

**CITY OF GONZALES, TEXAS  
CITY COUNCIL MEETING  
MINUTES –November 17, 2022**

The regular meeting of the City Council was held on **November 17, 2022** at 6:00 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at the Gonzales Municipal Building, giving notice of time, date, place, and agenda thereof. The meeting notice, agenda and agenda packet were posted online at [www.gonzales.texas.gov](http://www.gonzales.texas.gov).

**CALL TO ORDER, INVOCATION AND PLEDGE**

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

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Steve Sucher	Mayor	Present
Joseph Kridler	Council Member, District 1	Present
Sherri Koepp	Council Member, District 2, Mayor Pro Tem	Present
Bobby O’Neal	Council Member, District 3	Present
Ronda Miller	Council Member, District 4	Present

**STAFF PARTICIPATING:**

Tim Crow-Interim City Manager, Kristina Vega-City Secretary, Jennifer Kolbe-Economic Development Director, Laura Zella-Finance Director, Todd Remschel-Street Director, Wade Zella-Fire Chief, Amanda Garza-JB Wells Park Operations Manager, Tiffany Padilla-Main Street Manager, Erica Leopold- Administrative Assistant & Gayle Autry- Police Assistant Chief.

**CITY EVENTS AND ANNOUNCEMENTS**

- Announcements of upcoming City Events- None
- Announcements and recognitions by the Interim City Manager- None
- Announcements and recognitions by the Mayor- Mayor Sucher acknowledged volunteer Members of the community and City staff for jobs well done for events within the community.
- Recognitions of actions by community volunteers-None

**HEARING OF RESIDENTS**

Dr. Koerner requested and spoke in favor of an increase in funding to the Gonzales Dog Adoptions contract that was previously approved.

Thomas Enriquez commended the Parks Department in the appearance of the parks, and in favor of creating a Tejano Mural within the City to recognize the Texian Army and their history for the City of Gonzales

**PRESENTATION AND PUBLIC HEARING**

- 1.1 Public Hearing and Presentation regarding the Section 3 Requirements for the City of Gonzales TXCDBG Grant # 7220052-2020-DRP from the Texas Department of Agriculture in the amount of \$500,000 for Sidewalk and Infrastructure Improvements

Mayor Sucher opened the Public Hearing at 6:21 p.m.

Janay Tieken presented to the City Council the Section 3 Requirements for the Gonzales TXCDBG Grant # 7220052-2020-DRP from the Texas Department of Agriculture in the amount of \$500,000 for Sidewalk and Infrastructure Improvements.

Mayor Sucher closed the Public Hearing at 6:25 p.m.

### **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 October 13, 2022 Regular Meeting
- 2.2 Discuss, Consider & Possible Action on **Resolution #2022-127** Authorizing the Interim City Manager to execute an Interlocal Cooperation Agreement between Gonzales County and the City of Gonzales to install a radio communications tower located off of FM 532 for Emergency Communication
- 2.3 Discuss, Consider & Possible Action on **Resolution #2022-128** Authorizing the Payment of Longevity Pay for Fiscal Year 2022-2023
- 2.4 Discuss, Consider & Possible Action on **Resolution #2022-129** Authorizing the Interim City Manager to Execute an Agreement for Election Services with the Elections Administrator of Gonzales County for the May 6, 2023 General Election
- 2.5 Discuss, Consider & Possible Action on **Resolution #2022-130** Authorizing the Edwards Association the Use of Independence Square including the Parking Lot, and Designated Street Closures for the Annual Martin Luther King March on January 16, 2023

### **ACTION: Items 2.1 through 2.5**

**APPROVED**

Council Member Kridler moved to approve the consent agenda items 2.1 through 2.5. Council Member Koepp seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

### **RESOLUTIONS**

- 3.1 Public Hearing, Discussion & Possible Action on **Resolution #2022-131** Authorizing the Interim City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas General Land Office (GLO) for \$150,000 to the Resilient Communities Grant program for the update of the City of Gonzales Comprehensive Plan.

Mayor Sucher opened the Public Hearing at 6:27 p.m.

Thomas Enriquez asked if this grant will directly help with the flooding on Tinsley Creek.

