CITY OF WESTLAKE



MINUTES

City Council Regular Meeting Monday, July 12, 2021 at 6:30 PM

Westlake Council Chambers 4005 Seminole Pratt Whitney Road Westlake, Florida 33470

In efforts to balance the need for the City of Westlake to function and conduct business during the COVID-19 pandemic, this meeting adhered 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. Limited seating was available in the Council Chambers and was required for inperson 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 <u>zburgess@westlakegov.com</u> or by phone at 561-530-5880 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 participated in the meeting through electronic means and may access as

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 also dialed in using the 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
JohnPaul O'Connor, Vice Mayor
Patric Paul, Council Member – Seat 1
Kara Crump, Council Member – Seat 2
Katrina Long Robinson, Council Member – Seat 4

CITY STAFF:

Ken Cassel, City Manager Zoie P. Burgess, City Clerk Donald J. Doody, Esq., Interim City Attorney A Regular meeting of the City Council of the City of Westlake was held on Monday, July 12, 2021 at 6:30 PM., at the Westlake Community Center, 4005 Seminole Pratt Whitney Road.

As a preliminary matter, Ms. Burgess noted that Councilman Patric Paul, Vice Mayor JohnPaul O'Connor, Mayor Roger Manning, Councilwoman Katrina Long-Robinson, Councilwoman Kara Crump, are present physically.

Ms. Burgess noted that City Manager Kenneth Cassel, Interim City Attorney Donald J. Doody, Planning & Zoning Director, Nilsa Zacarias, City Engineer Suzanne Dombrowski City Clerk Zoie Burgess and Deputy City Clerk Jomekeyia McNeil were present physically.

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 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 Manning called the City of Westlake Regular City Council meeting of July 12, 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 Donald J. Doody, Interim City Attorney Zoie P. Burgess, CMC, City Clerk Suzanne Dombrowski, City Engineer Nilsa Zacarias, Planning & Zoning Director

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. June 14, 2021 Regular City Council Meeting Minutes DRAFT
- B. Approval Finance Statement
 - 1. Financial Report May 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

A. Legislative Update

Presented By: Senator Bobby Powell

Mayor Manning introduced Senator Bobby Powell Jr.

Senator Bobby Powell, Jr. presented a PowerPoint presentation A View From Tallahassee. He mentioned his Leadership Roles, Legislative Process, Senator Powell's Committee Assignments, Major Session Issues, Senator Powell's Legislation, 2021 Budget Highlights, and Staff of Senate District 30.

PUBLIC HEARING - FIRST READING

A. FIRST READING: ORDINANCE 2021-08 – Establishing Qualifying Dates for the March 2022 Municipal Election

Submitted By: City Clerk

ORDINANCE 2021-08

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING QUALIFYING DATES FOR THE MARCH 2022 GENERAL MUNICIPAL ELECTIONS, IN ACCORDANCE WITH THE DIRECTION OF THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning introduced item, Ordinance 2021-08 Establishing Qualifying Date for the March 2022 Municipal Election

Ms. Burgess read into record, by title only, Ordinance 2021-08.

Mayor Manning opened the floor for discussion.

Mr. Doody explained the reason for the Ordinance.

Mayor Manning inquired of 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.

Mayor Manning noted there were no comments from Council.

Motion by Councilwoman Crump to adopt Ordinance 2021-08, seconded by Councilwoman Long-Robinson.

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).

PUBLIC HEARING - SECOND READING

A. SECOND READING: Ordinance 2021-01 - Chapter 23 Nuisances, Code of Ordinances, "Noise Ordinance"

Submitted By: Planning & Zoning

ORDINANCE 2021-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA TO INCLUDE A CHAPTER TO BE KNOWN AS "NUISANCE" AND ARTICLE TO BE KNOWN AS "NOISE"; PROVIDING FOR DEFINITIONS; PROVIDING FOR NOISE RESTRICTIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR REPEAL OF CONFLICTING LAWS; PROVIDING FOR SEVERABILITY OF INVALID PROVISIONS; PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item.

Ms. Burgess read into record, by title only, Ordinance 2021-01, noting second reading and approval on first reading June 14, 2021.

Mayor Manning inquired of 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.

Mayor Manning inquired of Council comments.

Councilman Paul inquired at what point will decibel levels be measured from the amphitheater.

Mr. Cassel said that those projections were done during the original sound study that approved the Amenity Center and its exemption from the noise levels.

