

**Westphalia Board of Aldermen**  
**Public Hearing - 6:00 p.m.**  
**Meeting Minutes for June 20, 2023**

The Westphalia Board of Aldermen meeting was called to order by Mayor Tammy Massman at 6:00 p.m. to host the public hearing for a Conditional Use Permit request from Jake and Erin Plassmeyer. Roll Call was taken. Aldermen present were: Delbert Wieberg, Stanley Heckman, Jake Plassmeyer and Lori Asel. Alderman Jake Plassmeyer was noted to be abstaining from any vote regarding the conditional use permit due to his position as an applicant. Also present at the meeting were Planning and Zoning Commission members: Doug Massman and Sydney Drennen in person, and Brooke Doerhoff by phone. Commissioner Matt Ryan was absent. Others presents were City Attorney-Dougg Stultz of Schreimann, Rackers & Francka, UD reporter-Theresa Brandt, Applicants-Jake and Erin Plassmeyer, and residents-Mike Kliethermes, Janice Nilges, Dennis Holterman, Joyce Weber, and Glen Bock.

Mayor Massman next highlighted the process that would follow for the public hearing and regular board meeting portions. Massman continued noting that the public hearing portion of the meeting is a platform for citizens to voice any concerns or opinions on the conditional use permit topic. The City Council and Planning and Zoning Commission members will listen to all public comments. Gallery members were instructed to please state their names when addressing the boards and identify their relationship regarding the conditional use permit. Mayor Massman addressed the Board of Aldermen and Planning and Zoning Commission members, inquiring if there was any opposition regarding Planning and Zoning Commissioner-Brooke Doerhoff attending by phone, which formulated a quorum for the ancillary board. No opposition was voiced.

Alderman Stanley Heckman made a motion to open the Planning and Zoning public hearing. The motion was seconded by Alderman Delbert Wieberg. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes and Lori Asel-yes. Jake Plassmeyer-exempt.

Mayor Massman acknowledged that a conditional use permit application had been submitted by Jake and Erin Plassmeyer requesting the ability to grow and produce flowers for sale as an agribusiness located at 133 East Main Street, Westphalia, MO. It was noted that the current zoning for the property was a C-1, commercial district. The permit application was noted to have been sent out the Planning and Zoning Commission members for review and that this evening's portion was for a public hearing. The application was then discussed and questions were answered by applicants-Jake and Erin Plassmeyer. Erin Plassmeyer answered that only fresh flowers were going to be sold and the identified the growing spaces as noted per the application, totaling 796 square feet. Mrs. Plassmeyer voiced she would be preparing bouquets for customers; that patrons would not be walking about the property to collect their own. Sales are planned to be via porch pick up, possibly some delivery. Primary growing seasons were noted to be during the spring and summer months. Off street parking was noted to be provided in the applicant's private driveway. Retail sales were only being requested to occur at the 133 East Main Street residence. There are no requests or plans for bouquets to be sold within other businesses.

Mayor Massman opened the floor to the gallery members for further comment. Resident Mike Kliethermes, neighbor to the applicants voiced he had no opposition to the conditional use application. Kliethermes further noted question as to why the application was needing to be discussed. Attorney Stultz replied to Kliethermes noting that the council members are bound to upholding current zoning codes and are required to follow the processes that are in place.

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Alderman Asel questioned the process. Mayor Massman provided education on the public hearing questions/comments portion and then plans for the Planning and Zoning Commission members recommendation to the Board of Aldermen if further deliberation was not requested. Alderman Asel questioned Planning and Zoning Commissioners whether they had considered MO statutes regarding homebased businesses during their deliberations. Commissioner Doug Massman answered yes.

Dennis Holterman-neighbor, next addressed the boards voicing support for the allowance of the permit. Mayor Massman noted that a letter was received by the city from neighbors-Steve and Dennis Holterman noting agreeance with plans for the business.

