

**MINUTES  
OF  
CITY OF WHARTON  
CITY COUNCIL REGULAR MEETING  
AUGUST 28, 2023**

Mayor, Tim Barker, declared a Regular Meeting duly open for the transaction of business at 7:08 P.M. at City Hall 120 E. Caney Street Wharton, TX. Councilmember, Burnell Neal, led the opening devotion, and Mayor, Tim Barker, led the pledge of allegiance.

Councilmembers present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Burnell Neal; Russell Machann; Don Mueller, and Steve Schneider.

Councilmember absent was: Larry Pittman.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Assistant City Manager, Paula Favors; Finance Director, Joan Anandel; Director of Planning and Development, Gwyn Teves, CPM; Civic Center Manager, Makyla Monroe; Emergency Management Coordinator, Ben Guanajuato; Police Chief, Terry David Lynch, and Public Works Director, Roderick Semien.

Visitors present were: Chamber of Commerce Director, Ron Sanders; Wharton County Hispanic Chamber of Commerce President, James Perez, Shalon Owens; Walter Garrett and Sam Scinta, Jr. with the Wharton Journal Spectator.

**Roll Call and Excused Absences.**

After some discussion, Councilmember, Russell Machann, moved to excuse Councilmember, Larry Pittman. Councilmember, Don Mueller, seconded the motion. All voted in favor.

**Public Comments.**

Mayor, Tim Barker, called for Public Comments.

**Wharton Moment.**

City Attorney, Paul Webb, congratulated the Needville Little League Baseball Team on their successful season which they went undefeated at the Southwest regional and won their first four games at the Little League World Series before losing a rematch with California in the U.S. championship game, and finishing fourth overall at tournament.

Councilmember, Burnell Neal, thanked the City of Wharton employees for their fast-acting response to his illness at the previous City Council meeting. He said he especially wanted to thank Finance Director, Joan Anandel, and Finance Clerk, Theresa Wittig, for their part in getting him to the help he needed.

**Review and Consider:**

The first item on the agenda was to review and consider the City of Wharton Financial Report for July 2023. City of Wharton Finance Director, Joan Anandel, presented the City of Wharton Financial Report for July 2023. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Financial Report for July 2023. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider the City Manager's submission of the City of Wharton, Texas, Proposed Budget for the Fiscal Year October 1, 2023-September 30, 2024. Finance Director, Joan Anandel, stated that on or about, Saturday, August 26, 2023, she filed with City Secretary, Paula Favors, the City of Wharton Fiscal Year October 1, 2023, to September 30, 2024, Proposed Budget as required by State Law. Mrs. Anandel said that under separate cover, on Monday, August 28, 2023, she presented a copy of the Proposed City Budget as required by Article VI-Section 51 of the City's Charter. After some discussion, no action was taken.

The third item on the agenda was to review and consider setting a Public Hearing date for the City of Wharton, Texas, Proposed Budget for the Fiscal Year October 1, 2023-September 30, 2024. Finance Director, Joan Anandel, stated that under Article VI, Section 53 of the City of Wharton Charter the City Council shall set a time and place for a Public Hearing. Mrs. Anandel said that if the date was approved by the City Council, the City Staff would publish the Notice of Public Hearing on Wednesday, August 30, 2023, in the Wharton Journal Spectator. She said that it was the staff's recommendation the Public Hearing be set for the regular City Council meeting on September 11, 2023. After some discussion, Councilmember, Terry Freese, made the motion to set the Public Hearing date for the City of Wharton, Texas, Proposed Budget for the Fiscal Year October 1, 2023-September 30, 2024 for September 11, 2023. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a resolution of the Wharton City Council adopting a Proposed Property Tax Rate for the City of Wharton October 1, 2023-September 30, 2024, Fiscal Year Budget as required by state law. Finance Director, Joan Anandel, presented a copy of the 2023 Tax Rate Calculation Worksheet which was prepared listing the applicable tax rates to be used in consideration of setting the tax rate. Mrs. Anandel stated the State required the City Council to adopt a proposed rate and the Proposed Budget was based on the Voter-Approval Tax Rate of \$0.45386. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-69, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2023-69**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING A PROPOSED PROPERTY TAX RATE FOR THE CITY OF WHARTON OCTOBER 1, 2023-SEPTEMBER 30, 2024, FISCAL YEAR BUDGET AS REQUIRED BY STATE LAW.**

**WHEREAS,** The State of Texas Property Tax Code requires the City Council to approve a tax rate prior to setting a final tax rate; and,

**WHEREAS,** The Wharton City Council wishes to adopt a proposed tax rate prior to setting a final rate; and,

**WHEREAS,** The City Manager of the City of Wharton has submitted to the City Council a Proposed Budget for the October 1, 2023-September 30, 2024, Fiscal Year.

