

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
MAY 08, 2023**

Mayor, Tim Barker, declared a Regular Meeting duly open for the transaction of business at 7:00 P.M. at City Hall 120 E. Caney Street Wharton, TX. Mr. Adraylle Watson, led the opening devotion, and Mayor, Tim Barker, led the pledge of allegiance.

Councilmember's present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Clifford Jackson; Larry Pittman; Russell Machann; Don Mueller and Steve Schneider.

Councilmember absent was: None.

Staff members present were: Assistant City Manager, Paula Favors, TRMC, CPM, MMC; City Attorney, Paul Webb; Finance Director, Joan Anel; Assistant to the City Manager, Brandi Jimenez; Director of Planning and Development, Gwyn Teves; Police Chief, Terry David Lynch; Police Lt., Lance Bothell; Building Official, Claudia Velasquez; Utilities Superintendent, Harold Matula; Street Superintendent, Roderick Semien; Assistant to the Public Works Director, Amy Horelica; Crew Leader, Daniel Chapa; Public Works Director, Anthony Arcidiacono and Utility Maintenance Worker II, Johnny Garcia.

Visitors present were: Adraylle Watson; Al Dube and Joe Southern with the Wharton Journal Spectator.

Roll Call and Excused Absences.

All Councilmembers were present.

Public Comments.

Mayor, Tim Barker, called for Public Comments. No comments were made.

Wharton Moment.

Mr. Joe Southern, with the Wharton Journal Spectator, announced his upcoming retirement from the newspaper and said the City Council was one of his favorites to ever work with during his career. He said he and his wife would be retiring and moving out of the area. Mayor, Tim Barker, thanked Mr. Southern for doing a fine job over the years.

Proclamation

1. Proclamation: National Public Works Week, which read as follows:

National Public Works Week Proclamation
May 21-27, 2023
“Connecting the World Through Public Works”

WHEREAS, Public Works Professionals focus on infrastructure, facilities, emergency management and services that are of vital importance to sustainable and resilient communities and the public health, high quality of life and well-being of the people of the City of Wharton; and,

WHEREAS, These infrastructures, facilities and services could not be provided without the dedicated efforts of Public Works Professionals, who are federally mandated First Responders and the Engineers, Managers and Employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings and other structures and facilities essential for our citizens; and,

WHEREAS, It is in the public interest for the citizens, civic leaders and children in the City of Wharton to gain knowledge and maintain ongoing interest and understanding of the importance of Public Works First Responders and Public Works Programs in their respective communities; and,

WHEREAS, The year 2023 marks the 63rd Annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association.

NOW, THEREFORE BE IT RESOLVED, I, Tim Barker, Mayor of the City of Wharton do hereby designate the week May 21-27, 2023, as:

“National Public Works Week”

I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our Public Works Professionals, Engineers, Managers and Employees and to recognize the substantial contributions they make to protecting our national health, safety and quality of life.

IN WITNESS THEREOF, I have set my hand and caused the seal of the City of Wharton to be affixed this 8th day of May, in the year of our Lord two thousand twenty-three A.D.

Review and Consider:

The first item on the agenda was to review and consider the reading of the minutes from the regular meetings held April 10, 2023, and April 24, 2023. City Secretary, Paula Favors, presented draft copies of the reading of the minutes from the regular meetings held April 10, 2023, and April 24, 2023. After some discussion, Councilmember, Russell Machann, moved to approve the reading

of the minutes from the regular meetings held April 10, 2023, and April 24, 2023. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request from Mr. & Mrs. Svatek of 3613 Fairway Dr., Country Club Estate, Lots 16 & 17 for a variance to build over the property line between 2 lots for new residential construction. Director of Planning & Development, Gwyn Teves, presented a copy the request from Mr. & Mrs. Svatek of 3613 Fairway Dr., Country Club Estate, Lots 16 & 17 for a variance to build over the property line between 2 lots for new residential construction. Mrs. Teves stated the Planning Commission met on May 1, 2023, and voted to recommend this item to the City Council for consideration. After some discussion, Councilmember, Russell Machann, moved to approve the request from Mr. & Mrs. Svatek of 3613 Fairway Dr., Country Club Estate, Lots 16 & 17 for a variance to build over the property line between 2 lots for new residential construction. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a request for an additional extension to the variance for temporary placement of a travel trailer for temporary housing at 212 East Dahlgren Avenue by Ms. Valerie Jefferson. Director of Planning & Development, Gwyn Teves, stated Ms. Jefferson was granted a temporary variance of Chapter 38-Manufactured Housing, Mobile Homes and Travel Trailers; Article II-Requirements Concerning Mobile Homes, Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles of 1-year on May 24, 2021, allowing her to place and live in a Travel Trailer at 212 East Dahlgren Avenue while constructing a new home. Mrs. Teves said Ms. Jefferson was later granted an additional eight-month extension on July 11, 2022, expiring on January 24, 2023, and another 45-day extension on February 27, 2023. After some discussion, Councilmember, Terry Freese, move to approve a 45-day extension to the variance for temporary placement of a travel trailer for temporary housing at 212 East Dahlgren Avenue by Ms. Valerie Jefferson. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider the City of Wharton Dog Park:

- A. Resolution: A resolution of the Wharton City Council approving a location for the City of Wharton Dog Park and authorizing the Mayor of the City of Wharton to execute all documents related to said approval.

