

CITY OF WESTLAKE



MINUTES

City Council Regular Meeting

Tuesday, January 03, 2023 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
Pilar Valle Ron, 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, Planning and Zoning Director
Suzanne Dombrowski, City Engineer

A regular meeting of the City Council of the City of Westlake was held on Tuesday, January 3, 2023, at 6:00 PM., at the Westlake Community Center, 4005 Seminole Pratt Whitney Road. Members of the public also participated in 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: 2632 888 9851

Password: hello

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

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

Meeting ID: 2632 888 9851

As a preliminary matter, Ms. Burgess noted that council members are present physically constituting a quorum.

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 microphones are live. Ms. Burgess further explained that microphones will be muted; audience members can 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 O'Connor called the City of Westlake Regular City Council meeting of Tuesday January 3, 2023, to order at 6:01 p.m.

ROLL CALL

Present and constituting a quorum:

Councilwoman Charlotte Leonard
Councilman Julian Martinez
Councilwoman Pilar Valle Ron
Vice Mayor Greg Langowski
Mayor John Paul O'Connor

Also present:

Kenneth Cassel, City Manager
Donald J. Doody, Esq., City Attorney
Zoie P. Burgess, CMC City Clerk
Nilsa Zacarias, Planning and Zoning Director

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.

Mayor O'Connor called for Item B. under New Business to be removed from agenda and to be heard at a later date.

Motion by Councilman Martinez to amend agenda, seconded by Councilwoman Leonard.

UPON ROLL CALL:

Councilwoman Leonard	YES
Councilman Martinez	YES
Councilwoman Valle Ron	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 Councilwoman Leonard to approve agenda as amended, seconded by Councilwoman Valle Ron.

UPON ROLL CALL:

Councilman Martinez	YES
Councilwoman Valle Ron	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilwoman Leonard	YES

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

PUBLIC COMMENTS AND REQUESTS

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 or unmute your device, and prior to addressing Council, state your name and address for the record.

Mayor O'Connor called for public comments.

Ms. Burgess noted there were no public comment cards received prior to the meeting and gave the virtual audience a moment to comment.

Ms. Ramirez noted a comment card was received by Tara Duhy.

Public Comment – Tara Duhy from Lewis, Longman and Walker on behalf of Minto PBLH, LLC

Ms. Duhy discussed upcoming litigation that affects the city and impacts Seminole Improvement District (SID), as SID is a plaintiff in the case. Ms. Duhy stated the local delegation will be meeting to consider legislation filed on behalf of Indian Trail Improvement District to amend their special act giving them powers to privatize the roads and restricting access. Ms. Duhy noted that all three sides of the city are surrounded by the acreage. This will directly impact residents and prevent them from having any future connections to Indian Trail. Ms. Duhy also stated there is a provision in state statute to allow municipalities to declare safe neighborhood districts for the prevention of crime which allows them to privatize abandoned block streets to deal with crime issues. Ms. Duhy discussed Persimmon Blvd. as an identified Palm Beach County Road for regional connectivity. Ms. Duhy mentioned it is important to inform oneself about the lawsuit and she wanted to bring it to the attention of the city.

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

- A. November Financial Report
- B. Minutes_Regular City Council Meeting - 12.06.2022 DRAFT

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

Motion by Vice Mayor Langowski to approve Consent Agenda, seconded by Councilman Martinez.

UPON ROLL CALL:

Councilwoman Valle Ron	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilwoman Leonard	YES
Councilman Martinez	YES

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

PRESENTATIONS/PROCLAMATIONS

- A. Complete Streets and Vision Zero

Presented By: Brian Ruscher, Deputy Director of Multimodal - Palm Beach Transportation Planning Agency

Mr. Ruscher presented a PowerPoint discussing Vision Zero and Complete Streets Policy. Mr. Ruscher went over the Mission and Vision of the Transportation Planning Agency (TPA), and discussed the below items accompanied with pictures displaying concepts they have created for other areas in Palm Beach County:

- **Complete Streets** - safe access for transportation users of all ages and abilities
- **Vision Zero** – commitment to zero traffic-related fatalities and serious injuries
- **Mode Shift** – walking, bicycling, and transit ridership to maximize efficiency and enhance prosperity

Councilwoman Leonard questioned out of the eleven communities participating in Vision Zero, have there been any reduction in traffic fatalities in the other communities.

