

Westphalia Board of Aldermen Meeting Minutes for August 22, 2023

The regular portion of the Westphalia Board of Aldermen meeting was called to order by Mayor Tammy Massman following the public hearing to establish the 2023 tax levy rates. Roll call was taken. Aldermen present were Aldermen Delbert Wieberg, Stanley Heckman, Jake Plassmeyer and Lori Asel. Also present at the meeting were UD reporter-Theresa Brandt, sewer operator-Curtis Wheat of Mid Mo Operations, and area residents Joyce Weber, Nicki Bax Levert, Sue Lauberth, and Bill and BJ Rodeman.

The meeting minutes from the July public hearing and the regular monthly meeting were reviewed. A motion was made by Alderman Stanley Heckman and was seconded by Alderman Delbert Wieberg, to approve the July public hearing minutes considering a conditional use permit. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes. A motion was then made by Alderman Jake Plassmeyer and was seconded by Alderman Lori Asel, to approve the July regular monthly meeting minutes. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes.

The August monthly expense report was reviewed. The city expenses note the amount of \$8,493.16, sewer system expenses in the amount of \$7,789.95, ARPA expenses in the amount of \$0.00, special road district expenses in the amount of \$2,859.40. City receipts in the amount of \$9,765.40, sewer system receipts in the amount of \$8,426.75, and special road district receipts in the amount of \$30.71. Total city checking account balance of \$174,707.39, total sewer system checking account balance of \$61,351.58, total special road district checking account balance of \$60,435.88, ARPA checking account balance of \$67,464.18 and total special road district savings account balance of \$5,115.77. Total city CDs in the amount of \$443,303.58, total sewer system CDs in the amount of \$526,228.88, and total special road district CDs in the amount of \$526,399.25. A motion was made by Alderman Stanley Heckman, and was seconded by Alderman Delbert Wieberg to approve the August monthly expense report. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes.

The sewer system report was next on the agenda. Mayor Massman acknowledged that a report was submitted by Mid MO Operations. Sewer operator-Curtis Wheat reported to the council that the plant and lift stations all look good. Third quarter reporting samples will be collected this month. Operators continue to be contracting with Mid Mo Environmental to haul sludge out of the basin to make room to finish the installation of the decant line. Wheat reported that operators will be out continuing manhole inspections during the 3rd quarter, likely in mid-September. Wheat noted that once the “break-in” oil is changed in the new blower that operators will need to order more oil. Operators will reach out to Mayor Massman to order oil. It was reported that there is a small tear in one of the rubber scraper arms. Operators will monitor it and replace it as needed. Supplies needed for the repair are available on-site.

Mayor Massman continued the meeting with the next agenda item-a proposal for a Christmas on Main event to be held within the city limits on Sunday, November 26, 2023, from 5:00 p.m. to 8:00 p.m. submitted by event organizer, Sue Lauberth. Mayor Massman reported that the request had previously been forwarded to the council members for review. Handouts were provided by Mayor Massman. The event outline was reviewed by organizers: Sue Lauberth and Nicki Bax Levert. The event is requested to begin again at 5:00 p.m. with a parade. The path for the parade was identified. The route will be different than that of last year. The parade will begin and end at the parking lots of AK Hitt and Mid Mo Gutters. The parade route begins with parade entrants exiting the AK Hitt parking lot turning right onto South. Maries Ave, then turning right onto East Main St., turning left onto Bridge Ave., left onto Linn St., left onto North. Maries Ave. crossing Main Street onto South Maries Ave again and returning to the AK Hitt parking lot turning left. It was explained that the parade will not cross highway 63. Approvals for use the parking lots for the parade has been granted, from the named businesses. A minimal float entry fee may be charged to assist in expenses and to award prizes for floats. Organizers plan for all business and residential contacts to be made for those

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whom may be affected by the parade route. Street closures and intersections for the parade will be in place by 4:45 p.m. and plans are for certain sections to reopen following the completion of the parade. The Christmas on Main committee is aware of the need for additional volunteers needed this year to assure all street closures are manned.

Following the parade, the Christmas on Main event will continue from 6:00-8:00 p.m., within an enclosed event area including a request for Main Street closure from the intersection of Main Street and Mill Lane at the Post office, to the other Mill Lane and Main Street intersection near Bridge Ave. Activities including live music, visits with Santa, and a tree lighting will be hosted at 7:00 p.m. positioned in the grass area between the Norton room and Westphalia Pizza Haas. Main Street would be reopened at 8:00 p.m. Organizers again are proposing that the preference for this event is to be family-oriented and there is no request for any outside alcohol sales within the event area. The organizers were planned to better address parking issues by offering increased signage and maps delineating neighboring parking lot availability, (having obtained prior permission) and provide extra signage of “No parking” areas along the parade route on the day of the event. The organizers acknowledged the responsibility to obtain a special event insurance policy given their request for a parade on a public byway and the additional request for a city street closure to host the Christmas on Main event. The City of Westphalia will again be required to be listed as additionally insured. The city will not be responsible for any of the cost for obtaining the special event insurance. Mayor Massman offered explanation of the need for organizers to provide a copy of the special event insurance coverage back to the city in advance of the event, suggesting the policy be rendered two weeks at minimum prior, and reviewed in detail the recommended minimum amounts of one million, two million thresholds per occurrence as special event insurance coverage that would need to mimic the city’s current general liability coverage. These amounts are requested per the city’s insurance carrier. Coverage thresholds related to appropriately identifying persons in attendance/spectators during the event were also reviewed. Organizers acknowledged a better understanding of the parameters for special event insurance. A request for four porta pots was noted. Two are proposed to be located within the event area by the city salt shed at the corner of East Main Street and Bridge Ave and two others near the intersection of Main Street and Maries Ave. near the city’s maintenance building. Businesses that are anticipated to be open during the event are the Norton Room, Towne Club and Pizza Haas, along with the Westphalia Homestead and Westphalia Historical Society. Live music and parade judging was also identified to be in the location of the former Westphalia Inn. Discussions followed. Alderman Wieberg shared concerns about parade participant drop-offs. Mayor Massman voiced the need to reinforce understanding that if a motion to approve the event occurs this evening, that what is identified for approval, is all that is granted by the council, that changes can not be made to the itinerary unless a request to modify is reinitiated by organizers again with the city council. Mayor Massman additionally shared a concern identified during last year’s event as the need for reinforcement that if candy was to be provided during the parade that it only be handed out and not thrown for reasons of safety concerns and to better address cleanup efforts of personal property. Understanding was noted by organizers. Conversation continued. Mayor Massman informed organizers of their responsibility to arrange for porta pots if approved by the council. Vendor-Watkins porta pots was identified as the provider during the car show. Mayor Massman noted that it has been beneficial to send out a flyer and mailer notifying those businesses and residents that would be directly affected by the event, similar to that which she has sent out for the car show event. Organizers agreed to assist with providing Mayor Massman with a flyer to send out.

A motion was made by Alderman Jake Plassmeyer to approve the 2023 Christmas on Main event as outlined this evening by organizers to be held on Sunday, November 26, 2023. The motion for approval included that

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adequate special event insurance coverage is obtained and a copy of coverage is provided to the city at least 2 weeks prior to the event, and approval is granted for the city to be invoiced for 4 porta pots, arranged for by the event organizers. The motion was seconded by Alderman Stanley Heckman. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes and Lori Asel-yes.

Mayor Massman continued the meeting with discussions about the Republic Services recycling bin. The recycle bin is noted to currently sit in the Fatima parking lot. A request has been made by Superintendent Chuck Woody to have the recycle bin temporarily moved from the Fatima parking lot during the period of time that upcoming demolition and new construction for the school district is occurring. A relocation period of one year is to be anticipated. Council members discussed alternate options; Millard's funeral home parking lot, St. Joseph Parish and Westphalia Fire Department. Concerns were noted for the potential for trash to be deposited in the receptacle, in a more open, visible location, especially in the area of the Millard's funeral home parking lot where fall cleanup dumpsters are usually placed. Alderman Wieberg motioned to have the bin returned to Republic Services for the period of time that Fatima is under construction. Alderman Asel questioned if alternative locations could be explored. Alderman Wieberg withdrew his motion. Mayor Massman voiced that a motion to table the topic would be appropriate in order to explore options. Mayor Massman offered to make contacts with potential property owners for the recycle bin to be relocated to and report back to the council. A motion was made by Alderman Asel, seconded by Alderman Jake Plassmeyer to table discussions for the recycle bin to the September council meeting. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes and Lori Asel-yes.

The next agenda item on the agenda was city roofing repairs. Mayor Massman noted that Frank Rustemeyer Masonry-tuckpointing services had been completed and the invoiced amount of \$3,200.00 had been paid. Weathercraft Inc. is currently performing roof repairs to the City Hall building. The quoted amount of \$18,775.00 is anticipated to be invoiced for services. No other bid solicitations were presented for review. Aldermen voiced a desire to make sure the roof repairs proved to control leaks before moving forward with other updates and improvements to the interior.

Next in other business, Alderman Asel discussed and proposed that the council consider having the City Hall building registered with the MO Historical Registry. Grants for building improvements and updates for the structure would not be available with this historical registry appointment, but grant assistance for archiving records would be an option available Asel understood. Alderman Asel volunteered to assist in further information gathering and application proposals for the City Hall building to be considered for the MO Historical Registry.

Mayor Massman addressed other housekeeping topics reporting that all liquor licenses were paid in full by the July 31st deadline, including the two temporary licenses for the annual St. Joseph Parish Picnic and Lions Club tractor pull.

Mayor Massman noted that she continues to work on the end of year financial report for the Special Road District that is required to be submitted to the State Auditor's office. The Special Road District's fiscal year ended July 31, 2023.

Mayor Massman next expressed appreciation for the responsiveness that contractor, Big Timber had in addressing some off-street maintenance issues identified during the last meeting, but cautioned council members in hindsight, to be aware that the amount invoiced for services was one that should have otherwise

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gone out for bid. Mayor Massman proposed that future projects be identified in smaller volumes or would need to be requested as larger bid projects.

Mayor Massman voiced that she and Attorney Dougg Stultz have continued to discuss the recent needs of the city to host public hearings, whether like the one this evening related to setting the tax levy or those of the past few meetings, attending to conditional use permits. Mayor Massman reminded the council that these occurrences are part of the processes that the council is required to adhere to. The processes in place are required and are noted to be in place to protect the city, the municipality, the businesses and the city's residents; without an intention to penalize. Mayor Massman noted that even though much negative attention has been given regarding the necessity surrounding the past two conditional use permit considerations, that it is worthy to note that these hearings will continue to occur according to Planning and Zoning Codes and that they aren't as uncommon as they have been alluded to be. Mayor Massman stated there has been 7 conditional use permits/variance hearings held in just the past 4 years, not including other public hearings for other required topics.

Alderman Wieberg identified an ongoing pothole issue along the edge of the asphalt street and the driveway entrance of the Andy Rehagen residence. The area was discussed. Mayor Massman proposed that the resident consider use of the city's driveway assistance program and apply for a cost share possibility creating a concrete driveway entrance. Alderman Wieberg will follow up with the property owner to propose.

Alderman Wieberg questioned tree trimming responsibility for an area along Linn Street. The trees were noted to be on personal property and thus the responsibility of the property owner. The city has no responsibility to pay for private property tree trimming. It was noted that some tree trimming maintenance is performed along some city streets as part of protecting utility lines that Ameren MO does perform on occasion. Nuisance issues related to grass cutting, over grown bushes, weed control and tree trimming are identified by city ordinance, where the city can notify property owners by formal letter of the need to maintain their property according to ordinance or be subject to further litigation and fees associated with returning the property to compliance. Mayor Massman encouraged all residents to be a good neighbor and community member.

Lastly, BJ Rodeman -a member of the Senior Housing board, addressed the council with concerns about drainage issues along Linn Street that boarder the Senior Housing complex property. Rodeman noted that culvert in the graveled driveway on the North side that accesses the back senior housing apartments is in need of attention as well as the culvert that crosses under Linn Street on the South side of the property. The area of the grass ditch was questioned by Rodeman to be the property and responsibility of the city and for the city to maintain. Mayor Massman noted that she could not speak officially about the legal ownership of property at this time beyond being aware of the city's responsibility for maintenance of the portions of roadway that was covered as the city street. Mayor Massman encouraged Rodeman to obtain a legal description of the Senior Housing plat or a survey of the area, and present it to the council for further review and determination to better address whose responsibilities were for maintenance of the area beyond the covered roadway, and attend to the drainage issues in the grass ditch. The upper graveled driveway was noted to likely be the responsibility of the complex and would be eligible for consideration of the driveway assistance program. Mayor Massman noted that she has addressed the topic of roadway right of way and easement with the city's attorney and would likely confer with the attorney further once a legal description of property lines for the complex was provided. Rodeman agreed to research the areas legal property ownership.

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Street repair discussions followed. Aldermen Heckman and Wieberg proposed that the council consider obtaining bids for some concrete work in the street portion of Linn Street extending from the current concrete surface area past the previously described Senior Housing driveway entrance; in the off-street parking area and sidewalk along Linn Street below the Millard Funeral Home, and in the culvert area along North Maries Ave. A motion was made by Alderman Delbert Wieberg, seconded by Alderman Jake Plassmeyer to proceed with solicitation of bids for concrete work in the areas in the street portion of Linn Street extending from the current concrete surface area past the previously described Senior Housing driveway entrance; in the off-street parking area and sidewalk along Linn Street below the Millard Funeral Home, and in the culvert area along North Maries Ave. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes. Mayor Massman will begin reaching out to concrete contractors to solicit bids.

Alderman Wieberg questioned if the language on the city business license application and business license ordinance had been revised. Mayor Massman noted that the language in question regarding fire suppression did occur on both the application and ordinance, so both documents would be required to be updated. Alderman Jake Plassmeyer volunteered to assist with amending the language for the business license ordinance.

The next city meeting date was set for Tuesday, September 26, 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.