

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL MEETING
JUNE 8, 2020**

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.

Councilmember's present were: Mayor Tim Barker and Councilmembers Terry Freese, Clifford Jackson, Russell Machann, Don Mueller, Alice Heard-Roberts and Steve Schneider.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr, City Attorney Paul Webb, Finance Director Joan Andel, City Secretary Paula Favors, TRMC, CPM, MMC, Assistant to the City Manager Brandi Jimenez, Community Development Director Gwyn Teves and Emergency Management Coordinator Steve Johnson.

Visitors present were: Albert Villegas with the Wharton Journal Spectator, Chad Odom, Executive Director with Wharton Economic Development Corporation (WEDCo) and Jessica Hartman, Publisher with The County Gin.

Roll Call and Excused Absences.

All Councilmember were present.

Public Comments.

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

Wharton Moment.

Mayor Tim Barker called for Wharton Moments. No comments were made.

Public Hearing

Mayor Tim Barker opened the Public Hearing at 7:04 p.m.

1. Public Notice: Wharton, Texas Community Development Block Grant for Disaster Recovery (CDBG-DR) Local Buyout and Acquisition Program.

City Manager Andres Garza, Jr. stated the City of Wharton had been awarded \$1,693,784.00 by the General Land Office ("GLO") to conduct buyouts and the City had posted its CDBG-DR

Involuntary Buyout Program Guidelines for public comment. Community Development Director Gwyn Teves stated the guidelines were available for review on and after April 29th, 2020 and were available on the City's website.

There being no further discussion, Mayor Tim Barker closed the Public Hearing at 7:05 p.m.

The first item on the agenda was to review and consider reading of the minutes from the regular meetings held May 11, 2020 and May 26, 2020. After some discussion, Councilmember Russell Machann moved to approve the reading of the minutes from the regular meetings held on May 11, 2020 and May 26, 2020. Councilmember Terry Freese seconded the motion. All voted in favor.

The seconded item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the submission of an application to the Texas Water Development Board for a City Drainage Plan and Projects and authorizing the Mayor of the City of Wharton to execute all documents related to said submission. City Manager Andres Garza, Jr. stated the City Staff had been working with Mr. Wes Birdwell, P.E., to develop drainage plans and projects for different areas of the city. City Manager Garza said the projects identified would be incorporated into other city projects, (i.e. levee and previously discussed drainage issues). Community Development Director Gwyn Teves stated City Staff was requesting approval from the City Council to submit an application to the Texas Water Development Board for funding. After some discussion, Councilmember Clifford Jackson moved to approve City of Wharton Resolution No. 2020-49, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020 - 49**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR A CITY DRAINAGE PLAN AND PROJECTS AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID SUBMISSION.

WHEREAS, The City of Wharton City Council wishes authorize the submission of an application to the Texas Water Development Board for a city drainage plan and projects; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents relating to said application.

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

SECTION I. The Wharton City Council hereby approves the submittal of an application to the Texas Water Development Board for a city drainage plan and projects.

SECTION II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to said application.

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

PASSED, APPROVED, and ADOPTED this 8th day of June 2020.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER

Mayor

ATTEST:

PAULA FAVORS

City Secretary

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

The third item on the agenda was to review and consider a resolution of the Wharton City Council amending the agreement with SMC Consulting, Inc., for Professional Environmental Engineering Services-Rework and Alterations, Public Hearing Meetings and TxDOT Coordination/Report Revisions in Wharton, Texas SMC. 13000-2020 proposed City of Wharton/TxDOT FM 1301 Extension and Railroad Overpass Project and authorizing the Mayor of the City of Wharton to execute the agreement. City Manager Andres Garza, Jr. stated that on April 26, 2010, the Wharton City Council entered into an agreement with SMC Consulting, Inc. for Phase I Environmental Site Assessment & Preliminary Wetlands Delineation required for the City of Wharton/TxDOT-FM 1301 Extension and Railroad Overpass Project. City Manager Garza said the City staff had been working with TxDOT and IDCUS on moving forward with the project which would extend to Highway 59 (Interstate 69). Community Development Director Gwyn Teves stated the project required some additional environmental review and meetings and documentation updating, requiring additional services be provided by SMC Consulting. City Manager Garza presented a copy of the amendment and additional cost information to continue with the services and contract for these services. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2020-50, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020 – 50**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AMENDING THE
AGREEMENT WITH SMC CONSULTING, INC. FOR PROFESSIONAL**

