

CITY OF WESTLAKE



MINUTES- DRAFT

City Council Regular Meeting Monday, April 12, 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, April 12, 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 City Manager Kenneth Cassel and City Attorney Pam Booker, City Clerk Zoie Burgess were present physically. A Regular meeting of the City Council of the City of Westlake was held on Monday, April 12, 2021 at 6:30 PM., at the Westlake Community Center, 4005 Seminole Pratt Whitney Road.

Ms. Burgess identified the speakers on the agenda, Mr. Donaldson Hearing, Seth Ben of Lewis, Longman & Walker 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 April 12, 2021 to order at 7:03 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

PLEDGE OF ALLEGIANCE

Mayor Manning led the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Due to technical difficulties this portion of the meeting starts at 7:06 PM.

Ms. Burgess advised that staff lost some internet connection as there are some audio issue. Give us one moment while staff reconnects.

Mayor Manning called for any additions, deletions or modifications to the Agenda.

Mayor Manning advised that a request was made to pull Items A. Resolutions 2021-09 and Item B. Resolution 2021-10.

Mayor Manning called for a motion to pull the items from the agenda.

Motion by Councilwoman Crump to pull items A. Resolution 2021-09 and B. Resolution 2021-10, seconded by Councilman Paul.

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.

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 Item.

Motion by Councilman O'Connor 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).

A. Approval of Meeting Minutes

1. March 8, 2021 - Regular Council Meeting Minutes - DRAFT
2. March 22, 2021 - Workshop Council Meeting Minutes - DRAFT

B. Approval Finance Statement

1. Financial Report - February 2021

PRESENTATIONS/PROCLAMATIONS

There being no Presentations or Proclamations, the next item followed.

REGULAR AGENDA

A. Goals & Objectives

Submitted By: Administration

Mayor Manning introduced the item.

Mr. Cassel advised that this is a follow up from the previous Council meeting with the input of the goals and objectives.

Robert Koncar, General Manager of Inframark said that there are eleven (11) items in the revised sheet provided to Council. He mentioned that additional items were received from Councilman O'Connor and four of those have been incorporated into the first two items: Long Term Financial Plan and Improvement of Communications. He noted that at the previously Council meeting there was discussion about the limit of five goals however right now there are six. He is recommending that the Improve Recruitment of Business be moved to become part of the Long-Term Financial Plan; as there were several Council members that mentioned that; move that up as the part of the Long-Term Financial Plan. Based on the input from the Council members you will have the following to six goals:

- Develop a Long-Term Financial Plan
- Improve Communications
- Improve Recruitment of Business would go under the Long-Term Development Plan

- Development of An Affordable Housing Program
- Establishment of Resource Base for Workforce Development
- Develop a Rebranding Plan for the City

Council and staff discussion

Councilman Paul inquired if there was a project item that manages the branding of the City.

Mr. Cassel stated that staff is working with the public relations firm to set forth the current vision of where the City is, but as the Westlake grows and changes, the City can modify that. He noted that it is open to Council's input and guidance as the process continues. He noted that staff is doing the Back to Beyond segments, filming and photo shots. The firm is about ready to do a presentation within the next 30 days as more filming is being done to show where the City started and where it is currently. He said that staff are in the Beyond now and the next version would be where does the City go from the Beyond and what is next for the future.

Councilman Paul inquired if the firm will provide Council with a presentation.

Mr. Cassel noted that a presentation will be provided to Council on where the City is. Mr. Cassel further explained what Council authorized was to tell the City story and the next phase would be where the City is and continued development.

Councilman Paul inquired if the firm will provide input.

Mr. Cassel acknowledged that they would. The firm would provide a vision as to thinking your ideas of what you think or where the City should be. The firm would come up with how to market to the public and would advise how to advertise to the public as to what is acceptable for the public.

Further Council Discussion.

Mayor Manning commented that Council can move off of this topic. Mr. Cassel has this handled.

Councilman O'Connor advised that he would not want to waste time on a line item on traffic timing.

Mr. Cassel advised he will follow up with the County. He said that the item will be pulled off of the long-term goals and objectives.

Mr. Koncar noted that Council has the five goals.

Councilman O'Connor commented this is what Council wants.

Mr. Koncar said that four of the items mentioned are already included in the others.

Councilwoman Crump inquired if the items will be placed on the City website.