Mr. Ruscher stated in the municipality of West Palm Beach there was a decline in fatalities.

Councilwoman Leonard inquired to how long the program has been in place.

Mr. Ruscher mentioned the program has been in place for about a decade.

Council discussed the progress of the Vision Zero program and the benefits it would provide to the residents of Westlake.

There being no further comments, next item followed.

PUBLIC HEARING - QUASI JUDICIAL

A. QUASI JUDICIAL - A Resolution for the Plat of The Pines of Westlake - Phase I

Submitted By: Engineering

RESOLUTION 2023-01

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PLAT OF THE PINES OF WESTLAKE – PHASE I, BEING A PORTION OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA. PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced item and asked Mr. Doody to swear in individuals who intend to testify.

Mr. Doody asked all those who intend to testify during this proceeding to please stand and raise their right hand to be sworn in.

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

Mayor O'Connor called for staff presentations.

Mr. Hearing discussed presentation for Resolution 2023-01, Pod V Plat, approving the Plat of the Pines of Westlake. Mr. Hearing discussed the review for technical compliance and stated the Plat meets all requirements of the Florida statute and is recommending approval. Phase I of the Plat was presented, and a concept of Phase II was shown.

Mayor O'Connor asked what the ballpark range or percentage of homes in the Pines and the Oaks that are on the lake. Mr. Hearing explained that thirty to forty-five percent of the homes are on lakes. Some lots are back-to-back which are generally larger. They provide a variation in pricing. The lake is adjacent to the road and accessible to the residents.

Mayor O'Connor asked if the models were the same as what is currently being offered at the Meadows and the Orchards. Mr. Hearing stated the intent is to build a new model. They might provide new details and be based on models that have been successful in Westlake to date.

Councilman Martinez asked if any homes in the new neighborhood would meet eligibility for the HAPPY Program.

Mr. Hearing stated he does not believe they will qualify for the HAPPY Program but there is another community in review called the Terraces that might qualify for the program. Mr. Hearing stated they will hear more about that project later in the year.

Mayor O'Connor asked how the multimodal will connect to the school allowing residents to be able to drive through the gate, and what kind of responses they are getting from the school board.

Mr. Hearing stated the school board has been very cooperative and are dealing with their own security issues. He noted that they are discussing the ability for the residents to park their vehicles and then walk the students into the schools.

Mayor O'Connor stated he would like to see how the process is going to work and what are the ideas that are being proposed.

Ms. Duhly stated the school board has their own security concerns. She also stated that it would benefit if council opposed the redistricting out of the local elementary school, it would help the residents of the City of Westlake.

Councilwoman Valle Ron requested if the size of the lots could be discussed. Mr. Hearing stated the lots are very similar in size to the Hammocks, Orchards and the Groves.

Mayor O'Connor asked when the residents could expect for the multimodal drop off accessing the school would become operational as it is a huge issue getting kids to the school. Mr. Cassel stated it could take between fourteen to sixteen months from now.

Mayor O'Connor called for public comments.

Public Comment - Alicia Torres 5847 Whipoorwill Circle – Ms. Torres began to inquire o the upcoming lawsuit. Mayor O'Connor interrupted and stated this was a time to comment on the Quasi-Judicial item and any other public comments she has can be discussed at the end.

There being no further comments, Mayor O'Connor asked for a motion to approve Resolution 2023-01.

Motion by Vice Mayor Langowski to approve Resolution 2023-01, seconded by Councilwoman Valle Ron.

UPON ROLL CALL:

Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilwoman Leonard	YES
Councilman Martinez	YES
Councilwoman Valle Ron	YES

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

B. QUASI JUDICIAL - A Resolution for the Plat of Pod V-2

Submitted By: Engineering

RESOLUTION 2023-02

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PLAT OF POD V-2, BEING A PORTION OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA. PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced item.

