

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL MEETING
JUNE 13, 2022**

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. 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; Larry Pittman; Clifford Jackson; Russell Machann; Don Mueller, and Steve Schneider.

Councilmember absent was: None.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Anandel; City Secretary, Paula Favors, TRMC, CPM, MMC; Assistant to the City Manager, Brandi Jimenez; Director of Planning and Development, Gwyn Teves; Emergency Management Coordinator, Ben Guanajuato; EMS Director, Christy Gonzales; Police Chief, Terry David Lynch, and Public Works Director, Anthony Arcidiacono.

Visitors present were: Adraylle Watson; Stephanie Konvicka; Steve Wisnieski; Andy Parks, P.E. with the Army Corps of Engineers and Sammy Wisnieski.

Roll Call and Excused Absences.

All Councilmembers were present.

Wharton Moment.

Mayor, Tim Barker, thanked Andy Parks, with the Army Corps of Engineers, for holding a Public Meeting to discuss the status of the Wharton Flood Reduction Project – Levee.

Public Comments.

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

The first item on the agenda was to review and consider the reading of the minutes from the regular meetings held May 9, 2022 and May 23, 2022 and special meeting held May 16, 2022. After some discussion, Councilmember, Russell Machann, moved to approve the minutes from the regular meetings held May 9, 2022 and May 23, 2022 and special meeting held May 16, 2022. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider Request from Deshavian Williams, for a Juneteenth Celebration on Saturday, June 18, 2022, for the following:

1. Request for a variance to host food trucks and clothing vendors in a City Park.

City Secretary, Paula Favors, stated the event had been cancelled and the item would be pulled from the agenda. After some discussion, no action was taken.

The third item on the agenda was to review and consider a request by Mr. Stephen Wisnieski, of My Storehouse Mini Storage II, 1810 Stadium Road, Brod Acres, Block 17J-1 for an 8' variance from the required 20' side property line setback creating a 12' setback. After some discussion, Councilmember, Terry Freese, moved to approve the request by Mr. Stephen Wisnieski, of My Storehouse Mini Storage II, 1810 Stadium Road, Brod Acres, Block 17J-1 for an 8' variance from the required 20' side property line setback creating a 12' setback. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request from The Brooks at Caney Creek for sidewalk replacement on North Richmond Road. City Secretary, Paula Favors, stated there was not any representatives present for the item. After some discussion, no action was taken.

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council approving the Annual Service Contract with Stryker Medical and authorizing the purchase of four (4) Power Pro 2 Stretchers and Stair-Pro Stair Chairs and authorizing the City Manager to execute all documents related to said purchase. E.M.S. Director, Christy Gonzales, presented a memorandum regarding the Annual Service Contract with Stryker Medical and the purchase of medical equipment and a quote from Stryker Medical for purchase of four new Power Pro 2 stretchers, Stair-PRO Stair Chairs and an updated Annual Service Contract. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2022-53, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-53**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE ANNUAL SERVICE CONTRACT WITH STRYKER MEDICAL AND AUTHORIZING THE PURCHASE OF FOUR (4) POWER PRO 2 STRETCHERS AND STAIR-PRO STAIR CHAIRS AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The Wharton Emergency Medical Services Department requests that the City Council approve the Annual Service Contract with Stryker Medical; and,

WHEREAS, The Wharton City Council wishes to authorize the City Staff to purchase four (4) Power Pro 2 Stretchers and Stair-Pro Stair Chairs; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager to execute all

documents related to the Annual Service Contract and said purchase.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS:

SECTION I. The Wharton City Council hereby approves the Annual Service Contract with Stryker Medical and the purchase of four (4) Power Pro 2 Stretchers and Stair-Pro Stair Chairs.

SECTION II. That this resolution shall become effective immediately upon its passage.

PASSED AND APPROVED this 13th day of June 2022.