Mr. Koncar explained the next steps. He said that we will work with staff and develop a workplan for each item and bring back before Council for approval. Once it has been approved it can be posted.

Councilman Paul inquired on communication.

Mr. Konar provided the primary types of communications requested by Council.

Further Council discussion.

Councilman O'Connor requested for a workshop to discuss further.

Vice Mayor Long-Robinson inquired if the workplan will come back before Council.

Mr. Koncar responded yes. The workplan will be developed and brought before Council to show how staff is going to accomplish the goals.

Vice Mayor Long Robinson said that she would like for staff to schedule a workshop where Council can work through collectively.

Mr. Koncar mentioned that it would be best to have a workshop between now and the next Council meeting where Council can go through the workplan draft.

Mr. Cassel advised Council could hold a workshop scheduled for April 26th.

Councilman Paul advised that he has a conflict.

Mr. Koncar advised that he can attend virtual. He advised that the key is to prepare a draft as to how the workplan will look.

Mr. Cassel advised that it will be added to the workshop on April 26th along with the City Parks.

Councilman Paul inquired what options does the City have as the City does not own any land. What input does the Council have.

Mr. Koncar identified the best way to address is to create an economic development plan.

B. Follow up of Charter position review of the City Attorney.

Submitted By: City Council Request

Mayor Manning introduced the item.

Mr. Cassel identified this item as a follow up at the Council's request from the November meeting to discuss the review of the City Attorney and City Manager.

Mayor Manning opened the floor to the Council.

Motion made by Vice Mayor Long-Robinson to terminate the City's contract with Ms. Booker effective 90 days from today pursuant to her contract and direct the Law Office of Pam E. Booker and employees to cease all work for the City of Westlake, effectively immediately, Seconded by Councilman O'Connor.

Councilman Paul inquired on the grounds is the motion being made.

Vice Mayor Long-Robinson acknowledged that she is making note of the contract that states with or without cause and she is making the motion without cause.

Councilman O'Connor said that he has already seconded the motion and would like to discuss without airing all the dirty laundry.

Mayor Manning advised there is a motion and a second.

Mayor Manning asked for discussion.

Councilman Paul commented that without cause it is hard to discuss. He advised that he does not see anything that the City Attorney has done that has harmed the City. This has taken him by surprise.

Councilwoman Crump said that it is hard for her to say anything as she has developed relationships with everyone. She advised that due to the toxicity in the environment, she does think a change is needed.

Mayor Manning commented that he agrees with Councilman Paul. He does not see where the City has been hurt. He advised that any resolution from this as far as it relates to the City Manager and the City Attorney has been addressed by counseling. He mentioned that he knows that there is conflict between Vice Mayor Long-Robinson and the text message. He commented that as far as he knows the City Attorney was not involved in that. If someone can prove that there was something different, he would probably have a different opinion and he is not in favor of changing his position.

Vice Mayor Long-Robinson commented to Mayor Manning that she will address it. She noted that as Councilman O'Connor stated, she will not air dirty laundry and called the question, noting that there is a motion on the floor, and it is seconded.

Councilman O'Connor stated that it is very important for the Council to know his position. He read his comments noted on the past review dated October 26, 2020. He further noted that not a month later, the City Attorney's ex-husband sends an inappropriate text to the Vice Mayor prior to the meeting and there are now additional alleged inappropriate comments by staff. He advised that his real issue is that the City is spending entirely too much on Legal and made a comparison on cost of the City's legal vs County's Legal.

Vice Mayor Long-Robinson mentioned that the motion is on the floor and further commented on the statements received via text message on November 30, 2020 at 3:48 PM. She said that there is a call to question and a motion is on the floor.

UPON ROLL CALL:

Councilman O'Connor	YES
Vice Mayor Long-Robinson	YES
Mayor Manning	NO
Councilman Paul	NO
Councilwoman Crump	YES

Motion carried, with dissent (3-2, Councilman Paul and Mayor Manning).

Ms. Booker commented that she has not responded and advised that she will resign effective immediately. She mentioned that there have been a lot of accusations that have been made. She advised that she did not send, direct or ask for that text message as she would have never done such a thing. She mentioned what she stated to the reporter and stated what was commented. She said that none of those comments were made by her. She stated that she has not said anything negative about Minto or John Carter.

Vice Mayor Long-Robinson commented that it should not have taken three months to have a conversation.

