

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
NOVEMBER 12, 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; Steve Schneider, and David Voulgaris.

Councilmembers absent were: Larry Pittman.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Andel; Director of Planning and Development, Gwyn Teves; Assistant to the City Manager, Brandi Jimenez; Public Works Director, Roderick Semien; Building Official, Claudia Velasquez; Patrol Lt. Lance Bothell, and Airport Manager, Dwayne Pospisil.

Visitors present were: Ryan Salazar; Darrell Von Buskirk, and Colby Primeaux with the Wharton Journal Spectator.

Roll Call and Excused Absences.

Councilmember, Russell Machann, moved to excuse Councilmember, Larry Pittman. Councilmember, David Voulgaris, seconded the motion. All voted in favor.

Public Comments.

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

Wharton Moment.

Mayor, Tim Barker, called for Wharton Moments.

1. City Manager, Joseph R. Pace, attended a Veteran's Day ceremony at the Veteran's Memorial where Mayor, Tim Barker, presented a proclamation.
2. City Manager, Joseph R. Pace, stated the paving work was to be completed within one week at the FM 1301 intersection with Richmond Rd.
3. City Manager, Joseph R. Pace, congratulated Police Chief, Terry David Lynch on receiving the Hobby School of Public Affairs Leadership Award.
4. Councilmember, Burnell Neal, congratulated the Just Do It Now Football team on advancing to the Superbowl for their league.
5. Mayor, Tim Barker, stated the he was impressed by the work that was completed on I-69 from the river bridge to FM 691.

Review and Consider:

The first item on the agenda was to review and consider the reading of the minutes from the regular meetings held on October 14, 2024, and October 28, 2024. After some discussion, Councilmember, Russell Machann, moved to approve the reading of the minutes from the regular meetings held October 14, 2024, and October 28, 2024. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request from Ms. Kristi Bybee to address the City Council regarding higher water/sewer bills. Ms. Bybee was not in attendance to present her item. After some discussion, no action was taken.

The third item on the agenda was to review and consider a request for disannexation of a 14.76 ac. tract of land, situated in the A. Jackson Timber League, Abstract No. 34, Wharton County, Texas. Planning and Development Director, Gwyn Teves, presented a request for disannexation. Director Teves stated that since the City's Charter was silent on disannexation, the Council could vote on whether to grant the request and pass an ordinance or deny the request. She said the Texas Local Government Code Sec. 43.148 required a City that disannexes an area to refund the owner for property taxes in certain instances such as the amount of money collected by the municipality in property taxes and fees from those landowners during the period that the area was a part of the municipality less the amount of money that the municipality spent for the direct benefit of the area during that period. Director Teves stated the total amount the City would have to refund the property owners was \$1582.41. After some discussion, Councilmember, Russell Machann, moved to approve the request for disannexation of a 14.76 ac. tract of land, situated in the A. Jackson Timber League, Abstract No. 34, Wharton County, Texas. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider an ordinance to disannex certain territory from the corporate limits of the City of Wharton to wit: 14.76 acres in the A. Jackson Timber League, Abstract No. 34, Wharton County, Texas, and as described in the attached Exhibit "A"; finding that all required legal conditions have been satisfied; terminating the rights and privileges conferred on the property from the City of Wharton; providing for amending and correcting the official boundaries of the City of Wharton, Texas, as heretofore adopted; authorizing the City Manager to undertake certain actions relative to said disannexation; providing a severability clause; providing a repealer clause; and providing for said ordinance to take effect and be in force from and after its passage. Planning and Development Director, Gwyn Teves, stated that since the City's Charter was silent on disannexation, the Council could vote on whether to grant the request and pass an ordinance or deny the request. She said that if approved, the disannexation would be effective immediately. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Ordinance No. 2024-17, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2024-17**

AN ORDINANCE TO DISANNEX CERTAIN TERRITORY FROM THE CORPORATE LIMITS OF THE CITY OF WHARTON TO WIT: 14.76 ACRES IN THE A. JACKSON TIMBER LEAGUE, ABSTRACT NO. 34, WHARTON COUNTY, TEXAS, AND AS DESCRIBED IN THE ATTACHED EXHIBIT "A"; FINDING THAT ALL REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; TERMINATING THE RIGHTS AND PRIVILEGES CONFERRED ON THE PROPERTY FROM THE CITY OF WHARTON; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL BOUNDARIES OF THE CITY OF WHARTON, TEXAS, AS HERETOFORE ADOPTED; AUTHORIZING THE CITY MANAGER TO UNDERTAKE CERTAIN ACTIONS RELATIVE TO SAID DISANNEXATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE.

