

**CITY OF GONZALES
CITY COUNCIL MEETING
MAY 9, 2019 MINUTES**

The City Council convened the Council meeting at 6:00 p.m., May 9, 2019, in the Council Chambers at the Gonzales Municipal Building, 820 St. Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Mayor Connie L. Kacir, Councilmen Gary Schroeder, Tommy Schurig, Dan Blakemore and Bobby O'Neal.

Others Present: City Manager- Tim Patek, City Secretary- Kristina Vega, City Attorney- T. Daniel Santee

Staff Present: Barbara Friedrich, Angie Kessler, Laura Zella, William Ince, Anne Dollery, Keith Schmidt, Tim Crow, Genora Young

Mayor Connie Kacir called the meeting to order, gave the invocation, and cited the Pledge of Allegiance and the Texas Pledge.

HEARING OF RESIDENTS

No comments were made during Hearing of Residents

PUBLIC HEARING

1.1, The City Council of the City of Gonzales will hold a Public Hearing for Early Citizen Input regarding the use of City Funds for Fiscal Year Beginning 1, 2019 and ending September 30, 2020

No comments were made during the Public Hearing.

CONSENT AGENDA ITEMS

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or Councilmember.

The Mayor asked to postpone the consent agenda items in order to discuss items 2.2 in a little more detail.

2.1, **Minutes** - Approval of the minutes for the Regular Meeting of April 11, 2019. The Mayor asked to postpone the approval of the minutes until the next Council meeting.

2.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2019-29** Authorizing the Finance Director to open up accounts at TexPool and transfer funds between Sage Capital Bank and TexPool. Finance Director, Laura Zella stated

on the TexPool accounts that I would like for Council to approve to open; right now in Sage Capital Bank there is \$7.5 million. Of that \$7.5 million, \$1.5 of that is restricted. It cannot be used for anything else. The Museum has a restricted account, Forfeiture account, Municipal Court restricted use accounts, Hotel/Motel and debt service fund. I am proposing to move \$1.25 million of the general fund, \$1.25 of the Electric Fund and \$500 thousand of the Wastewater to TexPool, that way we can be in compliance. The bank previously would allow the City to be over the \$5 million cap, but due to the 90 day treasury rate being so high, they are limiting us to \$5 million. Mayor Kacir stated the moneys that we have for the Hydro Plant. Ms. Zella stated that is at TexPool already. Out of that \$7.5 million that is at Sage Capital Bank, we are working on \$1.8 million worth of projects that we will spending here in the next few months before October 1st, just to give you an idea. There may not be that much that much that I have to transfer. Councilman Blakemore asked if the \$752,535 in the Tourism account is included in the \$1.5 in the restricted funds. Ms. Zella stated yes, it can only be used for Tourism. There are also the two accounts for the Library, one has \$223k and the other one has \$8,493. Some of that is about to be spent because we got a quote on the library roof and it is \$116k. Mayor Kacir stated to sum that up, we added the \$7,581,972; \$2 million is allocated for capital improvements that we will be using this fiscal year and the residual amounts falls into the restricted fund category, HOT tax and other restricted accounts. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2019-29** Authorizing the Finance Director to open up accounts at TexPool and transfer funds between Sage Capital Bank and TexPool. Councilman Blakemore seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

2.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2019-30** Authorizing the Street Closures and Consumption of Alcohol on City Property for the Sacred Heart Spring Festival on June 8, 2019. Council this is standard to what has been done in the past, with the addition of the required insurance. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2019-30** Authorizing the Street Closures and Consumption of Alcohol on City Property for the Sacred Heart Spring Festival on June 8, 2019. Councilman Schroeder seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

RESOLUTIONS

Mayor, Connie Kacir stated Council with your permission; item numbers 3.1 and 3.2; after I ran the numbers on the water meter project and although we definitely need to move forward with that project, we have in our packet a proposal for a five year

payment plan a little over \$77k in interest. When I asked for the pro forma that the vendor had indicated in his proposal that was not available and prior administration had no pro forma in the previous water meters that were installed back in 2015. In further discussion with staff a meeting was called tomorrow and we would like to discuss other options and see if we may curtail that interest fee and use that \$77k for other capital improvements. The issue is time sensitive and we have asked the City Secretary to place this on our next agenda at a called meeting next week. Is there any objection to moving that to the next agenda, there being none, we ask the City Secretary to please move that to the next called meeting. Item 3.1, **Resolution #2019-31** Awarding the contract for water meters and software and authorizing the City Manager to Execute an Agreement with SecureVision for the Purchase of Water Meters and Software. & 3.2, **Resolution #2019-32** Authorizing the City Manager to Enter into a Financing Agreement with Government Capital Corporation for the Water Meters and Software in the amount of \$560,416.00 were postponed until the next called meeting.

