

**MINUTES  
OF  
CITY OF WHARTON  
CITY COUNCIL REGULAR MEETING  
OCTOBER 14, 2024**

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. Councilmember, Russell Machann, led the opening devotion, and Mayor, Tim Barker led the pledge of allegiance.

Councilmembers present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Russell Machann; Burnell Neal; Larry Pittman; Steve Schneider, and David Voulgaris.

Councilmembers absent were: None.

Staff members present were: Assistant City Attorney, Amy Rod; Finance Director, Joan Anel; Assistant City Manager, Paula Favors, TRMC, CPM, MMC, IPMA-CP; Director of Planning and Development, Gwyn Teves; Assistant to the City Manager, Brandi Jimenez; Police Chief, Terry David Lynch; Public Works Director, Roderick Semien; Fire Chief, Hector Hernandez; Emergency Management Coordinator, Ben Guanajuato; Assistant to the Building Official, Shelby Robertson; Building Official, Claudia Velasquez, and Airport Manager, Dwayne Pospisil.

Visitors present were: Ryan Salazar; Larry Sitka; Ashley Danna; Tammy Garcia; Sarah Hudgins, and Colby Primeaux 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 given.

**Wharton Moment.**

Mayor, Tim Barker, called for Wharton Moments.

1. Councilmember, Russell Machann, said the 100 Club Skeet Shoot would be held October 19<sup>th</sup> at the Wharton County Fairgrounds.
2. Police Chief, Terry David Lynch, congratulated Patrol Sergeant, Anthony Rome, and Patrol Sergeant, Marshall Johnson on completing the Sergeant Academy. Chief Lynch also congratulated Detective, David Hunter, on his completion of the Trilogy Award.
3. Mayor, Tim Barker, thanked everyone who made the Wine Fair a successful event which had a great turnout. He also reminded everyone the Party Under the Bridge event would be held on Thursday, October 17, 2024, at Riverfront Park.

4. Mayor, Tim Barker, gave his condolences to the family of former Councilmember, Lewis Fortenberry, who served on the City Council from May 2008 to February 2011.

**Proclamation**

1. Proclamation: Domestic Violence Awareness Month.

Mayor, Tim Barker, presented a proclamation as follows:

**CITY OF WHARTON  
OFFICE OF THE MAYOR  
PROCLAMATION**

**WHEREAS,** Domestic violence remains a pervasive issue across Wharton, Wharton County, the United States, and the world with implications for personal and community health; and,

**WHEREAS,** Domestic violence does not discriminate and touches all communities regardless of age, race, disability, gender identity, or socioeconomic status; and,

**WHEREAS,** Domestic Violence Awareness Month is nationally recognized every October, and is an opportunity to help our community promote and protect the safety and freedom of all who seek refuge from this terrible crime; and,

**WHEREAS,** The Crisis Center of Matagorda and Wharton County is dedicated to helping victims of domestic violence by providing free and confidential services such as advocacy, education, shelter, and resources. In the past year, the Crisis Center has provided services to 438 clients of domestic violence and 6,938 nights of shelter to adults and children. Through these programs, individuals and families can feel a sense of hope, safety, and protection; and,

**WHEREAS,** Research shows incidents of domestic violence are reduced by creating communities where people are connected, supportive, and care for one another. The City of Wharton encourages members of the community to work together to increase domestic violence awareness; and,

**WHEREAS,** Research shows incidents of domestic violence are reduced by creating communities where people are connected, supportive, and care for one another. The City of Wharton encourages members of the community to work together to increase domestic violence awareness; and

**WHEREAS,** During October, the Crisis Center will promote public awareness of domestic violence. On October 17th, citizens can participate in "Go Purple Day," a National Day of Action during Domestic Violence Awareness Month, by wearing purple to symbolize peace, courage, survival, honor, and personal dedication to domestic violence awareness. On October 24th, the Center will host "Walk a Mile in Their Shoes," a one-mile walk from the Center on Fulton Street to the County Courthouse in support of victims and survivors.