Ms. Zacarias read Table 1. Allowable Exterior Sound Levels per Sound Zone (Sound Standards) and Table 2. Allowable Exterior Sound Levels per Sound Zone for Outdoor Venues Approved With Extended Hours(Sound Standards) and referenced Section 17: Enforcement program Section B.

Mr. Cassel clarified the distance for measuring decibel levels.

Mayor Manning inquired of Council questions.

Motion by Vice Mayor O'Connor to approve Ordinance 2021-01 on Second Reading, seconded by Councilwoman Long-Robinson.

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. SECOND READING: Ordinance 2021-02 Amending Ordinance 2017-7 to authorize a Residential Solid Waste Services Special Assessment

Submitted By: Administration

ORDINANCE 2021-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, TO AMEND ORDINANCE 2017-7 "SOLID WASTE COLLECTION" TO AUTHORIZE AND PROVIDE FOR THE LEVY AND COLLECTION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT RELATED TO THOSE SERVICES WITHIN CITY OF WESTLAKE; AMENDING DEFINITIONS IN ORDINANCE 2017-7 AND PROVIDING FOR ADDITIONAL DEFINITIONS AND FINDINGS RELATING TO THE SPECIAL ASSESSMENT; CREATING A NEW SECTION 10A TO ORDINANCE 2017-7, ENTITLED "RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT." AND SUBSECTIONS 10A-1 THROUGH 10A-19, AUTHORIZING THE IMPOSITION

AND COLLECTION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL AND FOR CORRECTING ERRORS AND OMISSIONS; PROVIDING THAT RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL; ESTABLISHING PROCEDURES AND METHODS FOR THE COLLECTION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENTS; ESTABLISHING THE PRIORITY OF THE LIEN OVER PRIOR RECORDED LIENS OR MORTGAGES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item.

Ms. Burgess read into record, by title only, Ordinance 2021-02, noting second reading and approval on first reading June 14, 2021.

Mayor Manning inquired of 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.

Mayor Manning inquired of Council comments.

Vice Mayor O'Connor asked Mr. Cassel to explain the reason for ordinance and if it is the final step to ensure direct billing.

Mr. Cassel provided further explanation of the Ordinance and how the assessment will be administered.

Mr. Doody advised that a resolution will accompany this ordinance that sets the implementation of the assessments; the ordinance creates the basis in which the City imposes the assessment.

Mayor Manning opened the floor for discussion.

Mr. Doody noted that the only change between first and second reading to ensure that are imposed on closed properties.

Motion by Vice Mayor O'Connor to adopt Ordinance 2021-02, seconded by Councilwoman Long-Robinson.

UPON ROLL CALL:

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

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

C. SECOND READING: Ordinance 2021-03 - Chapter 3 Additional Medical Uses as Permitted in the Mixed-Use Zoning District

Submitted By: Planning & Zoning

ORDINANCE 2021-03

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING CHAPTER THREE ENTITLED "ZONING DISTRICTS AND STANDARDS", TO INCLUDE PROVISIONS FOR ADDITIONAL MEDICAL USES AS PERMITTED USES WITHIN THE MIXED USE ZONING DISTRICT; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item.

Ms. Burgess read into record, by title only, Ordinance 2021-03, noting second reading and approval on first reading June 14, 2021. Mayor Manning inquired of 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.

Councilman Paul inquired if the Emergency Center verified what will be placed on the property.

Mr. Cassel responded no. He said that a letter will be sent to find out the intentions and he said what can be placed in the mixed use area.

Mayor Manning inquired of Council Comments.

Motion by Councilman Paul to approve Ordinance 2021-03, seconded by Councilwoman Crump.

UPON ROLL CALL:

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

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

D. SECOND READING: Ordinance 2021-04 – Chapter 5 Subdivision and Site Development Standards, Land Development Regulations

Submitted By: Engineering

ORDINANCE NO. 2021-04

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MANDATORY LAND DEVELOPMENT REGULATIONS WITHIN THE CITY OF WESTLAKE WHICH SHALL BE ENTITLED "LAND DEVELOPMENT REGULATIONS"; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SUBDIVISON AND SITE DEVELOPMENT STANDARDS; PROVIDING FOR WAIVERS AND EXEMPTIONS; PROVIDING FOR CITY COUNCIL APPROVAL; PROVIDING FOR SITE DEVELOPMENT PERMITS; PROVIDING FOR REQUIRED IMPROVEMENTS; PROVIDING FOR DRIVEWAY AND ACCESS REQUIREMENTS; PROVIDING FOR MINIMUM DESIGN STANDARDS FOR LOCAL ROADS; PROVIDING FOR TIME OF COMPLETION OF REQUIRED IMPROVEMENTS; PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item.

