

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –MAY 13, 2021**

A Regular Meeting of the City Council was held on **May 13, 2021** at 6:00 p.m. via teleconference pursuant to **Section 551.045 of the Texas Government Code and in accordance with the March 16, 2020 order by the Governor of the State of Texas.**

The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items. This DOES NOT apply to statutorily mandated public hearings, such as zoning and similar hearings. The Governor has since clarified his intent and stated that citizens should be allowed to offer comments by other means.

A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Citizens wishing to offer comments on the posted agenda items may email their comments at least two hours prior to the start of the meeting and the comments will be read into the record during the time allocated for citizen comments. Emails may be sent to citysecretary@gonzales.texas.gov and must include the name of the citizen.

CALL TO ORDER, INVOCATION AND PLEDGE

Mayor Kacir called the meeting to order at 6:00 p.m. and a quorum was certified.

Attendee Name	Title	Status
Connie L. Kacir	Mayor	Present in person
Joseph Kridler	Council Member, District 1	Present in person
Tommy Schurig	Council Member, District 2	Present in person
Bobby O’Neal	Council Member, District 3	Present in person
Robert R. Brown, Jr.	Council Member, District 4	Present in person

STAFF PARTICIPATING:

City Attorney Dan Santee, City Manager Tim Patek, Finance Director Laura Zella, Main Street Manager Liz Reiley, City Engineer Keith Schauer and Police Chief Tim Crow.

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events
- Announcements and recognitions by the City Manager
City Manager, Tim Patek informed Council that Ralph Camarillo was promoted to Parks & Recreation Director and introduced Amanda Garza who was hired as JB Wells Arena Manager.
- Announcements and recognitions by the Mayor

- Recognition of actions by City employees
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

Glenda Gordon spoke regarding the project regarding the installation of the interpretive panels at the Independence Square and Dewitt's Colony Muster on September 11, 2021.

Johnny Perales spoke on behalf of BattleRod 2021 - Classic/Hot Rod Car Show on November 20, 2021.

Melanie Petru, Betty Vaughan and Dennis Kaiser spoke regarding the roof project and details for improvements at the Eggleston House and the desire plans to conduct fund raising for the improvements.

Brad Cox of the Chamber of Commerce spoke in favor of the Battlerod 2021 event.

David Tucz provided information regarding the Juneteenth Freedom March to be held on June 19, 2021.

Reverend Charles Roaches thanked the Chief of Police, Sheriff, Mayor and others that supported the Mr. Pilgrim Baptist Church parade.

Barbara Crozier and the Young Texians provided a brief program regarding the Alamo.

PRESENTATIONS

- 1.1 Presentation and Discussion from City Engineer Keith Schauer regarding the progress and status of the Capital Improvements Plan

City Engineer, Keith Schauer went over the projects that have been completed within the Capital Improvements Plan and detailed their funding process.

- 1.2 Presentation from Dennis Kaiser regarding the replacement of the roof at the Eggleston House including the construction and fund raising for the project
(this item was conducted during the Hearing of Residents portion of the meeting)

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 a Councilmember.

- 2.1 **Minutes** - Approval of the minutes for the April 8, 2021 Regular Meeting and the May 6, 2021 Special Meeting

- 2.2 Discuss, Consider & Possible Action on **Resolution #2021-30** Amending the previously approved street closure time for the June 18, 2021 Summer Concert Series from 11:00 p.m. to 11:59 p.m.
- 2.3 Discuss, Consider & Possible Action on **Resolution #2021-31** Authorizing Preservation Gonzales, Inc. use of Market Square including designated street closures for the DeWitt's Colony Muster event on September 11, 2021
- 2.4 Discuss, Consider & Possible Action on **Resolution #2021-32** Authorizing Gonzales Main Street use of Texas Heroes Square for the Memorial Day Service & Banner Recognition on May 31, 2021
- 2.5 Discuss, Consider & Possible Action on **Resolution #2021-33** Authorizing God's Iron Fitness use and the closure of the 400 Block of Smith Street for the Fit-OPS; Movement for Mental Health on June 26, 2021
- 2.6 Discuss, Consider & Possible Action on **Resolution #2021-34** Authorizing City staff to seek Request of Qualifications and Proposals from Qualified Experienced Firms of Certified Public Accountants to Audit the City's Financial Statements in the manner most advantageous to the City
- 2.7 Discuss, Consider & Possible Action on **Resolution #2021-35** Authorizing the Expenditure in an amount not to exceed \$5,000 for School Zone Signage and supplies from the Restricted Use Municipal Court Child Safety Fund
- 2.8 Discuss, Consider & Possible Action on **Ordinance #2021-14** Appointing Crystal Cedillo, Gonzales County Tax Assessor Collector, as the Individual to Calculate and Prepare the 2021 No-New Revenue and Voter-Approval Tax Rate for the City of Gonzales

ACTION: Items 2.1 to 2.8

APPROVED

Council Member Schurig moved to approve the consent agenda as presented. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ACTION

- 3.1 Discussion and Direction from City Council regarding mask requirements within City owned facilities

The consensus of the City Council was to allow city employees to use their discretion regarding the use of masks within City facilities.

