

CITY OF WESTLAKE



MINUTES

City Council Regular Meeting
Tuesday, June 07, 2022 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

CITY STAFF:

Ken Cassel, City Manager
Zoie P. Burgess, CMC, City Clerk
Donald J. Doody, Esq., City Attorney
Nilsa Zacarias, Planning and Zoning Director
Suzanne Dombrowski, City Engineer

A regular meeting of the City Council of the City of Westlake was held on Monday, June 07, 2022, 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. Burgess noted that Mayor JohnPaul O'Connor, Vice Mayor Greg Langowski Councilwoman Pilar Valle Ron, and Councilman Julian Martinez were present physically constituting a quorum.

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 O'Connor called the City of Westlake Regular City Council meeting of June 07, 2022, to order at 6:00 p.m.

ROLL CALL

Councilwoman Charlotte Leonard
Councilman Julian Martinez
Councilwoman Pilar Valle Ron
Vice Mayor Greg Langowski
Mayor John Paul O'Connor

Also present:

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

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, there being none he called for a motion to approve the agenda.

Motion by Vice Mayor Langowski to approve agenda, seconded by Councilman Martinez.

UPON ROLL CALL:

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

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

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. Burgess noted there were no public comment cards received prior to the meeting and gave the virtual audience a moment to comment. There being no 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. Financial Report - April 2022
- B. Minutes - Regular City Council Meeting 04.11.2022 - DRAFT
- C. Minutes - Workshop City Council Meeting 04.19.2022 - DRAFT
- D. Minutes - Regular City Council Meeting 05.09.2022 - DRAFT

Motion by Vice Mayor Langowski to approve Consent agenda, seconded by Councilwoman Leonard.

UPON ROLL CALL:

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

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

PRESENTATIONS/PROCLAMATIONS

A. Legislative Update - Senator Powell

Presentation Delayed due to late arrival followed. Upon arrival, Senator Powell gave a PowerPoint Presentation.

B. Key to the City Presentation - Roger Manning

Mayor O'Connor Presented Roger Manning with a Key to the City Plaque.

C. Proclamation - Recognition of Inaugural Service - Roger Manning

Mayor O'Connor presented and read into record a proclamation in recognition of Roger Manning's service to the City. Mr. Manning provided brief comments.

PUBLIC HEARING

A. **FIRST READING:** Ordinance 2022-03 – Special Events

Submitted By: Planning & Zoning

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER ____ ENTITLED LAND DEVELOPMENT CODE BY SPECIFICALLY CREATING SECTION ____ ENTITLED "SPECIAL EVENTS"; PROVIDING FOR A DEFINITION OF SPECIAL EVENTS; PROVIDING FOR THE REQUIREMENT OF A PERMIT; PROVIDING FOR PERMIT REQUIREMENTS; PROVIDING FOR REGULATIONS RELATIVE TO SIGNAGE, THE SALE OR SERVICE OF ALCOHOLIC BEVERAGES; PROVIDING FOR BATCH APPLICATIONS; PROVIDING FOR THE REGULATION OF GARAGE SALES; PROVIDING FOR CODIFICATION; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced item. City Attorney read Ordinance, by title only, into the record.

Mayor O'Connor called for staff presentations. Ms. Zacarias presented a PowerPoint Presentation.

Council discussion. Mayor O'Connor expressed his concern regarding the non profit waiver. It was concluded that staff would return with revisions allowing for more flexibility.

Motion by Councilwoman Leonard, seconded by Councilwoman Valle Ron.

UPON ROLL CALL:

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

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

B. SECOND READING: Ordinance 2022-04 – Mobile Food Trucks

Submitted By: Planning & Zoning

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER ____ ENTITLED LAND DEVELOPMENT REGULATIONS BY CREATING SECTION _____ ENTITLED "MOBILE FOOD TRUCKS"; PROVIDING FOR DEFINITIONS; PROVIDING FOR REQUIREMENTS FOR ALL MOBILE FOOD TRUCKS; PROVIDING FOR THE REGULATIONS RELATIVE TO CONDUCTING BUSINESS; PROVIDING PARKING AND STORAGE OF INACTIVE FOOD TRUCKS; PROVIDING FOR WASTE DISPOSAL; PROVIDING FOR LOCATIONS BY ZONING DISTRICT; PROVIDING FOR VIOLATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor O'Connor introduced item. City Attorney read Ordinance, by title only, into the record.

Mayor O'Connor called for staff presentations. Ms. Zacarias presented a PowerPoint Presentation, noting this item is up for second reading and there were no changes since presented to Council.

City Attorney confirmed for the record that this item has been advertised for public hearing.

Motion by Vice Mayor Langowski, seconded by Councilwoman Leonard.

