

CITY OF WESTLAKE



MINUTES

City Council Regular Meeting & First Budget Hearing

Tuesday, September 05, 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 and first budget hearing of the City Council of the City of Westlake was held on Tuesday, September 5, 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 748 9736

Password: hello

2. Participants also dialed in using phone with the following number:

United States Toll: +1-408-418-9388

Meeting ID: 2632 748 9736

As a preliminary matter, Ms. Burgess noted that council members are 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 Tuesday September 5, 2023, to order at 6:01 PM.

ROLL CALL

Present and constituting a quorum:

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

Also present:

Kenneth Cassel, City Manager
Donald J. Doody, Esq., City Attorney
Zoie Burgess, City Clerk
Osniel Leon, City Planner

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 requested the addition of a Proclamation acknowledging Suicide Awareness Month for September.

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

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).

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

Motion by Councilwoman Leonard to approve the agenda as amended, 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).

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. Jennifer Bermudez – 16091 Whipoorwill Circle - Discussed her concerns of the item on the agenda that calls for the dissolution of the Education & Youth Advisory Board. As a concerned member of the community,

she feels such action would be a step back for the community. She noted that there was a broad range of representation, diverse perspectives, and a positive impact to the community. She noted that she believes that instead of thinking about a committee that a new board be considered or new committee be created but a solution to make it better.

Mayor O'Connor responded by briefing Ms. Bermudez on why the decision came to be at the last meeting, noting the desire of the Council was to make it more of an Ad Hoc Committee in hopes of allowing them to communicate more freely and get more done.

Ms. Bermudez requested to speak again. Mr. Doody explained that it would be a vote of the Council to allow for extended discussion.

Mayor O'Connor called for a motion.

Motion by Councilman Martinez to allow Ms. Bermudez to speak for more than 3 minutes, seconded by Vice Mayor Langowski.

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).

Ms. Bermudez stated she appreciated the clarification and acknowledges there were various roadblocks as Sunshine Laws restricted conversations.

Alicia Torres – 5847 Whippoorwill Circle – Expressed her discontentment of the July 11, 2023, Council meeting that discussed the Education & Youth Advisory Board, noting that there were too many people in the discussion that were not aware of what the Committee is supposed to be. Ms. Torres continued, noting that Councilmember Leonard was asked her opinion by the mayor, but the Liaison, Ms. Torres explained, is Vice Mayor Langowski that should have responded. Ms. Torres explained that the Council spoke to Ms. Anita Kaplan, but Ms. Liriano is the chair of the committee. Ms. Torres also expressed her concern and that it would mean a step back, acknowledging that as a new city there needs to be more support, and more creativity. Ms. Torres understands the thought of making it an Ad Hoc Committee, but noted there are other community and social groups that do well, but there needs to be communication between the schools, the city and parents. Ms. Torres asked the Council to rethink this item.

Jackie Campbell – Ms. Campbell expressed her concern for children driving golf carts and inquired what enforcements can take place.

City Council and Captain Turner for the Palm Beach Sheriff's Office discussed regulations that are currently in place and enforcement that is being taken.

Ms. Burgess 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 Budget Workshop - 08.01.2023 DRAFT
- B. Minutes_City Council Regular Meeting - 08.01.2023 DRAFT
- C. Monthly Financial Report – July

Motion by Vice Mayor Langowski to approve the Consent Agenda, 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).

PRESENTATIONS/PROCLAMATIONS

- A. Proclamation 2023-04 - Palm Beach State College 90th Anniversary
Mayor O'Connor read and presented the Proclamation to Representatives.
- B. Proclamation 2023-06 - Constitution Week - September 11-22
Mayor O'Connor read Proclamation into the record.
- C. Proclamation 2023-07 - Patriot's Day 2023
Mayor O'Connor read Proclamation into the record.
- D. ADDITION TO AGENDA: Proclamation 2023 – 08 – Suicide Awareness
Mayor O'Connor read Proclamation into the record.

FIRST BUDGET HEARING

- A. RESOLUTION 2023-22 - Adopting a Tentative Millage Rate
Submitted by: Administration

RESOLUTION 2023-22

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE OF _____ FOR THE CITY'S GENERAL OPERATING FUND FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2023, ENDING ON SEPTEMBER 30, 2024;

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

Mayor O'Connor introduced the item. Mr. Doody interjected requesting Council consider the tentative milage rate under separate motion and then incorporate it into the resolution under a separate Motion.

Mayor O'Connor commented regarding his challenge from the last workshop to lower the milage rate, and noted this is the largest millage rate reduction they have ever had and thanked staff for their efforts.

