

CITY OF WESTLAKE



MINUTES - DRAFT

City Council Regular Meeting

Monday, October 11, 2021, at 6:30 PM

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

In efforts to balance the need for the City of Westlake to function and conduct business during the COVID-19 pandemic, we will adhere to the recommended social/physical distancing (staying at least six feet away from each other) guidelines, per the Centers for Disease Control and Prevention (CDC) and Palm Beach County's directives. There was limited seating available in the Council Chambers and preregistration was requested for in-person participation.

The instructions for preregistration attendance/participation and viewing of the meeting were outlined below:

PREREGISTRATION FOR IN-PERSON ATTENDANCE:

- All interested persons, Quasi-Judicial meeting applicants, their representatives, and witnesses must preregister to attend/participate in a meeting by sending an email to City Clerk, Zoie Burgess at zburgess@westlakegov.com or by phone at 561-530-5880 no later than one (1) business day prior to the meeting date (e.g. by 4:00 P.M. on a Friday, if the meeting is scheduled for that Monday, etc.)
- In-person attendance/participation will be based upon the order in which the preregistration requests are received by the City Clerk. For Public Hearing Quasi-Judicial meetings, precedence into the Council Chambers will be given to applicants, their representatives, and/or witnesses over all other preregistered parties.

COMMUNICATIONS MEDIA TECHNOLOGY – WEBEX:

Members of the public 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: 2634 613 3737

Password: hello

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

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

Meeting ID: 2634 613 3737

For participants attending the meeting via WebEx, public comments will be accepted via an electronic comment card, at least 24 hours prior to the public meeting and also acknowledged during the meeting when participants utilize the “raise your hand” feature during the designated time.

Procedures for Public Comment are also provided via the City website:

<https://www.westlakegov.com/cityclerk/page/covid-19-public-meetings>

CITY COUNCIL:

Roger Manning, Mayor

JohnPaul O’Connor, Vice Mayor

Patric Paul, Council Member – Seat 1

Kara Crump, Council Member – Seat 2

Katrina Long Robinson, Council Member – Seat 4

CITY STAFF:

Ken Cassel, City Manager

Zoie P. Burgess, City Clerk

Donald J. Doody, Esq., City Attorney

Nilsa Zacarias, Planning & Zoning Director

Suzanne Dombrowski, Engineering Director

A regular meeting of the City Council of the City of Westlake was held on Monday, October 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 JohnPaul O'Connor, and Councilwoman Kara Crump were present physically constituting a quorum. Councilwoman Katrina Long-Robinson was present via electronic media technology-WebEx and confirmed her ability to participate. Councilman Patric Paul was absent.

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 Manning called the City of Westlake Regular City Council meeting of October 11, 2021, to order at 7:00 PM.

ROLL CALL

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

Also, present:

Kenneth Cassel, City Manager
Donald J. Doody, Interim City Attorney
Zoie P. Burgess, CMC, City Clerk
Nilsa Zacarias, Planning & Zoning Director
Suzanne Dombrowski, Engineering Director

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. Mayor Manning noted one item that needs to be added under new business regarding the incorporation of Indian Trails Improvement District.

Motion by Councilwoman Crump to amend agenda, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Crump	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (3-0).

Motion by Councilwoman Crump to approve the agenda as amended, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Crump	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (3-0).

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.

Mayor Manning inquired of 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.

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.

Mayor Manning introduced the Consent Agenda.

A. Approval of Finance Statement

1. Financial Report - August 2021

Motion by Vice Mayor O'Connor to approve Consent Agenda, seconded by Councilwoman Crump.

UPON ROLL CALL:

Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (3-0).

PRESENTATIONS/PROCLAMATIONS

- A. Proclamation - National Breast Cancer Awareness Month - October 2021

Sponsored By: Councilwoman Long-Robinson

Mayor Manning read proclamation into record. Mr. Cassel further explained that Seminole Improvement District will be lighting the city up pink in recognition. Councilwoman Long-Robinson thanked staff.

PUBLIC HEARING - QUASI JUDICIAL

- A. Approval for the Grove Market Site Plan

Submitted By: Planning & Zoning

Mr. Doody swore in participants participating in this item.

