

**CITY OF GONZALES, TEXAS
CITY COUNCIL MEETING
MINUTES –JANUARY 19, 2023**

The regular meeting of the City Council was held on **January 19, 2023**, 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.

CALL TO ORDER, INVOCATION AND PLEDGE

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

Attendee Name	Title	Status
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-City Manager, Kristina Vega-City Secretary, Alexis Cerda-Administrative Assistant to the Economic Development Director, Jennifer Kolbe-Economic Development Director, Laura Zella-Finance Director, Erica Leopold- Administrative Assistant, Ryan Wilkerson-Water Department Director, Tiffany Padilla-Main Street Director, Wade Zella-Fire Chief, Scott Raven-Fire Marshal & Gayle Autry-Interim Police Chief.

Pastor Jesse Elizondo of Two Rivers Bible Church provided the invocation.

CITY EVENTS AND ANNOUNCEMENTS

- Announcements of upcoming City Events- None
- Announcements and recognitions by the City Manager-City Manager Crow commended the Street Department on a job well done on Stieren Road
- Announcements and recognitions by the Mayor- Mayor Sucher acknowledged volunteer Members of the community for jobs well done for the Martin Luther King Jr. March
- Recognitions of actions by community volunteers-None

HEARING OF RESIDENTS

Edwards Association- David Tucey Quincy Johnson spoke on inclusion and recognition. Several years ago, the City Council voted to approve interpretive panels that were located on the square now named Independence Square and the desire to move forward with a monument to be placed in the same proximity as the panels, and the suggestion was made to rename one of our streets as Dr. Martin Luther King Jr. Street.

Gonzales Dog Adoptions-Norma Turk and Jacque Evans spoke in favor of the increase in funding to the Gonzales Dog Adoption.

Lynn Theater-Catherine Crawley, Mark Ploeger, Gaspar Lekgega, Richard Shelton, James Lawrence, Sally Ploeger, Jeff Low, Victoria Spraberry, Dennis Kaiser, David Dement all spoke in favor of first run movies to be played at the Lynn Theater and for additional time to consider the proposals that were submitted for the purchase of the theater.

Lester Warzecha and Clay Allen spoke in favor of the proposal that was submitted by Sydney Allen and Devon Warzecha for the Lynn Theater.

PRESENTATION

Chamber of Commerce Director, Melissa Henderson provided the Quarterly Report for the Chamber of Commerce and Visitor Center as required by Chapter 351 of the Texas Tax Code.

Zoning Administrator Kristina Vega and Contract Planner Bryce Cox led discussion regarding city sponsored rezoning for Downtown Mixed-Use District (DMU) and staff's desire to provide an opportunity to property owners of downtown commercially used property to voluntarily rezone to DMU free of charge. This effort would be most efficiently accomplished by a city sponsored rezoning of downtown commercial properties who volunteer to be rezoned. With this rezoning effort we would only look to include properties where the property owner has volunteered and consented to the rezoning and would exclude all properties where the owner has not directly requested to be included. Additionally, we are looking to keep the scope narrow to only those properties that are currently used for commercial business in the core of downtown. Staff is seeking direction from City Council regarding this initiative.

Mayor Sucher asked for a motion. Council Member O'Neal moved to initiate the city sponsored rezoning for Downtown Mixed-Use District and waive the rezoning fees for a period of 180 days. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 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.

- 1.1 **Minutes** - Approval of the minutes for the December 7, 2022 Special Called Meeting, December 8, 2022 Regular Meeting & December 12, 2022 Special Called Meeting
- 1.2 Discuss, Consider & Possible Action on **Resolution #2023-1** Authorizing the Expenditure in an amount not to exceed \$2,010.00 for School Zone Signage and Supplies from the Restricted Use Municipal court Child Safety Fund
- 1.3 Discuss, Consider & Possible Action on **Resolution #2023-2** Authorizing the Use of Independence Square Including the Parking Lot for the Gonzo Graveler cycling event on April 8, 2023
- 1.4 Discuss, Consider & Possible Action on **Resolution #2023-3** Ratifying the Agreement with United States Department of Justice, Drug Enforcement Administration ("DEA").

