

CITY OF WESTLAKE



MINUTES

City Council Regular Meeting

Tuesday, April 02, 2024, at 6:00 PM

The Lodge at Westlake Adventure Park
5490 Kingfisher Blvd.
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, April 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: +1-408-418-9388

Meeting ID: 2632 888 9851

OATH OF OFFICE

A. Seat # 3 - Charlotte Leonard

B. Seat # 1 - Gary Werner

Mayor O'Connor requested Ms. Burgess to administer the Oath of Office.

Ms. Burgess administered the Oath of Office to Ms. Charlotte Leonard and Mr. Gary Werner.

CALL TO ORDER

Mayor O'Connor called the City of Westlake Regular City Council meeting of Tuesday, April 2, 2024, to order at 6:03 PM.

ROLL CALL

Present and constituting a quorum:

Councilwoman Charlotte Leonard

Councilman Julian Martinez

Councilman Gary Werner

Vice Mayor Greg Langowski

Mayor JohnPaul O'Connor

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

Mayor O'Connor called for any additions, deletions, or modifications to the agenda.

There being none, Mayor O'Connor called for a motion to approve the agenda as presented.

Motion by Vice Mayor Langowski to approve, seconded by Councilman Werner.

UPON ROLL CALL:

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

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

PUBLIC COMMENTS AND REQUESTS

Mayor O'Connor called for public comments, there being none, next item followed.

CONSENT AGENDA

A. Financial Report – February

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

Motion by Vice Mayor Langowski to approve, seconded by Councilwoman Leonard.

UPON ROLL CALL:

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

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

PUBLIC HEARING - QUASI JUDICIAL

- A. **MPA-2023-04:** The applicant is requesting approval for a Master Site Plan amendment to the Westlake Landings Commercial Plaza on 50.826 acres in Pod H. The request is limited to Parcel B, to modify the approved 2,572 square foot Bank with Drive-through use to a Restaurant with Drive-Through; Parcel C-3, to increase the allocation of Restaurant with Drive-Through by 238 square feet to accommodate a

minor increase in building area for Taco Bell; and Parcel F, to create three (3) sub-parcels identified on the master site plan as Parcels F-1, F-2 and F-3. The previously approved Adrenaline World development is being replaced with 10,400 square feet of Retail Sales and Services on F-1; 47,529 square feet of Retail Sales and Services on F-2; and 73,800 square feet of light industrial on parcel F-3. The subject development is located west of Seminole Pratt Whitney Road on 50.826 acres.

Submitted By: Planning and Zoning

Mayor O'Connor introduced item and asked for Mr. Doody to swear in any witnesses. Mr. Doody swore in all witnesses who would be providing testimony. Mr. Doody explained that it is a continuation of a tabled item from the last Regular City Council meeting, noting that the record from the last meeting will be part of the record for the current meeting.

Mayor O'Connor asked for members to disclose any ex-parte communications if any; there were none.

Staff presentation by Mr. Leon, on behalf of the City.

Ms. Kathryn Rossmell of Lewis, Longman & Walker, P.A., on behalf of MINTO PBLH, LLC, stated the record should also include the items that were resubmitted by request of the City Council between the last meeting and the current meeting. An application clarifying the uses and the updated corresponding site plan were submitted to both the Planning Department and the City Clerk's office.

Applicant presentation, presented by Nicole Plunkett partner with Cotleur & Hearing.

Mayor O'Connor opened for public comment, there being none, council discussion followed.

Mayor O'Connor called for a motion.

Motion by Councilwoman Leonard to approve the Master Plan MPA-2023-04 for the amendment to the Westlake Landing Commercial Plaza, seconded by Vice Mayor Langowski.

UPON ROLL CALL:

Councilman Werner	NO
Vice Mayor Langowski	YES
Mayor O'Connor	YES
Councilwoman Leonard	YES
Councilman Martinez	YES

Motion carried, with Councilmember Werner dissenting (4-1).

- B. SPM-2023-14:** Application of DKC Westlake Landings, LLC for a Site Plan Modification of Parcel B within Shoppes of Westlake Landings commercial plaza in Pod H. The proposed amendment is limited to the North Building to replace a previously approved 2,572 square feet Bank with drive through on the south end of the north building with a 2,572 square feet Restaurant with drive through use including a 400 square foot outdoor seating area. There are no proposed changes to the overall total of 16,515 Square Feet for the two (2) buildings. North Building is located at 4951 Seminole Pratt Whitney Road, Westlake, Florida, 33470. South Building is located at 4901 Seminole Pratt Whitney Road, Westlake, Florida, 33470.