Ms. Zacarias presented PowerPoint Presentation for the Grove Market at Westlake Site Plan Modification SPM-2021-08 noting the following requested modifications:

1. Adding 22 Low Speed Electric Vehicle (LSEV) / golf cart parking spaces and 12 motorcycle or compact car spaces.
2. Identifying and addressing accessibility issues as to slopes and dimensional requirements for accessible parking spaces, curb ramps and other vertical accessibility issues.
3. Showing the changes approved through the Winn Dixie application for façade improvements for additional square footage in the front of the principal use.
4. Updating the square footage of the existing buildings based upon survey information from the as-built conditions which has reduced the square footage by about 1,043 square feet.
5. Improving dumpster enclosures.
6. Updating the existing walkway with a Winn-Dixie complementary color of 'Pewter'

Ms. Zacarias further identified the Landscaping Plan upgrades:

1. Adding vegetation to the base of the new signs
2. Addressing missing shrubs and groundcover within existing buffers and planting areas
3. Remove most of the trees in the median and some end islands for the main angled parking to allow functional site lighting and provide safer circulation.
4. Adding trees to enhance the shopping plazas look and new refurbishment.

In conclusion, Ms. Zacarias noted that the Application was reviewed by City of Westlake staff (Planning and Zoning, Landscaping and Engineering) and Seminole Improvement District (SID). Planning and Zoning and Engineering Departments recommends the following **two (2) conditions of approval:**

1. The abandoned left turn lane into Seminole Pratt Whitney Road should be either striped or curbed and absorbed into the adjacent landscape island by expanding the landscape island and effective funneling traffic into one lane, right turn only.
2. The drive aisles within the affected area of the parking lot containing 60-degree parking shall be maintained at a minimum width of 15'. There is one (1) noted location that is less than 15'. It appears that the northern most curb line in this area can be adjusted to accommodate the 15' minimum.

Ms. Emily O'Mahoney with Gentile Holloway & O'Mahoney presented a Power Point Presentation on behalf of the applicant further explaining the expected site plan modifications.

Applicant and staff provided further clarification of the outparcels and confirming that those will come back before Council.

Mayor Manning called for any Council comments, there being none, Mayor Manning called for public comment.

Ms. Burgess noted that there were no public comment cards received but gave the virtual audience a moment to comment.

Ms. Alicia Torres – 5847 Whippoorwill Circle – Has concerns regarding the out parcel regarding traffic and inquired what the zoning is for that area, if it is fast food and if there is a plan for the traffic. Ms. O’Mahoney explained that it is identified as an office and anything else would need to come before council for approval.

Mayor Manning closed the Public Hearing and called on Council for comments. Vice Mayor O’Connor inquired of the electric vehicle parking. Ms. Dombrowski noted that the application came in prior to the newly adopted code for parking. Mr. Mike Narula for the applicant explained that they do have plans for Electric Vehicle and are in discussions with Tesla.

Mayor Manning called for any additional questions or comments from Council. There being none, the Mayor called for a motion.

Motion by Vice Mayor O’Connor to approve with staff’s suggested conditions, seconded by Councilwoman Crump.

UPON ROLL CALL:

Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (3-0).

PUBLIC HEARING

A. FIRST READING - Chapter 24, Art in Public Places

Submitted By: Planning & Zoning

ORDINANCE 2021-08

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER 24 OF THE CITY’S CODE OF ORDINANCES ENTITLED “ART IN PUBLIC PLACES”; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXEMPTION FOR RESIDENTIAL DEVELOPMENT AND TEMPORARY STRUCTURES; PROVIDING FOR THE APPOINTMENT BY CITY COUNCIL TO THE PUBLIC PLACES ADVISORY BOARD; PROVIDING FOR THE REPAIR OR REPLACEMENT FOR DAMAGED OR DESTROYED ARTWORK; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mr. Doody read Ordinance 2021-08, by title only, into the record.

Given the previous review at the Local Planning Agency, Council accepted staff’s report and recommendation.

Mayor Manning called for public comment.

Ms. Ladi Goldwire – 15972 Whippoorwill Circle – She is happy that the city is taking this under consideration as she believes the city has been ahead despite being very new and in comparison to other new cities. She noted the previous comments made regarding the requirement of a degree and further explained that art is representative of freedoms, it’s a creative space and very few people who

are engaged in art aren't tied to the four corners of a box associated with degrees and additional study and feels it would be limiting to have the predominant of this board made up of individuals that have degrees. Individuals that are diverse and well-traveled should be sufficient. Should there be a need for experts on a subject matter than maybe consider the need for 3 of the 4 to have such. Considering the greats such as Picasso and Van Gogh did not have such degrees and the result was positive. She is glad to see such a language change.

Ms. Alicia Torres – 5847 Whippoorwill Circle – She explained that she would like to see as many students possible to observe the board, as it is experience that you cannot gain otherwise, especially as a new city and how it is building its Arts portfolio. Inquired of the funding and additional clarification for third party funding or donors and where the developer plays a part.

Ms. Nancy Bongiovani – 16016 Whippoorwill Circle Addressed the need for student participation on the board.

Ms. Zacarias noted section four of the Ordinance and further explained.