Ms. Booker continued with her comments and thanked John Carter and Minto for having faith in her to help start the City. She said that she appreciates the Council and thanked Council; and wished everyone good luck.

Ms. Booker walked off dais [48:12].

C. Follow up of Charter position review of the City Manager.

Submitted By: City Council Request

Mayor Manning introduced the item.

Vice Mayor Long-Robinson commented that a motion would need to be made to move forward for another City Attorney.

Mayor Manning responded at another meeting.

Vice Mayor Long-Robinson said not another meeting Mayor.

Mayor Manning responded it sounds like it.

Mr. Cassel advised the Mayor that there are several ways this can be done.

Mayor Manning advised that the Charter states that the City Manager can take over until either one of the positions have come available or until the City hires someone.

Mr. Cassels said that he recommends hiring an interim firm to help do the Request for Qualification (RFQ) or help with the selection of the City Attorney. He explained how he would find a firm that is not interested in doing long term in Palm Beach County. He said that a firm that does municipal work for other counties as this will give the City 60 to 90 days to put the RFQ together. He recommends that Council authorize him to bring in an interim counsel until an RFQ is done.

Mayor Manning said that he suggests that Council have the option to hire the interim counsel. He advised Mr. Cassel that if he knows a firm that is available to send their resume for Councils review.

Mr. Cassel said that he will reach out to a couple firms to provide an engagement letter.

Councilman O'Connor inquired what does the Council do in the short term.

Councilman Paul commented that he would like to see an open bid for long term.

Mr. Cassel responded that this would be the RFQ process. He said that he can bring someone in immediately as he knows firms that can come in and pickup as needed and help to write the RFQ for the long term. He recommends Council authorize him to contact one firm that he has worked with before and noted the names of firms he has worked.

Further Council discussion

Mayor Manning suggested an Emergency Council meeting be held this week. He inquired on the timeframe to provide the public notice.

Ms. Burgess responded that the notice for emergency meeting can be posted first of the morning.

Councilman O'Connor inquired if Council can authorize Mr. Cassel to hire a firm on an emergency basis until Council vets in the interim.

Mayor Manning responded that he wants all Council to have a say.

Mr. Cassel said that he will make calls in the morning.

Councilman Paul inquired on the timeframe for a new City Attorney to become familiar with the Land Development Agreement.

Mr. Cassel responded that the public firms would respond; and noted that even the firms that would be used for interim do this on a regular basis as they serve as attorneys for other cities and it would not be long for the firms to come up to speed.

Ms. Burgess commented that reasonable notice, must be given, but a notice should be provided at least 72 hours prior to meeting.

Councilwoman Crump advised that she has to attend virtually.

Further Council discussion.

Mayor Manning inquired if there is anything else on this subject.

Vice Mayor Long-Robinson inquired if a motion has to be made for proper authorization.

Mr. Cassel responded no. He explained the process for having an emergency meeting.

PUBLIC HEARING

A. Final Plat Persimmon Boulevard East - Plat 5

Submitted By: Engineering

RESOLUTION 2021-09

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR PERSIMMON BOULEVARD EAST - PLAT 5, BEING A PORTION OF SECTIONS 5, 7, AND 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning noted that this item has been pulled from the Agenda.

B. Final Plat Town Center Parkway Phase III

Submitted By: Engineering

RESOLUTION 2021-10

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR TOWN CENTER PARKWAY PHASE III, BEING A PORTION OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning noted that this item has been pulled from the Agenda.

NEW BUSINESS

A. Select a Member of City Council to serve in the position of Vice-Mayor Until April 11, 2022.

Submitted By: Administration

RESOLUTION 2021-12

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 11, 2022, PURSUANT TO THE CITY'S CHARTER PROVISION AS SET FORTH IN SECTION 8D.

Mayor Manning introduced the item.

Mr. Cassel explained why the item is on the agenda. He advised that it was deferred last year due to the election.

Vice Mayor Long- Robinson said that she nominates and recommends Councilman JohnPaul O'Connor to serve as Vice Mayor.

Councilman O'Connor responded it will be an honor and he said a few words.

Councilwoman Crump said that she would like to recommend Councilman O'Connor. She advised that Vice Mayor Long-Robinson has done and excellent job.

Mayor Manning asked for motion.

Ms. Burgess said that it was a nomination not a motion.

Vice Mayor Long-Robinson made motion to nominate Councilman O'Connor to serve as Vice Mayor until April 11, 2022, 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

Motion carries without dissent (5-0).