Ms. Burgess read into record, by title only, Ordinance 2021-04, noting second reading and approval on first reading June 14, 2021. Mayor Manning asked Ms. Dombrowski to clarify outline in the staff report.

Ms. Dombrowski, City Engineer read the changes and provisions in the staff report and explained the reason for the changes. She mentioned the discussions had with staff regarding the road standard graphics to be placed in a separate book and mentioned that a proposed document will come before Council.

Mayor Manning confirmed that the City Manager and City Attorney approve of item and called for any additional questions or comments.

Mayor Manning called for a Motion.

Ms. Burgess advised that the request for public comments need to be made.

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.

Motion by Councilwoman Crump to adopt Ordinance 2021-04, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

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

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

E. **SECOND READING**: Ordinance 2021-05 Amending Ordinance No. 2019-12 and Chapter 1 of the City's Code of Ordinances by Clarifying the Duties, Responsibilities and Composition of the Planning and Zoning Board

Submitted By: Administration

ORDINANCE 2021-05

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ORDINANCE NO. 2019-12, ADOPTED OCTOBER 28, 2019; AMENDING CHAPTER 1 OF THE CITY'S CODE OF ORDINANCES BY CLARIFYING THE DUTIES, RESPONSIBILITIES AND COMPOSITION OF THE PLANNING AND ZONING BOARD; REPEALING ORDINANCE NO. 2016-3; REPEALING ORDINANCE NO. 2020-09, ADOPTED SEPTEMBER 14, 2020; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced item.

Ms. Burgess read into record, by title only, Ordinance 2021-05, noting second reading and approval on first reading June 14, 2021.

Mayor Manning inquired of 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.

Mayor Manning inquired of Administration comments.

Mr. Cassel responded no; this cleans and clarifies it.

Mayor Manning inquired of Council comments.

Motion by Councilwoman Crump to adopt 2021-05, seconded by Councilwoman Long-Robinson.

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 HEARING – QUASI JUDICIAL

A. A Resolution for the FPU Temp Gas Time Extension

Submitted By: Planning & Zoning

RESOLUTION 2021-13

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING A SEVENTH (7TH) TIME EXTENSION FOR A SPECIAL PERMIT APPLICATION OF A TEMPORARY GAS UTILITY, WITHIN POD F OF WESTLAKE TTD. FLORIDA PUBLIC UTILITIES COMPANY (FPU) IS REQUESTING A SIXTH (6) MONTH TIME EXTENSION TO DECEMBER 31, 2021, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item.

Ms. Burgess advised that this item requires disclosure of any Ex-Parte communications.

Ms. Burgess read into record, by title only, Resolution 2021-13.

Ms. Burgess swore in all participants that will be speaking on this item.

Ms. Zacarias presented a PowerPoint presentation of Florida Public Utilities (FPU) Seventh Time Extension Temporary Gas Facility. She advised that this is a six (6) month extension to December 31, 2021. She advised that once the construction of the permanent gas lines start the approximate timeline to complete the project is four (4) months. She said that staff is recommending FPU to submit written progress reports every three (3) months.

Doug Moreland, Manager of Gas Operations for Florida Public Utilities explained the reason for the extension and the completion date. He mentioned that construction will start on the South end on State Road A.

Mayor Manning inquired of 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.

<u>Alicia Torres 5847 Whippoorwill Circle</u> – Ms. Torres commented that permitting has been an issue and asked for clarification on the timeframe of completion. She asked if there will be any traffic disruptions during the construction.

Mr. Moreland responded twelve (12) to sixteen (16) weeks and said the goal is December 31st. He said that there should be few disruptions in Westlake.

Mayor Manning inquired of Council comments.

Vice Mayor O'Connor commented how realistic is the six (6) months as this is the seventh (7th) extension. He inquired if FPU will come before Council again in another six (6) months.

Mr. Moreland said that the goal is to complete the project and coming before Council again is not the goal. He commented he knows that this has been a long time, and this is realistic as FPU has the permits in place except for the last one.