WHEREAS, The City of Wharton, Texas ("City") is a home-rule city possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of the Texas Local Government Code, and the home Rule Charter for the City of Wharton, Texas; and,

WHEREAS, Effective November 12, 2024, the City of Wharton agrees to disannex the 14.76-acre tract described by metes and bounds in the attached Exhibit "A"; and,

WHEREAS, Pursuant to the authority granted in Section 43.142 of the Texas Local Government Code, a municipality may disannex an area from the municipality "as may be provided by the charter of the municipality and not inconsistent with the procedural rules prescribed by [Chapter 43 of the Texas Local Government Code]"; and,

WHEREAS, Article I, Section 9 of the City of Wharton Charter authorizes the City to fix or adjust its boundaries; and,

WHEREAS, The City, pursuant to Chapter 43 of the Texas Local Government Code, as amended, has instituted proceedings to disannex the Property from the City; and,

WHEREAS, All statutory notices pursuant to Chapter 43 of the Texas Local Government Code have been published, delivered, or otherwise accomplished.

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

Section I. The facts and recitations in the preamble and recitals of this ordinance are found and declared to be true and correct and adopted as part of this ordinance for all purposes.

Section II. The property that is the subject of the agreement referenced above and that is described in Exhibit "A", attached to this Ordinance and incorporated herein for all purposes, is hereby disannexed from the corporate limits of the City of Wharton, Wharton County, Texas, and the same is no longer a party of the City.

Section III. All rights, privileges, and responsibilities previously conferred on the property described in the attached Exhibit "A" and any citizens and inhabitants of that property are immediately terminated, and are of no force and effect, immediately upon the disannexation of the property from the City of Wharton.

Section IV. The official map and boundaries of the City heretofore adopted and amended are hereby amended to exclude the area described in Exhibit "A" so as to accurately reflect that said area no longer is a part of the City of Wharton, Wharton County, Texas.

Section V. The City Manager is directed and authorized to perform or cause to be performed all acts necessary to effectuate this Ordinance, including but not limited to any corrections to the official map of the City of Wharton so as to accurately reflect the City's boundaries, and to delete the area hereby disannexed as required by law.

Section VI. The City Manager is directed and authorized to file a certified copy of this Ordinance with any and all necessary governmental agencies or entities so affected by the acts described herein, including the United States Department of Justice.

Section VII. It is the intent of the City Council to disannex from the corporate limits of the City of Wharton the entirety of the property described in Exhibit "A" attached hereto, and the City Council hereby finds and determines that the provisions of Chapter 43 of the Texas Local Government Code have been fully complied with in effecting this disannexation. It is not the intent of the City of Wharton to disannex any territory that it has no legal right to disannex; rather, it is the intent of the City Council and the City of Wharton to disannex only such territory as may be legally disannexed by the City within the limits of the described property.

Section VIII. It is hereby declared to be the intention of the City Council that if any word, phrase, clause, sentence, paragraph, or section of this Ordinance is declared to be illegal, invalid, or unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such adjudication shall not affect the application of any remaining word, phrase, clause, sentence, paragraph, or section of this Ordinance. Similarly, the City Council declares this if a court of competent jurisdiction determines that any portion of said properties is incapable of being annexed by the City, the City Council would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part and the invalid properties, and to this end, the provisions of this Ordinance are declared to be severable.

Section IX. Any provision of any prior ordinance of the City, whether codified or uncoded, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncoded, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section X. This Ordinance shall take effect and be in full force immediately from and after its passage as the law in such case provides.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Wharton, Texas, on the 12th day of November 2024.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

APPROVED AS TO FORM:

PAUL WEBB
City Attorney

Councilmember, David Voulgaris, 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 authorizing the purchase of a Drive on Four (4) Post Lift for the Public Works Department from Vehicle Service Group (VSG) through the H-GAC 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 purchasing a Drive on Four (4) Post Lift for the Public Works Department from VSG for \$46,934.91. Director Semien said the Finance Committee met on Tuesday, November 12, 2024, and recommended the City Council consider approving the request. After some discussion, Councilmember, David Voulgaris, moved to approve City of Wharton Resolution No. 20241-118, which read as follows.