UPON ROLL CALL:

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

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

- C. SECOND READING:** Ordinance 2022 - 05: Land Development Regulations Re-Adoption
Submitted By: City Attorney's Office

ORDINANCE 2022-05

AN ORDINANCE OF THE CITY OF WESTLAKE, FLORIDA, RE-ADOPTING AND RE-CONFIRMING THE CITY'S PREVIOUSLY ADOPTED ORDINANCES RELATED TO THE DEVELOPMENT OF LAND WITHIN THE CITY AND CONSOLIDATING SUCH ORDINANCES AS A COMPREHENSIVE SET OF LAND DEVELOPMENT REGULATIONS FOR THE CITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor O'Connor introduced item. City Attorney read Ordinance, by title only, into the record.

City Attorney noted that this item is a housekeeping matter to re-adopt all regulations.

Motion by Councilwoman Valle Ron, seconded by Councilman Martinez.

UPON ROLL CALL:

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

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

- D. Ordinance 2022-06: Pier Diem and Allowances**
Submitted By: City Attorney's Office

ORDINANCE 2022-06

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, CREATING SECTION _____ OF THE CODE OF ORDINANCES; PROVIDING RATES OF TRAVEL PER DIEM, SUBSISTENCE, AND PRIVATE VEHICLE MILEAGE ALLOWANCE FOR PUBLIC OFFICIALS AND EMPLOYEES; PROVIDING FOR CODIFICATION; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced item. City Attorney read Ordinance, by title only, into the record.

Motion by Vice Mayor Langowski, seconded by Councilwoman Valle Ron.

UPON ROLL CALL:

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

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

E. Ordinance 2022-07: Golf Cart Registration Stickers

Submitted By: City Attorney's Office

ORDINANCE 2022-07

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ORDINANCE 2020-01 RELATIVE TO THE USE OF GOLF CARTS; PROVIDING FOR AN AMENDMENT TO THE PLACEMENT OF REGISTRATION STICKER; PROVIDING FOR CODIFICATION; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced item. City Attorney read Ordinance, by title only, into the record.

Mayor O'Connor further explained that the Ordinance needed to be updated to identify where the decals can be placed.

Motion by Councilman Martinez, seconded by Vice Mayor Langowski.

UPON ROLL CALL:

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

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

F. Amending the City's Housing Assistance Purchase Program Yearly (Happy Program) Guidelines

Submitted By: City Attorney's Office

RESOLUTION 2022-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CITY'S HOUSING ASSISTANCE PURCHASE PROGRAM YEARLY (HAPPY PROGRAM) GUIDELINES BY ADOPTING THE FEDERAL HOUSING ADMINISTRATION'S BASIC STANDARD MORTGAGE LIMITS FOR PALM BEACH COUNTY FOR ONE-FAMILY HOMES, AS AMENDED ON AN ANNUAL BASIS, AS THE MAXIMUM SALES PRICES ALLOWABLE UNDER THE CITY'S HOUSING ASSISTANCE PURCHASE PROGRAM INCOME GUIDELINES; AMENDING THE CITY'S HOUSING ASSISTANCE PURCHASE PROGRAM YEARLY GUIDELINES BY ADOPTING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AREA MEDIAN INCOME ("AMI") PERCENTAGE LIMITS FOR PALM BEACH COUNTY, AS AMENDED ON AN ANNUAL BASIS, FOR NO GREATER THAN 140% OF AMI AS THE MAXIMUM ALLOWABLE HOUSEHOLD INCOME (AS DETERMINED BY THE NUMBER OF HOUSEHOLD MEMBERS) UNDER THE CITY'S HOUSING ASSISTANCE PURCHASE PROGRAM INCOME GUIDELINES; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor O'Connor introduced item. City Attorney read Resolution, by title only, into the record.

Mr. Cassel further explained item and the purpose of raising the threshold to better manage and administer program and be in line with the US Department of Housing and Urban Development and the Veterans Administration guidelines.

Motion by Councilwoman Valle Ron, seconded by Councilman Martinez.

UPON ROLL CALL:

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

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

NEW BUSINESS

A. FourthFest Ad Hoc Committee Applicant Review:

Applicant - Brandi Dugger

Applicant - Swelenn Gomez

Mayor O'Connor introduced item and called for a motion to appoint the two applicants.

Motion by Vice Mayor Langowski, seconded by Councilwoman Valle Ron.

UPON ROLL CALL:

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

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

COUNCIL COMMENTS

A. Councilwoman Charlotte Leonard – No comments.

B. Councilman Julian Martinez – Inquired if there will be larger scale advertisement for Fourth Fest. Mayor O'Connor and the City Manager explained there will be a press release issued soon.

C. Councilwoman Pilar Valle Ron – No comments.

D. Vice Mayor- Greg Langowski – No comments.

E. Mayor JohnPaul O'Connor – Thanked staff and the Fourth Fest Committee for their hard work. He thanked fellow council members for their leadership.

REPORT - STAFF

A. Palm Beach County Fire Rescue - Monthly Report: April

Submitted By: District Chief Phillip Olavarria

For Informational Purposes Only

Mayor O'Connor noted the included staff report. Chief Olavarria commented and briefly reviewed monthly report.

