

CITY OF WESTLAKE



MINUTES

City Council Regular Meeting

Tuesday, December 10, 2024, at 6:00 PM

The Lodge at Westlake Adventure Park
5490 Kingfisher Blvd.
Westlake, Florida 33470

CITY COUNCIL:

JohnPaul O'Connor, Mayor
Greg Langowski, Vice Mayor
Gary Werner, 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, P.E., ENV SP, City Engineer

A regular meeting of the City Council of the City of Westlake was held on Tuesday, December 10, 2024, at 6:00 PM., at The Lodge at Westlake Adventure Park, 5490 Kingfisher Blvd. Members of the public also attended 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: 2869 328 7486
Password: hello
2. Participants also dialed in using phone with the following number:
United States Toll: +1-650-479-3208
Meeting ID: 2869 328 7486

CALL TO ORDER

Mayor O'Connor called the City of Westlake regular meeting hearing of Tuesday, December 10, 2024, to order at 6:00 PM.

ROLL CALL

Present and constituting a quorum:

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

Also present:

Kenneth Cassel, City Manager
Donald J. Doody, Esq., City Attorney
Zoie Burgess, City Clerk
Jennifer Hankins, Deputy City Clerk
Osniel Leon, AICP, Principal Planner
Suzanne Dombrowski, P.E, ENV SP, City Engineer

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.

Mr. Cassel requested to add two items to the agenda under New Business. Item C to secure the lobbyist firm of Lewis Longman & Walker Law.

Mr. Cassel also requested to add Item D as the implementation of the four-way stop at Town Center Parkway and the Cresswind entrance and lane modification at Water's Edge and Seminole Pratt Whitney.

Mayor O'Connor called for a motion to approve the additional Items C & D for New Business.

Motion by Councilman Werner to approve the additional Items C & D to New Business, seconded by Councilman Martinez.

UPON ROLL CALL:

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

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

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

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

UPON ROLL CALL:

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

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

PUBLIC COMMENTS

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, and prior to addressing Council, state your name and address for the record. All public comments will be noted and may receive a response if necessary. Any follow-up will be handled by staff later.

Public Comment – Mr. Bobby Farber - 4829 Saint Armands Way – Mr. Farber discussed lights being out downtown Center Parkway North and thanked Ken for fixing the marquee. He continued to discuss the roundabout and Winn-Dixie with no lights.

Public Comment – Ms. Kim Lanza - 4829 Saint Armands Way – Ms. Lanza thanked all the Council for her appointment to the Art Advisory Board.

Public Comment – Ms. Lisa Johnson – 17856 89th PI N, Loxahatchee – Ms. Johnson stated she wasn't a resident but wanted to share her thoughts about the big box stores she has heard will be coming to Westlake.

Public Comment – Mr. William Derks – 20500 Simone Drive – Mr. Derks commented about the plans for the big box store and traffic. He stated that a traffic study will need to be completed.

Public Comment – Ms. Marcia Hayden - 11180 Cobblefield Road – Mr. Hayden stated she is the president of Alpha Kappa Alpha Sorority and their focus is contributing to numerous programs and volunteer programs of those in need.

PRESENTATIONS/PROCLAMATIONS

A. Presentation of 5k Funds to Golden Grove Elementary

Mayor O'Connor introduced the presentation of the 5K funds to be given to Principal Edgecomb of the Golden Grove Elementary school.

Councilman Martinez presented Principal Linda Edgecomb a check in the amount of \$2,014.02 on behalf of the Golden Grove Elementary School.

B. Florida League of Cities Certificate acknowledgement to Vice Mayor Greg Langowski - Completion of the Institute for Elected Municipal Officials II Program

Mayor O'Connor identified the Institute for Elected Municipal Officials II Certificate acknowledgement to Vice Mayor Greg Langowski sponsored by the Florida League of Cities and read item into record.

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 - 11.01.2024 DRAFT

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

Motion by Councilman Werner to approve the consent agenda consisting of minutes of the Council meeting of 11.01.2024, seconded by Councilwoman Leonard.

UPON ROLL CALL:

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

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

PUBLIC HEARING - QUASI JUDICIAL

A. **RESOLUTION 2024-25** - A Resolution for the Plat of Persimmon Boulevard East – Plat 6

Submitted By: Engineering

RESOLUTION 2024-25

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PLAT OF PERSIMMON BOULEVARD EAST – PLAT 6, BEING A PORTION OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTION 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mayor O'Connor introduced item and asked for Mr. Doody to swear in witnesses.