ENVIRONMENTAL ENGINEERING SERVICES-REWORK AND ALTERATIONS, PUBLIC HEARING MEETINGS AND TXDOT COORDINATION/REPORT REVISIONS IN WHARTON, TEXAS SMC. 13000-2020 PROPOSED CITY OF WHARTON/TXDOT FM 1301 EXTENSION AND RAILROAD OVERPASS PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, On April 26, 2010, the Wharton City Council entered into an agreement with SMC Consulting, Inc. for Phase I Environmental Site Assessment & Preliminary Wetlands Delineation for the approximate 6,000 lineal foot segment of the proposed roadway between Owens Road and Wilke Road required for the City of Wharton Road Extension Project between FM 1301 and County Road 235; and,

WHEREAS, On June 8, 2020 the Wharton City Council considered an amendment to the agreement with SMC Consulting, Inc. for Professional Environmental Engineering Services-Rework and Alterations, Public Hearing Meetings and TxDOT Coordination/Report Revisions in Wharton, Texas SMC. 13000-2020; and,

WHEREAS, The City of Wharton and SMC Consulting wishes to be bound by the conditions as set forth in the agreement; and,

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

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 the amended agreement with SMC Consulting, Inc. for Professional Environmental Engineering Services-Rework and Alterations, Public Hearing Meetings and TxDOT Coordination/Report Revisions in Wharton, Texas SMC. 13000-2020.

Section II. The City of Wharton and SMC Consulting, Inc. are hereby bound by the conditions as set forth in the contract amendment.

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

PASSED, APPROVED, and ADOPTED this 8th day of June 2020.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The fourth item on the agenda was to review and consider the Santa Fe Drainage Channel Outfall Report:

- A. Santa Fe Drainage Channel Outfall Emergency Repairs.
- B. Resolution: A resolution of the Wharton City Council awarding a contract to Aftermath Structural Repairs for the emergency structural repairs to the Santa Fe Outfall Structure and authorizing the Mayor of the city of Wharton to execute all documents relating to said contract.

City Manager Andres Garza, Jr. stated that during Hurricane Harvey in 2017 the Santa Fe Outfall received damage and the City Staff had been working with Jones and Carter and the United States Army Corp of Engineers (USACE) on the status and repairs of the Outfall. City Manager Garza said the USACE had been working on getting a team to come inspect and eventually repair the outfall, however, in the meantime, Jones and Carter had been doing inspections after each major rain event or high water event and had located a crack in the structure that could result in sudden and catastrophic failure of the structure. He said that upon notification to the USACE of this problem, they were unable to provide a timeline on any repairs to be made and the City's consultant who was formerly with the USACE had advised the funding and repair process could possibly take up to 2 years and this would not be acceptable under the current circumstances. Community Development Director Gwyn Teves stated Jones & Carter was contracted for the Santa Fe Outfall and had requested quotes from contractors who were able to perform the emergency repairs. Mrs. Teves stated that they were only able to locate one contractor who could provide the repairs needed. City Manager Garza presented a copy of the recommendation and quote provided by Jones and Carter. After some discussion, Councilmember Don Mueller moved to approve City of Wharton Resolution No. 2020-51, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2020 - 51**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT TO AFTERMATH STRUCTURAL REPAIRS FOR THE EMERGENCY STRUCTURAL REPAIRS TO THE SANTA FE OUTFALL STRUCTURE AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.

WHEREAS, The City of Wharton has received a recommendation for emergency repairs to the Santa Fe Outfall from Jones and Carter, Inc.; and,

WHEREAS, Aftermath Structural Repairs was the only contractor that was located able to perform the construction needed with helical anchors; and,

WHEREAS, The Wharton City Council wishes to award the contract for emergency repairs to the Santa Fe Outfall to Aftermath Structural Repairs 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 contract.

