



202 Main St. ~ PO Box 7 ~ Westmoreland, Kansas 66549
Phone (785) 457-3361 ~ Fax (785) 457-3708

Request for Special City Council Meeting

Westmoreland, Kansas

Dated: June 21, 2016

To: Mark A. Goodenow
Mayor of Westmoreland

We, the undersigned, Council members of the City of Westmoreland, Kansas, hereby respectfully request you to call a Special Meeting of the Council for the object(s) and purpose(s) of:

Meeting with Victor Poteet regarding the Wagon Wheels Trailer Park.

This meeting will take place at Community Center on June 28th, 2016
at 7:00pm

Signed: [Signature] Council member
Mark Jack

[Signature] Council member
Jim Moore

[Signature] Council member
Waide Purvis

Jeff Rosell

[Signature] Council member
Jim Smith

Westmoreland City Council
Special Meeting Minutes
June 28, 2016

The Westmoreland City Council met on June 28, 2016 at the Westmoreland Community Center for the purpose of discussion with Victor and Doris Poteet and their lawyer regarding the city's interest in purchasing a tract of land owned by the Poteet's within in the corporate city limits of Westmoreland, Kansas.

Governing Body members present: Mayor, Mark Goodenow; Councilmembers, Jeff Rosell, Jim Smith, Mark Jack, Jim Moore and Waide Purvis.

City Staff present: Maintenance/Zoning Administrator, Robert Krohn; City Treasurer, Lindsay Elliott; City Attorney, John Watt and City Clerk, Vicki Zentner.

Others in attendance: Victor and Doris Poteet and Jake Pugh, Attorney.

There being a quorum present Mayor Goodenow called the meeting to order at 7:00 PM.

Attorney Pugh stated that Mr. Poteet's father had previously owned the trailer park located between State and Main Streets. He stated that Victor and Doris were no longer interested in managing the trailer park and have put the trailer park up for auction taking place on July 16, 2016.

In the process of listing the property for sale by auction, it was discovered that the trailer park was not zoned by the city as commercial but residential. Mr. Pugh stated that it was his understanding from reviewing the zoning ordinances of the city, that should a current trailer be removed it could not be replaced nor could any other trailers be brought into the trailer park.

He asked the council if the property could be re-zoned from residential to commercial, or if the council would be interested in purchasing the trailer park themselves.

Attorney Watt stated that he had not conversed with the council about the city possibly purchasing the land and that he had relayed to Attorney Pugh that the council had indicated to him that the city's proposed 2017 budget simply would not allow this purchase.

When asked by Attorney Pugh if the council would have any interest in re-zoning the trailer park, Attorney Watt stated that there could be possible litigation at this point. He stated that Mr. Poteet could present a request to the city's planning and zoning commission to have the land re-zoned to commercial, that there would have to be a public hearing and time restrictions would not allow for the process to be completed before the date of the auction.

Councilmember Moore stated that he didn't know about the zoning issues as the zoning had been done before he was on the council.

Attorney Watt stated that the present zoning ordinance had been started by a previous legal counsel to the planning and zoning commission and then he had passed away and another legal counsel was approached to help finish the zoning ordinance and the ordinance then was passed in 2007.

Discussion was held between the council and the landowners as to what price they had in mind for the outright selling of the property; in other words, not putting it up for auction but would sell outright to the city. There was no set price given to the council for consideration.

After some brief discussion, the council informed the Poteets and Attorney Pugh that the city simply could not afford to purchase the land.

Mr. Poteet asked if he could request a change in the re-zoning of the property and Attorney Watt stated that he could, but to keep in mind that the process could take between two (2) to six (6) months.

There being no further discussion, Councilmember Smith moved to adjourn the meeting. Councilmember Jack seconded the motion. The motion passed five (5) ayes to zero (0) nays.

Mayor Goodenow declared the meeting adjourned at 7:25 PM.

Approved by the Governing Body on July 14, 2016.

Signed: Mark A. Goodenow



Attest:

Vicki B. Zentner
Vicki B. Zentner, City Clerk