**NOW, THEREFORE, I, TIM BARKER**, by the authority vested in me as Mayor of the City of Wharton, Texas, do hereby proclaim the month of October 2024 as

***“Domestic Violence Awareness Month”***

in the City of Wharton in recognition of the important work done by survivors, domestic violence programs, and victim service providers, urge all citizens to actively participate in the scheduled activities and programs sponsored by “The Crisis Center of Matagorda and Wharton County” and other community organizations to work toward the elimination of domestic violence.

**IN WITNESS THEREOF**, I have set my hand and caused the seal of the City of Wharton to be affixed this 14<sup>th</sup> day of October, in the year of our Lord two thousand twenty-four A.D.

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Tim Barker  
Mayor, City of Wharton

**Review and Consider:**

The first item on the agenda was to review and consider the reading of the minutes from the regular meetings held September 9, 2024, and September 23, 2024. After some discussion, Councilmember, Terry Freese, moved to approve the reading of the minutes from the regular meetings held September 9, 2024, and September 23, 2024. Councilmember, Russell Machann, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request from the Daughters of the American Revolution Comfort Wood Chapter to hold a Scholarship 5K Run/Walk for the following:

- A. Use of Guffey Park on October 26, 2024, from 7:00 a.m. to 10:00 a.m.
- B. Wharton Police Department assistance at street crossings for the event.

Ms. Sarah Hudgins presented a request from the Daughters of the American Revolution Comfort Wood Chapter to hold a 5K Run/Walk to raise money to give scholarships to Wharton County graduating Seniors. Ms. Hudgins stated the Event was on October 26, 2024, with sign-in beginning at 7:30 a.m. and the race starting at 8:30 a.m. She said no road closures were needed, and volunteers would help along the route. After some discussion, Councilmember, Russell Machann, moved to approve the request from the Daughters of the American Revolution Comfort Wood Chapter to hold a Scholarship 5K Run/Walk. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a request from Edwards Ministerial Association, Inc., to hold a 5K Walk-Roll-Stroll event on October 19, 2024, for the following:

- A. Waive all local fees for the event.

- B. Provide six (6) blue barrel trash containers and extra liners.
- C. Have EMS on standby for the event.

Assistant City Manager, Paula Favors, presented an Edwards Ministerial Association, Inc. request to hold a 5K Walk-Roll-Stroll event on October 19, 2024, at Guffey Park. Mrs. Favors stated Lt. Guanajuato had reviewed the request and approved it. After some discussion, Councilmember, Burnell Neal, moved to approve the request from Edwards Ministerial Association, Inc., to hold a 5K Walk-Roll-Stroll event on October 19, 2024. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request from Mr. Larry Sitka, for (1) a front setback variance on Fulton St. of 25' from the required 50', (2) a variance to allow more than 1 free-standing commercial sign on the same property, and (3) have a separation of less than 500 feet between off-premise signs on the same side of a public street. Director of Planning and Development, Gwyn Teves, presented a copy of the request from Mr. Larry Sitka, for (1) a front setback variance on Fulton St. of 25' from the required 50', (2) a variance to allow more than 1 free-standing commercial sign on the same property, and (3) have a separation of less than 500 feet between off-premise signs on the same side of a public street. Mrs. Teves stated the Planning Commission met and discussed the request and Mr. Sitka was present to provide information. She said Commissioner Gary Nunez motioned to recommend that the Council not approve the request from Mr. Sitka, however, the item did not have a second. After some discussion, Councilmember, Terry Freese, moved to deny the request. Councilmember, Steve Schneider, seconded the motion. Councilmember, Russell Machann; Councilmember, Burnell Neal, and Councilmember, Larry Pittman, voted against the motion. Councilmember, Terry Freese; Councilmember, Steve Schneider, and Councilmember, David Voulgaris, voted in favor of the motion. Mayor, Tim Barker, made the tie-breaking vote against the motion. The motion did not carry.

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the City Manager to approve concrete repairs at the Wharton Fire Station and authorizing the City Manager to execute all documents related to said repairs. Fire Chief, Hector Hernandez, presented a copy of a memorandum from him regarding concrete repairs at the Wharton Fire Station. Fire Chief Hernandez stated he solicited quotes for the concrete work and three (3) quotes were received as follows:

1. JJ Construction-\$17,500.00
2. Total Outdoor Solutions-\$14,858.00
3. Cuevas Renovations and Construction-\$17,800.00

Chief Hernandez said funds to pay for the concrete repairs had been included in the Fiscal Year 2024-2025 Fire Department Budget. Assistant City Manager, Paula Favors, stated the Finance Committee met on October 14, 2024, and recommended the City Council consider approving the request authorizing the work to be completed with Total Outdoor Solutions. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-101, which read as follows:



**CITY OF WHARTON  
RESOLUTION NO. 2024-101**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY MANAGER TO APPROVE CONCRETE REPAIRS AT THE WHARTON FIRE STATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID REPAIRS.**

**WHEREAS,** The Wharton City Council has appropriated funds for the repair of the concrete at the Wharton Fire Department; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager to approve the concrete repairs at the Wharton Fire Department from Total Outdoor Solutions in the amount of \$14,858.00; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager to execute all documents related to the said concrete repairs.

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

**SECTION I.** The Wharton City Council hereby authorizes the City Manager to approve the concrete repairs at the Wharton Fire Department from Total Outdoor Solutions in the amount of \$14,858.00.

**SECTION II.** The Wharton City Council hereby authorizes the City Manager to execute all documents related to the concrete repair.

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

**PASSED AND APPROVED** this 14th day of October 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember, Larry Pittman, 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 adopting the City of Wharton Policy for Social Media Use by City of Wharton Committees, Commissions, & Boards. Assistant to the Building Official, Shelby Robertson, stated the Code

Enforcement Department requested that the City Council consider adopting the proposed Social Media Policy for the City of Wharton Committees, Commissions, & Boards. Ms. Robertson said that the policy would provide clear guidelines for the responsible and ethical use of social media while ensuring that the City communicated effectively with the public. After some discussion, Councilmember, Larry Pittman, moved to approve City of Wharton Resolution No. 2024-102, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-102**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING THE CITY OF WHARTON POLICY FOR SOCIAL MEDIA USE BY CITY OF WHARTON COMMITTEES, COMMISSIONS, & BOARDS.**

**WHEREAS,** The City of Wharton wishes to adopt The City of Wharton Policy for Social Media Use by City of Wharton Committees, Commissions, & Boards to provide clear guidelines for the responsible and ethical use of social media; and,

**WHEREAS,** The City Council will review and adopt, by this resolution, The City of Wharton Policy for Social Media Use by the City of Wharton Committees, Commissions, & Boards; and,

**WHEREAS,** The Wharton City Council wishes to adopt said policy and authorize the City Manager to sign said policy.

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

**Section I.** The City of Wharton City Council hereby approves The City of Wharton Policy for Social Media Use by City of Wharton Committees, Commissions, & Boards.

**Section II.** The Wharton City Council hereby authorizes the City Manager to sign said policy.

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

**Passed, Approved, and Adopted** this 14<sup>th</sup> day of October 2024.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**



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**PAULA FAVORS**

City Secretary

Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider a resolution of the Wharton City Council approving an agreement between the City of Wharton and the Texas Department of Transportation Aviation Division for the Routine Airport Maintenance Program, TXDOT CSJ NO. M16M2513WHRT for the airport maintenance at the Wharton Regional Airport and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Airport Manager, Dwayne Pospisil, presented a copy of the Texas Department of Transportation Routine Airport Maintenance Program (RAMP) form for Fiscal Year 2024 – Project ID: M16M2513WHRT. Airport Manager Pospisil stated the program allowed the airport to be reimbursed for ninety percent (90%) of the eligible project costs or \$100,000, whichever was less, per fiscal year and subject to availability of state appropriations. The airport has participated in this grant program for many years. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-103, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-103**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AGREEMENT BETWEEN THE CITY OF WHARTON AND THE TEXAS DEPARTMENT OF TRANSPORTATION AVIATION DIVISION FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM, TXDOT CSJ NO. M16M2513WHRT FOR THE AIRPORT MAINTENANCE AT THE WHARTON REGIONAL AIRPORT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.**

**WHEREAS,** The Wharton City Council wishes to conduct maintenance to the Wharton Regional Airport under the 2025 Routine Airport Maintenance Program; and,

**WHEREAS,** The Texas Department of Transportation Aviation Division and the City of Wharton wishes to enter into an agreement under the 2025 Routine Airport Maintenance Program for airport maintenance at the Wharton Regional Airport; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor the City of Wharton to execute all documents related to the contract.

**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 a contract with the Texas Department of Transportation Aviation Division for the 2025 Routine Airport Maintenance Program.
- Section. II.** That the Texas Department of Transportation Aviation Division and the City of Wharton are hereby bound by the conditions as set forth in the agreement.
- Section III.** That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to the contract.
- Section IV.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 14<sup>th</sup> day of October 2024.

**CITY OF WHARTON**

By: \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

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**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 resolution of the Wharton City Council authorizing the purchase of a 2026 International HV607 4x2 with a 6–8-yard Dump Body Truck for the Public Works Department from Santex Truck Centers, LTD through the HGACBuy Cooperative Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, stated the City Staff received a quote for the purchase of a 2026 International HV607 4x2 with a 6-8-yard dump body truck for the Public Works Department from Santex Truck Centers, LTD, in the amount of \$123,870.00. Public Works Director Semien said the City was a member of and participated in the HGACBuy Cooperative Purchasing Program. Assistant City Manager, Paula Favors, stated the Finance Committee met on Monday, October 14, 2024, and recommended the City Council consider approving the request. After some discussion, Councilmember, Burnell Neal, moved to approve City of Wharton Resolution No. 2024-104, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-104**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE**



**PURCHASE OF A 2026 INTERNATIONAL HV607 4X2 WITH A 6-8-YARD DUMP BODY TRUCK FOR THE PUBLIC WORKS DEPARTMENT FROM SANTEX TRUCK CENTERS, LTD THROUGH THE HGACBUY COOPERATIVE PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a 2026 International HV607 4x2 with 6-8 Yard dump body truck for the Public Works Department; and,

**WHEREAS,** The City of Wharton is a member of and participates in the HGACBuy Cooperative Purchasing Program; and,

**WHEREAS,** Santex Truck Centers, LTD submitted a quote in the amount of \$123,870.00; and,

**WHEREAS,** The Wharton City Council wishes to approve Santex Truck Centers, LTD for the purchase of a 2026 International HV607 4x2 with 6-8 yard dump body in the amount of \$123,870.00 for the Public Works Department; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager of the City of Wharton to execute all documents related to said purchase.

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

**SECTION I.** The Wharton City Council hereby authorizes the City Manager to purchase a 2026 International HV607 4x2 with 6-8 yard dump body truck for the Public Works Department from Santex Truck Centers, LTD through the HGACBuy Cooperative Purchasing Program in the amount of \$123,870.00

**SECTION II.** The Wharton City Council hereby authorizes the City Manager to execute all documents related to the purchase of the equipment.

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

**PASSED AND APPROVED** this 14th day of October 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember, David Voulgaris, seconded the motion. Councilmember, Russell Machann, voted against the motion. Councilmember, Steve Schneider; Councilmember, Terry Freese, and Councilmember, Larry Pittman voted in favor. The motion carried.

The ninth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of a Netzsch Nemo Progressing Cavity Pump for the Public Works Department from Odessa Pumps & Equipment, Inc. through the Buyboard Cooperative Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, stated the City Staff received a quote for the purchase of a Netzsch Nemo Progressing Cavity Pump for the Public Works Department in the amount of \$25,986.00. Public Works Director Semien said the City was a member and participated in the BuyBoard Cooperative Purchasing Program. Assistant City Manager, Paula Favors, stated the Finance Committee met on Monday, October 14, 2024, and recommended the City Council consider approving the request. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-105, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-105**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A NETZSCH NEMO PROGRESSING CAVITY PUMP FOR THE PUBLIC WORKS DEPARTMENT FROM ODESSA PUMPS & EQUIPMENT, INC. THROUGH THE BUYBOARD COOPERATIVE PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a Netzsch Nemo Progressing Cavity Pump for the Public Works Department; and,

**WHEREAS,** The City of Wharton is a member of and participates in the BuyBoard Cooperative Purchasing Program; and,

**WHEREAS,** Odessa Pumps & Equipment, Inc. submitted a quote in the amount of \$25,986.00; and,

**WHEREAS,** The Wharton City Council wishes to approve Odessa Pumps & Equipment, Inc. for the purchase of a Netzsch Nemo Progressing Cavity Pump in the amount of \$25,986.00 for the Public Works Department; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager of the City of Wharton to execute all documents related to said purchase.

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

**SECTION I.** The Wharton City Council hereby authorizes the City Manager to purchase a Netzsch Nemo Progressing Cavity Pump for the Public Works Department from



Odessa Pumps & Equipment, Inc., through the BuyBoard Cooperative Purchasing Program in the amount of \$25,986.00.

**SECTION II.** The Wharton City Council hereby authorizes the City Manager to execute all documents related to the purchase of the equipment.

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

**PASSED AND APPROVED** this 14th day of October 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

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

The tenth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing and ratifying the emergency rental and replacement of the submersible pump at the Milam Street Lift Station and authorizing the City Manager of the City of Wharton to execute all documents related to said repairs. Public Works Director, Roderick Semien, stated that on September 26, 2024, during a routine Water Department inspection, it was discovered that the wet well of the Milam Street Lift Station was at a high level of wastewater. Public Works Director Semien said that further investigation revealed that one of the submersible pumps was broken beyond repair. He said it was decided to contact Greens Pump and Supply to remove the broken pump and install a rental pump with the cost of the new pump being \$14,134.85. After some discussion, Councilmember, Terry Freese, moved to approve the City of Wharton Resolution No. 2024-106, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-106**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING AND  
RATIFYING THE EMERGENCY RENTAL AND REPLACEMENT OF THE**

**SUBMERSIBLE PUMP AT THE MILAM STREET LIFT STATION AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID REPAIRS.**

**WHEREAS,** Emergency removal and replacement was needed on the submersible pump at the Milam Street Lift Station; and,

**WHEREAS,** Said pump was broken beyond repair and a rental pump was installed while the replacement was on order; and,

**WHEREAS,** The City of Wharton engaged the services of Greens Pump and Supply to remove and install said pump; and,

**WHEREAS,** The total cost of the removal and replacement pump was in the amount of \$14,134.85; and,

**WHEREAS,** The Wharton City Council ratifies the removal and installation of the submersible pump at the Milam Street Lift Station and wishes to authorize the City Manager of the City of Wharton to execute all documents.

**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 City Manager of the City of Wharton to execute all documents related to the removal and replacement of the submersible pump at the Milam Street Lift Station.

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

**Passed, Approved, and Adopted** this 14th day of October 2024.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember, David Voulgaris, 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 contract with Unifirst Corporation for Public Works Employee uniforms and other supplies through the Sourcewell Cooperative and authorizing the City Manager of the City of Wharton to execute all documents relating to said contract. Director of Public Works, Roderick Semien, stated the Public Works Department received services from Cintas Corporation for the Public Work Employee uniforms. Director of Public Works Semien said that upon the expiration of the current Cintas uniform contract in February 2025, the City Staff requested to terminate services with Cintas Corporation and engage the services of Unifirst Corporation for uniform services. He said Unifirst Corporation is available through the SourceWell Cooperative. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-107, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-107**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT WITH UNIFIRST CORPORATION FOR PUBLIC WORKS EMPLOYEE UNIFORMS AND OTHER SUPPLIES THROUGH SOURCEWELL COOPERATIVE AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.**

**WHEREAS,** The City of Wharton is currently receiving services from Cintas Corporation for Public Works employee uniforms and other supplies; and,

**WHEREAS,** With the expiration of the Cintas Contract in February 2025, the City Staff wishes to engage the services of Unifirst Corporation for the employee uniforms; and,

**WHEREAS,** Unifirst Corporation is a vendor through the SourceWell Cooperative; and,

**WHEREAS,** The City Council of the City of Wharton has determined that is in the best interest to enter into an agreement with Unifirst Corporation for Public Works employee uniforms and other supplies.