**CITY OF WHARTON
RESOLUTION NO. 2024-118**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A DRIVE ON FOUR (4) POST LIFT FOR THE PUBLIC WORKS DEPARTMENT FROM VEHICLE SERVICE GROUP (VSG) THROUGH THE H-GAC 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 Drive on Four (4) Lift for the Public Works Department; and,

WHEREAS, The City of Wharton is a member of and participates in the H-GAC Cooperative Purchasing Program; and,

WHEREAS, VSG submitted a quote in the amount of \$46,934.91; and,

WHEREAS, The Wharton City Council wishes to approve VSG for the purchase of a Drive on Four (4) Post Lift in the amount of \$46,934.91 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 Drive on Four (4) Post Lift for the Public Works Department from VSG through the H-GAC Cooperative Purchasing Program in the amount of \$46,934.91.

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, APPROVED, and ADOPTED this 12th day of November 2024.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The sixth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of a 2025 Flatbed Trailer for the Public Works Department and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented a copy of his memorandum regarding the purchase of a 2025 Flatbed Trailer for the Public Works Department. Director Semien stated the City Staff solicited quotes, and three (3) were received as follows:

1. Trailer Place/Star Truck Equipment \$10,150.00
2. B&V Enterprises \$10,399.00
3. Country Boy Trailers, Inc. \$9,795.00

He said the Finance Committee met on November 12, 2024, and was recommending the City Council to consider purchasing the trailer from Trailer Place/Star Truck Equipment. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-119, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-119**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A 2025 FLATBED TRAILER FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL

DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, Quotes were received for the purchase of a 2025 Flatbed Trailer for the Public Works Department; and,

WHEREAS, The Wharton City Council wishes to purchase a 2025 Flatbed Trailer for the Public Works Department from Trailer Place/Star Truck Equipment in the amount of \$10,150.00; and,

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

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

SECTION I. The Wharton City Council hereby authorizes the purchase of a 2025 Flatbed Trailer for the Public Works Department from Trailer Place/Star Truck Equipment in the amount of \$10,150.00.

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

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

PASSED, APPROVED, and ADOPTED this 12th day of November 2024.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Terry Freese, 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 authorizing the purchase of a truck-mounted crane lift for the Public Works Department and authorizing the City Manager to execute all documents related to the said purchase. Public Works Director, Roderick Semien, presented a copy of his memorandum regarding the purchase of a truck-mounted crane lift for the Public Works Department. Director Semien stated the City Staff solicited quotes and they were as follows:

1. Trailer Place/Star Truck Equipment \$17,380.00
2. B&B Truck Crane \$16,128.00
3. General Truck Body no response

He said the Finance Committee met on November 12, 2024, and recommended the City Council consider approving the purchase through Trailer Place/Star Truck Equipment for \$17,380. After some discussion, Councilmember, Terry Burnell, moved to approve City of Wharton Resolution No. 2024-120, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-120**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A TRUCK-MOUNTED CRANE LIFT FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, Quotes were received for the purchase of a truck-mounted crane lift for the Public Works Department; and,

WHEREAS, The Wharton City Council wishes to purchase a truck-mounted crane lift for the Public Works Department from Trailer Place/Star Truck Equipment in the amount of \$17,380.00; and,

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

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

SECTION I. The Wharton City Council hereby authorizes the purchase of a truck-mounted crane lift for the Public Works Department from Trailer Place/Star Truck Equipment in the amount of \$17,380.00.

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

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

PASSED, APPROVED, and ADOPTED this 12th day of November 2024.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

Councilmember, Burnell Neal, 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 approving the roof repairs at Hesed House located at 413 W. Colorado Street and authorizing the Mayor of the City of Wharton to execute all documents related to said repairs. Public Works Director, Roderick Semien, presented a copy of a memorandum regarding the roof repairs at Hesed House located at 413 W. Colorado Street. Director Semien stated the property sustained significant damage to the roof because of Hurricane Beryl with the repairs being covered by the City's insurance provider. He said the Finance Committee had met and was recommending the City Council consider using Priority Roofing and Construction for \$ 9,750.00. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-121, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-121**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE ROOF REPAIRS AT HESED HOUSE LOCATED AT 413 W. COLORADO STREET AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID REPAIRS.