**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 wishes to adopt the proposed tax rate as follows:

1. Voter Approval Tax Rate- \$0.45386.

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

**Passed, Approved, and Adopted** this 28<sup>th</sup> day of August 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 an ordinance amending the City of Wharton Code of Ordinances, Chapter 86, Sections 86-15, 86-16, 86-17, and 86-21, Utilities and Services, Article I in General; 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 a savings clause and revoking all ordinances or parts of ordinances in conflict herewith only to the extent same are in conflict herewith otherwise provided herein. Finance Director, Joan Andel, presented a copy of the memorandum dated August 16, 2023, from her to City Manager, Joseph R. Pace, regarding the proposed increase in utility rates for customers effective October 1, 2023. Mrs. Andel stated that as discussed in the City Council Budget Workshop on August 7, 2023, the Proposed Budget included a 10% increase in water and sewer rates. After some discussion, Councilmember, Terry Freese moved to approve City of Wharton Ordinance No. 2023-08, which read as follows:

**CITY OF WHARTON  
ORDINANCE NO. 2023-08**

**AN ORDINANCE AMENDING THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 86, SECTIONS 86-15, 86-16, 86-17 AND 86-21, UTILITIES AND SERVICES, ARTICLE I IN GENERAL; 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 A SAVINGS CLAUSE AND REVOKING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ONLY TO THE EXTENT SAME ARE IN CONFLICT HEREWITH OTHERWISE PROVIDED HEREIN.**

**BE IT ORDAINED** by the City Council of the City of Wharton, Texas that Chapter 86, Utilities and Services, Article I in General; Sections 86-15, 86-16, 86-17, and 86-21 be amended by the following:

**Section I. Amendment**

The Code of Ordinances of the City of Wharton, Texas, Chapter 86 Utilities and Services is hereby amended to be enforced by the City of Wharton as follows:

**Sec. 86-15. - Water and sewer tap charges, deposits, administrative penalties and other charges.**

Water and sewer tap charges, deposits, administrative penalties, and other charges shall be as follows:

(1) *Water*. Standard water tap fees for customers inside the city limits and outside the city limits are as follows:

	Size of Tap	Cost of Service
a.	¾-inch T-off	\$379.72
b.	¾-inch	\$759.40
c.	1-inch	\$998.07 + cost of meter

d.	1½-inch	\$1,497.10 + cost of meter
e.	2-inch	\$1,995.96 + cost of meter

(2) *Sewer.* Standard sewer tap fees for customers inside the city limits and outside the city limits are as follows:

	Size of Tap	Cost of Service
a.	4-inch	\$759.40
b.	6-inch	\$1,247.40

**Sec. 86-16. - Water service charges.**

(a) The monthly charges for water service rendered by the city shall be as follows:

Volume Charges:

First 2,000 gallons (minimum)...	\$34.50
Next 2,000 gallons, per 1,000...	\$6.56
Next 3,000 gallons, per 1,000...	\$6.78
Next 4,000 gallons, per 1,000...	\$7.04
Next 4,000 gallons, per 1,000...	\$7.50
Next 35,000 gallons, per 1,000...	\$7.94
Next 50,000 gallons, per 1,000...	\$8.23
Next 50,000 gallons, per 1,000...	\$8.84
Next 50,000 gallons, per 1,000...	\$9.39

(b) Customers requesting temporary water services (seven-day increments) can apply for a temporary water rate based on the following:

Volume Charges:

First 8,000 gallons for seven days... \$79.70  
Over 8,000 gallons, per 1,000... \$7.28

**Sec. 86-17. - Sewer service charges.**

(a) The monthly charges for sanitary sewer services rendered by the city shall be as follows:

Volume Charges:

First 2,000 gallons (minimum)... \$37.06  
Next 2,000 gallons, per 1,000... \$5.76  
Next 3,000 gallons, per 1,000... \$7.04  
Next 4,000 gallons, per 1,000... \$7.82  
Next 4,000 gallons, per 1,000... \$8.38  
Next 35,000 gallons, per 1,000... \$9.23  
Next 50,000 gallons, per 1,000... \$9.88  
Next 50,000 gallons, per 1,000... \$10.45  
Next 50,000 gallons, per 1,000... \$11.22

**Sec. 86-21. - Bulk water rates.**

(a) Bulk sales through fire hydrant water meters temporarily installed at locations remote from the Wharton Volunteer Fire Department on Fulton Street will require the following:

- (1) Advance, nonrefundable payment of \$50.00 to the City of Wharton at City Hall for setting the meter connection at the fire hydrant or other appropriate locations as the city may determine; and
- (2) Payment of bulk sales rate of \$132.81 per month for the first 1,000 gallons of water dispensed, or any fraction thereof; \$53.14 per month per 1,000 gallons dispensed, or any fraction thereof, beyond the initial 1,000 gallons dispensed; and
- (3) Advance, refundable fire hydrant meter deposit payment of \$200.00 to the City of Wharton at City Hall.

(b) Bulk sales through permanently installed water meter dispensation point at the Wharton Volunteer Fire Department on Fulton Street will require the following:

- (1) No requirement for payment of meter setting fee; and,
- (2) Payment of bulk sales rate of \$132.81 for the first 1,000 gallons of water dispensed, or any fraction thereof; \$53.14 per 1,000 gallons dispensed, or any fraction thereof, beyond the initial 1,000 gallons dispensed; and,
- (3) No requirement for payment of the \$200.00 fire hydrant meter deposit, however each water dispensation transaction authorized under this section must be prepaid to the City of Wharton at City Hall where a one-day dispensation voucher will be issued for

presentation to the water plant operator to authorize a one-day dispensation of a not to exceed amount of water in gallons. The one-day dispensation voucher identifying the cumulative number of gallons purchased will allow for scheduled multiple withdrawals of water, but only during the same City of Wharton working day upon which initial dispensation commences.

### **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 a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

### **Penalties and Fines**

Any person knowingly or recklessly found violating and are convicted of a violation of this ordinance shall be fined in an amount not to exceed \$2,000.00. Each day or fraction of a day during which this ordinance or any part thereof is violated shall be deemed a separate offense and punishable as such.

### **Effective Date**

This ordinance shall be effective on the 1<sup>st</sup> day of October 2023 at 12:01 a.m.

### **Passage and Approval**

**PASSED AND APPROVED** by the City Council of the City of Wharton, Texas, this 28<sup>th</sup> day of August 2023.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

\_\_\_\_\_  
**Paula Favors**  
City Secretary

**APPROVED AS:**

\_\_\_\_\_  
**PAUL WEBB**

City Attorney

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

The sixth item on the agenda was to review and consider Green for Life (GFL), formerly Waste Corporation of America (WCA), Rate Modification to the Solid Waste Collection and Disposal Service Franchise Agreement:

- A. Ordinance: An ordinance repealing and replacing the City of Wharton Code of Ordinances, Chapter 86 Utilities and Services, Article III, Solid Waste Disposal Exhibit A, 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 and setting an effective date.

Finance Director, Joan Andel, presented a copy of the memorandum dated August 22, 2023, from her to City Manager, Joseph R. Pace, referencing a five (5) percent increase above the cost of Green for Life (GFL) Solid Waste Services. Mrs. Andel stated that this item was discussed at the Budget Workshop on August 7, 2023. She said the Finance Committee met on August 28, 2023, and was recommending the City Council consider approving the request. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Ordinance No. 2023-09, which read as follows:

**CITY OF WHARTON  
ORDINANCE NO. 2023-09**

**AN ORDINANCE REPEALING AND REPLACING THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 86 UTILITIES & SERVICE, ARTICLE III, SOLID WASTE DISPOSAL EXHIBIT A; 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 AND SETTING AN EFFECTIVE DATE.**

**BE IT ORDAINED** by the City Council of the City of Wharton, Texas, that Chapter 86 Utilities & Service, Article III Solid Waste Disposal Exhibit A shall be replaced as follows:

**SCHEDULE “A”  
Base Rates**

Monthly Residential Waste Collection  
\$ 28.99 per Residential Unit which includes a \$3.00 per month fee.

Monthly Commercial Hand Collection  
\$ 37.68 per Commercial Unit which includes a \$3.50 per month fee.

