

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
JUNE 26, 2023**

Mayor, Tim Barker, declared a Regular Meeting duly open for the transaction of business at 7:00 P.M. at City Hall 120 E. Caney Street Wharton, TX. 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; Burnell Neal; Russell Machann; Don Mueller, and Steve Schneider.

Councilmember absent was: Larry Pittman.

Staff members present were: City Manager, Joseph R. Pace; Assistant City Manager, Paula Favors; Finance Director, Joan Andel; Director of Planning and Development, Gwyn Teves, CPM; Assistant to the City Manager, Brandi Jimenez; Police Chief, Terry David Lynch and Patrol Lieutenant, Lance Bothell.

Visitors present were: Walter Garrett, Mindi Snyder, Client Services with Ardurra; Lata Krishnardo, Project Manager with Ardurra; Holly Koenig; Tyler Koenig; Zacharian Simpson; Mayra Thomason; Matthew Williams; Harold Franklin; Daniel Webster; Larseen Thompson; Devin Konvicka; Jackson Burditt; Samantha Franklin; Susan Franklin; Daniel Webster; Jim Smith and Al Dube with the Wharton Journal Spectator.

Roll Call and Excused Absences.

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

Public Comments.

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

Wharton Moment.

Finance Director, Joan Andel, stated the Boy Scouts Troop #326 was in attendance to complete qualifications for two merit badges.

Review and Consider:

The first item on the agenda was to review and consider the City of Wharton Financial Report for May 2023. City of Wharton Finance Director, Joan Andel, presented the City of Wharton Financial Report for May 2023. After some discussion, Councilmember, Don Mueller, moved to

approve the City of Wharton Financial Report for May 2023. Councilmember, Russell Machann, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request by Ms. Alice Heard-Roberts of 1400 North Fulton Street for the City to cap and remove the irrigation system placed in the City Right-of-Way (ROW). City Secretary, Paula Favors, stated the item would be brought back at a later meeting.

The third item on the agenda was to review and consider a presentation from Ardurra on the Downtown Master Plan. Mrs. Mindi Snyder, Client Services with Ardurra, presented a presentation on the Downtown Master Plan. After some discussion, no action was taken.

The fourth item on the agenda was to review and consider a resolution of the Wharton City Council approving the Interlocal Agreement with the Texas Health Benefits Pool for medical, long-term disability, life, accidental death & dismemberment, flexible spending account, health reimbursement account, and voluntary vision plans for city employees for October 1, 2023, to September 30, 2024, 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's Texas Health Benefits Pool re-rate options for the 2023-2024 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 with the voluntary vision coverage and that there were no changes in the rates for the Voluntary Sun Life Financial Dental Coverage. Mrs. Favors stated the City Council Finance Committee met on June 26, 2023, and were recommending the City Council consider approving to remain with the current plan and contribute to the HRA account of every full-time employee pending further budgetary review. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Resolution No. 2023-52, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-52**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE INTERLOCAL AGREEMENT WITH THE TEXAS HEALTH BENEFITS POOL FOR MEDICAL, LONG-TERM DISABILITY, LIFE, ACCIDENTAL DEATH & DISMEMBERMENT, FLEXIBLE SPENDING ACCOUNT, HEALTH REIMBURSEMENT ACCOUNT, AND VOLUNTARY VISION PLANS FOR CITY EMPLOYEES FOR OCTOBER 1, 2023, TO SEPTEMBER 30, 2024, 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.

WHEREAS, The City of Wharton received the renewal rate for medical, long-term disability, life, accidental death & dismemberment for city employees, voluntary vision and Sun Life Financial for voluntary dental coverage for City employees; and,

WHEREAS, The City of Wharton medical plan with Texas Health Benefits Pool would be renewed with a 21% increase and Sun Life Financial would remain unchanged; 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 Texas 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 Health Benefits Pool for medical, long-term disability, life, and accidental death & dismemberment coverage, voluntary vision, and Sun Life Financial for voluntary dental coverage for City employees 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 Texas Health Benefits Pool.

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

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

Passed, Approved, and Adopted this 26th day of June 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council approving an Interlocal Agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for property & casualty and worker's compensation coverage for the City of Wharton; authorizing the Mayor of the City of Wharton to execute all documents relating to said contract. City Secretary, Paula Favors, presented a copy of the memorandum dated June 21, 2023, from her regarding the Interlocal Agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for Property & Casualty and Worker's Compensation coverage for the City of Wharton. She stated that the amount for coverage for 2023-2024 is \$450,563 and the City Council Finance Committee met and were recommending the City Council consider approving the request. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-53, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-53**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT WITH THE TEXAS MUNICIPAL LEAGUE-INTERGOVERNMENTAL RISK POOL (TML-IRP) FOR PROPERTY & CASUALTY AND WORKER'S COMPENSATION COVERAGE FOR THE CITY OF WHARTON; AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.

WHEREAS, The City of Wharton received the renewal rate for property and casualty and workers' compensation coverage; and,

WHEREAS, The Wharton City Council wishes to enter into an interlocal agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for property & casualty and workers' compensation coverage for the City of Wharton; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to 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 an interlocal agreement with the Texas Municipal League-Intergovernmental Risk Pool (TML-IRP) for Property & Casualty Coverage and Worker's Compensation Coverage for the City of Wharton for fiscal year October 1, 2023, to September 30, 2024.

Section II. That the Mayor of the City of Wharton is hereby authorized to sign any documents relating to the aforementioned contracts.

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

Passed, Approved, and Adopted this 26th day of June 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The sixth item on the agenda was to review and consider an update on the City of Wharton Grant Programs. Director of Planning and Development, Gwyn Teves, presented her update on the City of Wharton Grant Programs. After some discussion, no action was taken.

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

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

After some discussion, Councilmember, Terry Freese, moved to accept the following:

- | | <u>Term Ending:</u> |
|------------------------------------|----------------------------|
| A. Wharton Regional Airport Board: | |
| 1. Jimmy Gardner | June 30, 2025 |
| 2. Randy Rodriguez | June 30, 2025 |
| 3. Bill Kingrey | June 30, 2025 |
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| B. Beautification Commission: | |
| 1. Barbie Fortenberry | June 30, 2025 |
| 2. Adraylle Watson | June 30, 2025 |
| 3. Debbie Folks | June 30, 2025 |
| 4. Sheryl Joost | June 30, 2025 |
|
 | |
| C. Building Standards Commission: | |
| 1. Leonard Morales | June 30, 2025 |
| 2. Paul Shannon | June 30, 2025 |

D. Mayor's Committee on People with Disabilities:

- | | |
|--------------------|---------------|
| 1. Adraylle Watson | June 30, 2025 |
| 2. Cheryl Lavergne | June 30, 2025 |

E. Municipal Court Judge:

- | | |
|-----------------|---------------|
| 1. Jared Cullar | June 30, 2025 |
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F. Planning Commission:

- | | |
|---------------------|---------------|
| 1. Johnnie Gonzales | June 30, 2025 |
| 2. Rob Kolacny | June 30, 2025 |
| 3. Michael Quinn | June 30, 2025 |

Resignations: Ms. Marilyn Sebesta from the Beautification Commission.

Councilmember, Steve Schneider, seconded the motion. All voted in favor. Councilmember, Terry Freese, moved to approve all City Council Committee Boards to remain the same through June 30, 2024. Councilmember, Russell Machann, seconded the motion. All voted in favor.

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

- A. Wharton Economic Development Corporation Board of Directors Selection Committee meeting held June 12, 2023.

After some discussion, no action was taken.

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

- A. City Secretary/Personnel.
- B. Code Enforcement.
- C. Community Services Department/Civic Center.
- D. Emergency Management.
- E. 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.

Councilmember, Burnell Neal, asked the Boy Scout Troop 326, which was in attendance, to introduce themselves.

Executive Session

1. City Council may adjourn into an Executive Session in accordance with Sections 551.074 of the Local Government Code, Revised Civil Statutes of Texas. Final action, decision, or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting.

Discussion:

- A. City Managers Evaluation.

Mayor, Tim Barker, moved the meeting into Closed Session at 7:31 p.m.

Return to Open Session

1. Action on items discussed in Executive Session:
 - A. City Managers Evaluation.

Mayor, Tim Barker, returned the meeting to Open Session at 8:26 p.m. Councilmember, Burnell Neal, moved to approve an additional four days of vacation for City Manager, Joseph R. Pace. Councilmember, Russell Machann, seconded the motion. Councilmember, Terry Freese, voted against the motion. Mayor, Tim Barker, Councilmembers, Burnell Neal; Steve Schneider; Don Mueller, and Russell Machann voted for the motion. The motion carried.

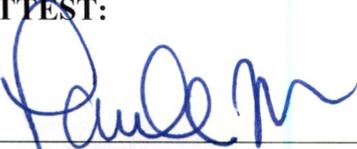
There being no further discussion, Councilmember, Don Mueller, moved to adjourn. Councilmember, Russell Machann, seconded the motion. All voted in favor.

The meeting adjourned at 8:27 p.m.

CITY OF WHARTON, TEXAS

By: 
TIM BARKER
Mayor

ATTEST:


PAULA FAVORS
City Secretary