Submitted By: Planning and Zoning

Mayor O'Connor introduced the item.

Mr. Doody swore in all witnesses who would be providing testimony.

Staff presentation by Mr. Leon, on behalf of the City.

Applicant presentation by Ms. Nicole Plunkett, PLA, ASLA, with Cotleur & Hearing.

Mayor O'Connor called for public comments.

Public Comment – Anni Rodriguez 5991 Whippoorwill Circle – Mr. Rodriguez asked Council what their thoughts were when voting for the multiple fast-food restaurants that are coming to the city.

Public Comment – Melanie Haines – 5194 Liberty Lane – Ms. Haines asked why development in the City is taking so long compared to other municipalities.

Mr. Doody stated this can be addressed after this hearing as it does not relate to the application at hand.

Mr. Doody asked for any ex-parte communication to be identified regarding this application. There being none, Mayor O'Connor called for Council comments. Council Discussion.

Mayor O'Connor called for a motion.

Motion by Councilwoman Leonard to approve SPM-2023-14 application for the modification of Parcel B within the shops of Westlake Landings, seconded by Councilman Martinez.

UPON ROLL CALL:

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

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

- C. SPM-2023-15:** The applicant is requesting Site Plan Modification approval for a proposed restaurant with drive through located in Parcel C (Taco Bell). The subject application proposes to increase building area by 238 square feet; removal of outdoor seating area; removal of second drive through lane; and modifications to building elevations and colors. The subject building is one of three located in a 3.68 acres site at Parcel C within Shoppes of Westlake Landings commercial plaza in Pod H. The subject site is located at 4751 Seminole Pratt Whitney Road.

Submitted By: Planning and Zoning

Mayor O'Connor introduced the item.

Mr. Doody swore in all witnesses who would be providing testimony.

Staff presentation by Mr. Leon, on behalf of the City.

Applicant presentation by Ms. Plunkett with Cotleur & Hearing.

Mayor O'Connor opened for public comment.

Mr. Doody asked for any ex-parte communication to be identified regarding this application.

Mayor O'Connor called for council comments. Council discussion regarding the elevation color.

Applicant excepted the condition of reverting to the original elevation color of grey.

Mayor O'Connor called for a motion.

Motion by Vice Mayor Langowski to approve SPM-2023-15 site modification as presented tonight but reverting to the original elevation color of grey instead of copper, seconded by Councilwoman Leonard.

UPON ROLL CALL:

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

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

PUBLIC HEARING

- A. SECOND READING Amending Ordinance 2023-09 Reconstituting the Education Advisory Board
Submitted By: Administration

ORDINANCE 2024-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, AMENDING ORDINANCE 2023-09 REGARDING THE CITY'S EDUCATION ADVISORY BOARD BY SPECIFICALLY AMENDING SECTION 3 (2) ENTITLED "COMPOSITION; APPOINTMENTS; TERM; AND VACANCY" FOR THE PURPOSES OF CLARIFYING THE ROLE OF THE CITY COUNCILMEMBER SERVING AS A LIAISON TO THE EDUCATION ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced the item.

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

Mayor O'Connor opened the public hearing, there being no comments, the public hearing was closed.

Mayor O'Connor called for a motion.

Motion by Councilman Werner to approve Ordinance 2024-01, seconded by Councilman Martinez.

UPON ROLL CALL:

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

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

NEW BUSINESS

- A. Select a Member of City Council to serve in the position of Vice-Mayor Until April 1, 2025.

Submitted By: City Clerk's Office

RESOLUTION 2024-06

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, SELECTING A MEMBER OF THE CITY COUNCIL TO SERVE IN THE POSITION OF VICE-MAYOR UNTIL APRIL 1, 2025, PURSUANT TO THE CITY'S CHARTER; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced the item.

Council discussed the item and revised the language to include the first regular Council meeting in April.

Mayor O'Connor called for a motion for the appointment of the Vice Mayor. Councilwoman Leonard recommended Councilmember Greg Langowski. Council discussed the item further.

Motion by Councilwoman Leonard to select Greg Langowski as Vice Mayor for the period of April 2025, seconded by Councilman Werner.

UPON ROLL CALL:

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

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

Council discussion.

Mayor O'Connor called for a motion to amend the Resolution to read the first regular Council Meeting in April.

Motion by Councilman Werner to approve amendment to Resolution 2024-06 and have it end the first regular meeting of the city council in April 2025, seconded by Councilwoman Leonard.

UPON ROLL CALL:

Councilman Werner	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).

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

Mayor O'Connor called for a motion to approve the Resolution as amended.

Motion by Vice Mayor Langowski to approve resolution as amended, seconded by Councilwoman Leonard.

UPON ROLL CALL:

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

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

- B. Appointing a Voting Delegate and Alternate Voting Delegates to the Palm Beach County League of Cities

Submitted By: City Clerk's Office

RESOLUTION 2024-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPOINTING JOHNPAUL O'CONNOR, GREG LANGOWSKI, GARY WERNER, JULIAN MARTINEZ, CHARLOTTE LEONARD, KENNETH CASSEL AS THE CITY'S VOTING DELEGATE AND ALTERNATES TO THE PALM BEACH COUNTY LEAGUE OF CITIES, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced the item.

Mayor O'Connor called for Mr. Doody to read Resolution, by title only, into the record.

Mayor O'Connor called for a motion.

Motion by Councilwoman Leonard to accept Resolution 2024-07 appointing JohnPaul O'Connor and all Councilmembers and the City Manager to be voting delegates and alternates to the Palm Beach County League of Cities, seconded by Vice Mayor Langowski.

UPON ROLL CALL:

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

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

CITY COUNCIL COMMENTS

- A. Councilwoman Charlotte Leonard – Ms. Leonard discussed the development of the City regarding the types of businesses coming into the City and asked for council consensus on a Proclamation for Mental Health Awareness Month for the month of May.
- B. Councilman Julian Martinez – Mr. Martinez discussed the 5K run and its success and asked council thoughts making it an annual event. Mr. Doody advised Mr. Martinez to instruct staff to have the item brought back to Council to discuss how much they want to spend, and when they want to hold it. Mr. Cassel stated they will bring back target dates for the event at the May meeting.
- C. Councilman Gary Werner – Mr. Werner discussed his attendance at town hall meetings regarding the county proposal to alter or amend the transportation information map. Mr. Werner also requested Council approval for proclamation in May for the National Day of Remembrance. Mr. Werner discussed his views on the City's comprehensive plan and current development concerns.
- D. Vice Mayor Greg Langowski – Mr. Langowski thanked Council for his reappointment of Vice Mayor. He also discussed his attendance for the discussion of 60th and 140th and it was nice to hear the surrounding areas consensus on the matter. Mr. Langowski asked for consensus on a Proclamation for the 55th Annual Professional Municipal Clerks week, May 5th through the 11th. Mr. Langowski asked staff for status regarding the joint meeting with the Seminole Improvement District to discuss the park. He also suggested a city-wide survey directed at residents inquiring about what they would want. Mr. Langowski also announced that the first meeting for the Education Advisory Board will be held at the Lodge on April 16th at 6:00 PM.
- E. Mayor JohnPaul O'Connor – Mr. O'Connor inquired of a Budget Workshop. Mr. O'Connor addressed the development of the city, Council's role, and surrounding cities. Mr. O'Connor recognized Autism awareness month. Mr. O'Connor discussed the success of the recent SpringFest event.

REPORT – STAFF

District Chief, Amanda Vomero discussed the Palm Beach County Fire Rescue monthly response times report for the City of Westlake.

REPORT - CITY ATTORNEY

Mr. Doody congratulated council members.

REPORT - CITY MANAGER

Mr. Cassel congratulated the new council members. Mr. Cassel stated Persimmon and River Bend heading east should be completed in the next 90 days. Fitness trail forecasted to be operational by the end of April. FourthFest is under planning. Staff is currently working with the School District on building the multi modal path.

PUBLIC COMMENTS AND REQUESTS

Public Comment – Ani Rodriguez - 5991 Whippoorwill Circle – Inquired about the law in Westlake regarding fishing in the lakes.

Ms. Rodriguez asked if Minto is in charge of building the berm on 60th road and if the City is able to enforce and require Minto to build a proper berm that will take care of the noise, lights and pollution.

Public Comment – Jackie Campbell – 15938 Key Biscayne Lane – Ms. Campbell discussed her concerns regarding the noise and asked if the ordinance could be reviewed. Ms. Campbell asked if the County owns Persimmon Blvd. Ms. Campbell asked if a car wash is coming to the City of Westlake.

ADJOURNMENT

There being no further business, Mayor O'Connor adjourned the meeting at 7:53 PM.

Zoie P. Burgess, City Clerk

JohnPaul O'Connor, Mayor

Note: These summary minutes are prepared in compliance with 286.011 F.S. and are not verbatim transcripts of the meeting. A verbatim audio record is available from the office of the City Clerk. All referenced attachments are on file in the City Clerk's office.