

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –JUNE 10, 2021**

A Regular Meeting of the City Council was held on **June 10, 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	Outgoing-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
Sherri Tumlinson Koepp	Incoming-Council Member District 2	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
- Announcements and recognitions by the Mayor
- Recognition of actions by City employees
- Recognition of actions by community volunteers

HEARING OF RESIDENTS

Barbara Crozier spoke on behalf and in favor of agenda item 3.4 regarding Laurel Ridge Antiques.

David Tucey spoke on behalf of the Edwards Association and expressed his gratitude to Council Member Schurig for all he has done for District 2 and welcomed Council Member Koepp to the position.

Ruth Guerra spoke regarding the opposition to the garage requirements within the Zoning Ordinance that was adopted in February.

ACTION ITEMS

- 1.1 Discuss, Consider & Possible Action on **Resolution #2021-43** Canvassing the Returns and Officially declaring the results of the June 1, 2021 City of Gonzales District 2 Runoff Election.

CANDIDATE	Early Voting	Election Day	Absentee	TOTAL VOTES
Sherri Tumlinson Koepp	57	32	6	95
Johnnie R. Hunt	40	21	4	65
Total Votes Counted	97	53	10	160

ACTION: Item 1.1

APPROVED

Council Member O’Neal moved to approve **Resolution #2021-43** Canvassing the Returns and Officially declaring the results of the June 1, 2021 City of Gonzales District 2 Runoff Election. Council Member Kridler seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 1.2 Issuance of the Certificate of Election and Swearing in of City Council Member District 2: Sherri Tumlinson-Koepp

Mayor Kacir conducted the Swearing in of Council Member District 2-Sherri Tumlinson-Koepp and issued the Certificate of Election.

- 1.3 Discuss, Consider & Possible Action on **Resolution #2021-44** Appointing a Mayor Pro Tem for the City of Gonzales

ACTION: Item 1.3

APPROVED

Council Member Kridler moved to approve **Resolution #2021-44** Appointing Rob Brown as Mayor Pro Tem of the City of Gonzales. Council Member O’Neal seconded the motion. Mayor Kacir called for a roll call vote. Council Member Brown abstained. For: 3. The motion passed 3 to 0.

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 May 13, 2021 Regular Meeting

ACTION: Items 2.1

APPROVED

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

RESOLUTIONS

3.1 Discuss, Consider & Possible Action on Resolution #2021-45 Authorizing the Edwards Association the use of Independence Square and designated street closures for the Juneteenth Freedom March on June 19, 2021

ACTION: Items 3.1

APPROVED

Council Member Kridler moved to approve **Resolution #2021-45** Authorizing the Edwards Association the use of Independence Square and designated street closures for the Juneteenth Freedom March on June 19, 2021. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

3.2 Discuss, Consider & Possible Action on Resolution #2021-46 Authorizing the Purchase of a 2021 John Deere Backhoe for the Water Department from RDO Equipment Company in the amount of \$104,950.00

ACTION: Items 3.2

APPROVED

Council Member Brown moved to approve **Resolution #2021-46** Authorizing the Purchase of a 2021 John Deere Backhoe for the Water Department from RDO Equipment Company in the amount of \$104,950.00. Council Member Kridler seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

3.3 Discuss, Consider & Possible Action on Resolution #2021-47 Authorizing the Purchase of a Trojan UV disinfection system replacement for the Wastewater Department in the amount of \$228,700.00

ACTION: Items 3.3

APPROVED

Council Member O'Neal moved to approve **Resolution #2021-47** Authorizing the Purchase of a Trojan UV disinfection system replacement for the Wastewater Department in the amount of \$228,700.00. Council Member Kridler seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.4 Discuss, Consider & Possible Action on **Resolution #2021-48** Approving A Type B Economic Development Agreement by and between the Gonzales Economic Development Corporation and Laurel Ridge Designs, Inc., a Texas Corporation, Authorized Pursuant to Section 505.158 of the Texas Local Government Code