Mr. Doody requested that the City Manager provide additional pertinent information.

Mr. Cassel noted that the millage rate of 5.0 is greater than the roll back rate of 4.1933. Mr. Cassel corrected, noting it is greater than the rollback rate of 4.1993. He continued noting that the TRIM rate is an increase of 19.06% above the roll-back rate.

Mayor O'Connor called for a motion to accept the tentative milage rate.

Motion by Councilwoman Leonard to adopt the tentative milage rate of 5.0 for the 2024 budget, 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).

Mr. Doody read the item, by title only, into the record. Mr. Doody called for a motion to adopt the resolution.

Mayor O'Connor called for a motion to adopt the tentative milage rate.

Mr. Doody asked for council to entertain comments from council and the public.

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

Motion by Councilwoman Valle Ron to adopt Resolution 2023-22, seconded by Councilwoman Leonard.

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)

Mr. Doody stated publicly for the record the tentative millage rate adopted is greater than the rollback rate of 4.1993 by 19.6%. Mr. Doody also stated there will be another public hearing on September 12th, 2023, at 6:00 PM in the Westlake Community Center located at 4005 Seminole Pratt Whitney Road, Westlake, FL 33470.

B. RESOLUTION 2023-23 - Adoption of Tentative Budget for Fiscal Year 2024

Submitted By: Administration

RESOLUTION 2023-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING ON SEPTEMBER 30, 2024; DETERMINING AND FIXING THE AMOUNTS NECESSARY TO CARRY ON THE GOVERNMENT OF THE CITY FOR THE ENSUING YEAR; DETERMINING THE AMOUNT OF APPLICABLE FUNDS ON HAND; ESTIMATING RECEIPTS AND EXPENDITURES FOR ALL FUNDS, EXHIBIT "A"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor O'Connor introduced the item.

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

Mayor O'Connor called for any additional comments from Mr. Cassel.

Mr. Cassel discussed items that were reviewed and helped facilitate trimming of the budget to lower it from 5.1 to 5.0.

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

Motion by Councilwoman Leonard to adopt Resolution 2023-23 adopting a tentative budget for the fiscal year beginning October 1st, ending September 30, 2023, 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)

Ms. Burgess asked the council to lower the microphones for the record.

PUBLIC HEARING - QUASI JUDICIAL

- A. **MSP-2023-05:** Application of Gentile Holloway O'Mahoney & Associates, Inc. for a Site Plan Modification to modify the existing Grove Market at Westlake shopping plaza in the Mixed-Use Zoning District. The subject application modifies outparcel D, located at the southwest corner of the development. The Grove Market is located on the northeast corner of the intersection of Seminole Pratt Whitney Road and Persimmon Boulevard East on a 9.98-acre parcel of land. The subject application is located at 5060 Seminole Pratt Whitney Road, Westlake, Florida, 33470.

Submitted By: Planning and Zoning

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

Mr. Leon discussed a PowerPoint presentation requesting approval for a site plan modification for the existing Grove Market at Westlake Shopping Plaza located in the Mixed-Use Zoning District. Mr. Leon confirmed that staff recommends application for approval with no conditions for approval.

Mayor O'Connor called for applicant presentation.

Mr. George Gentile of Gentile Holloway O'Mahoney & Associates discussed a PowerPoint presentation requesting the site plan modification of the existing Grove Market at Westlake Shopping Plaza proposing a one-story building to allow retail and medical office use.

Council and staff discussed item further.

Mayor O'Connor called for council comments.

Council members and staff discussed signage for the property.

Mayor O'Connor called for council comments. There being no additional comments, Mayor O'Connor called for public comments.

Ms. Burgess noted no public comment cards were received prior to the meeting but noted Ms. Torres raised her hand.

Alicia Torres – 5847 Whipoorwill Circle – Ms. Torres asked council and staff where the street signage for Grove Market would be located, where deliveries would be made and how the rear of the building would be hidden from public view.

Staff discussed the landscaping that will be placed around the building and stated deliveries should not be an issue.

Council and applicant discussed vendors anticipated for the plaza.

Mayor O'Connor called for additional public comments. Ms. Burgess noted there was another comment from a Mr. Williams.

Aaron Williams – Greenspoon Marger, 200 E. Broward Blvd., #1500, Ft. Lauderdale, FL 33301 –

Mr. Williams, a representative for Grove Market, the owner of the plaza. Mr. Williams discussed future plans for a retail space for the plaza. Mr. Williams stated the parking for that project has already been set aside. Mr. Williams discussed parking ratios needed and required for the spaces that will be taken up in the plaza.

