

# CITY OF WESTLAKE



## MINUTES-DRAFT

### City Council Regular Meeting

Monday, January 11, 2021 at 6:30 PM

This meeting took place at the **Westlake Community Center/City Council Chambers** located at **4005 Seminole Pratt Whitney Road, Westlake, Florida, 33470** and publicly viewed **Via Communications Media Technology**. Members of the public participated in the meeting through electronic means with access as follows:

1. Webex meeting from 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

### 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, January 11, 2021 at 6:30 PM., at the Westlake Community Center, 4005 Seminole Pratt Whitney Road.

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

Ms. Burgess noted that Planning & Zoning Director Nilsa Zacarias, City Manager Kenneth Cassel and City Attorney Pam Booker, were present physically. City Engineer Suzanne Dombrowski were present physically. City Clerk Zoie Burgess was present via communications media technology.

Ms. Burgess identified the speaker representatives on the agenda, S.A. Nelson, Palm Beach County Commission on Ethics, Lewis, Longman & Walker were physically present.

Ms. Burgess identified the applicant speaker, Mr. Donalson Hearing, of Cotleur & Hearing attending via communications media technology and confirmed if able to speak and hear.

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 for a clear record of the proceeding.

### **CALL TO ORDER**

Mayor Manning called the City of Westlake Regular City Council meeting of January 11, 2021 to order at 6:35 PM.

### **ROLL CALL**

Present and constituting a quorum:

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

Also, present:

Kenneth Cassel, City Manager  
Pam E. Booker, Esq. City Attorney  
Zoie P. Burgess, CMC, City Clerk - Present via communications media technology  
Nilsa Zacarias, Planning & Zoning Director

Suzanne Dombrowski, City Engineer - 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 Councilwoman Crump to approve Agenda, seconded by Vice Mayor Long Robinson.

**UPON ROLL CALL:**

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

Ms. Burgess noted that a public comment card was received prior to the meeting.

**Michael Stefanakis (Future Resident) - 3000 NW 130th Terrace Sunrise, FL** - Mr. Stefanakis inquired on the grant for first time homebuyers and lot prices. He said that it makes it impossible for future residents to take advantage of this opportunity.

Mayor Manning said that he would take this back to City Management and see if it is possible.

**Alicia Torres -5847 Whipoorwill Circle**- Ms. Torres commented on Mayor Manning's communication and suggested to hear about the State of the City Address for 2022 and would like to hear about a transition plan and a state of things from the Mayor's prospective. She said that she is looking toward the History of City of Westlake presentation as she is curious as to how the City of received its name; she asked that the City make a request to have future stores to set aside space for curbside delivery for stores.

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.

**James Russel Kelley (Future Resident) - 5591 Starfish Road** -asked the council to consider increasing the limit for future residents to who may be accruing an FHA Loan. Would like to help not only their family but future families who may be moving to the area.

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.

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.*

#### A. Approval of Meeting Minutes

1. October 7, 2020 - City and SID Joint Meeting Minutes - DRAFT
2. November 2, 2020 - Special Council Meeting Minutes - DRAFT
3. November 30, 2020 - Regular Council Meeting Minutes - DRAFT
4. December 14, 2020 - Regular Council Meeting Minutes - DRAFT

#### B. Approval Finance Statement

1. Financial Statement as of November 30, 2020

Mayor Manning introduced the Consent Agenda Item.

Motion by Vice Mayor Long Robinson to approve Consent Agenda, seconded by Councilwoman Crump.

#### **UPON ROLL CALL:**

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

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

### **PRESENTATIONS/PROCLAMATIONS**

#### A. History of Westlake

##### **Presentation By:** S.A. Nelson & Associates

Mayor Manning introduced Presenter Sophia Nelson of SA Nelson & Associates.

Sophia Nelson, Chief Executive Officer, presented a PowerPoint presentation titled The Story of Westlake, Florida. Before and Beyond.

Charisma Kendrick-Adams - SA Nelson & Associates continued with the presentation and presented Before & Beyond and the Delivery.

Ms. Nelson provided the timeline dates for the Before and Beyond completion.

Councilman O'Connor inquired on printed versions of the information for residents.

Ms. Nelson said that the firm can be provide printed information to residents.

Vice Mayor Long-Robinson thanked the City Manager and Council for moving forward with the evolution of Westlake.

There being no further discussion, the next item followed.

B. Palm Beach County Commission on Ethics

**Presentation By:** Mark E. Bannon, Executive Director

Mayor Manning introduced Presenter Mark E. Bannon.

Mark E. Bannon, Executive Director of Palm Beach County Commission on Ethics, introduced himself, he presented a PowerPoint Presentation on the Introduction to the PBC Commission on Ethics.

Mr. Bannon stated that his department oversees the Ethics Complaints, Advisory Opinions and Training/Outreach and explained each.

There being no further discussion, the next item followed.

C. Presentation - Update on Indian Trail Improvement District/Seminole Improvement District Litigation

**Presentation By:** Robert Diffenderfer, Esq. - Lewis, Longman & Walker

Mayor Manning introduced Presenter Robert Diffenderfer.