City Secretary, Kristina Vega stated that this is a grant that will more assist with the planning portion of the flooding mitigation, but the City is looking at other grant opportunities that will assist in the funding of the actual improvements.

Mayor Sucher closed the Public Hearing at 6:31 p.m.

**ACTION: Items 3.1**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2022-131** Authorizing the Interim City Manager to Submit, and Accept if Awarded, an Application and Associated Documents to the Texas General Land Office (GLO) for \$150,000 to the Resilient Communities Grant program for the update of the City of Gonzales Comprehensive Plan. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.2 Discuss, Consider & Possible Action on **Resolution #2022-132** Approving the 2023 Insurance Provider for Health, Dental, Vision and Life

**ACTION: Items 3.2**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2022-132** Approving Blue Cross Blue Shield (Blue Choice MTBCP014) as the 2023 Insurance Provider for Health, Dental, Vision and Life. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.3 Discuss, Consider & Possible Action on **Resolution #2022-133** Authorizing the Purchase of a Fire Engine and Related Equipment for the Fire Department and Authorizing the Interim City Manager to Execute the Purchase Agreement and all necessary documents

**ACTION: Items 3.3**

**APPROVED**

Council Member O'Neal moved to approve **Resolution #2022-133** Authorizing the Purchase of a Fire Engine and Related Equipment for the Fire Department and Authorizing the Interim City Manager to Execute the Purchase Agreement and all necessary documents. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.4 Discuss, Consider & Possible Action on **Resolution #2022-134** Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to Diamond X Contracting, Inc

**ACTION: Items 3.4**

**NOT APPROVED**

Council Member Miller moved to approve **Resolution #2022-134** Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to Diamond X Contracting, Inc. contingent upon requesting GEDC to cover an additional \$258k in funding for the project. Council Member Kridler seconded the motion. City Staff then engaged in discussions regarding the logistics of the funding. Mayor Sucher called for a roll call vote. For: Miller and Kridler. Against: Koepp, O'Neal and Sucher. The motion failed 2 to 3.

**ACTION: Items 3.4**

**APPROVED**

Mayor Sucher entertained another motion regarding the project. Council member Koepp moved to approve **Resolution 2022-134** Accepting the Proposals and Awarding the Contract for the 2021 Sidewalk Improvement Plans to Diamond X Contracting. Council Member O’Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.5 Discuss, Consider & Possible Action on **Resolution #2022-135** Accepting the Proposals and Awarding the contract for the 2022 Street Improvement Plans to Diamond X Contracting Inc.

**ITEM WAS POSTPONED**

- 3.6 Discuss, Consider & Possible Action on **Resolution #2022-136** Issuing a Change Order to the contract for the 2022 Street Improvement Projects with Diamond X Contracting, Inc. to reduce the amount of the contract by \$633,852.95, and to add a 1% contingency to the project

**ITEM WAS POSTPONED**

- 3.7 Discuss, Consider & Possible Action on **Resolution #2022-137** Approving Work Order #74 in the amount of \$44,500 for Engineering, Surveying, CMT and Construction Administration Services for the 2022 Water and Wastewater Improvement Projects

**ACTION: Items 3.7**

**APPROVED**

Council Member Miller moved to approve **Resolution #2022-137** Approving Work Order #74 in the amount of \$44,500 for Engineering, Surveying, CMT and Construction Administration Services for the 2022 Water and Wastewater Improvement Projects. Council Member O’Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 3.8 Discuss, Consider & Possible Action on **Resolution #2022-138** Approving a Performance Agreement by and between the Gonzales Economic Development Corporation and Gonzales Main Street, Inc., a Texas Non-Profit Corporation, Concerning the Gonzales Butterfly Garden

Council Member Miller moved to not approve **Resolution #2022-138**. Motion died due to a lack of second.

Mayor Sucher entertained another motion.

**ACTION: Items 3.8**

**APPROVED**

Council Member O’Neal moved to approve **Resolution #2022-138** Approving a Performance Agreement by and between the Gonzales Economic Development Corporation and Gonzales Main Street, Inc., a Texas Non-Profit Corporation, Concerning the Gonzales Butterfly Garden. Council Member Koepp seconded the motion. Mayor

Sucher called for a roll call vote. For: O'Neal, Koepp, Kridler, and Sucher. Against: Miller. The motion passed 4 to 1.