ACTION: Items 3.4

APPROVED

Council Member Brown moved to approve **Resolution #2021-48** Approving A Type B Economic Development Agreement by and between the Gonzales Economic Development Corporation and Laurel Ridge Designs, Inc., a Texas Corporation, Authorized Pursuant to Section 505.158 of the Texas Local Government Code. Council Member Koepp seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.5 Discuss, Consider & Possible Action on **Resolution #2021-49** Authorizing an amendment to the Fiscal and Budgetary Policy Statement for the City of Gonzales

ACTION: Items 3.5

APPROVED

Council Member Kridler moved to approve **Resolution #2021-49** Authorizing an amendment to the Fiscal and Budgetary Policy Statement for the City of Gonzales. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.6 Discuss, Consider & Possible Action on **Resolution #2021-50** Authorizing City Staff to Solicit Proposals from Reputable and Experienced Vendors for a Feasibility Study and Market Analysis for the Potential Improvement and Enhancement of Municipally-owned Softball and Baseball Fields and/or the Potential Creation of a New Sports Complex

ACTION: Items 3.6

APPROVED

Council Member Brown moved to approve **Resolution #2021-50** Authorizing City Staff to Solicit Proposals from Reputable and Experienced Vendors for a Feasibility Study and Market Analysis for the Potential Improvement and Enhancement of Municipally-owned Softball and Baseball Fields and/or the Potential Creation of a New Sports Complex. Council Member O'Neal seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.7 Discuss, Consider & Possible Action on **Resolution #2021-51** Approving the use of the practice field located on North Avenue between the 400 block of Williams Street and 400 block of Tate Street and authorizing designated street closures for the First Responder Appreciation Night on June 25, 2021 and authorizing the City Manager to execute an agreement with Austin Aeronauts, LLC.

ACTION: Items 3.7

APPROVED

Council Member Koepp moved to approve **Resolution #2021-51** Approving the use of the practice field located on North Avenue between the 400 block of Williams Street and 400 block of Tate Street and authorizing designated street closures for the First Responder Appreciation Night on June 25, 2021. Council Member O'Neal seconded the

motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.8 Discuss, Consider & Possible Action on **Resolution #2021-52** Approving A Type B Economic Development Project and Performance Agreement, by and between the Gonzales Economic Development Corporation and First United Methodist Church Regarding Improvements authorized pursuant to Section 505.152 of the Texas Local Government Code

ACTION: Items 3.8

APPROVED

Council Member Kridler moved to approve **Resolution #2021-52** Approving A Type B Economic Development Project and Performance Agreement, by and between the Gonzales Economic Development Corporation and First United Methodist Church Regarding Improvements authorized pursuant to Section 505.152 of the Texas Local Government Code. Council Member Brown seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

ORDINANCES

- 4.1 Discuss, Consider & Possible Action on **Ordinance #2021-18** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2020 and Ending September 30, 2021 in the amount of \$127,430.00

ACTION: Items 4.1

APPROVED

Council Member O'Neal moved to approve **Ordinance #2021-18** Approving a Budget Amendment to the Operating Budget for the Fiscal Year October 1, 2020 and Ending September 30, 2021 in the amount of \$127,430.00. Council Member Kridler seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

STAFF/BOARD REPORTS

- 5.1 Financial Report for the month of April 2021
- 5.2 City Manager, Tim Patek provided an update to the City Council on the following:
- Grant funding projects
 - Preliminary budget and rate study
 - Electric AMI Metering update

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 6:54 p.m.

- 6.1 (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) Victoria College billboard

RETURN TO OPEN SESSION

The Council convened into open session at 7:47 p.m.

7.1 Discuss and Consider any Action Resulting from Closed Session as Necessary

Council Member O’Neal moved to approve the Settlement Agreement and Mutual Release of All Claims; Cause Number OTH-17-9886 in the Estate of J.B. Wells, Jr. in the amount of \$1.825 million. Mayor Kacir seconded the motion. Mayor Kacir called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

CITY COUNCIL REQUESTS AND ANNOUNCEMENTS

- Requests by Mayor and Councilmembers for items on a future City Council agenda
The Council requested that the City Council meetings return to non-COVID protocol meetings.
- 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 Kridler the meeting was adjourned at 7:49 p.m.

Approved this 8th day of July, 2021.



City Secretary



Connie Kacir, Mayor