Building Official, Claudia Velasquez, stated the Beautification Commission was recommending to the City Council the installation of a Dog Park on the Santa Fe Trail located at 900 North Fulton Street. Mrs. Velasquez said that with the efforts and assistance from the Public Works Department, Facility Maintenance Department, and Building Department a visual walkthrough was conducted and the City Staff believed that the Dog Park would benefit the citizens if it were to be built on the Santa Fe Trail. She said that on January 10, 2022, the City Council approved to implement and fundraise for a Dog Park in an existing City Park with fundraising efforts and assistance from Bay Area Council on Drugs & Alcohol (BACODA) the Dog Park would be fully funded to build the

Dog Park. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Resolution No. 2023-40, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-40**

RESOLUTION: A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A LOCATION FOR THE CITY OF WHARTON DOG PARK AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID APPROVAL.

WHEREAS, The Wharton City Council wishes to approve the location for the City of Wharton Dog Park at 900 North Fulton Street; and,

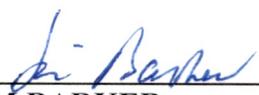
WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute any and all documents related to said approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS as follows:

- Section I.** That the Wharton City Council hereby approves 900 North Fulton Street as the location for the City of Wharton Dog Park.
- Section II.** That the Mayor of the City of Wharton is hereby authorized to execute any and all documents related to said approval.
- Section III.** That this resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 8th day of May 2023.

CITY OF WHARTON, TEXAS

By: 
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Terry Freese, seconded the motion. All voted in favor.

- B. Resolution: A resolution of the Wharton City Council awarding a contract to Kraftsman Commercial Playgrounds & Water Parks for the installation of fencing and equipment for the Dog Park and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.

Building Official, Claudia Velasquez, stated the following proposal was obtained:

1. Kraftsman Commercial Playgrounds & Water Parks-\$56,793.38.

Mrs. Velasquez stated Kraftsman Commercial Playgrounds & Water Parks was a member of BuyBoard Cooperative Program and it was the Beautification Commission's recommendation to purchase the fencing and equipment for the Dog Park from them. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-41, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-41**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT TO KRAFTSMAN COMMERCIAL PLAYGROUNDS & WATER PARKS FOR THE INSTALLATION OF FENCING AND EQUIPMENT FOR THE DOG PARK AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton City Council wishes to enter into a contract for the installation of fencing and equipment for the dog park with Kraftsman Commercial Playgrounds & Water Parks, and,

WHEREAS, The City of Wharton and Kraftsman Commercial Playgrounds & Water Parks, wishes to be bound by the conditions as set forth in the contract; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute said contract.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS as follows:

Section I. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a contract with Kraftsman Commercial Playgrounds & Water Parks for the installation of fencing and equipment at the dog park.

Section II. The City of Wharton and Kraftsman Commercial Playgrounds & Water Parks are hereby bound by the conditions as set forth in the contract.

Section III. That this resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 8th day of May 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Terry Freese, seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council accepting funding from the Bay Area Council on Drugs & Alcohol (BACODA) for the Beautification Commission's Rock Garden Project and authorizing the Mayor to execute all documents related to said funding. Building Official, Claudia Velasquez, stated that on January 18, 2023, the Bay Area Council on Drugs & Alcohol (BACODA) announced to fully fund the Beautification Commission's Rock Garden Project at the Wharton County Library in the amount of \$2,000.00. Mrs. Velasquez said the Beautification Commission and the City Liaison received notification that the Project had been selected for award and funding. And the Rock Garden Project was presented to the Wharton County Commissioner's Court and received approval. She said it was the City Staff's recommendation that the City Council accept the award of funding and proceed with any required documents. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2023-42, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-42**

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING FUNDING FROM THE BAY AREA COUNCIL ON DRUGS & ALCOHOL (BACODA) FOR THE BEAUTIFICATION COMMISSION'S ROCK GARDEN PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID FUNDING.

WHEREAS, The City of Wharton Beautification Commission was notified on January 18, 2023, the Beautification Commission's Rock Garden was fully funded by the Bay Area Council on Drugs & Alcohol (BACODA) in the amount of \$2,000.00, and,

WHEREAS, The Rock Garden Project was approved by the Wharton County Commissioner's Court; and,

WHEREAS, The Wharton City Council wishes to accept the funding from the Bay Area Council on Drugs & Alcohol (BACODA) in the amount of \$2,000.00 and authorize the Mayor of the City of Wharton to execute all documents related to the agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS as follows:

- Section I.** The Wharton City Council hereby accepts the funding from the Bay Area Council on Drugs & Alcohol (BACODA) in the amount of \$2,000.00.
- Section II.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to said funding.
- Section III.** That this resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 8th day of May 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Terry Freese, seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider City Council Boards, Commissions and Committee Reports:

- A. Beautification Commission meeting held April 12, 2023.
- B. Planning Commission meeting held May 1, 2023.

After some discussion, no action was taken.

The seventh item on the agenda was to review and consider appointments, resignations and vacancies to the City of Wharton Boards, Commissions and Committees:

- A. Appointments.
- B. Resignations.
- C. Vacancies.

After some discussion, no action was taken.

There being no further discussion, Councilmember, Don Mueller, moved to adjourn. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The meeting adjourned at 7:14 p.m.

CITY OF WHARTON, TEXAS

By: *Tim Barker*
TIM BARKER
Mayor

ATTEST:

Paula Favors

PAULA FAVORS
City Secretary

