

CITY OF WESTLAKE



MINUTES - DRAFTS

City Council Regular Meeting
Monday, May 10, 2021 at 6:30 PM

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 will be limited seating available in the Council Chambers. Therefore, preregistration will be required for in-person participation.

The instructions for preregistration attendance/participation and viewing of the meeting are 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 561-560-5880 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 others preregistered parties.

COMMUNICATIONS MEDIA TECHNOLOGY – WEBEX:

Members of the public may also participate in the meeting through electronic means and may access as follows:

1. Join the Webex meeting from your 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

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

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

Jacob Horowitz, Interim City Attorney

Zoie P. Burgess, City Clerk

A Regular meeting of the City Council of the City of Westlake was held on Monday, May 10, 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 John Paul-Connor, Councilwoman Kara Crump are present physically. Councilwoman Katrina Long-Robinson and Councilman Patric Paul were present via communications media technology.

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

Ms. Burgess identified the speakers on the agenda, Mr. Donaldson Hearing of Cotleur Hearing was present via communications media technology 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 May 10, 2021 to order at 6:32 PM.

ROLL CALL

Present and constituting a quorum:

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

Also, present:

Kenneth Cassel, City Manager
Jacob Horowitz, Interim City Attorney
Zoie P. Burgess, CMC, City Clerk
Nilsa Zacarias, Planning and Zoning Director
Suzanne Dombrowski, City Engineer

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 Vice Mayor O'Connor to Approve Agenda, seconded by Councilwoman Crump.

UPON ROLL CALL:

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

A. Approval of Meeting Minutes

1. April 15, 2021 - Emergency City Council Meeting Minutes - DRAFT
2. April 12, 2021 - Regular City Council Meeting Minutes - DRAFT

B. Approval Finance Statement

1. Financial Report - March 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 Long-Robinson	YES
Councilwoman Crump	YES
Councilman Paul	YES

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

PRESENTATIONS/PROCLAMATIONS

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

PUBLIC HEARING

- A. Final Plat for Cresswind Palm Beach Phase 3

Submitted By: Engineering

RESOLUTION 2021-11

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CRESSWIND PALM BEACH PHASE 3, BEING A REPLAT OF A PORTION OF TRACT O.S.T. 20, CRESSWIND PALM BEACH PHASE 2, AS RECORDED IN PLAT BOOK 130, PAGES 199 THROUGH 205 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND A PORTION OF SECTIONS 6 AND 7, TOWNSHIP 43 SOUTH, RANGE 41 EAST AND SECTION 12, 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 2021-11- Final Plat for Cresswind Palm Beach Phase 3

Mr. Horowitz read into record, by title only, Resolution 2021-11.

Donaldson Hearing, Cotleur & Hearing on behalf of applicant Cotleur and Cresswind Palm Beach presented a PowerPoint Presentation of Pod P Phase 3 Plat - Cresswind of Palm Beach. He advised that Cresswind has 659 homes approved by the way of the Master Pan for Parcel P1 and ultimately up to 800 Homes for Parcel P2. He advised that there is a lot of interest in the 55+ community located in Westlake. He mentioned that a total of 169 new homes will be in the Plat South of the Club House and the Amenity Center. He showed the Plat and noted the Florida State Stature requirements for the Plat.

Manning Manning opened the floor for discussion.

Vice Mayor O'Connor made a motion to approve.

Mr. Horowitz advised that this is public hearing.

Mayor Manning opened the floor for pubic comment.

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.

Ms. Burgess advised that there were no comments.

Motion by Vice Mayor O'Connor to approve Resolution 2021-11, seconded by Councilwoman Crump.

UPON ROLL CALL:

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

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

B. Variance Request from the Applicant Minto PBLH, LLC

Submitted By: Interim City Attorney

RESOLUTION 2021-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO A VARIANCE REQUEST FROM THE APPLICANT MINTO PBLH, LLC FOR THE CROSSINGS OF WESTLAKE (POD M-2), A ONE-HUNDRED-THIRTY (130) UNIT TOWNHOME PROJECT, LOCATED AT 5075 SEMINOLE PRATT WHITNEY ROAD, SAID VARIANCE APPROVAL WILL ALLOW EIGHTY PERCENT (80%) DEAD END STREETS, WHERE THE CITY'S INTERIM UNIFIED LAND DEVELOPMENT CODE, ARTICLE 3, SECTION 2.A.2(a), ALLOWS A MAXIMUM OF TWENTY PERCENT DEAD END STREETS (20%); IN THE CITY OF WESTLAKE, PALM BEACH COUNTY FLORIDA, PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning introduced item, Variance Request from the Applicant Minto PBLH, LLC

Mr. Horowitz read into record, by title only, Resolution 2021-14.

Mayor Manning asked Mr. Horowitz to explain why the ordinance is before Council.

Mr. Horowitz explained the reason for the ordinance before the Council. He mentioned that Counsel is working with the City Manager on an ordinance that will come before Council at the next meeting to correct seven (7) provisions of the Code of Ordinances to capstate everything in Chapter 1 as it relates to Planning and Zoning's Authority.

Vice Mayor O'Connor inquired if Planning and Zoning will be the final authority for a resolution he is working on.

Mr. Horowitz responded that Planning and Zoning will have final authority for variances and all other approvals will come before Council unless it falls under the Administrative authority.

Mr. Cassel inquired if the address 5075 Seminole Pratty Whitney Road is correct on the ordinance as he thought it was Town Center Parkway South.

Mr. Horowitz said that he will reconfirm the address.

Mayor Manning called for public comments.

Ms. Burgess noted there were no public comment cards received prior to the meeting. She advised that Tara Duhy of Lewis, Longman & Walker would like to speak.

Ms. Tara Duhy of Lewis, Longman & Walker on behalf of the Applicant Minto PBLH, LLC commented that in an abundance of caution she would like to ask and ensure that the application materials and presentation before the Planning and Zoning Board be made part of the record for tonight's hearing for the variance.

Mayor Manning commented yes.

Ms. Burgess noted it for the record.

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.

Ms. Burgess noted that there were no further comments.

Motion by Councilwoman Crump to approve Resolution 2021-14, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

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

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

REGULAR AGENDA

There being no regular agenda, the next item followed.

NEW BUSINESS

A. Fee increase for Inframark contract.

Submitted By: Administration

Mayor Manning Introduced item.

Mr. Cassel explained the reason for the item and noted that discussions for additional personnel were held at the last budget meeting.

Mayor Manning inquired on the job duties for the position.

Mr. Cassel noted the duties will consist of coordinating the Happy Program, tracking bonds, grant funding for schools and other items.

Vice Mayor O'Connor inquired on the title and salary for the position.

Mr. Cassel acknowledged that the position would be an Operations Coordinator and the position would be salaried

Councilwoman Crump inquired if the \$93K is the amount for the position.

Mr. Cassel advised that the salary includes taxes, insurance, and overhead costs.

Councilman Paul inquired on the total amount of funding being requested.

Mr. Cassel responded \$93,500 per year of additional funding is being requested.

Vice Mayor O'Connor inquired on what was set aside for the budget.

Mr. Cassel responded \$61,000 is set aside for this year. He noted that in the overall budget under general government there is a total of \$115,000 for this year that has not been spent. He advised that Administration is considering \$40k out of the \$115, 000 for this year's budget.

Vice Mayor O'Connor asked Mr. Cassel if he has someone in mind to fill the position.

Mr. Cassel advised that the position has been advertised on Inframark's website as of today.

Councilman Paul inquired if Administration can hold off on the position. He said that the City is not self-sustaining, and the amount being requested is much to add to the budget.

Mr. Cassel advised that dollars are not being added; it is for expending the dollars already budgeted.

Further Council discussion.

Motion by Vice Mayor O'Connor to approve fee increase for Inframark contract, seconded by Councilwoman Crump.

UPON ROLL CALL

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

Motion carried, with dissent (4-1, Councilman Paul).

CITY COUNCIL COMMENTS

Mayor Manning said that he would like for the new District Fire Chief Anthony Tozzi to introduce himself.

Anthony Tozzi, District Fire Chief with Palm Beach County Fire Rescue (PBCFR) introduced himself. He mentioned that he has been with the PBCFR for over 28 years. He said that he is excited to work with the City of Westlake.

A. Councilwoman Katrina Long Robinson

Councilwoman Long-Robinson mentioned that Universal Health Services has purchased land in Palm Beach Gardens. She asked Mr. Cassel if there have been any updates for development in the City of Westlake.

Mr. Cassel responded that no updates have been provided and noted that Ms. Burgess is reaching out to coordinate a date in which an update can be provided to Council; there was a date scheduled back in December however it fell through. He said staff is coordinating to have a date scheduled for either the June or July meeting.

Councilwoman Long-Robinson mentioned that President Biden's American Rescue Plan for Cities has rolled out; Congresswoman Lois Frankel has identified plans; as well as the Palm Beach County Reimbursement Funds. She asked Mr. Cassel what funds the City can expect to come forward if any, as a result of COVID-19.

Mr. Cassel said that the Clerk's Office has looked through Frankel's information and there was nothing there applicable for the City. The City has all of the documentation for the reimbursement funds and staff is waiting on the reimbursement from the County. He said theoretically, the City is earmarked for \$500k or \$600K but

the City has not received any details as to how the funds can be spent; the County is still trying to get clarification on how the funds can be spent and there is nothing in writing yet.

Councilwoman Long-Robinson inquired how the funds would be allocated if received.

Mr. Cassel explained what the funds may be utilized for, but it all depends on what the funds are earmarked for and if they can be used in the budget.

Councilwoman Long-Robinson mentioned to Council that she will be working with the City Manager on Chapter 3 Public Transportation.

B. Councilwoman Kara Crump

No comments.

C. Councilman Patric Paul

No comments

D. Vice Mayor JohnPaul O'Connor

Vice Mayor O'Connor mentioned that there are 6 (six) electric charging stations at the Adventure Park, and he noted that each one was occupied by golf carts this past weekend. He thinks that it is the time to discuss parking to be dedicated for golf carts.

Mr. Cassel advised that is already in the works and mentioned that several meetings have taken place with the Planning and Zoning Director and Engineering for updating the parking ordinances; and how best to accommodate it. It is scheduled to come back before Council in July.

Nilsa Zacaris, Planning and Zoning Director advised that staff is working with the City Engineer to update the Parking Code and a follow up meeting will be held this Thursday to bring proposed language before Council.

Vice Mayor O'Connor thanked staff and Mr. Tozzi for coming.

E. Mayor Roger Manning

Mayor Manning thanked Mr. Horowitz and Chief Tozzi for attending the meeting.

REPORT - STAFF

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

Submitted By: Captain Craig Turner

For Informational Purposes Only

Mayor Manning introduced item.

Mr. Cassel advised that the report is before Council and he is not sure if Captain Turner is available to answer any questions. He mentioned that the Deputies are working the school zones.

REPORT - INTERIM CITY ATTORNEY

Mayor Manning introduced item.

Mr. Horowitz said that there is no report but he passes along the firm's appreciation for the opportunity.

Mayor Manning commented that he appreciates the reports that Council receives every Friday.

REPORT - CITY MANAGER

Mr. Cassel mentioned the Goals and Objectives previously discussed at the prior meeting and provided Council with updates. He said that information on the presentation will be brought back before Council at the June meeting for preliminary budget to walk Council through on different line items. He said that the numbers are estimated conservatively.

Vice Mayor O'Connor inquired if the estimates are without commercial.

Mr. Cassel confirmed that it is without commercial as staff does not know when commercial will expand, but updates will be provided.

Mr. Cassel noted that several ordinances will be coming before Council in June for first reading. He also noted that residents will be receiving or should have received a postcard from Seminole Improvement District (SID) as SID is moving to a new billing company that will allow for applications to be completed online along with online payments.

Mr. Cassel mentioned the project taking place at the crossing on Sycamore Drive the week of May 20th that is expected to last 120 -160 days.

Mayor Manning inquired on Florida Public Utilities (FPU) updates. Mr. Cassel responded that FPU has all of the permits and they are waiting on a final from Environmental. FPU is expected to provide an update on the construction timeline as they will be needing an extension for the gas tanks in July. He mentioned that the site has been worked out with the principal landowner.

Vice Mayor O'Connor inquired on the traffic flow for the construction on Sycamore.

Mr. Cassel explained how traffic will flow during construction.

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 identified the next Regular Council Meeting and adjourned at 7:14 PM.