Mr. Doody swore in all witnesses who would be providing testimony.

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

Mayor O'Connor asked for members to disclose any ex-parte communications. Members stated no. Mayor O'Connor called for presentations.

Applicant presentation, presented by Donaldson Hearing of Cotleur & Hearing on behalf of Minto PBLH LLC. Mr. Hearing presented details on the Persimmon Blvd Phase 6.

Mr. Hearing and the Council continued discussing Resolution 2024-25.

Mayor O'Connor opened for public comments, there being none, Mayor O'Connor called for Council comments.

Mayor O'Connor called for a motion.

Motion by Councilman Martinez to adopt Resolution 2024-25, seconded by Councilman Werner.

UPON ROLL CALL:

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

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

B. RESOLUTION 2024-26 - A Resolution for the Plat of Town Center Parkway North – West

Submitted By: Engineering

RESOLUTION 2024-26

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE PLAT OF TOWN CENTER PARKWAY NORTH – WEST, BEING A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mayor O'Connor introduced item and asked for Mr. Doody to swear in witnesses.

Mr. Doody swore in all witnesses who would be providing testimony.

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

Mayor O'Connor asked for members to disclose any ex-parte communications. Members stated no. Mayor O'Connor called for presentations.

Applicant presentation, presented by Donaldson Hearing of Cotleur & Hearing on behalf of Minto PBLH LLC. Mr. Hearing presented details on the Plat of Town Center Parkway North-West and presented PowerPoint.

Mr. Hearing and the Council continued discussing Resolution 2024-26.

Mayor O'Connor opened for public comments, there being none, Mayor O'Connor called for Council comments.

Mayor O'Connor called for a motion.

Motion by Councilman Werner to approve Resolution 2024-26 as recommended, seconded by Councilwoman Leonard.

UPON ROLL CALL:

Mayor O'Connor	YES
Councilman Werner	YES
Councilman Martinez	YES

Councilwoman Leonard YES
Vice Mayor Langowski YES

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

- C. SPM-2024-04:** The applicant is requesting a Site Plan Modification approval to modify the Grove Market shopping plaza in the Mixed-Use (MU) Zoning District. The applicant is proposing to modify the building façade to accommodate a new 28,594 sq.ft. grocery store (Aldi) and two (2) unspecified future retail tenants occupying 16,905 sq.ft. and 6,646 sq.ft. The new tenants will occupy the previous 52,145 sq.ft. grocery store tenant space (Win Dixie) situated on a 9.98-acre site at the northeast corner of the intersection of Seminole Pratt Whitney Road and Persimmon Boulevard East.

Submitted By: Planning and Zoning

Mayor O'Connor introduced the item and asked Mr. Doody to swear in witnesses.

Mr. Doody swore in all witnesses who would be providing testimony.

Mayor O'Connor asked for members to disclose any ex-parte communications. Mayor O'Connor stated he may have had communication. The remaining Council had no communication.

Mayor O'Connor called for presentations.

Mr. Leon presented staff presentation.

Applicant presentation - Ms. Tracy Clotfelter and Mr. Eric Perriello - 2600 Mailand Blvd, Maitland, Florida.

Condition of Approval:

1. The Applicant shall remove all existing shopping cart corrals from the parking lot prior to the issuance of the Certificate of Occupancy (CO).

Council, Planning & Zoning, and the applicants had an open discussion concerning parking, shopping carts, the plaza, and potential tenants.

Mayor O'Connor opened public hearing for public comments.

Public Comment – Ms. Jackie Campbell- 15938 Key Biscayne Lane – Ms. Campbell stated that Aldi's on Southern no longer uses the quarters for the shopping carts and now the carts are all over the parking lot.

Mayor O'Connor called for Council comments.

There being no further comments, Mayor O'Connor called for a motion.

Motion by Councilman Martinez to approve Site Plan Modification SPM-2024-04 accepting staff's recommendation for conditions, seconded by Councilman Werner.

UPON ROLL CALL:

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

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

- D. MSP-2024-02:** The applicant is requesting a Master Sign Plan modification approval of the Grove Market shopping plaza in the Mixed-Use Zoning District. A new tenant (Aldi grocery store) will occupy the previous tenant space (Win Dixie) and propose a new wall sign. The development is situated on a

9.98-acre site at the northeast corner of the intersection of Seminole Pratt Whitney Road and Persimmon Boulevard East. The subject application includes two (2) waiver requests.

Submitted By: Planning and Zoning

Mayor O'Connor introduced item and asked for Mr. Doody to swear in witnesses.

Mr. Doody swore in all witnesses who would be providing testimony.

Mayor O'Connor asked for members to disclose any ex-parte communications and there were none.

Mayor O'Connor called for presentations.

Planning & Zoning PowerPoint presented by Osniel Leon.

The Council, Planning & Zoning, and the applicants had an open discussion concerning the height of the sign, the wall sign and color of store front background.

Applicant Presentation – Mr. Mark Brenchley – 3790 Beacon Ridge Way – Mr. Brenchley came as a representative of the four LLCs: the owners of the property. Mr. Brenchley is a private planning consultant.

Mr. Brenchley discussed the two waivers.

Waivers:

1. Wall Sign for Principal Tenant: To allow 168.70 sq ft from the maximum allowed of 90 sq ft.
2. Wall Sign for Principal Tenant: To allow 41 7/16 inches letters from the maximum allowed of 36 inches in height.

The Council, Planning & Zoning, and the applicants had an open discussion concerning the Master Sign Plan Modification.

Mayor O'Connor called for Council comments, there being none, Mayor O'Connor called for a motion.

Motion by Councilman Werner to approve MSP-2024-02 as recommended by staff including the two waivers, seconded by Councilwoman Leonard.

UPON ROLL CALL:

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

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

NEW BUSINESS

- A. RESOLUTION 2024-24** - Approving and Authorizing the City Manager to Execute an Engagement Letter with Berger, Toombs, Elam, Gaines & Frank for Auditing Services FY ended September 30, 2024.

Submitted By: Administration/City Clerk's Office

RESOLUTION NO. 2024-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN ENGAGEMENT LETTER WITH BERGER, TOOMBS, ELAM, GAINES, AND FRANK FOR PROFESSIONAL AUDIT SERVICES;

PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced the item. Mayor O'Connor asked for comments from the City Manager Mr. Kenneth Cassel.

Mr. Cassel stated the current auditing firm is proposing for the next year that funds do not exceed \$7,775.

Mayor O'Connor called for a motion.

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

Motion by Councilman Werner to approve Resolution 2024-24, seconded by Councilman Martinez.

UPON ROLL CALL:

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

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

B. Fiscal Year 2023 Audited Financial Report

Submitted By: Finance

Mayor O'Connor introduced the item. Mayor O'Connor asked for comments from the City Manager Mr. Kenneth Cassel.

Mr. Cassel explained that this is the audited financial report which is provided every year by the external auditor. Mr. Cassel explained there was one minor finding regarding the travel expenditures.

Mayor O'Connor called for Council discussions, there being none, Mayor O'Connor called for a motion to accept.

Motion by Councilwoman Leonard to accept Fiscal Year 2023 Audited Financial Report, seconded by Vice Mayor Langowski.

UPON ROLL CALL:

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

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

C. Discussion on Hiring the Lobbyist – Approved Amended Item

Submitted By: City Manager

Mayor O'Connor asked for comments from the City Manager.

Mr. Cassel explained the need for legislative representation to acquire appropriations and the need to have a lobbyist on board to assist, that is in Tallahassee pushing our position on a continuous basis, will help prepare us for the next year.

Mayor O'Connor called for Council discussions.

Mr. Cassel stated the amount was \$48,000.00 and the amount budgeted was \$60,000 or \$70,000.

The Council and Mr. Cassel continued to discuss the item in detail.

Mayor O'Connor called for a motion.

Motion by Councilman Werner to approve the lobbyist firm Lewis, Longman & Walker, seconded by Councilman Martinez.

UPON ROLL CALL:

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

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

D. Implementation of the Four-Way Stop

Submitted By: City Manager

Mayor O'Connor asked for comments from the City Manager.

Mr. Cassel stated he received the report from the traffic engineer stating they had potentially met two of the four warrants for the four-way stop and the appropriation at Town Center Parkway and Cresswind.

Mr. Cassel stated to proceed; Council will need to appropriate funds for work to be done not to exceed \$20,000.00

The Council and Mr. Cassel proceeded with discussion of stop signs, striping for stop bars, signs for stopping ahead, flashing solar power lights, candles for narrowing the lane, legal concerns, and traffic circles.

Mr. Doody cautioned the Council about entertaining similar requests as the city does not own or control any traffic patterns, roadways, streets, or avenues in the city and that there is no traffic study. Mr. Doody respectfully cautioned the Council that stating there is a dangerous condition, is not the right of the mayor and is not the position of the City.

Mayor O'Connor called for a motion.

