

Westphalia Board of Aldermen Meeting Minutes for October 23, 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. Also present at the meeting were sewer operator-Aaron Lachowicz of Mid Mo Operations, and area residents Joyce Weber and Bill Rodeman. UD reporter-Theresa Brandt was absent.

The meeting minutes from the September monthly meeting were reviewed. A motion was made by Alderman Jake Plassmeyer and was seconded by Alderman Stanley Heckman, to approve the September monthly meeting minutes. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes.

The October monthly expense report was reviewed. The city expenses note the amount of \$3,161.63, sewer system expenses in the amount of \$6,901.81, ARPA expenses in the amount of \$0.00, special road district expenses in the amount of \$369.40. City receipts in the amount of \$10,378.51, sewer system receipts in the amount of \$8,761.73, and special road district receipts in the amount of \$27.95. Total city checking account balance of \$157,572.00, total sewer system checking account balance of \$63,726.96, total special road district checking account balance of \$71,070.92, ARPA checking account balance of \$63,172.57 and total special road district savings account balance of \$5,117.83. Total city CDs in the amount of \$443,303.58, total sewer system CDs in the amount of \$527,760.79, and total special road district CDs in the amount of \$531,041.07. A motion was made by Alderman Stanley Heckman, and was seconded by Alderman Delbert Wieberg to approve the October 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-Aaron Lachowicz reported to the council that the plant and lift stations are operating well with no issues. Fourth quarter samples have been collected and results are pending. The motor in the blower, the one closest to the gate has been sent out to JCI for inspection and an answer on whether rewinding the motor would prove beneficial verses having it replaced by Thursday of this week. Operators will alert Mayor Massman of the inspection results and recommendation to determine the next appropriate course of action. Plans for pulling the air headers and diffusers are also anticipated for this week to obtain measurements for ordering replacements. Board members agreed that stainless steel parts were preferred. ARPA funds will be utilized for this project improvement. Alderman Wieberg offered to continue to assist operators with these efforts and in ordering parts and material. The roller chain broke on the clarifier drive. Lachowicz reported that this break in the chain links is very common. The chain has been replaced and spare parts have been ordered. Anticipated costs for replacement and repair are anticipated to be under \$500.00. Lachowicz reported that operators have been performing manhole inspections, with 20 already completed. All manhole inspections are anticipated to be completed before the end of November. UV lights will be pulled November 1st.

Mayor Massman continued the meeting with the next agenda item-Christmas on Main. It was noted that a request was received by the city from Christmas on Main organizer-Sue Lauberth to increase street closure parameters, similar to that of the recent car show from the intersections of S. Maries and Main Street to Bridge Street and Main. A new (second) proposal was requested by Mayor Massman from the Christmas on Main committee to be submitted to the city for formal consideration. It was acknowledged that the second proposal had been received and forwarded to the Aldermen for review prior to this evening's meeting. The second proposal was reviewed and discussed. It was noted that the only change in the proposals was in the section: Designated Event area which read-Proposed Street closure following the parade will be on E. Main St. from S. Maries Ave intersection to Bridge Ave intersection from 5:30pm - 8pm. The first proposal read- Designated Event Area-Proposed Street closure following the parade will be the same as in the past along Main Street: Mill

Westphalia Board of Aldermen
Meeting Minutes for October 23, 2023 (continued)