Captain Turner provided a few updates and inquired about Code Enforcement efforts. Mr. Cassel explained that a code enforcement officer is not in place yet. He further inquired about golf carts being street legal. Mayor O'Connor explained that there are minimum requirements that the ordinance outlined.

Further discussion regarding enforcement behind the gate and enforcement by PBSO and a Code officer when in place as traffic control. It was further identified that there needs to be more discussion on the traffic enforcement agreements to identify what PBSO will enforce and will not as some items may be viewed as Code enforcement. Specifically, Captain Turner further explained that outside of the gate, PBSO will absolutely enforce, but further discussion will be needed for behind the gate.

Mayor O'Connor inquired if there could be a chat with the public regarding recent events that have occurred and allow public discussion. Mr. Cassel offered Captain Turner to join in with Coffee with the Manager.

Captain Turner provided an update regarding an incident at Christ Fellowship's job site where copper wire was stolen.

Captain Turner updated Council on the cameras for the south and north end of the city and they should expect those to be up in the next few weeks.

REPORT - CITY ATTORNEY

No comment.

REPORT - CITY MANAGER

Mr. Cassel updated council on Seminole Improvement Districts efforts of floating bonds, specifically regarding the addition of a reuse tank and the building of a facility just south of the lift station.

Mr. Cassel requested Council's approval for an agreement with the major landowner requesting use of the field on Town Center Parkway for the Fourth Fest event and will need approval to allow him and the city attorney to finalize and enter into an agreement allowing use.

City Attorney instructed council that a motion is requested to authorize the City Manager and the City Attorney to negotiate the agreement and authorize the mayor to execute and bring back to council on July 5th for ratification.

Motion by Vice Mayor Langowski, seconded by Councilwoman Valle Ron.

UPON ROLL CALL:

Councilman Martinez	YES
Councilwoman Valle Ron	YES

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

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

Mr. Cassel identified an issue with the HAPPY program regarding an approval that was issued to an applicant that did not meet the first-time home buyer program. The applicants are approaching their closing and it has been determined that they would not be able to close without receiving the HAPPY funding.

Mr. Cassel also explained the mitigation efforts made to ensure no other applicants are in the same situation and have owned a home in the prior three years of applying.

Mr. Cassel explained that staff is seeking a one-time waiver to move forward with the funding.

Council discussion and expressions of concern that this does not set a precedence and create liability to the city.

Further discussion on the program requirements and the process with the developer to secure property and the build.

Mr. Doody inquired on the process of issuing approval. Mr. Cassel explained that a letter of approval is provided when it has been determined an applicant has qualified. Mr. Doody Attorney further explained that it does provide the city to some exposure, as the applicant and the developer has relied on the City's approval. Vice Mayor Langowski expressed his concern in setting a precedence. Mr. Doody explained that a precedence is not created given the existence of the letter of approval and acting upon the affirmative action taken by the City. He continued noting that the sole precedent set is that there is an outstanding letter of approval.

Council agreed to own the error and grant a one-time waiver. Mayor O'Connor called for a Motion granting the one-time waiver.

Mr. Doody requested that the motion reflect the language stating in-light of the fact that the City has issued a letter of approval.

Motion by Councilwoman Leonard, seconded by Councilwoman Valle Ron.

UPON ROLL CALL:

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

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

Mr. Cassel continued with update and provided status of the 30-mph street sign, as they will be installed soon.

Mr. Cassel provided an update regarding the Persimmon and Ilex Intersection. He noted that he has spoken with engineers in efforts to make that a 4-way stop.

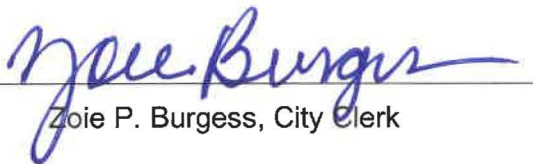
PUBLIC COMMENTS AND REQUESTS

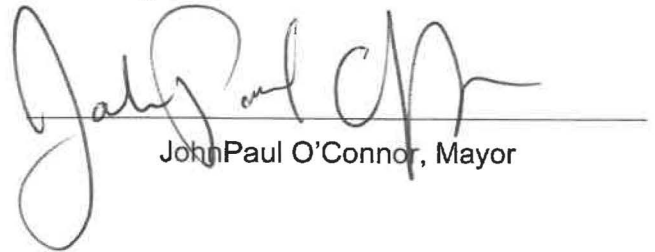
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Mr. John Carter – Minto PBLH, LLC – 16610 Town Center Parkway North – Shared current marketing activity which includes providing future residents under contract access to the Westlake amenities allowing those to enjoy the community. He continued asking council their opinions to include in upcoming email marketing to these future residents an invitation to come enjoy the Fourth Fest Festivities. Council discussion and agreement. Mr. Carter further explained protocols to ensure that current residents maintain full access to amenities.

ADJOURNMENT

There being no further business, Mayor O'Connor adjourned the meeting at 7:38 PM.


Zoie P. Burgess, City Clerk


John Paul O'Connor, Mayor