

**CITY OF GONZALES
CITY COUNCIL MEETING
DECEMBER 12, 2019 MINUTES**

The City Council convened the Council meeting at 6:00 p.m., December 12, 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 and Dan Blakemore, Bobby O'Neal

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

Staff Present: Anne Dollery, Barbara Friedrich, Genora Young, Tim Crow, Todd Renschel, Derrick Smith,

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

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
- Announcements and recognitions by the Mayor
- Recognition of actions by City employees
- Recognition of actions by community volunteers

Mayor Kacir recognized the Main Street board for a wonderful Winterfest Event that was celebrated last weekend.

HEARING OF RESIDENTS

Reverend Charles Roaches, Edwards Association, informed and invited the City Council about the annual Martin Luther King, Jr. march and celebration at 10:00 a.m. on January 20, 2020.

Terry Gawlik, Republic Services, spoke in regards to the Solid Waste Collection RFP and requested that the deadline be extended.

Clint Hille, spoke in regards to his board application to serve on the EDC and his desire and qualifications to serve on the board.

Barbara Friedrich, Main Street Manager, thanked the Main Street Board, Volunteers and city staff for making this year a great year for the Main Street program and gave a year-end review of the successes of the downtown area.

Derrick Smith, Building Official, introduced himself as the new Building Official and expressed his enthusiasm to be working for the City of Gonzales.

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 read the consent items as follows:

1.1, **Minutes** - Approval of the minutes for the Regular Meeting of September 12, 2019, October 10, 2019, November 14, 2019 and Special Called Meeting of November 21, 2019

1.2, Discuss, Consider & Possible Action on **Resolution #2019-104** Authorizing the Purchase of a Doosan DX 190 WE-5 for the Street Department

1.3, Discuss, Consider & Possible Action on **Resolution #2019-105** Authorizing the City Manager to Apply for, and Accept if Awarded, a Grant From the Government Land Office (GLO) in the Amount of \$852,300 for the Infrastructure Improvements to Wastewater Lines Damaged as a result of Hurricane Harvey and the City allocating \$69,756

1.4, Discuss, Consider & Possible Action on **Resolution #2019-106** Approving a Type B Economic Development Project And Performance Agreement, By and Between the Gonzales Economic Development Corporation and Livestock Nutrition Center, LLC, a Texas Limited Liability Company, Regarding Improvements authorized pursuant to Sections 501.101 and 501.103 of the Texas Local Government Code

1.5, Discuss, Consider & Possible Action on **Resolution #2019-107** Authorizing the City Manager to Execute Contracts between the City of Gonzales and the Gonzales County Mental Health Advisory Board, The Edwards Association, and Gonzales County Senior Citizens Association

1.6, Discuss, Consider & Possible Action on **Resolution #2019-108** Authorizing the City Manager to Execute Contracts between the City of Gonzales and Gonzales County Restoration Association dba Pioneer Village, Gonzales Chapter DRT (JB Wells House) and Preservation Gonzales, Inc. (Gonzales County Jail Museum)

The Mayor asked for a motion to approve the consent agenda items. Councilman O'Neal made a motion to approve consent items 1.1, 1.2, 1.3, 1.5, 1.6, and removing item 1.4 to be discussed separately as the first reading of the item with the second reading to be included on the next consent agenda. Councilman Blakemore seconded

the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

REGULAR AGENDA ITEMS RESOLUTIONS

1.4, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2019-106** Approving a Type B Economic Development Project and Performance Agreement, By and Between the Gonzales Economic Development Corporation and Livestock Nutrition Center, LLC, a Texas Limited Liability Company, Regarding Improvements authorized pursuant to Sections 501.101 and 501.103 of the Texas Local Government Code. Councilman Schurig made a motion to approve on **Resolution #2019-106** Approving a Type B Economic Development Project and Performance Agreement, by and Between the Gonzales Economic Development Corporation and Livestock Nutrition Center, LLC, a Texas Limited Liability Company, Regarding Improvements authorized pursuant to Sections 501.101 and 501.103 of the Texas Local Government Code. Councilman Schroeder seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

Mayor Kacir asked to move the board appointments until after the Ordinance for Chapter 9 Personnel. The reason being is we will need to approve that in order to appoint those boards and commissions.

ORDINANCES

3.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Ordinance #2019-23** Amending Chapter 9 Personnel of the City of Gonzales Code of Ordinances. Council at our last meeting we did ask to move the Museum Board from a five member board to a seven member board, unless there is opposition. We also added an Airport Advisory Board in Chapter 9, it is listed as five members but to keep things uniform, I propose that we approve this policy and move it to a seven member board as well. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2019-23** Amending Chapter 9 Personnel of the City of Gonzales Code of Ordinances and amending the Museum Board and Airport Board as seven members within the ordinance. Councilman Blakemore seconded the motion. The Mayor called for discussion. The Mayor asked that we will have Chapter 9 to be placed on the consent agenda next meeting and not to complicate tonight's meeting. Some of the things I would like to see added was the Open Meetings Act Training and Public Information Act Training. Also define the boards as advisory or governing, their attendance. City Attorney, Dan Santee stated you wanted this to be moved up because you wanted it to apply to the boards you are about to appoint, but if you are putting on consent for additional changes then it won't be effective until after it's approved next month. Mayor Kacir stated, right but I wanted Council to have time to review the additions I was going

to ask for. Mr. Santee asked if the intention is to apply the Open Meetings Act to all boards and commissions whether the statute would apply to them or not. If you place it in an Ordinance you are creating a local law that applies it to them. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