**Container Service (per month) includes a \$3.50 fee**

2 yd 1xwk	\$ 76.95
2xwk	\$ 135.31
3xwk	\$ 173.09
4xwk	\$ 237.58
5xwk	\$ 295.10
Additional Pick-up	\$ 83.67
3yd 1xwk	\$ 111.68
2xwk	\$ 197.83
3xwk	\$ 263.33
4xwk	\$ 352.63
5xwk	\$ 438.90
Additional Pick-up	\$ 119.57
4yd 1xwk	\$ 138.80
2xwk	\$ 239.91
3xwk	\$ 338.67
4xwk	\$ 467.66
5xwk	\$ 582.70
Additional Pick-up	\$ 149.36
6yd 1xwk	\$ 196.00
2xwk	\$ 372.63
3xwk	\$ 519.16
4xwk	\$ 697.77
5xwk	\$ 870.34
Additional Pick-up	\$ 209.46
8yd 1xwk	\$ 242.23
2xwk	\$ 449.06
3xwk	\$ 669.87
4xwk	\$ 927.85
5xwk	\$ 1,157.93
Additional Pick-up	\$ 256.21

**Rates for Roll-offs:**

Delivery Fee	\$ 126.66
Monthly Rental	\$ 151.99
Pull Price (per pull)	\$ 337.00
Disposal Fee-Loose (per yard)	\$ 40.48
Disposal Fee-Compact (per yard)	\$ 40.48

**Rates for Other Services:**

Hourly Rate	\$ 122.97
Disposal per cubic yard	\$ 8.59

**PENALTY**

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 at 12:01 a.m. on the 1<sup>st</sup> day of October 2023.

**PASSED AND APPROVED** by the City Council of the City of Wharton, Texas, on the 28<sup>th</sup> day of August 2023.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**PAUL WEBB**  
City Attorney

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

The seventh item on the agenda was to review and consider a request by Mr. Ron Sanders, Executive Director of the Wharton Chamber of Commerce & Agriculture, for the following for the Party Under the Bridge to be held Thursday, October 19, 2023:

1. Variance to have a petting zoo in a City Park.

City Manager, Joseph R. Pace, presented a copy of a letter dated August 16, 2023, from Wharton Chamber of Commerce Executive Director, Ron Sanders, regarding the Party Under the Bridge. Mr. Sanders stated the event would be on Thursday, October 19, 2023, from 5:00 p.m. to 8:00 p.m. and they were requesting the City Council consider giving a variance to allow them to have a petting zoo in Dinosaur Park. After some discussion, Councilmember, Terry Freese, moved to approve the request by Mr. Ron Sanders, Executive Director of the Wharton Chamber of Commerce & Agriculture, for Party Under the Bridge to be held Thursday, October 19, 2023, to allowing a petting zoo in a City Park during the event. After some discussion, Councilmember, Russell Machann, seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider a request from Ms. Shalon Owens for the following for the A.B. Walker Fall Festival to be held on September 23, 2023:

- A. Closure of the 100 Block of South Fulton Street from 12:00 p.m. to 11:00 p.m.
- B. Closure of the 100 Block of South Houston Street from 12:00 p.m. to 11:00 p.m.
- C. Closure of the 200 Block of South Houston Street from 12:00 p.m. to 11:00 p.m. to allow barrel train rides to take place in the Prosperity Bank Parking Lot.
- D. Twelve (12) trash cans and liners placed on and around the Courthouse grounds.
- E. Barricades and cones for traffic control and closure for the above-mentioned streets.
- F. Waiver of the City of Wharton noise ordinance to allow music.
- G. Waiver of the City of Wharton consumption ordinance to allow alcohol on the premises.
- H. Donation of a roll-off dumpster.
- I. Waive all permit fees.
- J. Provide access to any electrical breakers on the street corners surrounding the square.
- K. Display/advertise on the I-69 digital billboard.

City Manager, Joseph R. Pace, presented a copy of the request from Ms. Shalon Owens for the A.B. Walker Fall Festival on September 23, 2023. City Manager, Pace stated Item J. requesting to provide access to any electrical breakers on the street corners surrounding the square would be at the discretion of Wharton County since it was their property and Item K. could be done if the requestor provided the digital content to the City of Wharton for the advertisement. After some discussion, Councilmember, Russell Machann, moved to approve Items A., B., C., D., E., F., G., H., I., and K. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider a request from Mr. James Perez, Wharton County Hispanic Chamber of Commerce President, for the 2023 Diez y Sies de Septiembre Celebration on September 16, 2023, for the following:

- A. Waive City of Wharton Civic Center rental fees.