WHEREAS, Quotes were received for the roof repairs at Hesed House located at 413 W. Colorado Street; and,

WHEREAS, Priority Roofing and Construction was deemed the best lowest qualified bidder in the amount of \$9,750.00; and,

WHEREAS, The Wharton City Council wishes to award an agreement to Priority Roofing and Construction for the roof repairs at Hesed House in the amount of \$9,750.00; and,

WHEREAS, The City of Wharton and Priority Roofing and Construction wish 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 the agreement.

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

SECTION I. The Wharton City Council hereby authorizes the Mayor to execute an agreement

for the roof repairs at Hesed House to Priority Roofing and Construction in the amount of \$9,750.00.

SECTION II. The City of Wharton and Priority Roofing and Construction 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 12th day of November 2024.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The ninth item on the agenda was to review and consider a resolution of the Wharton City Council accepting, through the Office of the Governor, the Operation Lone Star Grant for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said grant. Patrol Lieutenant, Lance Bothell, stated that in October 2021, the Wharton Police Department applied for the Operation Lone Star Grant through the Office of the Governor and was awarded the grant. Lt. Bothell said the grant was a two-year grant and expired on August 31, 2023. He said the new grant covered the period from 09/01/2024 to 08/31/2025, or one year, and approval was needed from the Council to accept the award of the grant in the amount of \$209,454.87. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-122, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-122**

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING, THROUGH THE OFFICE OF THE GOVERNOR, THE OPERATION LONE STAR GRANT FOR THE WHARTON POLICE DEPARTMENT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID GRANT.

WHEREAS, The City of Wharton City Council wishes to accept, through the Office of the Governor, the Operation Lone Star Grant for the Wharton Police Department; and,

WHEREAS, The purpose of the grant is to enhance interagency border security operations supporting Operation Lone Star, including the facilitation of direct actions to deter interdict criminal activity and detain non-citizen inmates; and,

WHEREAS, The grant would be for the time period of September 1, 2024, to August 31, 2025, or one year; and,

WHEREAS, Said total of the grant is in the amount of \$209,454.87 with no match from the City; and,

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

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

SECTION I. The Wharton City Council hereby accepts, through the Office of the Governor, the Operation Lone Star Grant for the Wharton Police Department.

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

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

PASSED, APPROVED, and ADOPTED this 12th day of November 2024.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The tenth item on the agenda was to review and consider the resolution of the Wharton City Council accepting a grant through the Governor's Office Criminal Justice Division to replace body-worn cameras for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said grant. Patrol Lieutenant, Lance Bothell, stated the Wharton Police Department had been awarded a grant through the Governor's Office – Criminal Justice Division to replace the current body-worn cameras. Lt. Bothell said the cameras

the department currently had were nearing the end of life. He said the grant included purchasing twenty-two (22) body-worn cameras, a new server, maintenance, and warranty, totaling \$56,565.00 with the City's cash match being approximately \$2,928.75. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-123, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-123**

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING A GRANT THROUGH THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION TO REPLACE BODY-WORN CAMERAS FOR THE WHARTON POLICE DEPARTMENT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID GRANT.

WHEREAS, The City of Wharton City Council wishes to accept a grant from the Governor's Office Criminal Justice Division to replace current body-worn cameras; and,

WHEREAS, The total amount of said grant is in the amount of \$56,565.00 and requires a 25% match or \$14,628.75; however, there is an in-kind match for the trade-in of the cameras that would bring the City's match to approximately \$2,928.75; and,

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

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

SECTION I. The Wharton City Council hereby approves the grant from the Governor's Office Criminal Justice Division to replace current body-worn cameras.

SECTION II. The City designates the Mayor as the person authorized to sign all forms related to the grant.

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

PASSED, APPROVED, and ADOPTED this 12th day of November 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 eleventh item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the submission of an application to the Motor Vehicle Crime Prevention Authority for the FY 2025 SB 224 Catalytic Converter Grant for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said submission. Patrol Lieutenant, Lance Bothell, stated the Wharton Police Department was requesting to submit an application to the Motor Vehicle Crime Prevention Authority for the FY 2025 SB 224 Catalytic Converter Grant for the purpose of catalytic converter theft aversion. Lt. Bothell said the grant would provide for the installation of five (5) additional Flock Cameras to be used in conjunction with the nine (9) units currently in use. He said the total for the grant was \$21,250.00. After some discussion, Councilmember, Burnell Neal, moved to approve City of Wharton Resolution No. 2024-124, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-124**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY FOR THE FY 2025 SB 224 CATALYTIC CONVERTER GRANT FOR THE WHARTON POLICE DEPARTMENT 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 to submit an application to the Motor Vehicle Crime Prevention Authority for the FY 2025 SB 224 Catalytic Converter Grant for the Wharton Police Department; and,

WHEREAS, Under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies for economic automobile theft enforcement teams and to combat motor vehicle burglary in the jurisdiction; and,

WHEREAS, Said grant program will assist this jurisdiction in combating catalytic converter theft; and,

WHEREAS, The City of Wharton has agreed that in the event of loss or misuse of the grant funds, the City of Wharton assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority; and,

WHEREAS, Lance A. Bothell, Lieutenant, is designated as the Program Director, and Joan Anel, Finance Director, is designated as the Financial Officer for this grant; and,

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

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

SECTION I. The Wharton City Council hereby approves the submission of an application to the Motor Vehicle Crime Prevention Authority for the FY 2025 SB 224 Catalytic Converter Grant for the Wharton Police Department.

SECTION II. The City designates Tim Barker, Mayor, as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant and designates Lance A. Bothell, Lieutenant, as the Program Director and Joan Anel, Finance Director, as the Financial Officer for this grant.

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

PASSED, APPROVED, and ADOPTED this 12th day of November 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 twelfth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to submit three (3) Notices of Intent for the City of Wharton's participation in the Texas General Land Office Disaster Recovery Reallocation Program. Director of Planning & Development, Gwyn Teves, stated the City Staff received the information from the Texas General Land Office on the Disaster Recovery Reallocation Program. Director Teves said the City needed to submit the Intent to Apply by November 21, 2024, and the full applications, if approved, would be submitted February-April 2025. She said there was no required match for the program, but putting in a match could increase the scoring. Director Teves

stated that the Staff recommended that applications be submitted for a street improvement program, permanently affixed emergency telecommunications equipment, and water and wastewater improvements. Mrs. Teves said the Finance Committee met on November 12, 2024, and was recommending the City Council consider approving the request. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-125, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2024-125**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO SUBMIT THREE (3) NOTICES OF INTENT FOR THE CITY OF WHARTON'S PARTICIPATION IN THE TEXAS GENERAL LAND OFFICE DISASTER RECOVERY REALLOCATION PROGRAM.

WHEREAS, The Wharton City Council wishes for recovery projects to be conducted in the City of Wharton; and,

WHEREAS, Said recovery projects would include a street improvement project, permanently affixed emergency communications equipment and water and wastewater improvements; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to submit three (3) Notices of Intent to participate in said program.

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 authorizes the Mayor of the City of Wharton to submit three (3) Notices of Intent to participate in the Texas General Land Office Disaster Recovery Reallocation Program to apply for funding to be used for a street improvement project, permanently affixed emergency communications equipment and water and wastewater improvements.

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

Passed, Approved, and Adopted this the 12th day of November 2024.

CITY OF WHARTON

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

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

The thirteenth item on the agenda was to review and consider Pay Request No. 16 and Final from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 16 and Final from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction in the amount of \$140,433.27. After some discussion, Councilmember, Russell Machann, moved to approve and consider Pay Request No. 16 and Final from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction in the amount of \$140,433.27. Councilmember, David Voulgaris, seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider Pay Request No. 5 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations. Director of Planning and Development, Gwyn Teves, presented Pay Request No. 5 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations in the amount of \$364,467.00. After some discussion, Councilmember, Burnell Neal, moved to approve Pay Request No. 5 from Reddico Construction Company for the U.S. 59 Water & Wastewater Utility Relocations in the amount of \$364,647.00. Councilmember, David Voulgaris, seconded the motion. All voted in favor.

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


- A. Finance Committee meeting held October 28, 2024.

After some discussion, no action was taken.

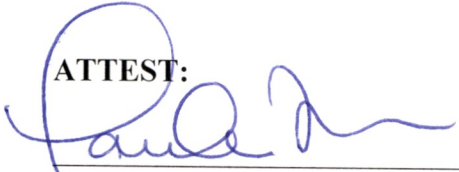
There being no further discussion, Councilmember, David Voulgaris, moved to adjourn. All voted in favor.

The meeting adjourned at 7:23 p.m.

CITY OF WHARTON, TEXAS

By: 
TIM BARKER
Mayor

ATTEST:



PAULA FAVORS
City Secretary