3.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Ordinance #2019-24** Amending the fiscal and budgetary policy included within the 2019-2020 Budget. That simple was amending the language so that we were compliant with Code of Federal Regulations and procurement criteria. The Mayor asked for a motion. Councilman O'Neal made a motion to postpone **Ordinance #2019-24** Amending the fiscal and budgetary policy included within the 2019-2020 Budget. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

RESOLUTIONS

2.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Discuss, Consider & Possible Action on **Resolution #2019-109** Authorizing the Appointments and Reappointments to the City of Gonzales Board & Commissions:

(a) Golf Course Advisory Board;

Councilman Blakemore made a motion to appoint to the Golf Course Advisory Board Jon Such, Glenda Kessler, William Hyman for a two year term effective October 1, 2019 and ending September 30, 2021 and Bill Kessler for the remainder of a two year term ending on September 30, 2020. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schroeder, Blakemore and the Mayor all voted "aye". Councilman Schurig and O'Neal voted "nay".

(b) Gonzales Economic Development Corporation;

Councilman Blakemore made a motion to appoint Dewey Smith, Gerri Lawing, Dan Blakemore and Connie Kacir to the Gonzales Economic Development Corporation for a two year term effective October 1, 2019 and ending September 30, 2021. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

(c) Gonzales Library Board;

Councilman O'Neal made a motion to appoint Vicki Frenzel, Noell Ince, Martha Jo Whitt, Erwin Ckudre to the Gonzales Library Board for a two year term effective October

1, 2019 and ending September 30, 2021. Councilman Blakemore seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

(d) Main Street Advisory Board;

Councilman Blakemore made a motion to appoint Carlos Camarillo, Karen Jacobs, Debbie Toliver, Shelli Shelton Van Kirk, Amy Cernosek, Sherri Schellenberg to the Main Street Advisory Board effective October 1, 2019 and ending September 30, 2021 and Cheri Lane and D'Anna Robinson to fill unexpired terms ending September 30, 2020. Councilman O'Neal seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

(e) Planning & Zoning Commission;

Councilman O'Neal made a motion to appoint Tim Gescheidle, Roland Martinez, Charles Patterson, Gilbert Perez to the Planning & Zoning Commission effective October 1, 2019 and ending September 30, 2021 and Johnnie Edwards for the unexpired term ending September 30, 2020. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

(f) Gonzales Convention & Visitors Bureau;

Councilman Blakemore made a motion to appoint Holly Danz, Dawn O'Donnell, Barbara Crozier, Andrea (Andi) Seger to the Gonzales Convention & Visitors Bureau effective October 1, 2019 and ending September 30, 2021. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

(g) Zoning Board of Adjustment & Sign Control Board;

Councilman O'Neal made a motion to appoint Vicki Frenzel and Ray Raley to the Zoning Board of Adjustment & Sign Control Board effective October 1, 2019 and ending September 30, 2021. Councilman Blakemore seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

(h) JB Wells Park Advisory Board;

Councilman O'Neal made a motion to appoint Kevin LaFleur, Allison Davis and Liz Davis to the JB Wells Park Advisory Board effective October 1, 2019 and ending

September 30, 2021. Councilman Schurig seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, Blakemore, O'Neal and the Mayor all voted "aye".

(i) Museum Advisory Board

Councilman O'Neal made a motion to appoint John Tinsley, Brent Baker, Lucianne Blakemore, Jean Peterek Burns to the Museum Advisory Board effective October 1, 2019 and ending September 30, 2021 and Cheri Lane for a one year term ending on September 30, 2020. 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 and the Mayor all voted "aye". Councilman Blakemore abstained.

STAFF/BOARD REPORTS

4.1, Mayor Kacir stated the Financial Report for the Month of November 2019 is available for review.

4.2, City Manager, Tim Patek gave the City Council an update Request for Proposals for Solid Waste Collection and Disposal Services, District Wide Clean-up held in November, Hydro Electric Project, Sports Organization Contracts

CLOSED SESSION

At 6:56 p.m. the City Council moved into Closed Session.

5.1 (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
- b. Patricia Bennett and Gloria Knight v. City of Gonzales, Texas Cause No. 27,500
- c. A Guerra Enterprise LLC D/B/A Holiday Inn Express & Suites Cause No. 27,591

RETURN TO OPEN SESSION

At 7:00 p.m. the Council returned to Open Session

6.1, Discuss and Consider any action resulting from Closed Session as Necessary. No action was taken regarding closed session.

ADJOURN

The Mayor asked for a motion to adjourn. Councilman Schurig made a motion to adjourn and Councilman O'Neal seconded the motion and the meeting adjourned at 7:00 p.m.



Kristina Vega, City Secretary

APPROVED:


