

**NOTICE OF SPECIAL CITY COMMISSION MEETING
CITY OF CONCORDIA, KANSAS**

TO: Phil Gilliland, Darrel Hosie, Charles Johnson, Joe Jindra and Cheryl Lanoue:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 5:30 o'clock p.m. on the 3rd day of January, 2008, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

PLACE: City Commission Room, City Hall
DATE: January 3, 2008
TIME: 5:30 o'clock p.m.

The object of said meeting will be as follows:

1. Roll Call
2. Invocation – Pastor John States-First Christian Church
3. Pledge of Allegiance
4. Approval of Minutes
 - A. December 19, 2007 – Regular Meeting
5. Financial Matters
 - A. Appropriation Ordinance #24
6. Appointments
 - A. Board of Zoning Appeals-Charley Lowers
7. Public Comments
8. Ordinances
 - A. #2008-2948: Abatement of Certain Nuisance
 - B. #2008-2949: Smoking in Restaurants
9. Mayor/Commissioner Comments and Reports
10. Staff Comments
11. Adjourn

(Seal)

To Any Person Authorized to Serve Notice of Special City Commission Meeting Pursuant to K.S.A. (Weeks) 14-1403:

You are hereby directed to serve the above notice at once personally upon Commissioner (s) Phil Gilliland, Darrel Hosie, Charles Johnson, Joe Jindra, and Cheryl Lanoue or leave said notice at the usual place of residence of said Commissioner before 5:00 p.m. o'clock on the 2nd day of January, 2008 and to make a return in writing of said service, showing the manner of such service.



Chér Knudsen
Interim City Clerk

(Seal)

RETURN OF SERVICE

The undersigned received the original notice of Special City Commission meeting of which the foregoing is a copy at, 1:58 o'clock p.m., January 2, 2008 (Phil Gilliland); 10:41 o'clock a.m., January 2, 2008 (Darrel Hosie); 10:59 o'clock a.m., January 2, 2008 (Charles Johnson); 11:47 o'clock a.m., January 2, 2008 (Joe Jindra); and _____ o'clock p.m., January _____, 2008 (Cheryl Lanoue).

1. Served the same personally on Phil Gilliland. /s/ Chér Knudsen
2. Served the same personally on Darrel Hosie. /s/ Chér Knudsen
3. Served the same personally on Charles Johnson. /s/ Chér Knudsen
4. Served the same personally on Joe Jindra. /s/ Renee Hubert
5. Served the same at residence of Cheryl Lanoue. /s/ Dennis Blochlinger

CALL FOR THE SPECIAL CITY COMMISSION MEETING
CITY OF CONCORDIA, KANSAS

TO THE BOARD OF CITY COMMISSIONERS:

A special meeting of the Board of Commissioners is hereby called to be held as follows:

Place: City Commission Room, City Hall, Concordia, Kansas
Date: January 3, 2008
Time: 5:30 o'clock p.m.

The object of said meeting will be as follows:

- 1. Roll Call
- 2. Invocation – Pastor John States-First Christian Church
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- 7. Public Comments
- 8. Ordinances
 - A. #2008-2948: Abatement of Certain Nuisances
 - B. #2008-2949: Smoking in Restaurants
- 9. Mayor/Commissioner Comments and Reports
- 10. Staff Comments
- 11. Adjourn

CHARLES JOHNSON
COMMISSIONER

PHIL GILLILAND
COMMISSIONER

DARREL HOSIE
COMMISSIONER

JOE JINDRA
COMMISSIONER

CHERYL LANOUE
COMMISSIONER

MINUTES OF THE SPECIAL CALL CITY COMMISSION MEETING HELD JANUARY 3, 2008

The governing body met in a special call session on January 3, 2008 at 5:30 p.m. in the City Commission Room at City Hall, the following members being present and participating, to wit: Commissioners Jindra, Johnson, Lanoue, Gilliland and Hosie.

Absent: None.

Other Officers: City Manager Skiles, City Attorney Uri, Interim City Clerk Knudsen.

The Mayor declared that a quorum was present and called the meeting to order.

Visitors: Jessica LeDuc, Toby Nosker, Bruno Rehbein, Kirk Lowell, Marvin Copple, Danny Parker, James Ganson, Megan Murdock, Dawn Blazek, Don Lanoue, Renee Hubert, Janet Eubanks, Ron Deal, Larry Remmenga, Monte Wentz, Nancy Wentz, Ron Copple, Larry Eubanks, Steve Dailey, Stacey Crum, Tom Gennette, Sara Hicks, Ted Collins, Jolene Crotinger, Jack Gould, Lowell Thoman,

Mayor Johnson asked if there were any changes to the agenda. City Manager Skiles asked if the Appropriation Ordinance #24 could be changed to Appropriation Ordinance # 24A. Commissioner Lanoue stated that since this is a special call meeting the agenda couldn't be changed. City Manager Skiles replied that only corrections may be made.