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

**Section I.** That Unifirst Corporation is a vendor through the Sourcewell Cooperative.

**Section II.** That the City of Wharton hereby approves a contract with Unifirst Corporation to provide uniform services and other supplies for the Public Works Department.

**Section III.** That the City Manager is hereby authorized to sign any documents relating to the aforementioned contract.

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

**PASSED, APPROVED, and ADOPTED** this 14<sup>th</sup> day of October 2024.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_

**TIM BARKER**

Mayor

**ATTEST:**

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**PAULA FAVORS**

City Secretary

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

The twelfth item on the agenda was to review and consider a resolution of the Wharton City Council approving an Interlocal Agreement for the Municipally Owned Building Energy Efficiency Retrofits Program with the State Energy Conservation Office (SECO) and authorizing the City Manager of the City of Wharton to execute all documents related to said agreement. Assistant City Manager, Paula Favors, stated the item would be brought back for discussion at a future meeting.

The thirteenth item on the agenda was to review and consider designating a representative to the Houston-Galveston Area Council Advisory (H-GAC) Committee-Regional Flood Management Council. Assistant City Manager, Paula Favors, presented a copy of a letter from the Houston-Galveston Area Council regarding the re-nomination of a primary representative and alternate representative to the H-GAC Regional Flood Management Council. Mrs. Favors stated the purpose of the Council was to assist and advise elected officials in the decision-making responsibilities regarding flood management issues. She said the current City representatives on the committee were Director of Planning & Development Gwyn Teves and Building Official Claudia Velasquez. After some discussion, Councilmember, Terry Freese, moved to appoint Director of Planning & Development Gwyn Teves and Building Official Claudia Velasquez to the Houston-Galveston Area Council 2025 Committee-Regional Flood Management Council. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider a resolution of the Wharton City Council designating a City of Wharton Representative and Alternate to the Houston-Galveston Area Council 2025 General Assembly. Assistant City Manager, Paula Favors, presented a copy of the letter dated September 19, 2024, to Mayor Tim Barker from Mr. Chuck Wemple of the Houston-Galveston Area Council (H-GAC) requesting the City of Wharton to designate a City of Wharton representative and alternate representative to the H-GAC 2025 General Assembly. Mrs. Favors stated the previous representatives were Councilmember, Clifford Jackson, and Councilmember, Russell Machann. She said the City Staff recommended appointing



Councilmember, Burnell Neal, and Councilmember, Russell Machann. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-108, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-108**

**A RESOLUTION DESIGNATING A CITY OF WHARTON REPRESENTATIVE AND ALTERNATE TO THE HOUSTON-GALVESTON AREA COUNCIL 2025 GENERAL ASSEMBLY.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS,** that Councilmember Burnell Neal, be, and is hereby designated as its Representative to the General Assembly of the Houston-Galveston Area Council for the year 2025.

**FURTHER,** that the Official Alternate authorized to serve as the voting representative should the hereinabove named representative become ineligible, or should he/she resign, is Councilmember Russell Machann.

**THAT,** the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

**Passed, Approved, and Adopted** this 14th day of October 2024.

**CITY OF WHARTON, TEXAS**

**By:**

\_\_\_\_\_  
**TIM BARKER**

Mayor

**ATTEST:**

\_\_\_\_\_  
**PAULA FAVORS**

City Secretary

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

The fifteenth item on the agenda was to review and consider a resolution of the Wharton City Council approving a Professional Engineering Services Agreement with Quiddity Engineering, LLC, to develop and maintain the City of Wharton GIS Field Verification and Utility Migration Network and authorizing the Mayor of the City of Wharton to execute all documents related to

said agreement. Director of Planning & Development, Gwyn Teves, stated the City Staff had been working on upgrading the current streamlined data available within the City departments using new software and GIS programs. Director of Planning and Development Teves said as the programs were being implemented, accurate field verification and data needed to be obtained for the City's infrastructure. She said Quiddity Engineering had provided the proposal to perform these services, as the equipment, training, and manpower to complete this was out of the current staff's capabilities. Mrs. Teves stated this proposal was discussed and approved in the 2024/2025 budget utilizing Option 3 of the 60-month payout for a total agreement of \$116,924.78 total cost. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-110, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-110**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH QUIDDITY ENGINEERING, LLC, TO DEVELOP AND MAINTAIN THE CITY OF WHARTON GIS FIELD VERIFICATION AND UTILITY MIGRATION NETWORK AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.**