Mayor Manning commented on an email received from a resident. He said a few words and thanked Vice Mayor Long-Robinson for making the motion.

Ms. Burgess read resolution by title only.

CITY COUNCIL COMMENTS

A. Councilman JohnPaul O'Connor

Councilman O'Connor said that he looks forward to serving and it is an honor and thanked the Council.

B. Councilwoman Kara Crump

Councilwoman Crump commented that she is looking forward to moving forward.

C. Vice Mayor Katrina Long Robinson

Vice Mayor Long- Robinson apologized for getting upset. She said that she looks forward to working with the City going forward.

D. Councilman Patric Paul

Councilman Paul asked Mr. Cassel if he could look into the electricity increases with FPL and figure out why they are creating a rate hike.

Mr. Cassel advised that he did receive from an email from an individual and will find out.

Councilman Paul thanked Minto for more lighting as the residents requested. He said that it might help if the City can put something in place around the main lake for people to discard their trash.

Mr. Cassel responded that he will bring it to Seminole Improvement District's attention.

Councilman Paul commented that the motion for the City Attorney caught him by surprise and he said that he does not see where the City Attorney caused the City any problems. He advised that the City Attorney has shown the City nothing but good faith and has given us eyes to see therefore Council can make decisions.

E. Mayor Roger Manning

Mayor Manning said that he wants to address Vice Mayor Long-Robinson. He commented that if there was an investigation, he would have a totally different opinion. He said that he is upset that there was no communication that satisfied what Council was looking for; he wished that it could have been different. He said that he respects the Vice Mayor's position. He mentioned that the reporter asked him for his position on the matter, and he explained his position. He said that he hopes that the City could move without having conflict. He mentioned that the City Attorney did keep him abreast of legal matters. He said that he does not mean to offend the Vice Mayor and he apologizes.

Vice Mayor Long-Robinson responded that she feels how she feels, and said you feel how you feel. She mentioned that she is not going to air dirty laundry.

Mayor Manning said that he is a team player and that a vote is a vote and now Council is going to move forward.

REPORT - STAFF

A. Palm Beach County Sheriff's Office - Monthly Report: March

Submitted By: Captain Craig Turner

For Informational Purposes Only

Mayor Manning introduced item.

Mr. Cassel advised that the prior report is included as well. He advised that the City Clerk is working with both Captains in order to have the reports uploaded in a timely manner. He advised that Captain Turner is on the line if there are any questions.

Captain Turner provided an update on an incident that happened at a local bar in the City. He advised that the suspect was found and arrested. He advised that the deputies will be enforcing speeding in the area.

Mayor Manning thanked Captain Turner for the update.

REPORT - CITY ATTORNEY

A. Monthly Report - March

Submitted By: Legal

No Comments

REPORT - CITY MANAGER

Mr. Cassel mentioned an issue that happened over the weekend involving a vehicle that on Town Center Parkway. He advised that he has requested that Captain Turner have the deputies focus on

this area and step up the enforcement. He provided an update on Florida Public Utilities (FPU) permits; Pod H; Seven Eleven 2.0; the site for Publix and said that POD H is being cleared for the storage facility and out parcels. He mentioned his virtual attendance of the Palm Beach County City Managers Council, the Western Communities Council and the Environmental People of Today. He provided an update on the remediation process for the air returns in in the building and advised that cleaning and other items will be completed. He mentioned that PBSO will start enforcing golf carts and motorcycles on private property in the area, as well as the undeveloped areas within the City. He advised that the Council was copied on the email for code enforcement with a home in the City.

Mayor Manning inquired on the completion date for FPU.

Mr. Cassel advised that they are waiting on an update.

Councilman Paul inquired on the Code Enforcement for other homes in the developments and if individuals will be held liable as some have extended driveways in which people may not be aware of. He said that the City needs to protect future homebuyers from having to deal with issues that they are not ultimately responsible for.

Mr. Cassel noted that it will be combination of enforcement to include the homeowner's associations (HOA), staff and then a special magistrate, but staff is working on it.

Councilman Paul said that he would like to see this sooner than later as the City has to protect future buyers.

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.

There being no further comments, the next item followed.

ADJOURNMENT

Mayor Manning adjourned the meeting at 8:36 PM.

Zoie P. Burgess, City Clerk

Roger Manning, Mayor