CITY OF WHARTON

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 a resolution of the Wharton City Council approving the Interlocal Agreement with the Texas Municipal League Health Benefits Pool (TML Health Benefits Pool) for medical, long-term disability, life, accidental death & dismemberment, for flexible spending account, health reimbursement account and voluntary vision plans for City employees for the October 1, 2022 to September 30, 2023 Fiscal Year; and Sun Life Financial for voluntary dental coverage for City employees; authorizing the Mayor of the City of Wharton to execute all documents relating to said contracts. City Secretary, Paula Favors, presented a memorandum regarding the City of Wharton TML Health Benefits Pool re-rate options for the 2022-2023 year. Mrs. Favors stated the recommendation from the City Staff was to consider TML Health Benefits Pool for the employee's health insurance plan and contribute the previous year's amount of \$1,250.00 to a Health Reimbursement Agreement (HRA) to offset the deductible or other medical expenses. She said the City Staff was requesting to continue voluntary Vision Option H to the year's TML Health Benefits Pool plan. Mrs. Favors said the City Council Finance Committee met on June 13, 2022, and were recommending the City Council consider approving Option 1. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2022-54, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-54**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE INTERLOCAL AGREEMENT WITH THE TEXAS MUNICIPAL LEAGUE HEALTH BENEFITS POOL (TML HEALTH BENEFITS POOL) FOR MEDICAL, LONGTERM DISABILITY, LIFE, ACCIDENTAL DEATH & DISMEMBERMENT, FOR FLEXIBLE SPENDING ACCOUNT AND HEALTH REIMBURSEMENT ACCOUNT PLANS FOR CITY EMPLOYEES FOR THE OCTOBER 1, 2022 TO SEPTEMBER 30, 2023 FISCAL YEAR AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENTS.

WHEREAS, The City of Wharton received the renewal rate for medical, long-term disability, life, accidental death & dismemberment for city employees; voluntary Vision Option H, and Sun Life Dental and,

WHEREAS, The City of Wharton medical plan with Texas Municipal League Health Benefits Pool would be renewed with an ___% increase; and,

WHEREAS, The City of Wharton would provide to each full-time employee a \$1,250 yearly contribution to the employee health reimbursement account (HRA) administered by the TML Health Benefits Pool; and,

WHEREAS, The Mayor of the City of Wharton has executed on behalf of the City said agreement.

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 the interlocal agreement with the Texas Municipal League Health Benefits Pool for medical, long-term disability, life and accidental death & dismemberment coverage; voluntary Vision Option H, and Sun Life Dental, signed by the Mayor.

Section II. That Wharton City Council hereby approves providing to each full-time employee a \$1,250 yearly contribution to the employee health reimbursement account (HRA) administered by the TML Health Benefits Pool.

Section III. That the Mayor of the City of Wharton execution of all documents relating to the aforementioned agreements are hereby approved.

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Russell Machann, seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider a resolution authorizing the sale of City of Wharton surplus personal property in accordance with the City's Charter Section 75 sale of city personal property; procedures. City Secretary, Paula Favors, presented a memorandum requesting City Council approval of the sale of City Surplus Property through the next Poor Farm's Public Auction and authorizing the City Manager to sell items that were not sold through the bidding process on a first come first serve basis. After some discussion, Councilmember, Don Mueller, moved to approve the City of Wharton Resolution No. 2022-55, which reads as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-55**

A RESOLUTION AUTHORIZING THE SALE OF CITY OF WHARTON SURPLUS PERSONAL PROPERTY IN ACCORDANCE WITH THE CITY CHARTER SECTION 75 SALE OF CITY PERSONAL PROPERTY; PROCEDURES.

WHEREAS, The City of Wharton has identified surplus personal property; and,

WHEREAS, The Wharton City Council of the City of Wharton wishes to authorize the City Manager to sell the surplus personal property through Poor Farm's Public Auction by in accordance with the City Charter Section 75 Sale of City personal property; procedures; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager to sell City personal property out right on a first come first serve basis if said property did not sell through the bidding process.

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

Section I. The City Council of the City of Wharton hereby authorizes the City Manager to sell the City of Wharton surplus personal property in accordance with the City Charter Section 75 Sale of City personal property; procedures.

Section II. The City Council of the City of Wharton hereby authorizes the sale of this personal property by Poor Farm's Public Auction.

Section III. The Wharton City Council hereby authorizes the City Manager to sell City personal property out right on a first come first serve basis if said property did not sell through the bidding process.

