

Westphalia Board of Aldermen Meeting Minutes for June 20, 2023

The Westphalia Board of Aldermen meeting was called to order by Mayor Tammy Massman. Roll call was taken. Aldermen present were Aldermen Delbert Wieberg, Stanley Heckman, Jake Plassmeyer and Lori Asel. Others present at the meeting were Dougg Stultz-City Attorney of Schreimann, Rackers & Francka, Aaron Lachowicz of Mid Mo Operations, and Theresa Brandt-UD reporter. Planning and Zoning Commission members that had been present for the public hearing and commission recommendation portions have exited, declining to stay for the regular council meeting. Other gallery members who remained present were Erin Plassmeyer, Mike Kliethermes, Janice Nilges, Dennis Holterman, Joyce Weber and Glen Bock.

The meeting minutes from the May monthly meeting were reviewed. Alderman Asel requested that a line item on page 6 be removed. The line was identified as: "Alderman Asel voiced she did not want any restrictions for any homeowner." The line item was agreed upon to be removed. A motion was made by Alderman Delbert Wieberg and was seconded by Alderman Stanley Heckman, to approve the amended May monthly minutes, removing the line requested by Alderman Asel. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes.

The June monthly expense report was reviewed. The city expenses note the amount of \$17,484.45, sewer system expenses in the amount of \$9,164.36, special road district expenses in the amount of \$369.40. City receipts in the amount of \$8,819.50, sewer system receipts in the amount of \$8,850.95, and special road district receipts in the amount of \$8,186.89. Total city checking account balance of \$166,615.24, total sewer system checking account balance of \$59,804.03, total special road district checking account balance of \$63,630.71, and total special road district savings account balance of \$5,115.77. Total city CDs in the amount of \$441,313.53, total sewer system CDs in the amount of \$524,628.76, and total special road district CDs in the amount of \$525,227.63. A motion was made by Alderman Stanley Heckman, and was seconded by Alderman Delbert Wieberg to approve the June monthly expense report. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes.

The conditional use permit application was next on the agenda. Mayor Massman again acknowledged that the city had received a conditional use permit application from applicants-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 application has been forwarded to the Planning and Zoning Commissioners who have reviewed it and held just prior to this meeting, a public hearing to identify any public concerns or comments. At the close of the public hearing, the Planning and Zoning Commissioners submitted a recommendation to the Board of Alderman, for the passage of the conditional use permit with their recommendations/conditions attached. Alderman Wieberg requested that the recommendations/conditions be reviewed again. Mayor Massman read them aloud. Recommendations and Conditions prepared for the Westphalia Board of Aldermen by the Planning and Zoning Commission were 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.

A motion was made by Alderman Stanley Heckman, seconded by Alderman Lori Asel to approve the conditional use permit with the inclusion of the recommendations/conditions as submitted by the Planning and Zoning Commission members. Alderman votes: Delbert Wieberg-yes, Stanley Heckman-yes, and Lori Asel-yes. Jake Plassmeyer-exempt. Mayor Massman noted that with the Board of Aldermen's approval of the conditional use permit application request, Jake and Erin Plassmeyer, may now submit a business license request that the city can review for approval. An application will be forwarded by email after the meeting.

The sewer system report was next on the agenda. Mayor Massman acknowledged that a report was submitted by Mid MO Operations. Sewer operator-Aaron Lachowicz reported to the council that the second quarter samples have been collected. The check valve has been replaced on the blower. Both blowers have had oil changes and have been greased. The gear box on the clarifier drive has also been greased. New belts for the blowers will be picked up and installed. An invoice will be submitted next month for the parts and extra labor associated with repairs. Cost is anticipated to be \$600.00 (Parts-\$400 and Labor-\$200). Operators are still working with vendors to replace the bad ballast on one UV bulb. The existing lights are still providing adequate UV protection. Operators are still working on obtaining gaskets for manhole lids, 3 are left to repair. Lift stations are all operating properly during routine checks. Operators will continue to remove the clear water pumped out of the sludge holding area so there is room for the new decant are to be installed. There is a possibility that a load of sludge will need to be hauled again if there is a need for more room to finish the installation of the decant line. The new lid on the Ras flow diverter is working well. The patches made on the air header are working but will need some further more permanent repairs made in the future. No special engineering oversight was noted to be required for use of ARPA funds. Alderman Wieberg questioned weed spraying around the main sewer plant. It was noted that the sewer operators only spray for weeds within the fenced area of the treatment plant.

Mayor Massman continued the meeting with the next agenda item-Insurance renewal. Mayor Massman noted that a renewal quote had been received from MEM and had been further negotiated by Massman. The audit information included sewer related charges that the city no longer is required to pay, given Mid MO Operations carries their own coverage. Proof of coverage was provided to MEM and the new quote for workers compensation coverage through MEM is \$396.00. The total insurance package (MO PERM and MEM) is now known to accurately be \$6,281.00 approximately \$150.00 less than that of last years. A motion was made by Alderman Jake Plassmeyer, and was seconded by Alderman Stanley Heckman to approve paying the annual MEM worker's compensation insurance premium renewal. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes.

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Mayor Massman continued the meeting with discussions for city roofing repairs. Quotes previously submitted by Alderman Wieberg from All Seasons Roofing (ASR) in the amount of \$25,520.00 was reviewed. The same scope of work was provided to Weathercraft for bid by Mayor Massman and a quote of \$18,775.00 was received. MO Builders submitted a bid for \$52,500.00 that Alderman Heckman solicited. A separate bid for tuckpointing services was previously solicited by Alderman Wieberg from contractor, Frank Rustemeyer Masonry for tuckpointing services on the City Hall building. A proposal bid was received in the amount of \$3,200.00 for tuckpointing services. Repair discussions followed. Points of interest included needs for multiple updates, additions of plumbing for a bathroom and improvements to other city buildings. Questions remained regarding future planned use of the city hall building.

Alderman Asel questioned Attorney Stultz regarding his legal opinion regarding the occupancy of Massman as Mayor and city clerk. Attorney Stultz stated there is no conflict of interest. Stultz further explained that the City of Westphalia's city clerk is not an elected official, it is a clerical associate. Stultz voiced that he felt Asel was conflating the term of city clerk, reiterating that he sees no conflict of interest by definition of what Mayor Massman is doing separately as city clerk.

Alderman Heckman returned to the agenda item of roof repairs and suggested the council obtain other bid proposals, for all repairs envisioned for city hall, and to look at the project holistically, in a total price. Heckman voiced favor of tabling the topic. Mayor Massman reminded council members that when bids are sought, that there is typically a time limit for bids for how long they are active. Alderman Heckman voiced the need for Aldermen Asel and Plassmeyer to visit the other city buildings to better understand the potential scope of work for either building. Mayor Massman noted that she has offered her availability to open the buildings for aldermen. The topic of city roof repairs was decided by council members to be tabled and placed on the July meeting agenda. Alderman Wieberg suggested that those who are in favor of furthering repairs to city hall should be the volunteers to further solicit bids for repairs and report back to other council members.

Next in other business, Mayor Massman noted that a correspondence was received by Republic Services denoting that as per contract, that on November 1, 2023, an annual 4% increase for services will be implemented.

The next city meeting date was set for Tuesday, July 25, 2023 at 6:00 p.m. at City Hall.

A motion to adjourn the regular meeting was made by Alderman Stanley Heckman, and seconded by Alderman Jake Plassmeyer. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes.