

The Cleveland City Council met on January 12, 2010 in the Council Chambers at City Hall, 907 E. Houston, at 7:00 p.m., with Mayor Jill Kirkonis presiding.

PRESENT: Mayor Jill Kirkonis, Councilmember Eddie Lowery, Councilmember Barbara McIntyre, Councilmember Mike Penry, Councilmember Durlene Davis, Councilmember Scott Adams, City Manager Philip Cook, City Attorney Kenneth Wall, City Secretary Kelly McDonald

STAFF PRESENT: Mark Bradshaw, Kellan Shaw, Kim Shelton, Angela Smith, Dawnel Rodgers, Steven Rasberry, John Davis, Mike Ulbig, Joe Campbell, Chris Nunn, Chris Grizzaffi, Mary Merrell, Courtney Miller

VISITORS: Janet Bachelor, Vanesia Brashier, Charlene Kebodeaux, J. Rice, Maxcine Morris, Ed Barlow, Phyllis Smith, Allene Hines, Anne Vickery, Jim Plumlee, Glenda Plumlee, Tracey Walters, Delores Terry, Sonya Driver, Jesse Mann, Cliff Greenup, Mark Gehringer, Dennis Kirkonis, Jane McClelland

Mayor Kirkonis gave the invocation and Councilmember Adams led the Pledge of Allegiance.

1. Recognition of Employee of the Month.

Steven Rasberry recognized Joe Campbell as Employee of the Month.

2. Recognition of Senior of the Quarter.

Janet Bachelor recognized Maxcine Morris as Senior of the Quarter.

3. Recognition of a local residence and business by Keep Cleveland Beautiful and the City for their outstanding beautification efforts.

Kim Shelton recognized the residential award as Raphael and Sheryl Driver at 1713 Lilley and the commercial award to Big Kahuna at 106 E. Crockett.

4. Report from Chief of Police regarding previous month's activities.

Chief Bradshaw reported on the monthly activity at the Police Department.

5. Public Comments.

Mayor Kirkonis and City Manager Cook introduced Courtney Miller as the new City Planner and Grant Writer.

6. Update and discuss various public works projects – Ed Barlow, P.E., Consulting Engineer.

Ed Barlow and Mark Gehringer reviewed public works projects and upcoming grant applications.

7. Report on 2010 paving plans.

Mike Ulbig reviewed the 2010 paving plans.

8. Discuss an ordinance to regulate property maintenance.

Mayor Kirkonis reviewed the item. City Manager Cook advised a draft ordinance had been given to council and asked for recommendations to go forward with the ordinance. City Manager Cook further recommended only looking at commercial exteriors at this time and City Attorney Wall advised there could be an exception for residential property in the ordinance. City Attorney Wall further advised the penalty could be handled in municipal court with a fine up to \$500 for non-compliance, enforced by the code enforcement officer or could seek civil prosecution.

9. Consider appointments to Zoning Commission by Council.

Mayor Kirkonis advised there were three positions needing appointment with those serving in those positions, Brad Browder, Carolyn McWaters and Julia Payne, wishing to continue to serve. Councilmember Davis moved to re-appoint the three members of the board, Brad Browder, Carolyn McWaters and Julia Payne, with a second by Councilmember Lowery. All Council voted "AYE".

10. Consider appointments to Economic Development Corporation by Council.

Mayor Kirkonis advised there were four appointments needing to be made on this board, and advised that R. C. Sweeten, Carolyn McWaters, Willie Carter and Dennis Kirkonis would like to continue to serve. Councilmember McIntyre moved to re-appoint these members, with a second by Councilmember Davis. All Council voted "AYE".

11. Announcement of Mayor's appointments to the Cleveland Housing Authority.

Mayor Kirkonis advised two positions needed appointment and advised Pat Wilke and Letha Williams would like to continue to serve and advised she is re-appointing these persons to the board.

Consent Agenda

City Manager Cook reviewed Items 12 – 22 on the Consent Agenda. Councilmember Adams moved to approve the consent agenda, with a second by Councilmember Penry. All Council voted "AYE".

12. Approve an ordinance suspending the effective date for increased rates for electric service proposed by Entergy and authorizing participation with other cities in the Entergy rate case and related proceedings.

13. Approve an ordinance establishing a 'reward' for information that leads to charges against person(s) illegally discharging waster.

14. Approve an ordinance of the City of Cleveland, Texas changing the zoning district classification of property in the Joseph Fenner Survey and described herein presently classified in Zoning district R-1 Residential to Zoning District R-2 Residential; providing for severability, and providing for repeal.

15. Approve an amendment to the contract for HOME program grant administration – no change in cost.

16. Approve resolution authorizing membership in BuyBoard, a purchasing cooperative.
17. Approve resolution relating to submission of a grant application to Office of Governor Criminal Justice Division for police cars previously approved by Council.
18. Approve an ordinance amending Section 50-32 of the Cleveland Code prohibiting the use of loud speakers or amplifiers at certain times.
19. Approve changes to policy relating to the use of Stancil Park and the Log Cabin.
20. Approve resolution authorizing agreements with TxDOT related to funding the resurfacing of city streets.
21. Approve minutes from December 8, 2009 City Council meeting.
22. Approve recommendation regarding bids to mow acreage surrounding the Cleveland airport.

23. December Budget Report.

Kellan Shaw gave the December Budget Report.

24. Closed executive session to (1) discuss duties of City Manager; (2) discuss duties of Municipal Judge under the Texas Open Meetings Law, exception Section 551.074 – Personnel Matters, and (3) discuss legal matters with the City Attorney under the Texas Open Meetings Law, exception Section 551.071 – Consultation with Attorney.

The meeting was moved into executive session at 8:30 p.m.

25. Return to Open Session.

The meeting was moved into open session at 9:25 p.m. with no action taken.

With no further business before the Council, Councilmember Penry moved to adjourn the meeting at 9:25 p.m., with a second by Councilmember Adams. All Council voted “AYE”.

PASSED AND APPROVED this ____ day of _____, 2010.

Jill B. Kirkonis, Mayor

ATTEST:

Kelly McDonald, City Secretary