Robert Diffenderfer- Lewis Longman & Walker, P.A. provided a PowerPoint Presentation Update to City of Westlake Council of the Seminole Improvement District (SID)/Minto/Indian Trail Improvement District (ITID) Access Litigation.

Mayor Manning inquired what ITID is requesting.

Mr. Diffenderfer noted that it is unknown at this time. Further noting that the position being taken in the pleadings is the right-a-way.

Councilman O'Connor inquired on the timeline and asked when the City would receive the results of the mediation.

Mr. Diffenderfer said that it is proceeding at a normal pace and posture. He said that they will meet on February 3rd for mediation and that the objective is to bring about a solution.

Councilman Paul asked if the litigation will prohibit land development.

Tara Duh- Lewis, Longman & Walker, P.A. responded that the current land development order requires us to connect to 60th and Persimmon and discussed the connectivity of the roads.

Councilman Paul inquired whether connectivity would come to a halt once the 3000 housing range is met. He asked if an agreement would be made at that time with Indian Trail Improvement District.

Ms. Duh- Lewis responded that she would expect to come back before the Council to request that the Land Development Order be amended.

Councilman Paul asked how close the buildout is for 60th.

Ms. Duh- Lewis responded that 60th is not part of the development as SID built Town Center Parkway. She noted that there can be a connection up until that point. She mentioned that SID, Minto and the County have entered into an agreement to dedicate the rest of 60th along the northern border.

Further Council discussion

There being no further discussion, the next item followed.

**PUBLIC HEARING**

A. Final Plat Town Center Parkway South-West

**Submitted By:** Engineering

**RESOLUTION 2020-01**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR TOWN CENTER PARKWAY SOUTH-WEST, BEING A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Manning introduced item, Resolution 2021-01 - Town Center Pkwy South West Roadway Plat.

Mr. Cassel explained that the plat was approved today by SID and recommended that the item move forward.

Ms. Burgess read into record, by title only, Resolution 2021-01.

Motion by Councilman O'Connor to approve Resolution 2021-01, seconded by Vice Mayor Long-Robinson.

**UPON ROLL CALL:**

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

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

B. Final Plat POD G South-West

**Submitted By:** Engineering

**RESOLUTION 2020-02**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR POD G SOUTH-WEST BEING A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING IN PART A REPLAT OF A PORTION OF TRACT M-3, AS SHOWN ON THE PLAT OF PERSIMMON BOULEVARD WEST - REPLAT, PLAT BOOK 129, PAGES 129 AND 130, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA**

Mayor Manning introduced item, Resolution 2021-02 - Final Plat POD G South-West.

Mr. Cassel explained the item.

Ms. Burgess read into record, by title only, Resolution 2021-02.

Motion by Councilman Paul to approve Resolution 2021-02, seconded by Councilwoman Crump.

**UPON ROLL CALL:**

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

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

**REGULAR AGENDA**

A. Westlake City Hall Closures

**Submitted By:** Administration

**RESOLUTION 2021-04**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, DESIGNATING DAYS WHEREIN THE CITY OF WESTLAKE WILL NOT BE OPEN FOR NORMAL BUSINESS HOURS.**

Mayor Manning introduced Resolution 2021-04 Westlake City Hall Closures.

Mr. Cassel explained that this year the actual dates are being named for closures.

Motion by Councilwoman Crump to approve Resolution 2021-04, seconded by Vice Mayor Long-Robinson.

**UPON ROLL CALL:**

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

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

**NEW BUSINESS**

A. Non-Ad Valorem Assessment – Interlocal Agreement between the City and Anne M. Gannon as Constitutional Tax Collector for Palm Beach County

**Submitted By:** Administration

Mayor Manning introduced item.

Mr. Cassel said that this will close the final process on the assessments in order to have it added on the tax bill and explained the next steps.

Motion by Councilman O'Connor to approve Interlocal Agreement between the City and Anne M. Gannon as Constitutional Tax Collector for Palm Beach County seconded by Vice Mayor Long-Robinson.

**UPON ROLL CALL:**

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

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

Council questions and discussion

Ms. Booker added that there is a required letter that will go out to all residents around the time of the budget in addition to the other steps that are in place.

B. An Interlocal Agreement with the Palm Beach County Commission on Ethics

**Submitted By:** Legal

Mayor Manning introduced item.

Motion by Vice Mayor Long-Robinson to approve Interlocal Agreement with the Palm Beach County Commission on Ethics seconded by Councilman O'Connor.

**UPON ROLL CALL:**

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

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

C. Discussion Regarding 2021 Legislative Priorities

**Submitted By:** Administration

Mayor Manning introduced item.

Mr. Cassel explained the goal and purpose of identifying legislative priorities for the City.

Vice Mayor Long Robinson suggested and explained the following items should be of priority:

Affordable Housing

Short-term Rentals

Discharges to Surface Waters

Further Council discussion on setting the top three legislative priorities.

Mayor Manning asked if there were any further questions or discussion.