- B. Display signage of the 2023 Diez y Sies de Septiembre Celebration advertisement on the I-69 digital billboard.
- C. Provide any financial or in-kind support to help offset the costs of the event, including the cost to pay for Wharton Police Department security.
- D. Provide any financial or in-kind assistance to help offset the cost of the event.

City Manager, Joseph R. Pace, presented a copy of the request from Mr. James Perez, Wharton County Hispanic Chamber of Commerce President, for the 2023 Diez y Sies de Septiembre Celebration on September 16, 2023, from 6:00 p.m. to 12:00 a.m. at the Wharton Civic Center. City Manager, Joseph R. Pace, stated the City does not waive the City of Wharton Civic Center rental fees or provide the requests in Item C. After some discussion, Councilmember, Terry Freese, moved to approve afore mentioned Item B. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The tenth item on the agenda to review and consider was a request from Mr. James Perez, Wharton County Hispanic Chamber of Commerce President, for the 2023 Dia De Los Muertos on October 28, 2023, at Guffey Park, for the following:

- A. Close Houston Street between Milam Street and Caney Street on Saturday, October 28, 2023, from 2:00 p.m. to 11:00 p.m.
- B. Close Polk Street between Milam Street and Caney Street on Saturday, October 28, 2023, from 2:00 p.m. to 11:00 p.m.
- C. Close Caney Street between Houston Street and Polk Street from Saturday, October 28, 2023, from 2:00 p.m. to 12:00 a.m.
- D. Close Guffey Park from 2:00 p.m. to 12:00 a.m.
- E. Waive City of Wharton Noise Ordinance to allow for music performances.
- F. Waive City of Wharton Alcohol Ordinance to allow the public to consume alcohol in Guffey Park.
- G. Waive all local permit fees.
- H. Provide two (2) generator lights for safety and clean up.
- I. Provide one (1) roll-off dumpster.
- J. Provide twelve (12) trash barrels and trash bags.
- K. Provide road closure barricades to close off the above-mentioned streets.
- L. Provide access to the electrical breaker at the corner of Polk Street and Caney Street.
- M. Display signage of the 2023 Dia De Los Muertos Celebration advertisement on the I-69 digital billboard.
- N. Provide any financial or in-kind support to help offset the costs of the event.

City Manager, Joseph R. Pace, presented a copy of the request from Mr. James Perez, Wharton County Hispanic Chamber of Commerce President, for the 2023 Dia De Los Muertos Celebration on October 28, 2023, from 6:00 p.m. to 11:00 p.m. at Guffey Park. City Manager, Joseph R. Pace stated the City did not have generator lights to provide or give any financial or in-kind support to help offset the costs of the event. After some discussion, Councilmember, Russell Machann, moved to approve the aforementioned Items A., B., C., D., E., F., G., I., J., K., L., and M. Councilmember, Burnell Neal, 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 authorizing the payment of airplane repairs to Tyler McCarver and authorizing the City Manager of the City of Wharton to execute all documents related to said payment. Finance Director, Joan Andel, stated that on June 21, 2023, Mr. Tyler McCarver received damage to his airplane housed at the Wharton Regional Airport. Mrs. Andel said that due to employee oversight, paint from hangar repairs being made in an adjoining hangar were sprayed onto his airplane. She said Mr. McCarver had provided the City estimates to have his airplane repaired in the amount of \$41,849.90. Mrs. Andel stated the Finance Committee met on Monday, August 28, 2023, and was recommending the City Council consider approving the request. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-70, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2023-70**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PAYMENT OF AIRPLANE REPAIRS TO TYLER MCCARVER AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PAYMENT.**

**WHEREAS,** The Wharton City Council authorizes the payment of airplane repairs to Tyler McCarver in the amount of \$41,849.90; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager to make the payment upon invoice; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager to execute the agreement related to payment of the 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 pay for airplane repairs to Mr. Tyler McCarver in the amount of \$41,489.90.

**SECTION II.** The Wharton City Council hereby authorizes the City Manager to execute the agreement related to the airplane repairs.