Rd. to Mill Rd. from 6 - 8pm. It was noted that no member from the event was in attendance in the gallery, but had been welcomed to attend if desired by email correspondence. Aldermen Wieberg questioned if there were to be other activities in the additional section requested for street closure. None were identified other than those previously indicated on the first proposal including indication that the museum, and the Westphalia Homestead and Towne Club businesses would be open. It was noted on the first proposal also for planned placement of parade judges and that live music would be held on the porch of the Westphalia Inn preceding and occurring during the parade until 6 p.m. No other additional information was provided via the second proposal that was different than that of the first proposal. Aldermen Heckman questioned necessity for the additional closure. Aldermen Wieberg voiced that the continued closure may cause an inconvenience for the residents residing within the area as well as for attendees noting that off-street parking areas are utilized in the area. If cars are parked prior to the street closure, they would become trapped. Parking plans would then have to be renegotiated as there would not be an avenue for traffic to exit the area. Aldermen Wieberg questioned if there would then be a need for street closure much earlier, well in advance of the parade, as attendees presenting to the event look for close parking. It was indicated that the closure would potentially pose greater inconvenience for attendees and limit a more direct access to the businesses that are planned to be open. Aldermen agreed that they could not identify a need for the additional street closure and expressed that it may cause more hindrances for the area, especially the elderly or handicapped attendees and residents in the area. Conversation continued amongst board members. Aldermen Heckman questioned other board members if it was necessary to approve the closure just because it was being asked for. A motion was made by Alderman Stanley Heckman, seconded by Alderman Delbert Wieberg to deny the second proposal requesting an increase in street closure submitted by the Christmas on Main committee. It was further motioned that the original proposal submitted and approved during the August meeting would remain in good standing with the city. All previous conditions applied to the original approval would still be required to be adhered too. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes

The Annual Christmas Home Decorating Contest was the next item on the agenda. Mayor Massman questioned aldermen if it was their intent to again host the Christmas Home Decorating Contest. The standard contest parameters were reviewed, noting that in the past there has been monetary awards for the 1st, 2nd, 3rd, and 4th place winners and recognition of 3-4 additional honorable mentions. Aldermen agreed that they would like to see the event hosted again this 2023 year. Dates for the event were explored. A motion was made by Lori Asel, seconded by Stanley Heckman, to host the Annual Westphalia Home Decorating Contest on Sunday, December 17, 2023, with judging to be conducted at 6:00 p.m. following the same parameters of past years. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes. Mayor Massman will have an ad placed again in the UD paper, serving as notification of the event being held and a public notice posting will additionally be placed on the city's website.

The Senior Housing Complex was identified as the next agenda item. Mayor Massman noted that a request was again being made by members of the Senior Housing Complex to address drainage issues along Linn Street and that requests are that the city be responsible for ongoing maintenance and repairs of the ditch that runs parallel to Linn Street alongside the Complex's property. The topic has been presented formally for discussions during council meetings twice prior in the past year, and the city's position previously has been that the Housing Complex obtain a current legal land survey of the area, and/or present documentation that an easement exists identifying maintenance responsibilities. These efforts would prove beneficial for council members to further review and address the request, determining responsibilities for maintenance of the area beyond the covered roadway, as the area in question has not previously been maintained by the city.

Westphalia Board of Aldermen Meeting Minutes for October 23, 2023 (continued)

Bill Rodeman, member of the Senior Housing board, addressed the council voicing he did not have any new information to present that was pertinent or anything more up to date than a plat of the property from 1909. Rodeman voiced that the 1909 plat was set in stone and there was no changing that plat, which should justify property lines and continued to press that this should be proof enough to dictate city responsibility based on his measurements of the property. Rodeman voiced concerns that the Senior Housing Complex takes on a substantial amount of natural rain water runoff from the hill above running down alongside Bridge Street, down from the church area and now will take on more with the new culvert that was put in around the area of the walkable Stations of the Cross area below the school, runoff from behind David Vanderfeltz's property that feeds into the same spillway and runoff from Linn Street itself. Rodeman voiced that the Senior Housing Complex board has agreed to maintain only the property moving forward that he has identified as the Complex's property and has identified the area by driving fence posts into the ground. The responsibility beyond those stakes and lines were going to be assumed to be the responsibility of the city by the Senior Housing Complex. Rodeman voiced that if complaints were received about the area being unattended, that he would direct that all concerns be given to each of the board members individually as the Complex was no longer taking on the responsibilities for maintenance. Conversation continued. Mayor Massman noted that the topic had again been presented to the city's attorney for review and consultation regarding statute or standards for street widths or said maintenance responsibility in areas if easement exists beyond the area covered by the actual roadway. Legal counsel has advised Mayor Massman that a current legal land survey would be recommended as the first step to establish property lines before any responsibility issues should be further negotiated. Alderman Wieberg discussed how the natural flow of water has produced this ditch and questioned if the roadway contributes more to its existence. Mayor Massman agreed that the natural flow may have been interrupted by having a roadway erected but acknowledged also that that is why there is a culvert under the road that was man made to assist with keeping the flow moving in the direction that it was prior, continuing on its way down to the river through another ditch that the city does not maintain through personal property on the opposite side of the road. Deterioration of the said culvert under the roadway was not being disputed as being the responsibility of the city to repair or maintain. Mayor Massman further identified several other ditches within the city limit that take on rain water and drainage flow from neighboring properties, the same as that from other streets, that the city does not maintain, as those ditches are clearly noted to be on personal property. Alderman Wieberg noted that some of the storm water drainage is "man-channeled" and is contributing to the area along Linn Street. Alderman Wieberg questioned if the Senior Complex wanted to fill in the ditch to have it be more manageable for grass cutting could they. Mayor Massman noted that by personal property rights, the Complex could manicure the property as they saw fit. Mayor Massman noted that the conversation was circular and reiterated the recommendation of legal counsel, that the Senior Complex should have their property surveyed. Aldermen Asel shared that there were likely discrepancies with how land surveys were performed prior utilizing "links" as measurements to the current conversions into "feet" now, and agreed that a survey would be beneficial to help with addressing responsibility along roadways. Conversation continued. Rodeman later voiced that city was not practicing common sense by listening to the recommendations of the city's attorney, stating that the attorney is only schooled in books and not common sense. Alderman Jake Plassmeyer questioned council members if it would be better for the city to obtain a survey of the roadway. Mayor Massman offered considerations that would follow a land survey, including the possibility of identifying sole responsibility for maintenance by either party and the possibility for a cost shared portion of responsibility dependent on who owns what portions of the land. A motion was made by Alderman Jake Plassmeyer, seconded by Alderman Lori Asel to have Linn Street surveyed also identifying where the city and county line is connecting to County Road 611 at the expense of the city. Aldermen votes: Delbert Wieberg-yes, Stanley Heckman-yes, Jake Plassmeyer-yes, and Lori Asel-yes. Mayor Massman will solicit a land survey request with either Central MO Professional Services or with the Osage County surveying service. Mayor Massman noted that

Westphalia Board of Aldermen
Meeting Minutes for October 23, 2023 (continued)

Central MO Professional Services had recently obtained GIS data from the county when they assisted in providing the city with updated city's maps, distinguishing the city limit boundaries.

In other business, housekeeping topics were addressed. Mayor Massman noted that notifications regarding the 2024 election have been received. Mayor Massman reported the next general election date is April 2, 2024. Mayor Massman will be placing notifications of open positions in the paper for the required circulations during the month of November and postings will be placed on the city website. Aldermen positions up for election-2-year terms-are that of Aldermen Lori Asel and Stanley Heckman. The first day for candidate filing is December 5, 2023 and the last day for candidate filing is December 26, 2023.

Mayor Massman noted that the newly established Business License Ordinance No. 09-23 has been recorded with the county and received back with confirmation. It will be uploaded to the city website alongside the updated business license application that coincides with the approved update and established parameters.

The Fall cleanup dumpsters were next discussed. The dumpsters were in place over the prior weekend and no issues or complaints were identified by any council members. The event was noted to be a success. No additional charges are being assessed for extra debris removal or compacting.

The recycling bin has been relocated to the area near the city sewer treatment plant. Sewer operator Lachowicz voiced he had no current concerns with the bin's location. The area will continue to be monitored.

The next city meeting date was set for Tuesday, November 28, 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.