Council discussed parking issues that might arise with staff.

Mayor O'Connor called for any additional public comments.

Ms. Burgess noted there were no additional comments.

There being none, Mr. Doody asked Council if they had any ex-parte communication, state it for the record.

Mayor O'Connor stated the owner of the plaza contacted him regarding parking for the plaza. Mayor O'Connor asked staff if the parking was sufficient for everything and any future developments.

Council and staff discussed the parking and space available in the plaza and verified it falls within the guidelines of the ordinance.

Council and staff continued discussing the plaza and parking.

Mr. Doody interrupted council and asked if there were any other members of council that had any ex-parte communication.

Council and staff continued to discuss parking and the plaza.

Mayor O'Connor called for a motion.

Motion by Vice Mayor Langowski to approve MSP 2023-05, seconded by Councilwoman Leonard.

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).

PUBLIC HEARING

- A. FIRST READING - Ordinance 2023-03 - Prohibiting Medical Marijuana Treatment Center Dispensing Facilities

Submitted By: Administration

ORDINANCE 2023-03

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ORDINANCE NO. _____ AS SET FORTH IN THE CITY'S CODE OF ORDINANCES; PROVIDING FOR THE CREATION OF SECTION _____ TO BE ENTITLED "MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES PROHIBITED" ; PROVIDING FOR PURPOSE AND FINDINGS; PROHIBITING MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES WITHIN THE CITY OF WESTLAKE; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced item.

Mr. Doody read Ordinance 2023-03, by title only, into the record.

Mayor O'Connor called Mr. Cassel to discuss item further.

Mr. Cassel discussed item in further detail.

Mayor O'Connor called for council comments.

Council discussed item with staff and city attorney.

Mayor O'Connor called for public comments.

Ms. Burgess noted no public comment cards were received prior to the meeting and gave the virtual audience a moment to raise their virtual hand. Ms. Burgess noted a Mr. Bock had a comment.

Darryl Bock – 15787 Cresswind Place – Mr. Bock stated he was in favor of the ordinance and allow council to come up with restrictions for these types of businesses.

Ms. Burgess noted another comment was received by Ms. Tapiero.

Annie Tapiero – 5991 Whippoorwill Circle – Ms. Tapiero stated she was in favor of this ordinance. Ms. Burgess gave the virtual audience a moment to raise their virtual hand. Ms. Burgess noted there were no additional comments.

Mayor O'Connor called for a motion.

Motion by Vice Mayor Langowski to approve Ordinance 2023-03, 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).

B. FIRST READING - Ordinance 2023-04 - Dissolution of Education and Youth Advisory Board

Submitted By: Administration

ORDINANCE 2023-04

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY REVOKING ORDINANCES NO. 2020-05 AND NO. 2020-10 FOR THE PURPOSE OF DISSOLVING THE EDUCATION AND YOUTH ADVISORY BOARD; PROVIDING FOR THE REVOCATION OF THE APPOINTMENT OF BOARD MEMBERS; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced the item.

Mr. Doody read Ordinance 2023-04, by title only, into the record.

Mayor O'Connor called for Mr. Cassel to discuss the item in further detail.

Council discussed item further.

Mayor called for any members in the public that are part of the Board to come up and comment.

Anita Kaplan – 5459 Santa Rosa Lane – Ms. Kaplan discussed board meetings and her time on the board, a year and the board only met twice. Ms. Kaplan believes the sunshine laws prohibit the board from communicating and moving forward.

Mayor O'Connor called for a motion.

Ms. Burgess stated there were additional public comments.

Darline Winewski – 5948 Buttonbush – Ms. Winewski stated the board was frustrated as guidance was not provided to them on how to properly deal with sunshine. Ms. Winewski stated no other council members supported the goals of the committee or saw what the board was trying to accomplish. Ms. Winewski stated she disagrees with the dissolution of the board and creating a social club where there is no transparency. Ms. Winewski stated her son was the student liaison and never received recognition or even a certificate for his participation with the board.

Mayor O'Connor called for additional public comments.

Pam Manning – The Groves – Ms. Manning stated she had never heard of the Education Board and would have loved to be a member of the board.

Ms. Burgess noted there was another comment from Ms. Bermudez.

Ms. Bermudez stated she is part of a local committee that serves the community. Ms. Bermudez stated the team she is part of has successfully collected school supplies and distributed them to the surrounding schools. Ms. Bermudez wanted the boards to be given another opportunity without the roadblock that had been put in place.