Motion by Councilman Werner to approve the four-way stops, skip lines, and any other improvements that were presented by staff along with a request to SID for participation of the funds in next year's budget, seconded by Vice Mayor Langowski.

UPON ROLL CALL:

Councilman Werner	YES
Councilman Martinez	YES
Councilwoman Leonard	YES
Vice Mayor Langowski	YES

Mayor O'Connor YES

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

CITY COUNCIL COMMENTS

- A. Councilwoman Charlotte Leonard – Wished everyone a Merry Christmas and a Happy New Year.
- B. Councilman Julian Martinez – Discussed the traffic talk and asked if the Council is willing to consider exploring our Code for distance between large box stores because of potential negative impacts of aesthetics, traffic, and overcrowding in the city. He is looking for consensus between Council members for us to research other municipalities and have study done on the matter. Councilman Martinez continued by stating January 25th is the 5k race and everyone is signing up and he is excited.
- C. Councilman Gary Werner – Reported he attended the National League of Cities (NLC) Conference and there were 4,000 representatives across the country. He also attended the Florida League of Cities (FLC) and enjoyed learning from both. He was appointed to the Education and Training Committee of the Florida League. Councilman Werner wished everyone a Merry Christmas and a Happy New Year.
- D. Vice Mayor Greg Langowski – Discussed the upcoming Education Advisory meeting on January 16th and passed out bullet points and brainstorming that were discussed at the Education Advisory Board meeting in October just to explain what they are doing. Vice Mayor Langowski stated he was elected to the National League of City's Board of Directors to represent.
- E. Mayor JohnPaul O'Connor – Discussed the National League of Cities (NLC) and the Florida League of Cities (FLC) conference. He expressed that the City of Westlake now has a Councilman a member of the National League, the Florida League, and an officer of the Palm Beach County League. He continued, discussing the recent holiday popup market.

REPORT – STAFF

District Chief Adams provided the Palm Beach County Fire Rescue quarterly report.

Lieutenant Sowers of the Palm Beach County Sheriff's Office provided the monthly report.

REPORT - CITY ATTORNEY

Mr. Doody wished all a Happy Holiday.

REPORT - CITY MANAGER

Mr. Cassel discussed with Councilman Martinez more about his comment regarding large box stores and mentioned he would secure someone to do a study for the impacts of that request.

Mr. Cassel discussed the Ride on Demand program.

PUBLIC COMMENTS

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for the record. All public comments will be noted and may receive a response if necessary. Any follow-up will be handled by staff later.

Public Comment – Ms. Jackie Campbell- 15938 Key Biscayne Lane – Ms. Campbell discussed the noise ordinance as it relates to decibels and asked if it can be adjusted. Ms. Campbell mentioned the changing of Council meetings.

Public Comment – Ms. Iris Lopez – 5585 Liberty Lane – Ms. Lopez addressed her concern of having a Walmart in her neighborhood.

Public Comment – Mr. Orlando Echevarria – 5211 Liberty Lane - Mr. Echevarria expressed the pergola he has put up in his home and he must move the easement.

Public Comment – Ms. Annie Rodriguez Tapiero – 5991 Whippoorwill Circle – Ms. Tapiero discussed her confusion and concerns about Walmart.

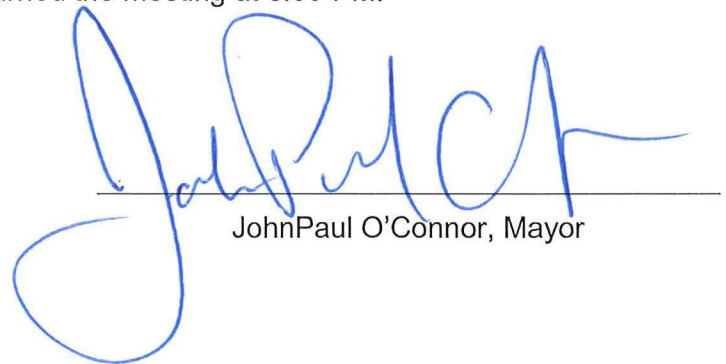
Public Comment – Mr. Bobby Farber - 4829 Saint Armands Way – Mr. Farber discussed the need for transportation and future signage.

Public Comment – Ms. Fae Smith – 16062 Whippoorwill Circle – Ms. Smith expressed her concern with her investment in her home and the land being used for a Walmart.

ADJOURNMENT

There being no further business, Mayor O'Connor adjourned the meeting at 8:09 PM.


Zoie P. Burgess, City Clerk


JohnPaul O'Connor, Mayor