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

**PASSED AND APPROVED** this 28th day of August 2023.

**CITY OF WHARTON**

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

**ATTEST:**

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**PAULA FAVORS**

City Secretary

Councilmember, Russell Machann, 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 authorizing the purchase of pumps for the Wastewater Treatment Plant #2 and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented copies of bids for replacing two out of the three lift station pumps at Wastewater Treatment Plant #2. Mr. Semien stated the pumps were down, and motor windings had shorted out. He said the pumps were essential in the operation of the plant since they moved raw sewage water from the resident's homes into the plant to be processed. Public Works Director Semien stated the Public Works Department was renting one pump at \$275 a week but still, that left the City short of one pump for their needs and it was recommended, and due to its specifications, that the City purchase the two pumps listed below from the two different manufacturers below:

Odessa Pumps model UGRU\_99030144 \$7483.25

Green Pump & Supply model AMS434-180/5.5TC \$5780.00

Mr. Semien said the Finance Committee met on Monday, August 28, 2023, and was recommending the City Council consider approving the request. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-71, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2023-71**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF PUMPS FROM ODESSA PUMPS AND GREEN PUMP AND SUPPLY FOR THE WASTEWATER TREATMENT PLANT #2 AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** The City of Wharton requested quotes from three sources for pumps at the Waste Water Treatment Plant #2; and,

**WHEREAS,** The Wharton City Council authorizes the purchase of two pumps, one from Odessa Pumps in the amount of \$7,483.25 and one from Green Pump and Supply in the amount of \$5,780.00 for Waste Water Treatment Plant #2 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 purchase of two pumps needed at the Waste Water Treatment Plant #2.
- Section II.** That this resolution shall become effective immediately upon its passage.

**Passed, Approved, and Adopted** this 28th day of August 2023.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

Councilmember, Steve Schneider, 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 authorizing the purchase of an air conditioning unit for the City Secretary's Office and server area of the Wharton City Hall and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. City Secretary, Paula Favors, stated the air conditioning unit for the City Secretary's Office and Server Room was currently not operational. Mrs. Favors said the concern comes in with the server room not being held at a cool temperature and City's servers overheating. She said a temporary air conditioning unit was being utilized to keep the server room's temperature down as much as possible and the City Staff had requested three bids for a replacement unit. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-72, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2023-72**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF AN AIR CONDITIONING UNIT FOR THE CITY SECRETARY'S OFFICE AND SERVER AREA OF THE WHARTON CITY HALL AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** The Wharton City Council wishes to approve EB Air Conditioning and Heating for the air conditioning unit for the City Secretary’s office and server area of the Wharton City Hall in the amount of \$19,900.00; and,

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

**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, Texas, to execute all documents related to the purchase from EB Air Conditioning and Heating for the air conditioning unit for the City Secretary’s office and server area of the Wharton City Hall in the amount of \$19,900.00;.

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

**Passed, Approved, and Adopted** this 28th day of August 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 fourteenth item on the agenda was to review and consider an update of City of Wharton Grant Programs. Director of Planning & Development, Gwyn Teves, presented an update on the City of Wharton Grant Programs. After some discussion, no action was taken.

The fifteenth item on the agenda was an update of City of Wharton on-going projects. City Manager, Joseph R. Pace presented an update on the City of Wharton on-going projects. After some discussion, no action was taken

The sixteenth 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.

After some discussion, no action was taken.

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

- A. Finance Committee meeting held August 14, 2023.

After some discussion, no action was taken.

The eighteenth item on the agenda was to review and consider the City Manager's Reports:

- A. City Secretary/Personnel.
- B. Code Enforcement.
- C. Community Services Department/Civic Center.
- D. Emergency Management.
- E. M. S. Department.
- F. Fire Department.
- G. Fire Marshal.
- H. Legal Department.
- I. Municipal Court.
- J. Police Department.
- K. Public Works Department.
- L. Water/Sewer Department.
- M. Weedy Lots/Sign Ordinance.
- N. Wharton Regional Airport.

After some discussion, no action was taken.

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

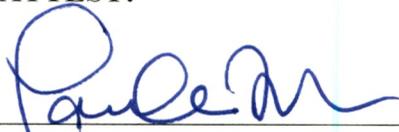
The meeting adjourned at 7:49 p.m.

**CITY OF WHARTON, TEXAS**

By: 

**TIM BARKER**  
Mayor

**ATTEST:**



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**PAULA FAVORS**  
City Secretary