Vice Mayor O'Connor requested Mr. Cassel to copy him on the two (2) progress reports.

Mr. Cassel advised that the reports have been summarized in the City Manager reports.

Vice Mayor O'Connor requested to receive detailed updates and suggested to have reports submitted bi-monthly along with more communication.

Mr. Moreland commented that FPU will be happy to finish the project and provide bi-monthly reports.

Mayor Manning inquired who will issue the last permit.

Mr. Cassel responded Seminole Improvement District (SID).

Mr. Cassel noted that SID is working through it and talking with the contractors. He advised that the final details are being worked out through Legal; this will happen in six (6) months.

Councilman Paul inquired if the containers are safe.

Mr. Moreland responded the containers are safe and are being monitored by satellite.

Council questions on safety, location of facilities and final structure.

Mr. Moreland responded to Council questions.

Mayor Manning inquired of comments.

Motion by Councilwoman Long-Robinson to approve Resolution 2021-13 including the provision to require a bi-monthly reports, seconded by Councilwoman Crump.

UPON ROLL CALL:

Vice Manor O'Connor YES, with the report to Council as well.

Mr. Cassel commented that the report will be forwarded to Council.

Mayor Manning YES
Councilwoman Long-Robinson YES
Councilwoman Crump YES
Councilman Paul YES

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

B. A Resolution for the Fitness Trail Site Plan

Submitted By: Planning & Zoning

RESOLUTION 2021-18

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE SITE PLAN FOR AN APPROXIMATELY 39 ACRES WELLNESS AND FITNESS TRAIL LOCATED AT 16302 GREEN LANE-POD I IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item.

Ms. Burgess advised that this item requires disclosure of any Ex-Parte communications.

Ms. Burgess read into record, by title only, Resolution 2021-18.

Ms. Burgess swore in all participants that will be speaking on this item.

Ms. Zacarias presented a PowerPoint presentation for the Wellness & Fitness Trail. She noted that the Palm Beach Sheriff's Office (PBSO) was contacted by the City Manager and there is no objection to the proposed improvements and advised that staff recommends.

Donaldson Hearing of Cotleur & Hearing on behalf of applicant Minto PBLH, LLC., presented a PowerPoint "Westlake" Wellness & Fitness Trail. He noted the area where the Fitness Trail will be located, the multi-modal pathway access points and access times. He advised that Phase II of the Adventure Park will be before Council on the August 9th agenda for approval.

Councilwoman Crump inquired as to who is responsible for maintaining the park.

Mr. Hearing confirmed SID's responsibility.

Vice Mayor O'Connor inquired on the start date.

Tara Duhy of Lewis, Longman and Walker, P.A. on behalf Minto PBLH, LLC., advised that the applicant is ready to go.

Further Council discussion on access permissions.

Mr. Doody inquired if there is anything in place that the City can rely upon that this will remain a park for any given period.

Mr. Cassel responded that this is SID's property and SID is building the facility. SID can put something out for the City, but SID's intent is always and has been in SID's Charter to provide parks etc. for the public; it can be put in the operation.

Mr. Doody advised that in terms of the approval the City should have some understanding that this will not be converted in five (5) years for some other use.

Seth Behn Lewis, Longman & Walker, P.A. District Counsel for SID advised that this a SID lake water management track and noted the reason for the secondary use.

Mr. Doody inquired if the park will be maintained for a certain amount of time.

Mr. Behn responded yes; SID has management responsibility and powers.

Mr. Doody inquired if rules and policies can be implemented by SID regulating the use of the park.

Mr. Behn confirmed that there would be and further explained that it is a public park under SID's responsibility.

Vice Mayor O'Connor asked if not used for a park will it remain a green easement.

Mr. Cassel advised that this area would be a lake or multi-modal path.

Council discussion on size of path and uses if not used as a park.

Mr. Doody said that he just wants to make it clear for the record that even though Council will be approving the item that this is SID's responsibility.

Mayor Manning inquired on 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.

<u>Alicia Torres 5847 Whippoorwill Circle</u>- Ms. Torres asked Mr. Hearing to speak to the resident verses' nonresident access to the trail. She inquired if Mr. Hearing is stating that it will be accessible to everybody during daylight.

Mr. Hearing responded yes.

Mr. Cassel confirmed that it will be accessible from dusk to dawn as it is owned and operated by a public entity. He explained that it can be accessed for emergency purposes after hours for emergency personal.