Section IV. This resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By:

TIM BARKER

Mayor

ATTEST:

PAULA FAVORS

City Secretary

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

The eighth item on the agenda was to review and consider a request for Privileged Liens Amnesty. City Secretary, Paula Favors, stated the City Staff was requesting in an effort to collect some of the outstanding lien debt, the City Council consider approving an amnesty on the interest due on these liens and run the program through September 15, 2022, forgiving the interest amount only. City Secretary Favors said the Finance Committee met on Monday, June 8, 2022 and voted to recommend the City Council consider approving the request. After some discussion, Councilmember, Clifford Jackson, moved to approve the request for Privileged Liens Amnesty of interest amount only through September 15, 2022. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider an ordinance amending the City of Wharton Code of Ordinances, Chapter 34 Health and Sanitation; Article II. Cleanliness and Sanitation of premises; Littering; Section 34-51 accumulation or growth of weeds or brush; item (b) duty to cut growth; item (1); providing that a violation of the Ordinance or any part of the Code as adopted hereby shall constitute a penalty upon conviction of a fine; providing for separability and setting an effective date. City Secretary, Paula Favors, stated the update to the ordinance would require property owners to maintain those grounds within their respective boundaries, all abutting easements and rights-of-way being adjacent thereto and extending beyond the property line of any such property to the edge of the blacktop of adjacent streets where a curb line has not

been established, or to the back of the curb where curb line has been established, and also to the center of adjacent alleys, easements, and undeveloped streets. City Attorney, Paul Webb, stated he had reviewed the ordinance and it was his recommendation the City Council consider approving it. After some discussion, Councilmember, Terry Freese, moved to approve the City of Wharton Ordinance No. 2022-09, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2022-09**

AN ORDINANCE AMENDING THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 34 HEALTH AND SANITATION; ARTICLE II. CLEANLINESS AND SANITATION OF PREMISES; LITTERING; SECTION 34-51 ACCUMULATION OR GROWTH OF WEEDS OR BRUSH; ITEM (b) DUTY TO CUT GROWTH; ITEM (1); PROVIDING THAT A VIOLATION OF THE ORDINANCE OR ANY PART OF THE CODE AS ADOPTED HEREBY SHALL CONSTITUTE A PENALTY UPON CONVICTION OF A FINE; PROVIDING FOR SEPARABILITY AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED by the City Council of the City of Wharton, Texas, that the City of Wharton Code of Ordinances, Chapter 34 Health and Sanitation; Article II. Cleanliness and Sanitation of Premises; Littering; Section 34-51 Accumulation or growth of weeds or brush through Section 34-55. Same-Performance by City shall read as follows:

Sec. 34-51. Accumulation or growth of weeds or brush.

- (a) Nuisance declared. It shall be unlawful for any owner(s) of any premises within the city to allow weeds, grass or uncultivated plants to grow upon such premises or to allow trash or rubbish to accumulate upon such premises to such an extent as is reasonably calculated to create a fire hazard or to become injurious to the health of the citizens. Any such act is declared to constitute a public nuisance.

- (b) Duty to cut growth.
 - (1) It shall be unlawful for any owner(s) of any premises to permit weeds, grass or uncultivated plants to grow upon such premises to a height greater than ten (10) inches on an average or to grow in rank profusion thereon. For purposes of owner(s) responsibility, it shall include, in addition to those grounds within their respective boundaries, all abutting easements and rights-of-way being adjacent thereto and extending beyond the property line of any such property to the edge of the blacktop of adjacent streets where a curb line has not been established, or to the back of the curb where curb line has been established, and also to the center of adjacent alleys, easements, and undeveloped streets. Any premises upon which any weeds, grass or uncultivated plants grow above such height or in rank profusion shall be deemed a public nuisance. Provided, however, the provisions of this subsection shall not apply to any owner(s) of any premises who has received and maintains a valid permit to grow and harvest hay within the city limits.

Penalty Clause

Except as otherwise provided in this chapter, any person found guilty of intentionally, knowingly or recklessly violating any provision of this article and upon conviction thereof in the municipal court shall be fined in accordance with the terms of Section 1-5 of the Code of Ordinances of the City of Wharton, Texas.

Severability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance is invalid or unconstitutional, any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

Effective Date

This Ordinance shall become effective on the 24th day of June, 2022 at 12:01 a.m.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on the 13th day of June, 2022.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER

Mayor

ATTEST:

PAULA FAVORS

City Secretary

APPROVED AS TO FORM:

PAUL WEBB

City Attorney

Councilmember, Russell Machann, seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider Debris Removal Services and Debris Monitoring Services:

- A. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a debris removal and disposal firm to be used in the event of a major disaster.
- B. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a debris monitoring firm to be used in the event of a major disaster.

Emergency Management Coordinator, Ben Guanajuato, stated the contracts for Debris Removal Services and Debris Monitoring Services has expired requiring new services be procured. Lt. Guanajuato, said it was the City Staff's recommendation that Consultant Selection Committees be created and advertisements be posted for the procurement of Debris Removal Services and Debris Monitoring Services for the City of Wharton as the 2022 Hurricane Season begins. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-56 and 2022-57, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-56**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A DEBRIS REMOVAL AND DISPOSAL FIRM TO BE USED IN THE EVENT OF A MAJOR DISASTER.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the selection of a debris removal and disposal firm to be used in the event of a major disaster and provide recommendations to the City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director; and,

WHEREAS, The Wharton City Council wishes for this Committee to exist until a recommendation is presented to the City Council; and,

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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 establishes a Consultant Selection Committee.

Section II. That the Consultant Selection Committee will consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director.

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2022-57**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A DEBRIS MONITORING FIRM TO BE USED IN THE EVENT OF A MAJOR DISASTER.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the selection of a debris monitoring firm to be used in the event of a major disaster and to provide recommendations to the City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director; and,

WHEREAS, The Wharton City Council wishes for this Committee to exist until a recommendation is presented to the City Council; and,

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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 establishes a Consultant Selection Committee.

Section II. That the Consultant Selection Committee will consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director.

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Don Mueller, seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider a resolution of the Wharton City Council approving a Perpetual Blanket Overhead and Underground Easement between the City of Wharton and CenterPoint Energy to provide electrical service to the new City of Wharton Water Well and Storage Facilities and authorizing the Mayor of the City of Wharton to execute the agreement. Director of Planning & Development, Gwyn Teves, stated the construction of the newest water well on C.R. 222 was progressing and utility services were ready to be extended to the property. Ms. Teves said it was a requirement of CenterPoint Energy to provide an easement on the property for the services. City Attorney, Paul Webb, stated he had reviewed the agreement and met his approval. After some discussion, Councilmember, Steve Schneider, moved to approve City of Wharton No. 2022-58, which read as follows:

CITY OF WHARTON

RESOLUTION NO. 2022-58

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A PERPETUAL BLANKET OVERHEAD AND UNDERGROUND EASEMENT BETWEEN THE CITY OF WHARTON AND CENTERPOINT ENERGY TO PROVIDE ELECTRICAL SERVICE TO THE NEW CITY OF WHARTON WATER WELL AND STORAGE FACILITIES AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, The new City of Wharton Water Well and Storage Facility property is located on C.R. 222 and the Wharton City Council wishes to obtain electrical service from CenterPoint Energy; and,

WHEREAS, The Wharton City Council wishes to approve a Perpetual Blanket Overhead and Underground Easement Agreement with CenterPoint Energy to obtain electrical service to said property; and,

WHEREAS, The easement would be located on City-owned property described as a certain 17.03-acre tract of land situated in the Alexander Jackson Timber League, Abstract 34, and in the William Kincheloe League, Abstract 38, in Wharton County, Texas, this being the same property described in the deed from the Wharton Economic Development Corporation to City of Wharton, dated September 27, 2001, and filed for record under County Clerk's Volume 428, Page 582 in the Official Public Records of said County and State; and,

WHEREAS, The City of Wharton and CenterPoint Energy wishes to be bound by the conditions set forth in the agreement; and,

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

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

Section I. That the City Council of the City of Wharton hereby approves a Perpetual Blanket Overhead and Underground Easement Agreement with CenterPoint Energy to obtain electrical service to the new City of Wharton Water Well and Storage Facility located on C.R. 222.