**WHEREAS,** The Wharton City Council wishes to engage the services of Quiddity Engineering, LLC, to provide professional engineering services for the development and maintenance of the City of Wharton GIS Field Verification and Utility Network Migration System; and,

**WHEREAS,** Quiddity Engineering, LLC, wishes to provide said services for the development and maintenance of the City of Wharton GIS Field Verification and Utility Network Migration System; and,

**WHEREAS,** The City of Wharton and Quiddity Engineering, LLC, wishes to be bound by the conditions of said Professional Engineering Services 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.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a Professional Engineering Services Agreement with Quiddity Engineering, LLC, for the development and maintenance of the City of Wharton GIS Field Verification and Utility Network Migration System.

**Section II.** The City of Wharton and Quiddity Engineering, LLC, are hereby bound by the conditions as set forth in the agreement.



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

**Passed, Approved, and Adopted** this 14th day of October 2024.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**TIM BARKER**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**PAULA FAVORS**  
City Secretary

Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The sixteenth item on the agenda was to review and consider Pay Request No. 3 and Final from Capital Underground Utilities for the Titus Express Carwash Waterline Extension. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 3 and Final from Capital Underground Utilities for the Titus Express Carwash Waterline Extension in the amount of \$17,606.60. Director of Planning & Development Teves stated it was the City Staff's recommendation for the City Council to consider approving the request. After some discussion, Councilmember, Terry Freese, moved to approve Pay Request No. 3 and Final from Capital Underground Utilities for the Titus Express Carwash Waterline Extension in the amount of \$17,606.60. Councilmember, David Voulgaris, seconded the motion. All voted in favor.

The seventeenth item on the agenda was to review and consider Pay Request No. 4 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations and reduction of retainage to 5%. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 4 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations and reduction of retainage to 5%. Director of Planning and Development Teves stated that Pay Estimate No. 4 has been sent, and there was a recommendation for payment by the engineer. Mrs. Teves said the contractor had also requested that the retainage be reduced to 5% and payment of half of the current retainage be made. She said the City Staff had addressed this with the City Attorney and had received the agreement that reducing the retainage was in line with the current code. After some discussion, Councilmember, Russell Machann, moved to approve Pay Estimate 4 for \$602,384.35, approving reducing the contract retainage to 5%, and paying half of the retainage in the amount of \$280,428.00. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The eighteenth item on the agenda was to review and consider rescheduling the November 11, 2024, Regular City Council Meeting. Assistant City Manager, Paula Favors, stated the City would be closed for Veteran's Day which fell on a City Council meeting date. She requested the City Council consider moving the meeting date to November 12, 2024. After some discussion, Councilmember, Terry Freese, moved to approve rescheduling the November 11, 2024, Regular City Council Meeting to November 12, 2024. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

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

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

Assistant City Manager, Paula Favors, stated Mr. Johnnie Gonzales requested to be appointed to the Beautification Commission. After some discussion, Councilmember, Russell Machann, moved to approve the following:

B. Appointments.	<u>Beautification Commission.</u>	<u>Term Ending:</u>
Johnnie Gonzales		June 30, 2026

Councilmember, Burnell Neal, seconded the motion. All voted in favor.

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


- A. Finance Committee Meeting held September 23, 2024.

After some discussion, no action was taken.

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

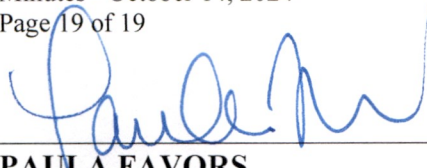
The meeting adjourned at 7:43 p.m.

**CITY OF WHARTON, TEXAS**

By:   
**TIM BARKER**  
Mayor

**ATTEST:**





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**PAULA FAVORS**  
City Secretary