- 1.5 Discuss, Consider & Possible Action on **Resolution #2023-4** Authorizing the City Manager to Execute a License Agreement with the Gonzales Little League
- 1.6 Discuss, Consider & Possible Action on **Resolution #2023-5** Accepting an offer to purchase additional easement rights and amending the existing transmission line easement agreement with the Lower Colorado River Authority (LCRA) to extend the use of the existing fiber-optic grounding wire for expanded services, and authorizing the City Manager to execute any and all necessary documents to complete the transaction
- 1.7 Discuss, Consider & Possible Action on **Resolution #2023-6** Authorizing the Gonzales Economic Development Corporation to transfer certain Type B Sales Tax Funds to First National Bank of Gonzales
- 1.8 Discuss, Consider & Possible Action on **Resolution #2023-7** Approving an Agreement between the Gonzales Economic Development Corporation and the Gonzales Chamber of Commerce and Agriculture, A Texas Non-Corporation, Concerning Funding for Static Billboard Advertisement
- 1.9 Discuss, Consider & Possible Action on **Resolution #2023-8** Approving a Change Order by and Between the Gonzales Economic Development Corporation and Doucet & Associates, Inc., Concerning the 2521 Harwood Road Project
- 1.10 Discuss, Consider & Possible Action on **Resolution #2023-9** Approving a Professional Services Agreement to Provide Consulting and Related Services by and Between the Gonzales Economic Development Corporation and the Retail Strategies, LLC
- 1.11 Discuss, Consider & Possible Action on **Resolution #2023-10** Rejecting the Proposals received for Administration Professional Services for the CDBG-MIT Resilient Communities Program grant, and authorizing City Staff to readvertise
- 1.12 Discuss, Consider & Possible Action on **Resolution #2023-11** Rejecting the Proposals Received for Administration Professional Services for the CDBG-MIT MOD Grant and authorizing Staff to readvertise
- 1.13 Discuss, Consider & Possible Action on **Resolution #2023-12** Authorizing the City Manager to Submit a Preliminary Application and Associated Documents to Texas Department of Transportation (TXDOT) for the Transportation Alternatives Grant for the Construction of a Pedestrian Trail along Church Street
- 1.14 Discuss, Consider & Possible Action on **Ordinance #2023-1** Ordering a General Municipal Election to be Held on May 6, 2023, for the Purpose of Electing an Individual to the Office of Council Member District 3 and Council Member District 4

ACTION: Items 1.1 through 1.14

APPROVED

Council Member Koepp moved to approve the consent agenda items 1.1 through 1.14. Council Member O'Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

RESOLUTIONS

- 2.1 Discuss, Consider & Possible Action on **Resolution #2023-13** Authorizing the Appointment of two Council Members to the Golden Crescent Regional Planning Commission for terms ending August 31, 2023

ACTION: Items 2.1

APPROVED

Council Member O'Neal moved to approve **Resolution #2023-13** Authorizing the Appointment of Sherri Koepp to the General Assembly and Steve Sucher to the Board of Directors of the Golden Crescent Regional Planning Commission for terms ending August 31, 2023. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.2 Discuss, Consider & Possible Action on **Resolution #2023-14** Authorizing the City Manager to Execute an amendment to the previously approved Agreement with Gonzales Dog Adoptions, increasing the dollar amount of funding from \$27,600.00 to \$41,857.64

ACTION: Items 2.2

APPROVED

Council Member Koepp moved to approve **Resolution #2023-14** Authorizing the City Manager to Execute an amendment to the previously approved Agreement with Gonzales Dog Adoptions, increasing the dollar amount of funding from \$27,600.00 to \$41,857.64. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

- 2.3 Discuss, Consider & Possible Action on **Resolution #2023-15** Authorizing the City Manager to Execute the Contract for the installation of the City's Trojan 3000 Plus UV disinfection system to ACP, Ltd.

ACTION: Items 2.3

APPROVED

Council Member Kridler moved to approve **Resolution #2023-15** Authorizing the City Manager to Execute the Contract for the installation of the City's Trojan 3000 Plus UV disinfection system to ACP, Ltd. Council Member O'Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Unanimous. The motion passed 5 to 0.

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 7:33 p.m.

CLOSED SESSION

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) Agenda Item 2.4 regarding the Lynn Theater

RETURN TO OPEN SESSION

The Council convened into open session at 8:09 p.m.

2.4 Discuss, Consider & Possible Action on **Resolution #2023-16** Authorizing and Approving the Gonzales Economic Development Corporation, A Type B Economic Development Corporation and a Texas Non-Profit Corporation, to execute a Real Estate Sales Contract and any and all documents necessary to sell and convey Block 33, Lot Pt 2, Gonzales Blocks Addition, an addition to the City of Gonzales, Gonzales County, Texas, and Generally Located at 510 Saint Paul Street, Gonzales, Texas

ACTION: Items 2.4

APPROVED

Council Member Miller moved to table **Resolution #2023-16** Authorizing and Approving the Gonzales Economic Development Corporation, A Type B Economic Development Corporation and a Texas Non-Profit Corporation, to execute a Real Estate Sales Contract and any and all documents necessary to sell and convey Block 33, Lot Pt 2, Gonzales Blocks Addition, an addition to the City of Gonzales, Gonzales County, Texas, and Generally Located at 510 Saint Paul Street, Gonzales, Texas. Council Member Kridler seconded the motion. Mayor Sucher called for a roll call vote. For: Miller and Kridler. Against: Koepp, O’Neal and the Mayor. The motion failed 2 to 3.

Mayor Sucher called for another motion. Council Member Koepp moved to approve **Resolution #2023-16** Authorizing and Approving the Gonzales Economic Development Corporation, A Type B Economic Development Corporation and a Texas Non-Profit Corporation, to execute a Real Estate Sales Contract and any and all documents necessary to sell and convey Block 33, Lot Pt 2, Gonzales Blocks Addition, an addition to the City of Gonzales, Gonzales County, Texas, and Generally Located at 510 Saint Paul Street, Gonzales, Texas with Sydney Allen and Devon Warzecha with the proposal of façade being protected as well as the buyback being after two years with the choice that the City could buy it back as well. Council Member O’Neal seconded the motion. Mayor Sucher called for a roll call vote. For: Koepp, O’Neal and the Mayor. Against: Miller and Kridler. The motion passed 3 to 2. Mayor Sucher asked that City Attorney Santee clarify the wording for the motion. Attorney Santee stated the discussion was that there is a façade easement agreement that has been agreed to by the GEDC and the City, as well as a Memorandum of the Right of Repurchase with the caveat that has been introduced to add in a limited assignability provision to allow the city the right to call that repurchase, should GEDC not elect to do so. Based on the authority that has been given that additional provision could be negotiated with the GEDC to ensure that it meets the City’s requisites prior to those two documents being executed in tandem with the real estate contract.

ORDINANCE

- 3.1 Discuss, Consider & Possible Action on **Ordinance #2023-2** Amending the City of Gonzales Master Rate and Fee Schedule; adding admission rates for the museum for school trips and children under five years of age; and removing wording for waste disposal fees for clarification

ACTION: Items 3.1

APPROVED

Council Member O’Neal moved to approve **Ordinance #2023-2** Amending the City of Gonzales Master Rate and Fee Schedule; adding admission rates for the museum for school trips and children under five years of age; and removing wording for waste disposal fees for clarification. 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

- 4.1 Finance Director provided the Financial Reports for funds as of December 31, 2022.

No questions were asked regarding the report.

- 4.2 City Manager, Tim Crow provided a brief update the City Council on the following:
- Timeline on Capital Improvement Projects and Departmental Projects
 - Recently Completed Projects
 - Projects Currently in Process
 - Upcoming Projects

CONVENE INTO CLOSED SESSION:

The Council convened into closed session at 8:57 p.m.

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) Economic Development Corporation Administrative Service Agreement

RETURN TO OPEN SESSION

- 6.1 The Council convened into open session at 9:31 p.m.

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 9:32 p.m.

Approved this 9th day of February, 2023.



Mayor, S.H. Sucher



Kristina Vega, City Secretary