RESOLUTIONS

- 4.1 Discuss, Consider & Possible Action on Resolution #2021-36 Authorizing P Events and Gonzales Chamber of Commerce use of Texas Heroes Square including designated street closures for the BattleRod 2021 - Classic/Hot Rod Car Show on November 20, 2021

ACTION: Items 4.1

APPROVED

Council Member Brown moved to approve **Resolution #2021-36** Authorizing P Events and Gonzales Chamber of Commerce use of Texas Heroes Square including designated street closures for the BattleRod 2021 - Classic/Hot Rod Car Show on November 20, 2021. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.2 Discuss, Consider & Possible Action on **Resolution #2021-37** Accepting the Proposals and Awarding the Contract for the 2021 Street Improvements projects to Diamond X Contracting

ACTION: Items 4.2

APPROVED

Council Member Schurig moved to approve **Resolution #2021-37** Accepting the Proposals and Awarding the Contract for the 2021 Street Improvements projects to Diamond X Contracting. Council Member Kridler seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.3 Discuss, Consider & Possible Action on **Resolution #2021-38** Approving the recommendation of the Gonzales Convention & Visitor Bureau for the expenditure of funds in the amount of \$25,000 to the Gonzales Main Street for the 2021 Gonzales Main Street Summer Concert Series

ACTION: Items 4.3

APPROVED

Council Member Brown moved to approve **Resolution #2021-38** Approving the recommendation of the Gonzales Convention & Visitor Bureau for the expenditure of funds in the amount of \$25,000 to the Gonzales Main Street for the 2021 Gonzales Main Street Summer Concert Series. Council Member Kridler seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.4 Discuss, Consider & Possible Action on **Resolution #2021-39** Authorizing the Appointment of two Council members to the Golden Crescent Regional Planning Commission General Assembly from September 1, 2021 to August 31, 2022

ACTION: Items 4.4

APPROVED

Council Member Schurig moved to approve **Resolution #2021-39** Authorizing the Appointment of Mayor Connie Kacir as Voting Delegate and Board Representative and Councilman Bobby O'Neal as Voting Delegate to the Golden Crescent Regional Planning Commission General Assembly from September 1, 2021 to August 31, 2022. Mayor Kacir seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.5 Discuss, Consider & Possible Action on **Resolution #2021-40** Approving the Roger M. Dreyer Memorial Airport Hangar Lease Agreement

ACTION: Items 4.5

APPROVED

Council Member Brown moved to approve **Resolution #2021-40** Appointing members to the Redistricting Commission. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.6 Discuss, Consider & Possible Action on **Resolution #2021-41** Approving the Tax Resale of the Property Located at 905 Kleine Street

ACTION: Items 4.6

APPROVED

Council Member Schurig moved to approve **Resolution #2021-41** Appointing members to the Redistricting Commission. Council Member Kridler seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.7 Discuss, Consider & Possible Action on **Resolution #2021-42** Approving the Tax Resale of the Property Located at 917 Pecan Street

ACTION: Items 4.7

APPROVED

Council Member Schurig moved to approve **Resolution #2021-42** Approving the Tax Resale of the Property Located at 917 Pecan Street. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ORDINANCES

- 5.1 Discuss, Consider & Possible Action on **Ordinance #2021-15** Closing and Abandoning to the abutting property owner, Portions of certain unimproved streets lying beyond the municipal boundaries

ACTION: Items 5.1

APPROVED

Council Member O'Neal moved to approve **Ordinance #2021-15** Closing and Abandoning to the abutting property owner, Portions of certain unimproved streets lying beyond the municipal boundaries. Council Member Brown seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.2 Discuss, Consider & Possible Action on **Ordinance #2021-16** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2020 and Ending September 30, 2021 in the amount of \$240,585.05

ACTION: Items 5.2

APPROVED

Council Member O'Neal moved to approve **Ordinance #2021-16** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2020 and Ending September 30, 2021 in the amount of \$240,585.05. Council Member Schurig seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 5.3 Discuss, Consider & Possible Action on **Ordinance #2021-17** Ordering and Declaring the 2021 Charter Amendments Adopted

ACTION: Items 5.3

APPROVED

Council Member Brown moved to approve **Ordinance #2021-17** Ordering and Declaring the 2021 Charter Amendments Adopted. Council Member O’Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

STAFF/BOARD REPORTS

- 6.1 Financial Report for the month of April 2021
- 6.2 City Manager, Tim Patek provided an update to the City Council on the following:
- Jim Price Clean-up
 - LCRA transmission line update
 - Certified Public Manager certification update

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 7:21 p.m.

- 7.1 (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

(2) Pursuant to Section 551.072 of the Texas Government Code, the City of Gonzales will consult in closed session to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person:

(a) Consider an offer to purchase unopened streets in the Original Out Town of Gonzales, East of Water street adjacent to Lots 27 and 28, Range 13 and Lots 25-28, Range 14

RETURN TO OPEN SESSION

The Council convened into open session at 7:29 p.m.

- 8.1 Discuss and Consider any Action Resulting from Closed Session as Necessary

No action was taken.

CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

- Requests by Mayor and Councilmembers for items on a future City Council agenda
- Announcements by Mayor and Councilmembers
- City and community events attended and to be attended

- Continuing education events attended and to be attended

ADJOURN

On a motion by Council Member O'Neal and second by Council Member Schurig the meeting was adjourned at 7:30 p.m.

Approved this 10th day of June, 2021.



City Secretary



Connie Kacir, Mayor