Mr. Doody requested to swear in for Quasi-Judicial proceedings. Mr. Doody asked all those who intend to testify during this proceeding to please stand and raise their right hand to be sworn in.

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

Mayor O'Connor asked for staff presentations and comments. There being none, Mayor O'Connor asked for applicant presentations.

Mr. Hearing discussed Resolution 2023-02 POD V-2 Plat. Mr Hearing stated city staff reviewed permit, noting it to be fully consistent with the requirements of Florida Statutes and is requesting approval from council.

Mayor O'Connor asked for staff comments. There being none, Mayor O'Connor invited council comments. There being none, Mayor O'Connor called for public comments.

Ms. Burgess noted there were no public comment cards received prior to the meeting and gave the virtual audience a moment to comment. There being no comments, Mr. O'Connor asked for any comments from the public, present in the chambers. There being no further comments, Mayor O'Connor called for a motion to approve Resolution 2023-02.

Mr. Doody asked if there was any ex-parte communication regarding this application to please note it for the record.

Motion by Councilwoman Villar Ron to approve Resolution 2023-02, seconded by Vice Mayor Langowski.

UPON ROLL CALL:

Mayor O'Connor	YES
Councilwoman Leonard	YES
Councilman Martinez	YES
Councilwoman Valle Ron	YES
Vice Mayor Langowski	YES

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

PUBLIC HEARING

A. SECOND READING: Ordinance 2022-15 – Temporary Structures and Uses.

Submitted By: Planning and Zoning

ORDINANCE NO. 2022-15

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY CREATING ARTICLE _____ ENTITLED "TEMPORARY STRUCTURES AND USES"; PROVIDING FOR THE REGULATION OF TEMPORARY STRUCTURES AND USES; PROVIDING FOR THE ESTABLISHMENT OF A MATRIX FOR TEMPORARY STRUCTURES AND TEMPORARY USES; PROVIDING FOR THE REGULATION OF SALE MODELS; PROVIDING FOR THE REGULATION OF TEMPORARY CONSTRUCTION TRAILERS AND PORTABLE STORAGE UNITS; PROVIDING FOR CODIFICATION; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced item.

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

Mayor O'Connor asked for staff presentation.

Ms. Zacarias discussed the second reading of Ordinance 2022-15. Ms. Zacarias reminded council that the item was reviewed by the Local Planning Agency, and City Council on first reading and it was recommended for

approval. She is requesting approval, noting it is specifically for temporary uses such as tents, storage units, sales offices, emergency uses and mobile homes.

Mayor O'Connor asked for council comments. There being none, Mayor O'Connor called for public comments.

Ms. Burgess noted there were no public comment cards received prior to the meeting and gave the virtual audience a moment to comment.

There being no further comments, Mayor O'Connor called for a motion to approve Ordinance 2022-15.

Motion by Vice Mayor Langowski to approve second reading of Ordinance 2022-15, seconded by Councilwoman Valle Ron.

UPON ROLL CALL:

Councilwoman Leonard	YES
Councilman Martinez	YES
Councilwoman Valle Ron	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES

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

NEW BUSINESS

- A. Vision Zero City Resolution 2023-03

Submitted By: Administration

RESOLUTION NO. 2023-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE TO DESIGNATE AS A "VISION ZERO CITY", ESTABLISHING A GOAL OF NO SEVERE TRAFFIC INJURIES WITHIN THE CITY OF WESTLAKE'S BOUNDARIES; PROVIDING FOR THE ADOPTION OF VISION ZERO AS CITY POLICY FOR ALL ROADWAYS TO PROMOTE TRAFFIC AND PEDESTRIAN SAFETY WITHIN THE CITY OF WESTLAKE'S BOUNDARIES; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced item.

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

Mayor O'Connor called on Mr. Cassel to discuss item.

Mr. Cassel discussed item and its focus on reducing severe traffic injuries within city boundaries.

Council further discussed the importance of item and its impact on the residents of the City of Westlake.

Mayor O'Connor called for council comments. There being none, Mayor O'Connor called for public comments.

Ms. Burgess noted there were no public comment cards received prior to the meeting and gave the virtual audience a moment to comment.

Mr. Ruscher informed council there was a spelling error in the item stating colluded where it should state collision.

Mayor O'Connor called for Council comments. There being none, Mayor O'Connor called for public comments.

Ms. Burgess noted there were no public comment cards received prior to the meeting and gave the virtual audience a moment to comment.

There being no comments, Mayor O'Connor called for a motion to approve Resolution 2023-03.

Motion by Vice Mayor Langowski to approve Resolution 2023-03, seconded by Councilwoman Valle Ron.

UPON ROLL CALL:

Councilman Martinez	YES
Councilwoman Valle Ron	YES
Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilwoman Leonard	YES

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

B. Transportation - Complete Streets Policy

Submitted By: Administration

RESOLUTION NO. 2023-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND ADOPTING THE CITY'S COMPLETE STREET POLICY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Item was removed from agenda. Mayor O'Connor asked what the reason for removal was. Mr. Cassel stated the current way Resolution is worded is for existing cities that have issues. The City does not own any of the streets as they belong to SID. The Resolution will be tweaked and modified to make specific to the needs of the city and SID and its complexities.

Mr. Ruscher commented on resolution and stated the resolution was issued and meant to be rewritten to suit the needs of the city.

CITY COUNCIL COMMENTS

- A. Councilwoman Charlotte Leonard – Councilwoman Leonard had no comments.
- B. Councilman Julian Martinez – Councilman Martinez had no comments.
- C. Councilwoman Pilar Valle Ron – Councilwoman Valle Ron had no comments.
- D. Vice Mayor Greg Langowski – Vice Mayor Langowski had no comments.
- E. Mayor JohnPaul O'Connor - Mayor O'Connor had no comments.

REPORT – STAFF

Fire Chief discussed the reports issued and placed on the dais.

Mayor O'Connor wanted to give a moment of silence to an inaugural resident that died recently.

REPORT - CITY ATTORNEY

Mr. Doody had no comments.

REPORT - CITY MANAGER

A. Reuse Water Tank Expansion

Mr. Cassel discussed handout that was placed on dais for council to review.

B. Park Status & Update

Mr. Cassel discussed SID digging the lake by the park to create a waterway to use as a buffer for the park in the future. Mr. Cassel discussed some ideas for the park and the new community center to be located at the park.

Councilwoman Valle Ron stated many residents have asked if there were any plans for a tennis court at the park. Mr. Cassel explained they are trying to maximize the use of the park and the open space.

Council discussed other ideas for the park.

Mr. Cassel discussed item received from the county. One being from the Northlake, the right of way is being extended. The other item discussed by Mr. Cassel was the comp plan change of 60th street North.

Mayor O'Connor commented on the Indian Trails connection. Mayor O'Connor stated he would like to see if the city is willing to join the fight for the connections to be allowed. Mr. Doody noted there to be many issues associated with joining a lawsuit of this nature. He would have to consult with Council representing Minto and to request a motion to intervene. He would first need to review the pros and cons, cost, and the benefits to the city. Mr. Doody stated he would have to review and see what the basis would be for the city to intervene. At this time, he is unable to recommend the city's involvement

Council discussed the lawsuit and the benefits of having those connections.

PUBLIC COMMENTS AND REQUESTS

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Mayor O'Connor called for public comments.

Public Comment – Tara Duhy from Lewis, Longman and Walker on behalf of Minto PBLH, LLC

Ms. Duhy discussed the lawsuit and what she was allowed to discuss. Ms. Duhy thanked the support of the city and stated they are hopeful for the upcoming court date. She wanted to mention the reason why it has taken this long is because of the change of judge.

Public Comment - Alicia Torres 5847 Whipoorwill Circle

Ms. Torres stated her question was answered earlier but commented on the multimodal passage to the high school and thanked the innovative ideas from the city.

Mayor O'Connor called for additional public comments.

Ms. Burgess noted there were no additional comments received. There being no comments, the next item followed.

ADJOURNMENT

There being no further business, Mayor O'Connor adjourned the meeting at 7:40 PM.

Zoie P. Burgess, City Clerk

JohnPaul O'Connor, Mayor