3.3, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2019-33** Authorizing Amendments to the City of Gonzales Personnel Manual. These amendments were discussed last year. I know Chief Crow and Chief Schmidt have worked diligently on bringing forth the public safety trainee employee job description. We have that outlined. Highpoints are the trainees would be hired at 80% of the current base pay of the police officers and fire fighter positions. There is no recourse should the City, for whatever reason if they do not pass their exam. City Attorney, Dan Santee stated this is actually talking about outside employment and flex time. 3.4 should be the one that talks about the positions. I just want to be sure that the Council understands that they are not voting on the one about the cadets. Mayor Kacir stated that is correct, 3.3 is the one about the flex time and the amendments to the Gonzales Personnel Manual. Angie Kessler stated 1.17 is added, 3.14 is reworded and 5.08 is reworded. Mayor Kacir stated she was going to clarify 3.3 Discuss, Consider & Possible Action on **Resolution #2019-33** Authorizing Amendments to the City of Gonzales Personnel Manual. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2019-33** Authorizing Amendments to the City of Gonzales Personnel Manual. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

3.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2019-34** Approving the Creation of Job Descriptions, Amending Position Classification and Amending the Annual Budget Personnel Request Summary to include Police Cadets and Firefighter Trainees. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Resolution #2019-34** Approving the Creation of Job Descriptions, Amending Position Classification and Amending the Annual Budget

Personnel Request Summary to include Police Cadets and Firefighter Trainees. Councilman Schroeder seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

3.5, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2019-35** Accepting the proposals, awarding the contract for the roof repairs at Victoria College Training Center and authorizing the City Manager to execute the agreement. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2019-35** Accepting the proposals, awarding the contract for the roof repairs at Victoria College Training Center and authorizing the City Manager to execute the agreement. Councilman Schurig seconded the motion. The Mayor called for discussion. Councilman Blakemore stated that he thought there was a grant application for this money. Do we have a status on that? City Manager, Tim Patek stated there is a grant that we have and they were waiting for a bid to come in on the project for the roofing and then we forwarded that to Texas Rebuild with the Michael & Susan Dell Foundation. They received that and we are waiting to get the ok. Councilman Blakemore asked if we proceed with this and get the roof repaired does that negate the grant. Superintendent of Public Works, William Ince stated he didn't think so but he could reach out to them to be sure. Mayor Kacir stated depending on the grant criteria sometimes it is not reimbursable, do you think we can get that in writing and then we could possibly place this on another agenda if that is Council's pleasure and then we have clarification before we approve those funds. Councilman Blakemore stated we have the possibility of having 100% of this covered and I don't want to negate that possibility and going ahead and entering into a contract. City Attorney, Santee asked staff how long they have to hold their bids in the RFQ, was it 90 days. So whatever bid they submitted, that bid has to be held for 90 days from the date of the opening. So you have some time built into the process if you want to check on anything else first. Right now I think we already have a motion and a second so whoever made the motion if they want to withdraw you can and then we can have altered motions. Councilman O'Neal asked then at some point in time once we know for sure that money is going to be granted then we can move forward. Councilman O'Neal withdrew his motion and Councilman Schurig withdrew his second. The Mayor requested the City Secretary to place this item on the next agenda to clarify in writing the terms and conditions of the potential grant.

ORDINANCES

4.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Ordinance #2019-8** Closing and Abandoning to the abutting property owner, Earline M. Vana Portions of unopened city street. At our last meeting we had discussion on this street and now per protocol and the Charter we have to take action to now close and abandon

said street prior to the sale of said street. This is a quarter of an acre it is selling at a sales price of \$1,000. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2019-8** Closing and Abandoning to the abutting property owner, Earline M. Vana Portions of unopened city street. Councilman Schroeder seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, O'Neal, Blakemore and the Mayor all voted "aye".

STAFF/BOARD REPORTS

5.1 Mayor Kacir stated the Financial Report for the Month of April 2019, Quarterly Investment Report 3/31/2019 and Quarterly Debt Report are included in the packet.

5.2, City Manager, Tim Patek gave a status report to the City Council regarding the Hydro station and the Jim Price Clean-up.

CLOSED SESSION

At 6:35 p.m. the City Council moved into Closed Session.

6.1 Pursuant to Section 551.071 of the Texas Government Code, the City of Gonzales will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter", to include the following matters:

- a. In Re Estate of J. B. Wells litigation

RETURN TO OPEN SESSION

At 6:43 p.m. the Council returned to Open Session

7.1, Discuss and Consider any action resulting from Closed Session as Necessary.

No action was taken resulting closed session.

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 6:44 p.m.



Kristina Vega, City Secretary

APPROVED:

