

**CITY OF GONZALES
SPECIAL CALLED CITY COUNCIL MEETING
MARCH 25, 2019 MINUTES**

The City Council convened the Special Called City Council meeting at 6:00 p.m., March 25, 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, Dan Blakemore and Bobby O'Neal.

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

Staff Present: Laura Zella, Anne Dollery, Tim Crow, Keith Schmidt, Clint Hille, Barbara Friedrich, Marland Mercer

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

Mayor Kacir made the following statement to the citizenry, on behalf of the Office of the Mayor and the City Council we are honored by your presence this evening and the outpouring concern where we have seen the community act in the spirit of Gonzales. Your presence as an interested stakeholder shows that we have a community that cares. A community that is interested in Gonzales and that community is the community that this entire Council is proud to represent. To the staff, to the law enforcement officers and to all of our county partnership agencies, the Council and the Mayor offer you our deep and heartfelt appreciation for the countless hours of your work and your due diligence you have committed to uphold the best interest of this city and to keep Gonzales safe and to focus on events that we are proud to host in Gonzales. Thank you.

OTHER BUSINESS

1.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2019-17** Canvassing the returns and officially declaring the results of the March 16, 2019 City of Gonzales Special Election. The results were as follows:

	<u>Early Voting</u>	<u>Election Day</u>	<u>Total</u>
FOR	199	116	315
AGAINST	273	149	422
TOTAL	472	265	737

The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2019-17** Canvassing the returns and officially declaring the results of the March 16, 2019 City of Gonzales Special Election. Councilman Blakemore seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

1.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Ordinance #2019-5** Amending Ordinance #2019-2 Ordering a Regular City Election for the Purpose of Electing an Individual to the Office of Mayor and a Special Election for the Purpose of Amendments to the City's Home Rule Charter to reflect a change in polling locations on Election Day from North Avenue Intermediate School (1032 St. Joseph) to the City of Gonzales Municipal Building (820 St. Joseph). Council in your packet we have the brief and we are asking to amend the ordinance to reflect a change in the polling location on Election Day. The Mayor asked for a motion. Councilman Schurig made a motion to approve **Ordinance #2019-5** Amending Ordinance #2019-2 Ordering a Regular City Election for the Purpose of Electing an Individual to the Office of Mayor and a Special Election for the Purpose of Amendments to the City's Home Rule Charter to reflect a change in polling locations on Election Day from North Avenue Intermediate School (1032 St. Joseph) to the City of Gonzales Municipal Building (820 St. Joseph). Councilman Schroeder seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

WORKSHOPS

2.1, Mayor, Connie Kacir read Public Hearing, Discussion, & Possible Action on **Resolution #2019-18** Authorizing the City Manager to Execute a License Agreement with Marcus Federman, Current Events, LLC D/B/A Float Fest, for the closure and use of JB Wells and Independence Parks, Consumption of Alcohol on Public Property. At our last regular Council meeting we held public comments only, there was no action taken. We did have reports where Council heard from all of our law enforcement officials and all of our partner agencies. Those included the Sheriff, the Chief of Police, Game Warden, Emergency Management Coordinator, EMS, and Hospital District and gave a recap of the comments made at the previous meeting. The Mayor then opened the Public Hearing portion of the item.

Clint Hille, Connie Dolezal, Sarah Tenberg, Jazmin Zuniga, Jerry Floyd, Daisy Scheske, Megan Zella, Lisa Arnic, Pat Anders Ryan, Liz DuBose, Bruddy Brown, Amy Cernosek, Ruth Guerra, Manny Patel, Craig Gilham, and Marcus Federman all spoke in support of the event Float Fest being held in the City of Gonzales.

Billy Low, Viola Strothers, Sherri Hooper, Ann Covert, Beverly Pirkle, Anna M. Green spoke against Float Fest being held in the City of Gonzales.

The City Council further debated regarding the pros and cons of Float Fest with a major concern being the litigation at J.B. Wells Park.

CLOSED SESSION

At 6:59 p.m. the City Council moved into Closed Session.

6.1 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 & agenda item #2.1.

RETURN TO OPEN SESSION

At 7:19 p.m. the Council returned to Open Session

Marcus Federman spoke in regards to the comments made during the Public Hearing portion of the meeting and stated he feels that he would be a good partner for the City of Gonzales.

Mayor Kacir stated Council you can take action to deny the permit. You cannot take action to accept it because we have not agreed upon the terms. You can either make a motion to deny it or to place it on a future agenda.

City Attorney, Dan Santee stated there is not a permit.

Mayor Kacir corrected her statement to take action to approve the event. We are not going to take action to approve the contract or the event because we do not have the terms agreed to. We can take action to deny the event on City property or we can take action to postpone the item to a future agenda and continue to negotiate the terms of an agreement.

The Mayor asked for a motion.

Councilman Blakemore stated with no prejudice to Float Fest or to the promoters, I believe they are honorable people that do a very good job at what they do. His presentations have been very professional. He does what he says he will do, I have no issue with that. I cannot get comfortable with this being held on municipal property. We are involved in litigation whether we want to be or we don't want to be. You mentioned

reasonable people. They don't think a youth rodeo is reasonable so whatever they think about this, they think about this. I have to sit and think in my mind, you guys don't get it; you guys just keep doing what we're suing you for. I cannot get comfortable with that but in fairness to everyone involved I probably am not going to get comfortable with that so I think we should move on and not continue the negotiation with this because I don't see that the money would change that. My motion would be to not continue negotiations to allow the event on municipal property. 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, O'Neal, Blakemore and the Mayor all voted "aye".

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Schurig seconded the motion and the meeting adjourned at 7:28 p.m.



Kristina Vega, City Secretary

APPROVED:

