the alligator complaint received a few months ago and the discussion of having signage placed to prohibit residents from feeding the alligators. Mr. Cassel discussed it with Seminole Improvement District and they are attempting to determine the number of signs needed, as well as presenting a newsletter to address such issues.

Vice Mayor Long-Robinson addressed COVID-19 and a recommendation to specifically review the positive cases for the western communities to determine how it is affecting the City. Mr. Cassel will reach out to Dr. Alonso with the Health Department.

Vice Mayor Long-Robinson noted that she had a meet and greet with the principles in the area regarding the Education Youth and Advisory Board Committee due to correspondence from Dr. Campbell stating his concern for the lack of communication.

E. Mayor Roger Manning

Mayor Manning acknowledged an email that he received June 22, 2020 stating that there may be a sunshine law violation from Mr. Carter. Mayor Manning inquired if it was a legal opinion. Mr. Carter stated that it was his opinion.

Mayor Manning acknowledged that the City Attorney prepared a statement and noted that to determine if there is a violation is to go to the Ethics Commission themselves.

Ms. Booker read her written statement into record in response to Mr. Carter's email.

Vice Mayor Long-Robinson inquired of the method to utilize outside counsel and whether it should have been in writing. Ms. Booker stated that it is not always the process. Mayor Manning stated that he made the request. Ms. Booker continued in explaining the process when it would come before Council.

Vice Mayor Long-Robinson inquired if an invoice had been received. Ms. Booker confirmed that an invoice had been received. Vice Mayor Long-Robinson further inquired if it was identified in the budget previously received. Ms. Booker stated that it was not included. Vice Mayor Long-Robinson inquired of the City Manager if it would be included in the proposed budget coming before Council. Mr. Cassel noted that it would not be in the proposed budget but reflected in the current budget which will require a budget amendment moving money into the legal department's budget.

Mayor Manning requested that the issue be brought before the Ethics Commission reviewed and cleared, noting the seriousness of such a complaint.

Councilman Paul noted that based on the detail of the issues, it is helpful to receive the legal explanation of the items

Councilman O'Connor noted that he does not believe there was a violation and further requested to see how Mr. Jarolem was retained and what the cost of services were.

Councilman Paul inquired of the positions held by Mr. Cassel holds with the City and the Seminole Improvement District and if there is any impact on Sunshine Law. Mayor Manning noted that he has requested a presentation about any conflict and bias be placed on the July agenda.

CITY ATTORNEY COMMENTS

Mayor Manning inquired if any additional comments, there being none, the next item followed.

CITY MANAGER COMMENTS

Mr. Cassel noted the update from the County regarding the mandatory utilization of masks in all public facilities and the request of feedback and input from municipalities. Vice Mayor Long-Robinson and Councilwoman Crump noted that they would be in favor. Councilman Paul stated he would like to hear from the public. Councilman O'Connor stated that he is against making masks mandatory, and educating the public should be priority and it should be left to privately owned businesses if they want to have customers wear masks in their businesses. Mayor Manning noted that he would like to see more education and would rather not see the burden on the businesses, but an individual responsibility.

PUBLIC COMMENTS

Mayor Manning inquired if there were any public comments.

Ms. Burgess acknowledged that no public comment cards were received. 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.

Ms. Alicia Torres - 5847 Whippoorwill Circle - Ms. Torres commented that manufacturer of the generators require 18" distance from the house and the generator itself, not 36".

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.

Ms. Carlene Millen - 15934 Rain Lilly Way - Ms Millen inquired to the meeting being posted, as she inquired and it was explained meetings are to be posted within a reasonable time. Ms. Millen continued that she reviewed the website last week of and did not see a mention or posting of the workshop today and would like to know the timing for posting meetings on the City's website. Ms. Burgess noted that the meeting is published at least a week prior, however the present meeting had been posted longer. Ms. Burgess continued that she can review further for the present meeting and contact her directly. Ms. Burgess further provided instructions on locating the meeting dates on the City website under the event calendar and on the agendas and minutes page.

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

There being no further comment, the next item followed.

ADJOURNMENT

Mayor Manning adjourned the meeting at 7:35 PM.

Zoie P. Burgess, CMC, City Clerk

Roger Manning, Mayor