Mayor O'Connor discussed tabling this item to help give a chance to - Mr. Doody interrupted and stated roadblocks are not in place, they are statutes to help protect the board members and the City. Mr. Doody stated the council did not pass these, we simply adhere to them. Mr. Doody clarified the board is an Advisory Board that can make recommendations and the council acts upon the recommendations on behalf of the city, council is not granting the authority to the board to operate on its own.

Gaston Rubio – The Groves – Mr. Gaston asked what the function of the board is. Mr. Gaston stated if the people understood what the purpose of the board is they can properly defend their existence.

Mayor O'Connor discussed the purpose of the board.

Councilman Leonard asked to be able to read the mission of the board to clear any confusion.

Council discussed item in further detail.

Vice Mayor Langowski called for the item to be tabled for a future date. Mr. Doody asked for a second. Councilwoman Leonard stated yes.

Mr. Doody asked when council wanted the item to come back. Vice Mayor Langowski asked for time to discuss the item with city administration and bring it back in November.

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).

- C. FIRST READING - Ordinance 2023-05 - Qualifying & Municipal Election Date Change for March 2024 Election

Submitted By: Administration

ORDINANCE 2023-05

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING QUALIFYING DATES FOR THE MARCH 2024 GENERAL MUNICIPAL ELECTIONS, IN ACCORDANCE WITH THE DIRECTION OF THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR A CHANGE IN DATE OF THE CITY'S MARCH 2024 GENERAL MUNICIPAL ELECTION; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor O'Connor introduced the item.

Mr. Doody read Ordinance 2023-05, by title only, into the record.

Mayor O'Connor called for Mr. Cassel to discuss item in further detail.

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

Ms. Burgess 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 called for a motion.

Motion by Vice Mayor Langowski to ordinance 2023-05, 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).

- D. FIRST READING - Ordinance 2023-06 - Amending Ordinance 2020-11 and 2022-07 Regulating the Operation of Golf Carts

Submitted by: Administration

ORDINANCE 2023-06

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY SPECIFICALLY AMENDING ORDINANCE NO. 2020-11 AND 2022-07 REGULATING THE OPERATION OF GOLF CARTS WITHIN THE CITY LIMITS; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced the item.

Mr. Doody read Ordinance 2023-06, by title only, into the record.

Mayor O'Connor called for Mr. Cassel to discuss item in further detail.

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

Ms. Burgess 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 called for a motion.

Motion by Councilwoman Valle Ron to approve ordinance 2023-06, seconded by Councilman Martinez.

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).

- E. 2023 Solid Waste Annual Assessment

Submitted By: Administration

RESOLUTION 2023-25

A RESOLUTION OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES, IN THE CITY OF WESTLAKE, FLORIDA; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE SERVICES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2023; IMPOSING A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WESTLAKE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced the item.

Mr. Doody read Resolution 2023-25, by title only, into the record.

Mayor O'Connor called for Mr. Cassel to discuss item in further detail.

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

Alicia Torres – 5847 Whippoorwill Circle – Ms. Torres stated she thought the charges were incorporated into the current taxes.

Mr. Cassel stated that is what this assessment does and puts it in a TRIM notice to add to the taxes.

Ms. Burgess 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 called for a motion.

Motion by Vice Mayor Langowski to approve Resolution 2023-25, 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. RESOLUTION 2023-24 - First Amendment to Non-Exclusive Use Agreement

Submitted By: Administration

RESOLUTION NO. 2023-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE FIRST AMENDMENT TO THE NON-EXCLUSIVE PERMISSIVE USE AGREEMENT BETWEEN THE WESTLAKE RESIDENCES MASTER HOMEOWNERS ASSOCIATION, INC. AND THE CITY OF WESTLAKE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Connor introduced the item.

Mr. Doody read Resolution 2023-24, by title only, into the record.

Mayor O'Connor called for Mr. Cassel to discuss the item in further detail.

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

Tara Duhy with Lewis, Longman and Walker on behalf of Minto PBLH, LLC – Ms. Duhy, on behalf of Minto PBLH further discussed the amendment that was made to the agreement.

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

Motion by Councilwoman Valle Ron to approve Resolution 2023-24, seconded by Vice Mayor Langowski.

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).

B. Fiscal Year 2022 Audited Financial Report

Submitted By: Administration

Mayor O'Connor introduced the item.

Mayor O'Connor called for Mr. Cassel to discuss the item in further detail. Mr. Cassel with council.

Mayor O'Connor called for motion.

Motion by Councilwoman Leonard to accept the FY 2022 audited financial report, seconded by Vice Mayor Langowski.