APPROVAL OF MINUTES

Mayor Johnson asked what the new changes were to the minutes. City Manager Skiles stated the following changes were made:

Names of the 11 CMB license applicants were listed.

Exempt Property Status for IRB Certifications; 3 motions were changed to 1 motion.

Commissioner Lanoue stated why she thought it was relevant for her comments to be in the minutes, regarding the CloudCorp policy and the responsibility of the City of Concordia and CloudCorp. City Manager Skiles stated that Kirk Lowell intends to request that this issue be placed on an agenda.

Commissioner Jindra made a motion to approve the revised minutes. Commissioner Gilliland second.

With regard to Mayor Johnson's request for discussion, Commissioner Lanoue made a motion to amend the minutes to include Kirk's statement regarding the CloudCorp funding agreement, working on a policy statement; to actually reflect the employee's health insurance, who BAS is; and to note the reason why I didn't vote for the Non-Classified pay scale as I thought the pay scale was too high. Mayor Johnson seconded.

Motion Failed. The vote being as follows:

Aye: Commissioner Lanoue and Mayor Johnson.

Nay: Commissioners Jindra, Gilliland and Hosie.

With respect to the motion on the table - to approve as revised. Motion carried. The vote being as follows:

Aye: Commissioners Jindra, Gilliland and Hosie.

Nay: Commissioner Lanoue and Mayor Johnson.

Appropriation Ordinance #24A

APPROVED

Commissioner Hosie made a motion to approve Appropriation Ordinance #24A. Mayor Johnson second. Motion carried.

Appointments

Board of Zoning Appeals

Bruno Rehbein made the recommendation to reappoint Charley Lowers to another 3 year term on the Board of Zoning Appeals. Commissioner Hosie made a motion to approve the appointment of Charley Lowers to the Board of Zoning Appeals. Commissioner Gilliland second. Motion carried.

PUBLIC COMMENTS:

Kirk Lowell of CloudCorp stated that he wanted to clarify that CloudCorp would be interested in sitting down and looking at the language in the contract between the City and ClubCorp, not in formulating a separate policy statement.

Kirk also stated that CloudCorp, Cloud County Commission, Cloud County Community College and the City of Concordia are co-sponsoring a public forum on housing. The reason for this is the 450 workers that are estimated to be in our community coming in this spring. CloudCorp has contacted all the mayors in

MINUTES OF THE SPECIAL CALL CITY COMMISSION MEETING HELD JANUARY 3, 2008 cont'd

the county whom have all agreed to be on the panel. CloudCorp has also asked Bruno Rehbein to sit on this panel. A County Commissioner, a representative from the Kansas Department of Health and Environment as well as representatives from Everton Energy and Horizon Wind Energy have also been invited. The forum is scheduled for January 10, 2008 at 7:00 p.m. at the Brown Grand.

ORDINANCE NO. 2008-2948- ABATEMENT OF CERTAIN NUISANCE

FAILED

Therefore there was presented an Ordinance entitled.

AN ORDINANCE FINDING CERTAIN ACTIVITIES TO BE A PUBLIC NUISANCE AND PROVIDING REMEDIES FOR THE ABATEMENT THEREOF; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 13-1A.

Thereupon, Commissioner Gilliland moved that said Ordinance be passed. The motion was seconded by Commissioner Jindra. Said Ordinance was duly read and considered, and upon being put, the motion failed. The vote being as follows:

Aye: Commissioners Jindra and Gilliland.

Nay: Commissioners Hosie, Lanoue and Mayor Johnson.

ORDINANCE NO. 2008-2948- SMOKING IN RESTAURANTS

APPROVED

Thereupon there was presented an Ordinance entitled.

AN ORDINANCE AMENDING ARTICLE IX OF THE CONCORDIA CODE, PERTAINING TO SMOKING IN RESTAURANTS; REPEALING CONCORDIA CODE SECTION 11-432; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 11-432.

Thereupon, Commissioner Gilliland moved that Ordinance No. 2949 be passed. The motion was seconded by Commissioner Hosie.

Commissioner Lanoue stated that the Ordinance being considered had the wrong number. City Attorney Uri stated that since Ordinance # 2008-2948 failed and all ordinances are in numbered order, Ordinance #2008-2949 should be changed to Ordinance #2008-2948.

Thereupon, Commissioner Gilliland moved to amend said motion to reflect "Ordinance #2008-2948". Commissioner Hosie Seconded. Motion Carried.

Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the Commission, the vote being as follows:

Aye: Commissioners Gilliland, Jindra, Johnson, Hosie, and Lanoue.

Nay: none

MANAGER'S REPORT

City Manager Skiles updated the commission on the employee health insurance.

There being no further business, Commissioner Jindra moved to adjourn the meeting, Commissioner Gilliland seconded. Motion carried.


Chér Knudsen
Interim City Clerk

(Seal)