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

Section I. That the City Council hereby approves an agreement with Aftermath Structural Repairs for the emergency repairs to the Santa Fe Outfall in the amount of \$48,500.00.

Section II. That the Mayor of the City of Wharton is hereby authorized to execute any and all documents related to said repairs.

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

PASSED, APPROVED, and ADOPTED this 8th day of June 2020.

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 Wharton Economic Development Corporation Fiscal Year 2020-2021 Annual Budget. City Manager Andres Garza, Jr. presented a copy of the Wharton Economic Development Corporation Fiscal Year 2020-2021 Annual Budget. After some discussion, Councilmember Clifford Jackson moved to approve the Wharton Economic Development Corporation Fiscal Year 2020-2021 Annual Budget. Motion failed for a lack of a second.

The sixth item on the agenda was to review and consider appointments and resignations to the City of Wharton Boards, Commissions and Committees. City Manager Andres Garza, Jr. presented the list of persons serving on the various City Boards, Commissions and Committees that were up for re-appointment. City Manager Garza stated that there were still vacancies that also need to be filled. After some discussion, Councilmember Russell Machann moved to accept the resignations of the following and appoint the following:

Resignations:

Planning Commission:

1. Billie Jones

Building Standards Commission:

1. Damon Parker

Wharton Airport Board:

1. Mark Hanson

Appointments:

Term Expiring:

Wharton Regional Airport Board:

- | | |
|-----------------|---------------|
| 1. Jimmy Zissa | June 30, 2022 |
| 2. Glenn Erdelt | June 30, 2022 |

Beautification Commission:

- | | |
|--------------------|---------------|
| 1. Courtney Taylor | June 30, 2022 |
| 2. Sandra Holmes | June 30, 2022 |
| 3. Gloria Smith | June 30, 2022 |

Building Standards:

- | | |
|---------------------|---------------|
| 1. Howard Singleton | June 30, 2022 |
| 2. Chester Houston | June 30, 2022 |

Electrical Board:

1. Philip Hamlin June 30, 2022
2. Milton Barbee June 30, 2022

Holiday Light Decoration Chairman:

1. Tim Barker June 30, 2022

Mayor's Committee on People with Disabilities:

1. Johnnie Gonzales June 30, 2022

Health Officer:

1. Jeff Gubbels June 30, 2022

Veterinarian:

1. Cody Pohler June 30, 2022

Planning Commission:

1. Marshall Francis June 30, 2022
2. Michael Wootton June 30, 2022
3. Russell Cenko June 30, 2022

Plumbing and Mechanical Board:

1. Robert Sanchez June 30, 2021
2. A.J. Rath June 30, 2022

Councilmember Terry Freese seconded the motion. All voted in favor. Assistant to the City Manager Brandi Jimenez stated Ms. Billie Jones was recommending that the City Council consider appointing David Schroeder or Bryan Honeycutt to fill her vacant position on the Planning Commission. The City Council requested Mr. Schroeder and Mr. Honeycutt attend the next regular City Council meeting before an appointment would be made.

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

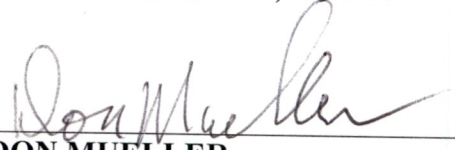
- A. Finance Committee Meeting held May 26, 2020.

After some discussion, no action was taken.

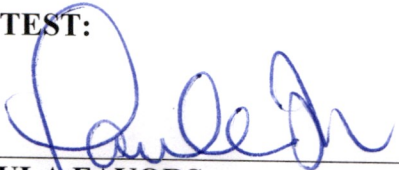
Adjournment. There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Russell Machann seconded the motion. All voted in favor.

The meeting adjourned at 7:32 p.m.

CITY OF WHARTON, TEXAS

By: 
DON MUELLER
Mayor Pro-Tem

ATTEST:


PAULA FAVORS
City Secretary