Councilwoman Crump said that she agrees with the suggested top three priorities being Affordable House, Short-term Rental and Discharging to Surface Waters.

**CITY COUNCIL COMMENTS**

A. Councilman JohnPaul O'Connor

Councilman O'Connor said that it was great to hear from the constituents and mentioned that he is glad that the trash will be added to the tax roll.

B. Councilwoman Kara Crump

No comments.

C. Councilman Patric Paul

Councilman Paul spoke about the events that took place recently at the Capital and the Constitution.

D. Vice Mayor Katrina Long Robinson



Vice Mayor Long-Robinson said that she would like to give direction to staff to advertise for candidates for the Planning and Zoning Board for 2 1/2 weeks therefore we can move forward get things rolling in order to add an individual to the Board.

Mr. Cassel asked if the advertisement should follow the same advertising format for the Education and Youth Advisory Board and whether it will need to come back before the Board.

Vice Mayor Long-Robinson responded yes. She inquired if the City's Comprehensive Plan includes Art in Public Places.

Ms. Booker responded no.

Vice Mayor Long-Robinson mentioned that it would be good idea to have Art in Public Places to be added for the year 2022 and have a Cultural Advisory Board to work on it.

Nilsa Zacarias, Planning and Zoning Director provided examples of municipalities that have Art in Public Places.

Vice Mayor Long-Robinson mentioned the direction that was provided to staff for the Community Advisory Committee to be headed by Councilman O'Connor.

Mr. Cassel inquired on the total number of board members being requested for the Community Advisory Board.

Councilman O'Connor responded that the Board will consist of the same number of members and process as the Youth Advisory Board. He inquired what the name of the board should be; whether it should be called a board or committee.

Mr. Cassel said that it could be discussed.

Mayor Roger Manning

Mayor Roger Manning thanked Council and the City Manager for the Annual report previously emailed being able to identify all that has happened throughout the year. He mentioned that Westlake is 17th in the country for Master Plan Communities per the email received from Mr. Carter.

## **REPORT - STAFF**

- A. Palm Beach County Fire Rescue Office - Monthly Report: November

**Submitted By:** William Rowley, District Chief

Mayor Manning Introduced the item. For Informational Purposes Only

Mr. Cassel providing an explanation of the acronym on the report for type of calls.

## **REPORT - CITY ATTORNEY**

- A. Monthly Report - December

Mayor Manning introduced item.

Ms. Booker said that she is available if Council has questions or follow up on the report. She mentioned the ITID litigation and said that she will wait to see what happens as a result of the mediation. She mentioned the Legislative Priorities and some of the issues that are to be addressed.

Mayor Manning asked Councilman O'Connor if he was aware of the problems with short term rentals. Councilman O'Connor responded that he was aware of some issues and knows that some Homeowner Associations (HOAs) have rules as it relates to homes being rented and not being maintained.

Mr. Cassel mentioned that the City is not involved in the rental process that is up to the HOA's.

## **REPORT - CITY MANAGER**

Mr. Cassel said that a meeting was held today with the Grove Market owners. He advised that a major tenant is coming in, noting that updates will take place for landscaping, signage, roofing, easements, resurfacing the parking lot and cleaning issues.

Mr. Cassel asked Council if they have any ideas for future development for the site. He said that staff will be monitoring the parking lot requirements, parking, ingress and egress.

Mayor Manning inquired on who will be the tenant.

Ms. Booker responded that as a professional courtesy the tenant will remain confidential until the applicant comes into the City and submit the application at that time it will be public record.

Councilman Paul inquired on the number of tenants that will occupy the plaza.

Mr. Cassel identified that there is a tenant for the 50,000 sq. foot space. He said that some of the tenants may rearrange spaces and they may lose a couple of tenants due to the changes taking place with the plaza.

Further Council discussion

## **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.

**Brandi Dugger-15983 Whippoorwill Circle** - Ms. Dugger inquired of Airbnb's and whether they are illegal and said that she knows that some City's made them illegal.

Ms. Booker asked for Ms. Dugger to follow up with her directly in efforts to provide her with the citations in the HOA documents. She said that they can be limited, but they cannot be prohibited.

**Alicia Torres -5847 Whippoorwill Circle-** Ms. Torres asked Mr. Cassel for clarity on Resolution 2021-01 and whether this resolution is designating the parcel of land north of Publix. She asked if residents can fill the vacancies for the Planning and Zoning Board and Community Advisory Committee and asked how the two boards differ.

Mr. Cassel responded that the resolution is the designated plat for the road from Town Center to Seminole Pratt Whitney West past the Publix parcel. He said that it is for ingress and egress points for the plated property.

Councilman O'Connor explained that the Community Advisory Board will consist of all residents as liaisons between the City and residents.

Mr. Cassel explained that the Planning and Zoning Board will consist of Council and one additional resident as an alternate.

Ms. Burgess gave an additional moment for the virtual participants 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 identified the next Regular Council Meeting and adjourned at 8:46 PM.

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Zoie P. Burgess, City Clerk

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Roger Manning, Mayor