## **ORDINANCES**

- 4.1 Public Hearing, Discussion & Possible Action on **Ordinance #2022-21** Amending the Official Zoning Map by Zoning Property located at 1507 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District

Mayor Sucher opened the Public Hearing at 7:24 p.m.

Zoning Administrator, Kristina Vega spoke in favor of the request for rezone from C-2 Heavy Commercial to Single Family 6 District. The property is currently being utilized as a residential unit which would be considered legal non-conforming. The property owner would like to continue to utilize the property as residential and bring the property into compliance with the zoning code. Thus, the desire for the rezone. A notice was published in the newspaper on October 27, 2022 and notices were mailed to property owners within 200' of the subject property on October 27, 2022. Five (5) property owners were notified of the zoning change. As of preparation of the staff report, there were not any objection letters filed.

No other comments were made.

Mayor Sucher closed the Public Hearing at 7:27 p.m.

### **ACTION: Items 4.1**

### **APPROVED**

Council Member Koepp moved to approve **Ordinance #2022-21** Amending the Official Zoning Map by Zoning Property located at 1507 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District. Council Member Miller seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 4.2 Public Hearing, Discussion, & Possible Action on **Ordinance #2022-22** Amending the Official Zoning Map by Zoning Property located at 814 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District

Mayor Sucher opened the Public Hearing at 7:28 p.m.

Zoning Administrator, Kristina Vega spoke in favor of the request for rezone from C-2 Heavy Commercial to Single Family 6 District. The applicant is seeking to rezone the property from C-2 Heavy Commercial to SF-6, Single Family 6 District. The property was currently being utilized as a residential unit which would be considered legal non-conforming. However, the structure was in a state of disrepair and the property owners demolished the structure with the intent of building a new Single Family residence at the location. When the property owner approached the city regarding the new build it was then determined that the property was zoned C-2 Heavy Commercial. The property owner would like to continue to utilize the property as residential. A notice was published

in the newspaper on October 27, 2022 and notices were mailed to property owners within 200' of the subject property on October 27, 2022. Ten (10) property owners were notified of the zoning change. As of preparation of the staff report, there were not any objection letters filed.

No other comments were made.

Mayor Sucher closed the Public Hearing at 7:31 p.m.

**ACTION: Items 4.2**

**APPROVED**

Council Member O'Neal moved to approve **Ordinance #2022-22** Amending the Official Zoning Map by Zoning Property located at 814 Seydler Street from C-2 Heavy Commercial to SF-6 Single Family 6 District. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

**STAFF/BOARD REPORTS**

- 5.1 Finance Director provided the Financial Report for the month of Financial Reports for funds as of October 30, 2022, Cash & Investment by Fund as of October 30, 2022 and Quarterly Investment Report Ending June 30, 2022 & September 30, 2022.

No questions were asked regarding the report.

- 5.2 Interim City Manager, Tim Crow updated the City Council on the following:
- District 4 Clean-up
  - Timeline on Capital Improvement Projects
    - Recently Completed Projects
    - Projects Currently in Process
    - Upcoming Projects
    - Departmental projects

**CONVENE INTO CLOSED SESSION:**

The Council convened into closed session at 7:43 p.m.

**CLOSED SESSION**

- 6.1 (1) Pursuant to Section 551.074 of the Texas Government Code, the City of Gonzales will meet in closed session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

A) Discussion on the structuring of the search process to fill the City Manager vacancy

- (2) 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:

B) Existing and future water rights and sources

### **RETURN TO OPEN SESSION**

The Council convened into open session at 8:20 p.m.

7.1 Discuss, Consider & Possible Action regarding matters discussed in closed session, and/or other actions necessary or recommended related to such discussions in closed session.

No action was taken.

### **CITY COUNCIL REQUESTS AND ANNOUNCEMENTS**

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

No requests or announcements were made.

### **ADJOURN**

On a motion by Council Member O’Neal and second by Council Member Kridler, the meeting was adjourned at 8:24 p.m.

Approved this 8<sup>th</sup> day of December 2022.



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Mayor, S.H. Sucher



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Kristina Vega, City Secretary