Section II. The Wharton City Council hereby authorizes the Mayor to execute all documents related to said agreement.

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The twelfth item on the agenda was to review and consider a resolution approving a contract between the City of Wharton and the Wharton Economic Development Corporation for water improvements located at 1106 North Richmond Road, Wharton, Texas, for the Alamo Lumber Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning and Development, Gwyn Teves, stated the City Staff had been working closely with the Alamo Lumber development and had encountered a lack of appropriate water supply to adequately provide water pressure for fire protection measures on the line on Armstrong Street. Ms. Teves said at the request of Alamo Lumber, the City Staff contacted the Wharton Economic Development Corporation (EDC) for assistance with improving the water line on Armstrong Street for their development, which approved working with the City and Alamo Lumber to assist in infrastructure improvement reimbursements not to exceed \$198,000.00 to place a 6" water main on Armstrong Street. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-59, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-59**

A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY OF WHARTON AND THE WHARTON ECONOMIC DEVELOPMENT CORPORATION FOR WATER IMPROVEMENTS LOCATED AT 1106 NORTH RICHMOND ROAD, WHARTON, TEXAS, FOR THE ALAMO LUMBER PROJECT 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 with the Wharton Economic Development Corporation for water improvements located at 1106 North Richmond Road, Wharton, Texas, for the Alamo Lumber Project; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to said agreement; and,

WHEREAS, The City of Wharton and the Wharton Economic Development Corporation wishes to be bound by the conditions as set forth in the contract.

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

Section I. That the City Council of the City of Wharton hereby approves the contract between the City of Wharton and the Wharton Economic Development Corporation for water improvements located at 1106 North Richmond Road, Wharton, Texas, for the Alamo Lumber Project.

Section II. The Wharton City Council hereby authorizes the Mayor to execute all documents related to said agreement.

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider a resolution of the Wharton City Council approving the purchase and installation of MyGov, LLC Software for the City of Wharton and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning and Development, Gwyn Teves, stated the Wharton City Council adopted the Wharton Recovery Plan associated with the implementation of the City's American Rescue Plan Act (ARPA) – Coronavirus Local Fiscal Recovery Funds (CLFRF) on April 25, 2022 and as part of the plan, one of the approved items was the purchase of a GIS System. Ms. Teves said the recommendation of the City Staff was to enter into a contract with MyGov, LLC., for software

services to include Code Enforcement, Permits, Work Orders, Asset Management, Credential Management, Electronic Plan Review, GIS/Mapping, as well as the setup, online training and six-week detailed installation. She said the cost for the purchase and installation was \$30,970.00, which includes an annual cost of \$23,964.00 to be shared between multiple departments after the initial first year and a one-time set up cost of \$7,006.00. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-60, which reads as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-60**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE PURCHASE AND INSTALLATION OF MYGOV, LLC SOFTWARE FOR THE CITY OF WHARTON AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, It is in the best interest of the City of Wharton Personnel and Citizens to purchase and install MyGov, LLC software, which will allow for online permitting, electronic plan reviews, asset management, GIS/mapping and other modules; and,

WHEREAS, The Wharton City Council has designated the necessary funding for the purchase and installation of said software through the City's Recovery Plan utilizing the American Rescue Plan Act Funds; and,

WHEREAS, The Wharton City Council wishes to approve funding in the amount of \$30,970.00 to be used to purchase and install said software; and,

WHEREAS, The Wharton City Council wishes to purchase MyGov, LLC software; 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 software's purchase and installation.

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 the purchase in the amount of \$30,970.00 to purchase and install MyGov, LLC software.

Section II. That the Mayor of the City of Wharton is hereby authorized to execute any and all documents related to said software's purchase and installation.

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The fourteenth 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.

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

- A. Beautification Committee meeting held May 11, 2022.
- B. Housing Committee meeting held May 23, 2022.

After some discussion, no action was taken.

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

The meeting adjourned at 7:33 p.m.

CITY OF WHARTON, TEXAS

By: *Tim Barker*
TIM BARKER
Mayor

Wharton City Council Meeting

June 13, 2022

17

ATTEST:



PAULA FAVORS

City Secretary

