

**Westphalia Board of Aldermen**  
**Public Hearing - 6:00 p.m.**  
**Meeting Minutes for July 25, 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 Cassie Luebbert. Roll Call was taken. Aldermen present were: Delbert Wieberg, Stanley Heckman, Jake Plassmeyer and Lori Asel. Also present at the meeting were Planning and Zoning Commission members: Matt Ryan and Sydney Drennen in person, Brooke Doerhoff by phone. Commissioner Doug Massman was absent. Others presents were City Attorney-Dougg Stultz of Schreimann, Rackers & Francka, UD reporter-Theresa Brandt, Conditional Use Permit applicant-Cassie Luebbert, and local residents: Janice Nilges, Judy Howell, Sarah Reinkemeyer, Sharon Lehmen, Randy Nilges, Chris and Suzie Dickneite, Joyce Weber, Glen Bock, Henry Winkleman, Dale Logan, and Missy Karst. Also in attendance was Westphalia Fire Department members: Jim Roark-Westphalia Fire Chief and Chris Luebbert-Westphalia Fire Department President.

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 that if they desired to offer any comments; 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, Jake Plassmeyer-yes and Lori Asel-yes.

Mayor Massman acknowledged that a conditional use permit application had been submitted by Cassie Luebbert requesting the allowance for retail sales of granola located at 216 West Main Street, Westphalia, MO which is currently zoned as R-1; residential district. It was noted that the current zoning for the property does not allow for retail sales. 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.

Neighboring residents: Janice Nilges, Judy Howell, Randy Nilges and Sarah Reinkemeyer all offered their verbal approval for passage of the conditional use permit request. Applicant Cassie Luebbert addressed the council and Planning and Zoning commission members with a synopsis of her plans for the business. Off street parking was noted to be available in the applicant's private driveways and along the off-street parking areas. Retail sales were only being requested to occur only at the 216 West Main Street residence, via porch pick up. There are no requests or plans for retail sales within other businesses.

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, Jake Plassmeyer-yes and Lori Asel-yes.

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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 were read aloud by Commissioner Matt Ryan. The recommendations were as follows:

1. The retail sales for granola only, via “porch pickup” from 216 West Main Street, Westphalia, MO are being considered as indicated per the submitted conditional use application. Retail sales of applicant’s granola within other businesses are to be prohibited.
2. 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.
3. The conditional use permit shall remain in effect only for the said applicant- Cassie Luebbert and only at the property location of 216 West Main Street, Westphalia, MO. Upon sale of the property or transfer of ownership, grandfathering approval for the retail sales of granola at the property location of 216 West Main Street, Westphalia, MO will become null and void.

Planning and Zoning Commission member-Matt Ryan noted the commissions agreement 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 allowance for retail sales of granola located at 216 West Main Street, Westphalia, MO which is currently zoned as R-1; residential district.

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, Jake Plassmeyer-yes and Lori Asel-yes. Planning and Zoning Commissioner votes: Matt Ryan-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.