

# CITY OF WESTLAKE



## MINUTES

### **City Council Regular Meeting**

Tuesday, June 06, 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, 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, June 06, 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. Ramirez noted that council members are present physically constituting a quorum. Councilwoman Valle Ron previously notified staff she would not be present for meeting.

Ms. Ramirez confirmed Mr. Don Hearing, of Cotleur and Hearing and City Manager were virtually present.

Ms. Ramirez 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. Ramirez provided the disclaimer that the meeting is being recorded by both voice and video, reminding the audience microphones are live. Ms. Ramirez further explained that microphones will be muted; audience members can unmute themselves and anyone that has called in should mute their device.

Ms. Ramirez noted that anyone causing a disruption or being inappropriate will be removed from the meeting. Ms. Ramirez 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 June 6, 2023, to order.

### **ROLL CALL**

Present and constituting a quorum:

Councilwoman Charlotte Leonard  
Councilman Julian Martinez  
Vice Mayor Greg Langowski  
Mayor JohnPaul O'Connor

Also present:

Kenneth Cassel, City Manager (Via Electronic Media Technology)  
Donald J. Doody, Esq., City Attorney  
Zoie Burgess, City Clerk (Via Electronic Media Technology)  
Nilsa Zacarias, Planning and Zoning Director

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**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 asked for a motion to move item A to item B, and item B to item A under the Public Hearing – Quasi Judicial portion of the agenda.

Motion by Vice Mayor Langowski to modify the Agenda, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

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

Motion by Councilman Martinez to approve agenda as amended, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

**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. Ramirez 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, 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. Minutes\_City Council Regular Meeting - 04.26.2023 DRAFT
- B. Minutes\_City Council Regular Meeting - 05.02.2023 DRAFT
- C. Monthly Financial Report – April

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

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

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

**PRESENTATIONS/PROCLAMATIONS**

- A. Proclamation 2023-03 - Juneteenth

**Sponsored By:** Councilwoman Charlotte Leonard

Mayor O'Connor identified Proclamation.

Mr. Doody asked for a motion to approve the proclamation.

Mayor O'Connor called for a motion to approve the proclamation.

Motion by Councilman Martinez to approve the Proclamation, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

Mayor O'Connor read the Juneteenth proclamation into record.

There being no further comments, the next item followed.

**PUBLIC HEARING - QUASI JUDICIAL**

- A. **MPA-2023-01:** The applicant is requesting approval for a Master Plan amendment to the Westlake Landings Commercial Plaza on 50.826 acres in Pod H. The request is limited to Parcel A2 and Parcel

B. Parcel A2 is being reduced from 3,500 square feet of Fast Food with Drive Through to 2,500 square feet Fast Food with Drive Through. Parcel B is being modified to eliminate the 3,972 square feet restaurant in the North Building and replace it with 2,572 square foot Bank with Drive Through and 6,878 square feet of Mixed Use. The subject application is located west of Seminole Pratt Whitney Road on 50.826 acres.

**Submitted By:** Planning and Zoning

Mayor O'Connor introduced item. Mr. Doody swore in all witnesses who will be providing testimony. Mayor O'Connor called for staff presentations.

Ms. Ramirez asked for a few minutes due to technical issues.

Ms. Zacarias presented a PowerPoint presentation requesting approval for a Master Plan amendment to the Westlake Landings Commercial Plaza. Amendment is for POD H, Parcel A2, reducing the square footage and Parcel B, eliminating a restaurant and adding a bank with a drive thru instead.

Mr. Doody stated for clarification, staff is recommending for approval without conditions. Ms. Zacarias clarified no conditions are being requested for approval.

Mayor O'Connor asked if Mr. Don Hearing had a presentation. Mr. Hearing stated he wanted to discuss a few words as Ms. Zacarias had touched on all points of the amendment requested. Mr. Hearing stated the amendment is requesting the reduction in square footage of Parcel A, to allow Parcel B, space to provide a bank with a drive-thru. Mr. Hearing requested approval of this amendment from council.

Mayor O'Connor called for council comments.

Mr. Doody asked if any member had any ex parte communication regarding this matter, now would be the time to announce it for the record.

Mayor O'Connor opened for public comments. Ms. Ramirez noted no public comment cards were received, however a call for virtual comments was made. There being no comments, Mayor O'Connor called for a motion to approve the application MPA-2023-01.

Motion by Councilman Martinez to approve MPA-2023-01, seconded by Councilwoman Leonard.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

**B. SPM-2023-01:** Application of DKC Westlake Landings, LLC for a Site Plan Modification for the Shoppes of Westlake Landings development to modify the approved uses specifically in the North Building of Parcel B. The applicant is requesting to replace the previously approved 3,972 square foot Restaurant

use and 5,478 square feet of Mixed Use, with a 2,572 square foot Bank, with a drive through lane and 6,878 square feet of Mixed Use for a total of 9,450 square feet. There are no changes proposed to the 7,065 square feet South Building. The applicant submitted a Master Site Plan modification concurrent with this application (MPA-2023-01).

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 item. Mr. Doody swore in all witnesses who will be providing testimony. Mayor O'Connor called for staff presentations.

Mayor O'Connor called for staff presentations.

Senior Planner, Mr. Osniel Leon presented a PowerPoint and discussed the Site Plan Modifications requested for Westlake Landings, Parcel B. Mr. Leon stated applicant is requesting a Site Plan Modification to modify the approved uses specifically in the North Building of Parcel B. There are no changes proposed to the 7,065 square feet South Building. The applicant submitted a Master Site Plan modification concurrent with this application (MPA-2023-01).

Mayor called for council comments. There being none, Mayor O'Connor called for Mr. Hearing to discuss item. Mr. Hearing stated the change is for Parcel B, the building itself stays the same size. Mr. Hearing stated they recommend item for approval.

Mayor O'Connor called for council to announce any ex parte communications that were made.

Vice Mayor Langowski, asked if the TD Bank has drive-thru was reviewed to make sure if there were too many cars in line it did not cause any issues. Mr. Osniel stated they followed everything per code and that is addressed in the code.

Mr. Doody clarified the technical glitches that were happening did not affect any of the information that was provided and does not alter the application.

Mayor O'Connor opened for public comments. Ms. Ramirez noted no public comment cards were received, however a call for virtual comments was made.

**Public comment - Alicia Torres – 5847 Whipoorwill Circle** – Ms. Torres asked if the bank had any exterior ATM's.

Mr. Hearing stated at this time the bank does not have any exterior ATM's.

There being no further comments, Mayor O'Connor called for a motion to approve the application SPM-2023-01.

Motion by Vice Mayor Langowski to approve SPM-2023-01, seconded by Councilman Martinez.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

**PUBLIC HEARING**

- A. SECOND READING: Ordinance 2023-02** – Comprehensive Plan Amendment “Capital Improvements Element Updates”

**Submitted By:** Planning and Zoning

**ORDINANCE NO. 2023-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CITY’S COMPREHENSIVE PLAN TO UPDATE THE FIVE-YEAR COMMUNITY INVESTMENT PROGRAM INCLUDED WITHIN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

Mayor O'Connor introduced item and asked for staff presentations.

Mr. Doody asked to read item into record before presentations. Mr. Doody read item, by title only, into the record.

Mr. Leon stated this was the second reading for the item.

Mayor O'Connor called for staff presentations. Mr. Osniel clarified the item is city initiated.

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

Ms. Ramirez stated no comment cards were received prior to the meeting and gave the virtual audience a moment to raise their virtual hand.

There being no further comments, Mayor O'Connor asked for a motion to approve item.

Motion by Councilwoman Leonard to approve second reading of Ordinance 2023-02, seconded by Vice Mayor Langowski.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

**NEW BUSINESS**

- A. Agreement\_City of Westlake & Minto PBLH, LLC Temporary Use Agreement for FourthFest 2023  
**Submitted By:** Administration

**RESOLUTION NO. 2023-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE TEMPORARY USE AGREEMENT BETWEEN MINTO PBLH, LLC AND THE CITY OF WESTLAKE, FLORIDA; PROVIDING FOR CONFLICTS; 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 called for any staff or council comments. There being none. Mayor O'Connor called for a motion.

Motion by Councilman Martinez to approve Resolution 2023-14, seconded by Vice Mayor Langowski.

**UPON ROLL CALL:**

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

With all in favor, motion carried without dissent (4-0).

**CITY COUNCIL COMMENTS**

A. Councilwoman Charlotte Leonard – Asked for approval to present proclamation for Habitat for Humanity and Weitz Construction to recognize the high school construction and homeownership. She wants to see approval for the month of July even though June is National Homeownership month.

B. Councilman Julian Martinez - No comments or updates.

C. Vice Mayor Greg Langowski – [Vice Mayor Langowski was not recognized for comments – No comments provided].

D. Mayor JohnPaul O'Connor – Mayor O'Connor asked to move the July meeting to the following week after July 11<sup>th</sup>. Ms. Ramirez noted the meeting is published and there will be a Quorum.

**REPORT – STAFF**

Palm Beach County Fire Rescue, District Chief, Amanda Vomero, discussed the call volume and response times for the month of May.

**REPORT - CITY ATTORNEY**

No comments or updates.



## **REPORT - CITY MANAGER**

No comments or updates.

## **PUBLIC COMMENTS AND REQUESTS**

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Mayor O'Connor called for public comments.

Ms. Ramirez noted a comment card was received prior to the meeting.

**Public Comment - Gary Werner – 16005 Key Biscayne Lane** – Mr. Werner discussed the plans for TD's bank ATM identifying that there is a drive thru ATM listed on the plans. Mr. Werner also mentioned there was an injury on the Pickleball court and EMS was unable to respond in a timely manner. Mr. Werner asked if the Fire Captain can take a look into EMS having access to the gates. Mr. Martinez stated the local response does have click to answer.

Ms. Ramirez gave the virtual audience a moment to comment.

There being no further comments, next item followed.

## **ADJOURNMENT**

There being no further business, Mayor O'Connor adjourned the meeting at 6:53 PM.

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Zoie P. Burgess, City Clerk

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JohnPaul O'Connor, Mayor