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).

C. Seminole Improvement District Reclaimed Water Tank Expansion

Submitted By: Administration

Mayor O'Connor introduced the item.

Mayor O'Connor called for Mr. Cassel to discuss the item in further detail. Mr. Cassel stated Allen Hendricks with Caulfield & Wheeler and Haze Templeton discussed item in further detail.

Mr. Hendricks discussed a presentation for the item.

Council further discussed item with Mr. Cassel.

Mayor O'Connor called for any council comments. There being none, Mayor O'Connor called for the next item.

Mr. Cassel interrupted and clarified this item needs to be approved first.

Mayor O'Connor called for a motion.

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).

Mr. Doody stated he has been advised there is a condition for approval. Mr. Cassel stated there was a condition to have landscaping installed at the time of the park build.

Vice Mayor Langowski amended his motion, seconded by Councilwoman Valle Ron.

Mr. Doody requested the motion include the condition. Vice Mayor Langowski stated with the conditions.

Motion by Vice Mayor Langowski to approve item with the conditions, 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).

D. Seminole Improvement District Office Facilities

Submitted By: Administration

Mayor O'Connor introduced the item.

Mr. Hendricks stated this item also has conditions for approval. Applicant and council discussed conditions and item in further detail. Condition for listed for item was, if there are ever residents move to the west of the facility, they will add in additional buffers about 100 to 150 feet on west side of parcel. Mayor O'Connor asked what the exact language was for the item, 150 or 100 feet. Mr. Cassel stated it was required to install a landscape buffer modification prior to building residential on the west side of the parcel.

Mr. Hendricks discussed PowerPoint presentation for the Seminole Improvement District Office.

Council and staff continued discussion on buffers and site plan.

Mayor O'Connor called for a motion to approve item with conditions.

Motion by Councilman Martinez to approve Seminole Improvement District Reclaimed Water Tank Expansion.

Correction by Councilman Martinez to approve Seminole Improvement District Office Facilities with staff conditions, seconded by Councilwoman Valle Ron.

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).

CITY COUNCIL COMMENTS

A. Councilwoman Charlotte Leonard – Councilwoman Leonard notified council of the Black Chamber's request to come out and have a listening tour with the residents of the City of Westlake on either October 10 or 11. Councilwoman Leonard stated they would like to use the chamber or the Adventure Lodge. Councilwoman Leonard asked if council would approve and or willing to pay for the lodge to use on the date of the event.

Council discussed the use of the lodge for the event. It was decided that the meeting would be held at the current Council Chamber

B. Councilman Julian Martinez - Councilman Martinez asked if there was a cut off on length of meetings.

Mr. Doody stated there was no time limit.

C. Councilwoman Pilar Valle Ron – Councilwoman Valle Ron stated she was happy with the meeting and happy the Education and Youth Advisory Board was no longer being dissolved.

D. Vice Mayor Greg Langowski – Vice Mayor Langowski brought up two Proclamations for the upcoming meeting, Hunger Action Month and Hispanic Heritage Month. Vice Mayor Langowski asked for a consensus from the Council.

Council was in favor of the proclamations being presented at the next meeting.

E. Mayor JohnPaul O'Connor – Mayor O'Connor asked for staff to review surrounding cities Education Boards and see how they are structured. Mayor O'Connor also asked to impose an unexcused absence rule where after two meetings have been missed, they are to be replaced.

REPORT – STAFF

No reports.

REPORT - CITY ATTORNEY

No comments.

REPORT - CITY MANAGER

No comments.

PUBLIC COMMENTS AND REQUESTS

Anita Kaplan – 5459 Santa Rosa Lane – Ms. Kaplan stated there were some good suggestions to help the Education Board succeed.

Jackie Campbell – Ms. Campbell inquired as to why the City is being charged to use the lodge.

Mayor O'Connor explained to Ms. Campbell that the lodge is not owned by the city.

Mayor O'Connor called for additional public comments.

Ms. Ramirez noted there was a request to comment from Annie Rodriguez.

Annie Rodriguez – 5591 Whippoorwill Circle – Ms. Rodriguez is happy the elimination of the Education Board has been tabled and is hoping the board's commitment can be revised. Ms. Rodriguez also stated she would like to meet with the City Manager.

Mayor O'Connor gave the virtual audience a moment to comment, there being none, Mayor O'Connor moved to next item.

ADJOURNMENT

There being no further business, Mayor O'Connor adjourned the meeting at 8:43 PM.


Zoie P. Burgess, City Clerk


JohnPaul O'Connor, Mayor