

**CITY OF GONZALES
CITY COUNCIL MEETING
JULY 11, 2019 MINUTES**

The City Council convened the Council meeting at 6:00 p.m., July 11, 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, Barbara Friedrich, Genora Young, William Ince, Keith Schmidt, Keith Schauer, Tim Crow

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

HEARING OF RESIDENTS

Connie Dolezal spoke in favor of Rob Brown and Meena Patel being appointed to the Main Street Board.

Suzanne Zaitz spoke in favor of Rob Brown and Meena Patel being appointed to the Main Street Board and continuing the Tourism Director position.

Rene DeLaGarza spoke in favor of Rob Brown being appointed to the Main Street Board.

Karen Jacobs, Dawn O'Donnell, Barbara Crozier & Clint Hille spoke in favor of continuing the Tourism Director position.

Commie Hisey spoke on behalf of the ESD Board and in regards to the EMS and the changes made in who governs the system and ensured that the services will continue to be provided.

PRESENTATION

1.1 Texas Disposal Systems, James Griffin will give a presentation to the City Council regarding the disposal contract and additional services.

James Griffin explained that the citizens of Gonzales receive five bulky trash or brush pickups per year and described some of the expanded municipal solutions that TDS offers.

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 Councilmember.

The Mayor read the consent items as follows:

2.1 Minutes - Approval of the minutes for the Regular Meeting of June 13, 2019 and the Special Called Meeting of June 24, 2019

2.2 Discuss, Consider & Possible Action on Resolution #2019-60 Accepting the Proposals and Awarding the Contract for the Independence Park Streambank Protection Project to Dalrymple Gravel and Contracting Company, Inc.

2.3 Discuss, Consider, and Possible Action on Resolution #2019-61 Approving a Type B Economic Development Agreement by and between the Gonzales Economic Development Corporation and National Signs, LLC, a Delaware Limited Liability Company, Regarding Repairs to Marquee Sign at Lynn Theater

2.4 Discuss, Consider, and Possible Action on Resolution #2019-62 Approving a Type B Economic Development Agreement by and between the Gonzales Economic Development Corporation and Insyteful, LLC, a Tennessee Limited Liability Company, Regarding Website Development

2.5 Discuss, Consider, and Possible Action on Resolution #2019-63 Approving a Type B Economic Development Project and Performance Agreement, by and between the Gonzales Economic Development Corporation and 515NSJ, LLC, a Texas Limited Liability Company

2.6 Discuss, Consider, and Possible Action on Resolution #2019-64 Authorizing the City Manager to Negotiate and Execute a Contract with Doucet and Associates, Funded by a \$852,300 Community Development Block Grant (CDBG) Disaster Recovery (DR) Grant, to Provide Engineering Services for the Infrastructure Improvements to Wastewater Lines Damaged as a result of Hurricane Harvey

The Mayor asked for a motion to approve the consent agenda item. Councilman O'Neal made a motion to approve the consent items. Councilman Blakemore seconded the motion. The Mayor asked for a roll call vote. Councilman Schurig, Schroeder, O'Neal, Blakemore and the Mayor all voted "aye".

REGULAR AGENDA ITEMS

8.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action to provide staff direction regarding the Position of Tourism Director. Again, I will just reiterate as a point

of information, the Tourism Director's salary and all benefits do come out of restricted funds which are our Hotel/Motel Tax and those moneys may only be utilized for the promotion of tourism. Those moneys cannot be used for other city business. The board elected two years ago to curtail their advertising budget in replacement of that hired fulltime staff. The Mayor asked for a motion. Councilman O'Neal made a motion to authorize the city staff to proceed with position of Tourism Director to be funded out of HOT funds. 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".

RESOLUTIONS

3.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2019-65** Appointing Board Members to the Gonzales Main Street Advisory Board. Council in our packet we have applications from two citizens requesting that position. The Mayor asked for a motion. Councilman Blakemore made a motion to approve **Resolution #2019-65** Appointing Board Members to the Gonzales Main Street Advisory Board. 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".

3.2, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Resolution #2019-66** Authorizing the Temporary Closure of Certain City Streets, Use of City Property and the Sale and Consumption of Alcohol on City Property for the Come & Take It Celebration on October 4, 5 and 6, 2019. Just as point of information we do have an event form in our packet and we will be taking action strictly on those items listed in the agenda item. Next month we will have staff work with Come & Take It committee and actually draft that contract so we have clear direction on responsibilities during that event. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Resolution #2019-66** Authorizing the Temporary Closure of Certain City Streets, Use of City Property and the Sale and Consumption of Alcohol on City Property for the Come & Take It Celebration on October 4, 5 and 6, 2019. Councilman Schurig 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".

ORDINANCES

4.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action on **Ordinance #2019-14** Amending Chapter 6, Health And Sanitation, Article 6.300, Unsanitary and Unightly Conditions On Private Premises. Council in our packet the brief gives us the current ordinance with the corrections and updates just to clarify it to the citizenry as to the responsibility of the cleanup. The Mayor asked for a motion. Councilman O'Neal made a motion to approve **Ordinance #2019-14** Amending Chapter 6, Health and

Sanitation, Article 6.300, Unsanitary and Unsightly Conditions On Private Premises. 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".

STAFF/BOARD REPORTS

5.1, Mayor Kacir stated the Financial Report for the Month of June 2019 is available for review.

5.2, City Manager, Tim Patek gave the City Council an update regarding the rental of reach mower for riverbank, creek and city right-of-way and the TX DOT Right-of-Way mowing.

CLOSED SESSION

At 6:43 p.m. the City Council moved into Closed Session.

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 551.086 of the Texas Government Code, the City of Gonzales will meet in closed session to deliberate regarding certain public power utilities: competitive matters.

a. Lower Colorado River Authority

(3) 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. Unopened City Streets

RETURN TO OPEN SESSION

At 7:24 p.m. the Council returned to Open Session

7.1, Discuss and Consider any action resulting from Closed Session as Necessary.

No action was taken regarding closed session.

OTHER BUSINESS

8.1, Mayor, Connie Kacir read Discuss, Consider & Possible Action Appointing a Mayor Pro Tempore for the City of Gonzales City Council. The Mayor asked for a motion. Councilman Schurig made a motion to appoint Dan Blakemore as Mayor Tempore for the City of Gonzales. Councilman O'Neal seconded the motion. The Mayor called for discussion. There being none, the Mayor asked for a roll call vote. Councilman Schurig, O'Neal, Blakemore and the Mayor all voted "aye".

8.3, Mayor, Connie Kacir read City Attorney, T. Daniel Santee will discuss the inconsistencies within the City of Gonzales Code of Ordinances regarding mobile homes, manufactured homes and modular homes.

City Attorney, Daniel Santee stated back in 2012 this was identified by Freese & Nichols as a potential issue that needed to be addressed and we were unaware that they had done that and we identified the same issues. He further described the inconsistencies within the definitions of the Building Regulation, Zoning Ordinance sections pertaining to mobile homes, manufactured homes and modular homes as well as the Occupations Code. He expressed the need for the ordinances to be consistent with state law and that the solutions will be in the way of the new zoning ordinance that will be presented to Council within the next few months.

ADJOURN

The Mayor asked for a motion to adjourn. Councilman O'Neal made a motion to adjourn and Councilman Blakemore seconded the motion and the meeting adjourned at 7:48 p.m.



Kristina Vega, City Secretary

APPROVED:

