

CITY OF WESTLAKE



MINUTES - DRAFT

City Council Regular Meeting

Monday, August 10, 2020 at 6:30 PM

The City Council Regular Meeting was held with a quorum of City Council members physically in attendance at:

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

Remaining City Council Members, City Staff and the Public may participate through COMMUNICATIONS MEDIA TECHNOLOGY consistent with Emergency Ordinance 2020-08.

Members of the public may 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: 132 294 2455
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: 132 294 2455

Public Comments will be accepted via an electronic comment card, at least 24 hours prior to the public meeting and acknowledged during the meeting when participants utilize the "raise your hand" feature during the designated time. Procedures for Public Comment are provided via the City website:
<https://www.westlakegov.com/cityclerk/page/covid-19-public-meetings>

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, August 10, 2020 at 6:30 PM., at the Westlake Community Center, 4005 Seminole-Pratt Whitney Road, Westlake, Florida 33470 and 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.

As a preliminary matter, Ms. Burgess noted that Mayor Manning, Councilman Paul, and Councilman O'Connor are present physically. Ms. Burgess noted that Vice Mayor Long-Robinson is attending via communications media technology and confirmed Vice Mayor Long-Robinson was able to hear and speak.

Ms. Burgess noted Councilwoman Crump was absent, City Manager, Kenneth Cassel and City Attorney were present physically and City Clerk attending via communications media technology.

Ms. Burgess confirmed Planning & Zoning Director, Nilsa Zacarias, attending via communications media technology was able to speak and hear.

Ms. Burgess identified the speakers on the agenda, Mr, Donaldson Hearing and Supervisor of Elections Wendy Sartory-Link 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 August 10, 2020 to order at 6:34 PM.

ROLL CALL

Present and constituting a quorum:

Mayor Roger Manning
Vice Mayor Katrina Long- Robinson - Present via communications media technology
Councilman JohnPaul O'Connor
Councilman Patric Paul

Absent:

Councilwoman Kara Crump

Also present:

Kenneth Cassel, City Manager
Pam E. Booker, Esq. City Attorney
Zoie P. Burgess, CMC, City Clerk - Present via communications media technology

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 Councilman O'Connor to approve agenda, seconded by Councilman Paul.

UPON ROLL CALL:

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

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

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 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.

Alicia Torres - 5847 Whippoorwill Circle - Ms. Torres wanted to note that the Budget Workshop scheduled for Tuesday, August 18, 2020 is the same day as the General Primary Election.

Mr. Cassel noted the meeting is at 6:30 PM and there is no conflict with Council.

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.

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 identified the items on the Consent Agenda and called for any discussion or a motion

Motion by Councilman Paul to approve consent agenda, seconded by Councilman O'Connor.

UPON ROLL CALL:

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

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

- A. Approval of Meeting Minutes
 - 1. May 11, 2020 - Regular City Council Meeting Minutes
- B. Approval Finance Statement
 - 2. Financial Report - June 2020

PRESENTATIONS/PROCLAMATIONS

- C. Presentation - Elections

Presented By: Wendy Sartory Link, Palm Beach County Supervisor of Election

Mayor Manning called for presentation from Supervisor of Elections, Wendy Sartory Link,

Ms. Burgess noted that Supervisor of Elections Sartory Link was not present but would identify her presence when she joins the meeting.

PUBLIC HEARING

- D. Resolution 2020-22 - Final Plat for Groves of Westlake Phase II

Submitted By: Legal

RESOLUTION 2020-22 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR GROVES OF WESTLAKE - PHASE II, A SUBDIVISION IN SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING A REPLAT OF TRACT "O", GROVES OF WESTLAKE - PHASE II, PLAT BOOK 130, PAGES 120 THROUGH 135, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, CITY OF WESTLAKE, FLORIDA, PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item and called for any additional comments.

Ms. Burgess read, by title only, Resolution 2020-22.

Motion by Councilman O'Connor to adopt Resolution 2020-22, seconded by Vice Mayor Long-Robinson.

UPON ROLL CALL:

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

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

- E. Resolution 2020-23 - Amending the Site Plan for 7-Eleven 1.0

Submitted By: Legal

RESOLUTION 2020-23 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE SITE PLAN FOR 7-ELEVEN 1.0, WHICH INCLUDES A GAS STATION, CAR WASH AND CONVENIENCE STORE, THE AMENDMENT INCLUDES A TACO FOOD SERVICE WITH OUTSIDE DINING AREA, AN UPDATE TO THE BUILDING FAÇADE, AND OTHER SITE PLAN MODIFICATIONS LOCATED AT 4670 SEMINOLE PRATT WHITNEY ROAD, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item.

Ms. Zacarias provided a PowerPoint presentation for the 7-Eleven 1.0 site plan modification noting the proposed modifications include the following:

1. Addition of a Taco Food Service
2. Updates to the Building Facade (color and materials)
3. Addition of an outside covered dining area
4. Expanded dumpster to include a grease trap
5. Minor changes to landscaping

Ms. Zacarias noted that the application was reviewed by staff with conditions as well as Seminole Improvement District. Ms. Zacarias noted that the Engineering Department recommends approval with the condition that the power and photometrics plan be revised to eliminate site conflict and while remaining compliant with the code requirements. Ms. Zacarias further noted that the Planning and Zoning Department recommends approval with the following conditions:

The applicant be required to apply for a Master Sign Plan, that will include all proposed signs including monument sign, wall signs, window signs and other type of signs

Master Sign Plan application will have be heard and approved by City Council.

Mr. Hearing provided a PowerPoint presentation for the 7-Eleven 1.0 site plan modification.

Mr. Cassel noted that a revised photometrics plan had been received and submitted to engineering.

Ms. Booker further noted that all conditions are recognized in the Resolution.

Ms. Burgess read, by title only, Resolution 2020-23.

Motion by Councilman O'Connor to approve Resolution 2020-23, Amending the Site Plan for 7 Eleven 1.0 seconded by Councilman Paul.

UPON ROLL CALL:

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

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

F. Resolution 2020-24 - Amending the Site Plan for A Resolution for 7-Eleven 2.0 Amended Site Plan

Submitted By: Legal

RESOLUTION 2020-24 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE SITE PLAN FOR 7-ELEVEN 2.0 WHICH INCLUDES A GAS STATION, CAR WASH AND A 4500 SQUARE FOOT CONVENIENCE STORE, THE AMENDMENT INCLUDES A TACO FOOD SERVICE, AND OTHER SITE

PLAN MODIFICATIONS LOCATED AT 4965 SEMINOLE PRATT WHITNEY ROAD, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning identified that Supervisor of Elections Sartory Link join meeting and welcomed her presentation.

Supervisor of Elections Sartory Link provided an update for the upcoming Primary Election.

At the request of Vice Mayor Long-Robinson, Ms. Link explain the security measures in place for the ballot boxes.

Mayor Manning introduced the next item on the Agenda, noting a staff presentation.

Ms. Zacarias provided a PowerPoint presentation for a 7-Eleven 2.0 site plan amendment. Ms. Zacarias identified the proposed modifications:

1. Addition of a taco food service
2. Expanded dumpster to include grease trap
3. Landscape plan modification to reflect changes in site plan and elated hardscape

Ms. Zacarias noted that Seminole Improvement District and staff have reviewed with Planning and Zoning approves as the application complies with applicable codes and requirements and the Engineering Department has approved with comments:

1. Confirm if grease trap is required and if so, where it will be located on the site
2. Connect car washing plumbing to sanitary sewer system. Per FDEP NPDES program not plumbing connection shall be allowed to enter stormwater system.
3. Revise application number within the site data table new application number, "SPR- 2020-07"
4. Ensure that the area calculations for the sidewalks and plazas are correct

Councilman Paul inquired what the master drainage looks like. Ms. Zacarias encouraged the review of engineering drawings. Mr. Hearing provided further explanation.

Mayor Manning inquired if Mr. Hearing had a presentation. Mr. Hearing noted he had a presentation, but provided an overview instead.

Councilman O'Connor inquired to the elevation. Mr. Hearing displayed the rendering of the elevation, noting there were no changes.

Mayor Manning called for any additional questions.

Ms. Burgess read, by title only, Resolution 2020-24.

Motion by Vice Mayor Long-Robinson to approve Resolution 2020-24, Amending Site Plan for 7-Eleven 2.0, seconded by Councilman Paul.

UPON ROLL CALL:

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

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

- G. Resolution 2020-25 - Approving Final Plat for Persimmon Boulevard East - Plat 4

Submitted By: Legal

RESOLUTION 2020-25 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR PERSIMMON BOULEVARD EAST PLAT 4, BEING A PORTION OF SECTION 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning introduced item.

Mr. Hearing provided PowerPoint Presentation, noting request is the extension of Persimmon Boulevard east.

Mayor Manning requested that Council be provided with Seminole Improvement District's approval. Ms. Booker acknowledged that would be included going forward.

Councilman O'Connor inquired if there were any conditions upon approval. Mayor Manning noted that in the packet staff recommends and there were not conditions.

Mayor Manning called for any additional questions.

Ms. Burgess read, by title only, Resolution 2020-25.

Motion by Councilman O'Connor to approve Resolution 2020-25, seconded by Councilman Paul.

UPON ROLL CALL:

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

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

- H. Ordinance 2020-09 - Amending Ordinance 2016-03 Which Established The Planning And Zoning Board, By Changing The Composition Of The Board (First Reading)

Submitted By: Legal

ORDINANCE 2020-09 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ORDINANCE 2016-3 WHICH ESTABLISHED THE PLANNING AND ZONING BOARD, BY CHANGING THE COMPOSITION OF THE BOARD TO INCLUDE A RESIDENT TO SERVE AS AN ALTERNATE BOARD MEMBER, CLARIFYING THE REQUIREMENTS FOR A QUORUM; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item, noting first reading and called for any questions comments or concerns.