Mayor Manning closed the public hearing and called for any additional council comments, there being none, he called for a motion.

Motion by Councilwoman Crump to adopt Ordinance 2021-08 subject to change in verbiage, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Mayor Manning	YES
Councilwoman Crump	YES
Vice Mayor O'Connor	YES

With all in favor, motion carried without dissent (3-0).

B. SECOND READING: Ordinance 2021-07 - Solid Waste and Recyclable Receptacles, Collection, and Storage Areas Minimum Requirements (First Reading September 13, 2021)

Submitted By: Planning & Zoning

ORDINANCE 2021-07

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MINIMUM REQUIREMENTS FOR SOLID WASTE AND RECYCLABLE RECEPTACLE COLLECTION AND STORAGE AREAS, WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES ENTITLED "SOLID WASTE AND RECYCLABLE RECEPTACLES, COLLECTION, AND STORAGE AREAS"; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item, noting the first reading of Ordinance was held September 13, 2021.

Mr. Doody read Ordinance 2021-07, by title only, into the record.

Mayor Manning noted there were no changes from the first reading and opened for public comment.

Ms. Burgess noted there were no previous comment cards received but gave the virtual audience a moment to speak; there being none, Mayor Manning called for a motion.

Motion by Councilwoman Crump to adopt Ordinance 2021-07, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Crump	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

With all in favor, motion carried without dissent (3-0).

NEW BUSINESS

A. City Goals & Objectives Annual Workplan Update

Presented By: Bob Koncar, Inframark General Manager

Mr. Cassel provided Mr. Koncar's regrets and apologies as he was unable to present at meeting and will provide a full report and financial analysis at the next Council meeting.

Motion to table made by Vice Mayor O'Connor, seconded by Councilwoman Crump.

UPON ROLL CALL:

Vice Mayor O'Connor	YES
Mayor Manning	YES
Councilwoman Crump	YES

With all in favor, motion carried without dissent (3-0).

B. Consideration and action on annual engagement letter for auditing services with Berger, Toombs, Elam, Gaines, & Frank for the year ending September 30, 2021.

Submitted By: City Clerk's Office

Mr. Cassel explained that this item is the annual engagement letter and fees remain the same.

Motion to approve made by Vice Mayor O'Connor, seconded by Councilwoman Crump.

UPON ROLL CALL:

Mayor Manning	YES
Councilwoman Crump	YES
Vice Mayor O'Connor	YES

C. Memorandum of Understanding with Inframark

Submitted By: City Manager

Mr. Cassel explained this item is to identify an additional support staff individual to assist in the City Manager and City Clerk's offices.

Motion to approve made by Councilwoman Crump, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Councilwoman Crump	YES
Vice Mayor O'Connor	YES
Mayor Manning	YES

- D. 2021 Florida City Government Week - October 18 - 24

Submitted By: City Clerk's Office

RESOLUTION 2021-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, RECOGNIZING FLORIDA CITY GOVERNMENT WEEK, OCTOBER 18 TO 24, 2021 AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Doody read Resolution 2021-07, by title only, into the record.

Ms. Burgess further explained the resolution.

Motion to approve made by Councilwoman Crump, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

Mayor Manning	YES
Councilwoman Crump	YES
Vice Mayor O'Connor	YES

- E. ADDED AGENDA ITEM: Indian Trail Improvement District

Mr. Cassel explained the request to add item and the request of council for direction regarding the need to take a stance at upcoming meeting to the adverse impact to the city because of the incorporation process. Mr. Cassel is seeking direction from council to be designated as the representative at an upcoming delegation meeting and express the views of Council.

Mayor Manning explained that it isn't a position we ultimately would like to take but it does impact the city.

Council consensus to oppose incorporation.

CITY COUNCIL COMMENTS

- A. Councilwoman Katrina Long Robinson – No Comment
- B. Councilwoman Kara Crump – No Comment
- C. Councilman Patric Paul - Absent
- D. Vice Mayor JohnPaul O'Connor – No Comment
- E. Mayor Roger Manning – No Comment

REPORT – STAFF

No Report

REPORT - CITY ATTORNEY

No Comment.

REPORT - CITY MANAGER

Mr. Cassel noted the upgrade of audio and video equipment to improve the hybrid meeting platform.

Mr. Cassel provided an update on the 4th of July celebration.

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.

Ms. Burgess noted that there were no public comment cards received but gave the virtual audience a moment to comment.

Ms. Alicia Torres – 5847 Whippoorwill Circle – She feels everything is coming together, as the meetings have been efficient and effective and thanked Council for their work.

ADJOURNMENT

There being no further business, Mayor Manning adjourned the meeting at 8:24 PM.

Zoie P. Burgess, City Clerk

Roger Manning, Mayor