City resident Joyce Weber questioned if a decision will be made just based on the submitted application and the public hearing this evening, questioning if this is the process for any new business. Mayor Massman answered that a decision could potentially be rendered this evening for the applicants. Massman followed up with answering for Weber that not all business license requests have to go through this special conditional use process. Education regarding zoning and allowed uses was discussed.

Alderman Asel questioned if the issue was then with growing the flowers. Mayor Massman answered yes, because agribusiness (growing the flowers) is not allowed within the district. Massman further explained that if the business request was to establish a floral shop for retail sales, bringing in flowers from other suppliers for sales, that zoning allows for a retail flower shop.

No further public comments were offered. A motion was made by Alderman Stanley Heckman to close the Planning and Zoning public hearing. The motion was seconded by Alderman Delbert Wieberg. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, and Lori Asel-yes. Jake Plassmeyer-exempt. Planning and Zoning Commissioner votes: Doug Massman-yes, Sydney Drennen-yes and Brooke Doerhoff-yes.

It was then noted by Mayor Massman that the Planning and Zoning Commission members had previously met to discuss the conditional use permit application and had submitted recommendations or conditions they felt the Board of Aldermen should attach to the conditional use permit application if the Board of Aldermen were to approve it. Recommendations and Conditions prepared for the Westphalia Board of Aldermen by the Planning and Zoning Commission was read as follows:

1. The growing and sales of only fresh flowers is being considered as indicated per the submitted application. Growing and producing vegetables, fruits, and other plants including cannabis for sale are to be prohibited.
2. The denoted locations and total square footage of 796 square feet of growing space which includes currently existing garden beds and the 4 additionally requested raised beds shall be the allowed maximum growing space as indicated per the submitted conditional use permit

application. Relocation or expansion of growing spaces will not be allowed without submission of reconsideration or modification request to the Planning and Zoning Commission.

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3. The growing spaces and property shall be manicured and maintained during and after growing seasons.
4. Floral bouquets shall be prepared for consumers by the applicants-Jake and Erin Plassmeyer. Patrons will not be allowed to walk about the grounds and prepare their own floral bundles.
5. An application for a city business license shall be completed and rendered by the City of Westphalia, prior to the initiation of business sales, providing all required documents as applicable for the business are remitted alongside the licensing fee to the city clerk. Business licensing renewals each year shall only be granted if conditions of this Conditional Use Permit remain in compliance.
6. The conditional use permit shall remain in effect only for the said applicants- Jake and Erin Plassmeyer and only at the property location of 133 East Main Street. Upon sale of the property or transfer of ownership, grandfathering for continuing the requested agribusiness approval will become null and void.

Applicant-Erin Plassmeyer questioned clarification on having to submit another application and pay another fee if there was a desire to change or add growing spaces. It was noted that what was applied for as per the current application, that was what was being considered and that if changes were requested, a new application and fee would be necessary for the Planning and Zoning Commission to be called upon to reconsider. The business name was identified as Main Street Blooms.

Planning and Zoning Commission members noted they continued to support their previously submitted recommendations/conditions be attached to the application with no further need for deliberation or adjustments. The Planning and Zoning Commission recommended the acceptance and approval of the submitted conditional use permit application requesting the ability to grow and produce flowers for sale as an agribusiness located at 133 East Main Street, Westphalia, MO.

A motion was made by Alderman Stanley Heckman to adjourn the Planning and Zoning Commission meeting-recommendation portion. The motion was seconded by Alderman Delbert Wieberg. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, and Lori Asel-yes. Jake Plassmeyer-exempt. Planning and Zoning Commissioner votes: Doug Massman-yes, Sydney Drennen-yes and Brooke Doerhoff-yes.

Mayor Massman thanked all those present in the gallery for their participation and the Planning and Zoning Commission members for their attendance and recommendations. Mayor Massman voiced plans to next proceed with the regularly scheduled monthly city council meeting.