Motion by Councilwoman Crump to adopt Resolution 2021-18, seconded by Vice Mayor O'Connor.

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).

C. A Resolution for the Pod H Master Sign Plan

Submitted By: Planning & Zoning

RESOLUTION 2021-19

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER SIGN PLAN FOR THE WESTLAKE LANDINGS, COMMERCIAL PLAZA, LOCATED AT 16860 PERSIMMON BOULEVARD WEST ON APPROXIMATELY 50.826 ACRES, PURSUANT TO CHAPTER 6, OF THE SIGN CODE, MINTO PBHL LLC IS REQUESTING A MASTER SIGN PLAN APPROVAL FOR GROUND AND DIRECTIONAL SIGNAGE AND FOUR WAIVERS OF CODE PROVISIONS, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION: AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item.

Ms. Burgess advised that this item requires disclosure of any Ex-Parte communications.

Ms. Burgess read into record, by title only, Resolution 2021-19.

Ms. Burgess swore in all participants that will be speaking on this item.

Ms. Zacarias presented a PowerPoint presentation Pod H "Westlake Landings" Master Sign Plan. She noted that Westlake Landings was presented before the Council in June. She mentioned the total site acres of 50.826 and the waivers being requested.

Councilman Paul inquired on the signage heights for Publix.

Ms. Zacarias responded fourteen feet (14').

Mr. Cassel noted the sign location for Publix and Landings. He said that there will be consistency in this area for signage.

Mr. Doody requested for Mr. Cassel to be sworn in.

Ms. Burgess swore in Mr. Cassel to speak on this item.

Ms. Zacarias continued with the presentation and noted that only one ground sign per building is authorized.

Councilman Paul inquired on the height of the signs compared to the number of tenants.

Ms. Zacarias advised that the Code states eight (8') feet and there are six (6) tenants. The applicant wants to show more tenants; this is the reason for the increase in height.

Councilman Paul said that the Code would need to be amended.

Mr. Cassel said that staff can take a look at the Code to bring back as an adjustment to the sign code to tie in the number of tenants to the overall height without having to come back for waivers.

Ms. Duhy noted the purpose of the master sign plan and waivers. She mentioned what is looked at from a developer's perspective and said that the developer is happy with the sign plan.

Ms. Zacarias commented that every sign cannot be considered a master sign plan and there are conditions for a master sign plan.

Councilwoman Crump inquired if signage will be on the buildings.

Mr. Hearing responded there will be.

Mr. Hearing presented a PowerPoint presentation Pod H – "Westlake Landings" Master Sign Program. He advised that Minto is the master developer of the parcel and noted the benefits of the master sign plan. He mentioned the separate petition for the Self-Storage applicant. He advised that Minto is dictating to the developers the signs that can be used to ensure that signage is consistent.

Vice Mayor O'Connor inquired on the lighting of signs and signage on the buildings.

Mr. Hearing noted the use of LED lights with no special colors. He advised that tenants can have their own logo or national trademark logos.

Council discussions on the master signage.

Mr. Cassel identified the flexibility of the Code with the master sign plan. He advised that anyone that comes in without a master plan has to meet the Code criteria that has been set.

Mayor Manning inquired of 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.

<u>Alicia Torres 5847 Whippoorwill Circle-</u> Ms. Torres asked if there are enough empty storefronts that there are empty tenant openings in the big name sign and who maintains those empty spots.

He advised that the Master Property Owner Association (POA) for Westlake Landings will be responsible for managing and maintaining the signs.

Motion by Vice Mayor O'Connor to adopt Resolution 2021-19, seconded by Councilwoman Long-Robinson.

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).

D. A Resolution for the Self-Storage – Master Sign Plan

Submitted By: Planning & Zoning

RESOLUTION 2021-20

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE MASTER SIGN PLAN FOR A SELF SERVICE STORAGE FACILITY LOCATED IN THE WESTLAKE LANDINGS PLAZA ON POD H – PARCEL E AT 4701 SEMINOLE PRATT WHITNEY ROAD ON APPROXIMATELY 5.75 ACRES, PURSUANT TO CHAPTER 6, OF THE SIGN CODE; APPROVING WALL IDENTIFICATION SIGNS, WINDOW AND DOOR SIGNS, GROUND POST DIRECTORY SIGN AND APPROVING ONE WAIVER OF CODE PROVISIONS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

Due to a client conflict, the Interim City Counsel, Mr. Doody, recused himself and stepped down from dais. Attorney Pamala Ryan sat in for the Agenda item.

Mayor Manning introduced the item.

Ms. Burgess advised that this item requires disclosure of any Ex-Parte communications.

Ms. Burgess swore in all participants that will be speaking on this item.

Ms. Burgess read into record, by title only, Resolution 2021-20.

Ms. Zacarias presented a PowerPoint presentation Pod H Self Storage Master Sign Plan. She noted that the Site Plan Review was approved by Council at the June meeting; the signage was part of the approval. She advised that the applicant is requesting approval with one waiver; she noted the location of signage and explained the reason for the waiver.

Mr. Hearing on behalf of Pinnacle Self Storage noted Chris Perry, Owner/Developer of Pinnacle Self Storage attended the June Council meeting. He presented a PowerPoint presentation Pod H "Westlake Landings" Parcel F – Self Service Storage Master Sign Program. He noted the location of the signage, access points and how signage will be identified.

Vice Mayor O'Connor inquired on the lighting for signage facing Seminole Pratt Whitney Road.

Mr. Hearing noted that it would be push through copy lighting.

Mayor Manning inquired on Council comments.

Mr. Cassel commented that when Fire Rescue reviews they will require some kind of identification on all the other buildings; the fact that the developer has placed this in the master sign plan will help with Fire Rescue response time.

Mayor Manning inquired of 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.

Motion by Vice Mayor O'Connor to approve Resolution 2021-20 to also include the waiver, seconded by Councilwoman Long-Robinson.

UPON ROLL CALL:

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

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

PUBLIC HEARING

A. Resolution 2021-22 Establishing the Estimated Rate for the Residential Solid Waste Services

Submitted By: Administration

RESOLUTION 2021-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE SERVICES IN THE CITY OF WESTLAKE, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; DIRECTING THE PREPARATION OF A RESIDENTIAL SOLID WASTE SERVICES SPECIAL ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

Mayor Manning introduced the item.

Ms. Burgess noted Interim City Counsel Mr. Doody returned to the dais.

Ms. Burgess read into record, by title only, Resolution 2021-22.

Mr. Cassel said this is the final piece to put the assessment on the roll and collect the fee in the tax roll. He mentioned that the proposed rate is \$280.60 per year; it is currently \$252.24 he believes per year. He noted the difference in change and advised that he does not have the estimated cost of what the

increase maybe. He advised that by setting the rate \$280.60 the City may be able to hold that assessment flat for a couple of years until the other assessment comes up until it increases.

Councilman Paul inquired if a refrigerator is considered solid waste.

Mr. Cassel responded that this is called white goods and noted that there is a provision for white goods and bulks goods.

Councilman Paul inquired where can residents find this information.

Mr. Cassel responded he believes it is on the website and will make sure that the website is updated.

Vice Mayor O'Connor inquired on the contract renewal and the actual cost of services.

Mr. Cassel responded that the contract is coming up for renewal in 2 to 3 years. He said that the incremental increase has not been received for this year. He advised that he is expecting an increase of 2% to 3% which is allowed by the contract.

Further Council discussion on contract and fees.

Mayor Manning inquired of Council comments

Mr. Doody clarified for the record that this is the initial assessment resolution. He advised that the intent is to show that a notice will be published by August 24th this year providing for a Special Council Meeting on September 13th at 6:30 PM for Council consideration on the matter and provides for mailing to the residents.

Vice Mayor O'Connor inquired if the real figures will be available by September 13th.

Mr. Cassel responded he should have them.

Mayor Manning inquired of 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.

Councilwoman Long-Robinson made a recommendation for this to be updated on the website for the constituents.

Motion by Councilwoman Long-Robinson to approve Resolution 2021-22, seconded by Councilwoman Crump.

UPON ROLL CALL:

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

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

NEW BUSINESS

A. Second addendum to professional services agreement between City of Westlake and NZ Consultants

Submitted By: Administration

Mayor Manning introduced the item.

Mr. Cassel explained the reason for the extension.

Mayor Manning commented on the zoning items coming through and said that he is pleased to see that Mr. Cassel has recommended renewing the contract.

Vice Mayor O'Connor commented that Ms. Zacarais does an incredible job.

Ms. Zacarias commented that it is a team effort; there is a lot of people behind the scenes.

Councilwoman Long-Robinson thanked Mr. Cassel for his recommendation to keep NZ Consultants. She commented that Ms. Zacarias has done a phenomenal job of branding.

Councilwoman Crump commented great job.

Motion by Councilwoman Long-Robinson to approve the amendment between the City of Westlake and NZ Consultants, seconded by Vice Mayor O'Connor.

UPON ROLL CALL:

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

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

B. Second Addendum to the Law Enforcement Service Agreement

Submitted By: Administration

Mayor Manning introduced the item.

Mr. Cassel said that the recommendation is to approve the second amendment which will be at the rate the City had before with the same number of officers.

Motion by Vice Mayor O'Connor to approve the second addendum to the Law Enforcement Services Agreement, seconded by Councilwoman Long-Robinson.

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).

C. Proposed Millage Rate for the Fiscal Year 2022 Ad Valorem Tax and a Date, Time and Place for the First Public Budget Hearing

Submitted By: Finance

RESOLUTION 2021-21

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AUTHORIZING THE CITY MANAGER TO SEND A PROPOSED MILLAGE RATE OF _____ MILLS TO THE PROPERTY APPRAISER FOR THE FISCAL YEAR 2022 AD VALOREM TAX AND SETTING MONDAY SEPTEMBER 13, 2021 AT 6:30 P.M. AT THE WESTLAKE COUNCIL CHAMBERS, 4005 SEMINOLE PRATT WHITNEY ROAD, WESTLAKE, FLORIDA AS THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Manning introduced the item.

Ms. Burgess read into record, by title only, Resolution 2021-21.

Mr. Cassel advised that the City is proposing to hold the proposed millage rate at 5.125. He mentioned that the proposed draft budget in the Council packet. He asked Council to hold a Workshop Monday, August 2nd at 6PM as a Budget Workshop to go over the Budget line by line.

Councilwoman Crump inquired on the July 26th Workshop online.

Mr. Cassel responded that there is a conflict and asked for the meeting to be held August 2nd.

Vice Mayor O'Connor commented on Ms. Burgess reading the Resolution to be determined and whether it has to be adopted today.

Mr. Cassel advised that Council has to have the discussion today to set the millage. He stated he is recommending Council to set the millage at 5.125 and noted the motion.

Mr. Doody advised that Council would be setting the millage cap; Council cannot go higher but can go lower.

Mr. Cassel responded that the millage will be able to be dropped once the City has the sufficient tax base to cover.

Mayor Manning inquired on the meeting time.

Council consensus on Workshop to be held August 2nd at 6:30 PM.

Motion by Vice Mayor O'Connor to approve Resolution 2021-21.

Ms. Burgess reminded Mayor Manning of public comments.

Mr. Doody inquired if Council has a second on the motion.

Councilman Paul seconded motion.

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.

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).

CITY COUNCIL COMMENTS

A. Councilwoman Katrina Long-Robinson

Councilwoman Long-Robinson thanked Mr. Cassel for following up with Winn-Dixie and mentioned being copied in email for the partnership between Winn-Dixie and Seminole Ridge Community High School. She requested Mr. Cassel to provide an update at the August meeting on United Health Systems (UHS) on what the original vision was approved by Council. She requested for Council to speak with constituents in Palm Beach Gardens as UHS is planning to build there. She thanked Ms. Burgess and Ms. McNeil for coordinating to have Senator Bobby Powell present before Council. She requested for staff to coordinate to have Representative Rick Roth to present. She thanked everyone for working to get the City up and running.

B. Councilwoman Kara Crump

No Comment.

C. Councilman Patric Paul

Councilman Paul commented on golf carts being mishandled by young people; he is concerned with safety. He noted that residents really need to be responsible and not allow kids to be on golf carts that are too young to operate them.

D. Vice Mayor JohnPaul O'Connor

Vice Mayor O'Connor thanked Council for their leadership. He mentioned that he is very excited about Phase 2 of the Amenity Center and happy that Council has agreed to keep the taxes as the way they are.

E. Mayor Roger Manning

Mayor Manning thanked everyone for a great job and thanked Ms. Zacarias for her leadership over the past five (5) years. He commented that he passes the torch to Vice Mayor O'Connor and Mr. Cassel to work with Mr. Carter on City Hall. He commented that he is proud to see where the City has come in the five (5) years, and he enjoys what he does from the inside.