Ms. Booker further explained item, acknowledging Council's request to add an alternate to the Planning & Zoning Board. Ms. Booker continued explaining the additional edits to the Ordinance.

Council held additional discussion.

Ms. Burgess read, by title only, Ordinance 2020-09 for first reading.

Motion by Councilman Paul to adopt Ordinance 2020-09, seconded by Vice Mayor Long-Robinson.

UPON ROLL CALL:

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

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

- I. Ordinance 2020-10 - An Ordinance Amending The Composition Of The Education And Youth Advisory Board (First Reading)

Submitted By: Legal

ORDINANCE 2020-10 - AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE COMPOSITION OF THE EDUCATION AND YOUTH ADVISORY BOARD; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERALIBILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item, noting first reading and requested further discussion of Ordinance edits.

Ms. Booker further explained item, identifying the request of Council to increase the number of board members from three to five.

Ms. Burgess read, by title only, Ordinance 2020-10.

Motion by Vice Mayor Long Robinson to adopt Ordinance 2020-10, amending the composition of the Education and Youth Advisory Board, seconded by Councilman O'Connor.

UPON ROLL CALL:

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

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

NEW BUSINESS

- J. Resolution 2020-21 - Providing Notice of Intent to the Federal Insurance Administrator

Submitted By: Legal

RESOLUTION 2020-21 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA PROVIDING A NOTICE OF INTENT TO THE FEDERAL INSURANCE ADMINISTRATOR THAT THE CITY OF WESTLAKE WILL IMPLEMENT AND ENFORCE PROVISIONS CONSISTENT WITH THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item and called for further explanation.

City Manager Cassel provided an explanation of the item presented.

Council held additional discussion.

Ms. Burgess read, by title only, Resolution 2020-21.

Motion by Councilman O'Connor to approve Resolution 2020-21, seconded by Councilman Paul.

UPON ROLL CALL:

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

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

CITY COUNCIL COMMENTS

A. Councilman JohnPaul O'Connor

Councilman O'Connor inquired to the status of generators.

Mr. Cassel explained that he received a draft from Planning & Zoning and will submit to legal for legal sufficiency and will bring back to Council as soon as possible.

Councilman O'Connor stated that he would like to see the traffic issue addressed in Hammocks but would like to see the an ordinance established protecting the golf carts.

Mr. Cassel noted that he has received a draft ordinance from legal for review.

B. Councilwoman Kara Crump

Absent

C. Councilman Patric Paul

No comments.

D. Vice Mayor Katrina Long Robinson

No comments.

E. Mayor Roger Manning

Mayor Manning provided thanks to staff for moving forward.

REPORT - STAFF

None

REPORT - CITY ATTORNEY

Ms. Booker acknowledged that they hope to have a golf cart ordinance on the next agenda.

REPORT - CITY MANAGER

Mr. Cassel noted that staff will reorganize the format of the approvals of Agenda Item Cover Sheet and the accompanying staff report to provide clarity on the item presented before Council.

Mr. Cassel identified that he had a productive meeting with the County and how to move forward with C-2, fuel station and PC-2 to meet all needs.

Councilman Paul inquired if there was any movement regarding 140th. Mr. Cassel acknowledged that Indian Trail Improvement District responded and Seminole Improvement District is preparing a return response.

Mr. Cassel identified that a pre-applicant meeting for Publix shopping plaza and should see proposal approximately in November. Mr Cassel provided anticipated square footage, and location.

Mr. O'Connor inquired about 7-Eleven 1.0. Mr. Cassel acknowledged that they are performing site work, but he is not aware of the construction schedule and he anticipates a completion date in approximately 6-7 months.

Mr. Cassel identified that Seminole Improvement District is in the process of planning culvert crossing North of Sycamore to cross Seminole Pratt Whitney Road to accommodate water flow.

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 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.

Alicia Torres - 5847 Whipoorwill Circle - Ms. Torres stated that she is disheartened to see the direction of commercial business and would hope they are still able to attract high-quality businesses such as a seafood restaurant, a pub, or a coffee house. She inquired if the City has a vision, what is it and if that vision has changed. Ms. Torres explained that she imagined that there would be a lot of tech and would be an innovative, unique, new city.

Mr. Cassel identified the businesses that are coming in and noted that the business mentioned require an established storefront property, and at this time there are none. However, he expects to see them in the future. Ms. Zacarias explained that the Comprehensive Plan that reflects future growth.

Vice Mayor Long Robinson noted impact of COVID and the hesitation for business owners and investors to take the risk.

Mr. Cassel will reach out to Mr. Carter to provide an update in September on the status of commercial projects.

Mayor Manning explained the importance of having commercial business and he need for the tax revenue.

Mayor Manning called for any additional comments.

Ms. Burgess gave the virtual participants an additional 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.

ADJOURNMENT

Mayor Manning adjourned the meeting at 8:22 PM.

Zoie P. Burgess, City Clerk

Roger Manning, Mayor