REPORT - STAFF

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

Submitted By: Captain Craig Turner

For Informational Purposes Only

Mayor Manning introduced the item.

Mr. Cassel advised that Fire Rescue did not provide a report; it will be forwarded to Council once received.

Captain Craig Turner commented it is the coolest thing to see a City grow and thanked everyone for what they do every day. He provided updates and mentioned that the Traffic Agreement has been turned into Palm Beach County Sheriff's (PBSO) Legal; he will follow up to find out when it will be returned to the City.

Vice Mayor O'Connor inquired on the Hammocks Traffic Agreement. He asked if any PBSO Deputy can enforce the traffic agreement behind the gates or does it have to be a Westlake assigned PBSO Deputy.

Captain Turner responded that the agreement studies the roadways and signage to make sure that it is legal, and it does not give the deputies within Westlake right to enforce in that area. He said that PBSO does not want deputies getting involved in neighborhood issues as law enforcement officers and they are to report issues to the District. If PBSO finds out that deputies are getting into neighborhood disputes PBSO will interject and make sure that it stops.

Vice Mayor O'Connor asked Mr. Cassel if the Hammocks has submitted their agreement.

Mr. Cassel responded that he has not received anything from Cresswind nor the Hammocks.

Vice Mayor O'Connor said that he will check with John Hutchins of the Homeowners Association.

REPORT - CITY ATTORNEY

Mayor Manning introduced the item.

Mr. Doody advised that he does not have anything.

REPORT - CITY MANAGER

Mayor Manning introduced the item.

Mr. Cassel advised Council that the Request for Qualification (RFQ) for Attorney Services is prepared but he recommends that the City remain with Goren, Cherof, Doody & Ezrol, P.A. until after the March 2022 Election; and go out with the RFQ at this time if the new Council members desire to; this way the new Council has their stamp on it.

Mayor Manning inquired on the ninety (90) day period submitted by the Interim Counsel.

Mr. Doody responded that the firm serves at the will of this Council.

Vice Mayor O'Connor asked Mr. Cassel to provide the cost on what was previously spent on Legal and what is being spent on Interim Counsel, and the benefits of an outside firm verses inhouse Counsel.

Mr. Cassel responded that the City is averaging \$13k a month on the lower end; this would put the City at about \$156k - \$175k total a year. He mentioned in the proposed budget a figure of \$275k has been allocated . He noted what the firm has been providing the City and is well within the amount and explained why. He mentioned that Engineering's contract will come back before Council this year for a recommendation to extend.

Mayor Manning inquired at what point does Council decide whether to stay with the current firm until March and is this something Council can decide on now.

Mr. Cassel responded Council can ask the firm right now if the firms minds staying on.

Mr. Doody said that the issue is if Council wants to carry out the RFQ.

Council discussion on whether to carry out the RFQ or extend services.

Motion by Vice Mayor O'Connor to extend Interim City Services until April 2022, seconded by Councilwoman Long-Robinson.

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).

Mr. Cassel provided a follow up on fireworks from Zambelli's Group for a next year Fourth of July celebration. He noted that funds are in the budget for this. He noted that the Building Department is changing software from Blueprints to Cityview. He mentioned the meeting between Palm Beach County Fire Rescue (PBCFR) and commented that PBCFR has conveyed that they are the City's Fire Department. He said that PBCFR will not do anything without letting the City know what is going on. He mentioned the projects taken place.; mentioned the positions be added to the Building Department; he noted the total inspections being done and processed a day. He commented he is thankful for the staff and vendors that he has. He mentioned the next traffic shift scheduled for August 8th; the 24/7 live voice services to take calls and customer is coming online for Seminole Improvement District.

Council discussion on fireworks and corporate sponsorship

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 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.

<u>Alicia Torres - 5847 Whippoorwill Circle</u> - Ms. Torres asked when the 24/7 SID Customer Service calls be effective.

Mr. Cassel responded by the end of the week and noted that callers will call the same SID number except the calls will go to a live person.

Mr. Torres inquired on the emergency communication notification system between City and the SID.

Mr. Cassel responded that he has to follow up with the City Clerk to see how to integrate the two together.

<u>ADJOURNMENT</u>

Mayor Manning identified the next Regular Council Meeting and adjourned at 9:37 PM.

Zoie P. Burgess, Oty Clerk

Roger Manning, Mayor