

**MINUTES  
OF  
CITY OF WHARTON  
CITY COUNCIL REGULAR MEETING  
NOVEMBER 25, 2024**

Mayor, Tim Barker, declared a Regular Meeting duly open for the transaction of business at 7:02 P.M. at City Hall 120 E. Caney Street Wharton, TX. Mr. Ryan Salazar led the opening devotion, and Mayor, Tim Barker, led the pledge of allegiance.

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

Councilmember absent was: Terry Freese.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Andel; City Secretary, Paula Favors, TRMC, CPM, MMC; Director of Planning and Development, Gwyn Teves, CPM; Assistant to the City Manager; Brandi Jimenez; Police Chief, Terry David Lynch; Public Works Director, Roderick Semien; Fire Chief, Hector Hernandez, and EMS Director, Christy Gonzales.

Visitors present were: Ryan Salazar; Clifford Jackson; Sarah Lockley; Richard Lockley; Susie Carlson, and Colby Primeaux with the Wharton Journal Spectator.

**Roll Call and Excused Absences.**

Councilmember, Russell Machann, moved to excuse Councilmember, Terry Freese.  
Councilmember, Steve Schneider, seconded the motion. All voted in favor.

**Public Comments.**

Mayor, Tim Barker, called for Public Comments.

**Wharton Moment.**

Mayor, Tim Barker, called for Wharton Moments.

1. City Manager, Joseph R. Pace, stated the Wharton Chamber of Commerce Holiday Parade would take place on Tuesday, November 26<sup>th</sup>, 2024 at 7 p.m.
2. Mayor, Tim Barker, announced it was Director of Planning and Development, Gwyn Teves' Birthday.
3. Councilmember, Burnell Neal, congratulated the Just Do it Now Freshman football team on their undefeated season winning their Superbowl over Columbus.
4. Police Chief, Terry David Lynch, stated he was excited to announce that Sgt. Stephen Jimenez had been hired as the Police Chief of Van Vleck Independent School District.

**Review and Consider:**

The first item on the agenda was to review and consider the City of Wharton Financial Report for October 2024. Finance Director, Joan Andel, presented a copy of the City of Wharton Financial Report for the month of October 2024. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Financial Report for October 2024. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a resolution of the Wharton City Council approving a third and final extension of the Memorandum of Understanding and Temporary Certificate of Occupancy between the City of Wharton and Wharton Feed and Supply and authorizing the Mayor of the City of Wharton to execute all documents related to said extension. Director of Planning & Development, Gwyn Teves, stated Wharton Feed and Supply was issued a Temporary Certificate of Occupancy (TCO) with a Memorandum of Understanding (MOU) for the continued design and construction of their drainage for the site on February 26, 2024. Director Teves said that once all drainage and detention requirements were completed and inspected, with approval, a final Certificate of Occupancy was to be issued. She said the MOU and TCO expired on May 26, 2024, and Mr. & Mrs. Lockley requested an extension from the City Council and they were granted a 90-day extension that expired on August 26, 2024. Director Teves stated a second extension was granted to expire on December 31, 2024, and Mr. & Mrs. Lockley had made a request to the City Manager's office, requesting a third extension to the MOU and TCO. She said that after reviewing the information and speaking with Mrs. Lockley, it was the City Staff's recommendation that the Council consider granting a third and final extension for the MOU and TCO for a period of three (3) months, ending on March 31, 2025, for the construction to be completed. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-126, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-126**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A THIRD AND FINAL EXTENSION OF THE MEMORANDUM OF UNDERSTANDING AND TEMPORARY CERTIFICATE OF OCCUPANCY BETWEEN THE CITY OF WHARTON AND WHARTON FEED AND SUPPLY AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID EXTENSION.**

**WHEREAS,** The City of Wharton City Council wishes to approve a third and final extension of the Memorandum of Understanding with Wharton Feed and Supply and the Temporary Certificate of Occupancy through March 31, 2025; and,

**WHEREAS,** Wharton Feed and Supply will complete construction of the onsite drainage facilities before the expiration of the extension; and,



**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents relating to said extension of the Memorandum of Understanding and Temporary Certificate of Occupancy.

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

**SECTION I.** The Wharton City Council hereby approves a third and final extension of the Memorandum of Understanding with Wharton Feed and Supply and the Temporary Certificate of Occupancy through March 31, 2025.

**SECTION II.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to said extension of the Memorandum of Understanding and Temporary Certificate of Occupancy.

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

**PASSED, APPROVED, and ADOPTED** this 25<sup>th</sup> day of November 2024.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

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

The third item on the agenda was to review and consider a resolution of the Wharton City Council approving the purchase of a remount and chassis, from Frazer Company, through their licensed franchise dealer, Mac Haik Dodge Chrysler Jeep, through the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program and authorizing the Mayor of the City of Wharton to execute all documents related to said purchases. EMS Director, Christy Gonzales, presented a copy of a quote from the Frazer Company, through their licensed franchise dealer, Mac Haik Dodge Chrysler Jeep, for the remount of Unit 1123. Director Gonzales stated the remount and chassis were being purchased through the H-GAC Cooperative Purchasing Program for a total of \$237,975.00. After some discussion, Councilmember, David Voulgaris, moved to approve City of Wharton Resolution No. 2024-127, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-127**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE PURCHASE OF A REMOUNT AND CHASSIS, FROM FRAZER COMPANY, THROUGH THEIR LICENSED FRANCHISE DEALER, MAC HAIK DODGE CHRYSLER JEEP, THROUGH THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC) COOPERATIVE PURCHASING PROGRAM, AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO SAID PURCHASES.**

**WHEREAS,** The Wharton City Council wishes to approve the purchase of a remount and chassis from Frazer Company, through their licensed franchise dealer, Mac Haik Dodge Chrysler Jeep, through the Houston-Galveston Area Council Cooperative Purchasing Program, in the amount of \$237,975.00; 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 purchase.

**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 agreement with Frazer Company, through their licensed franchise dealer, Mac Haik Dodge Chrysler Jeep, for the purchase of a remount and chassis in the amount of \$237,975.00 through the Houston-Galveston Area Council Cooperative Purchasing Program.

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

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

**PASSED, APPROVED, and ADOPTED** this 25<sup>th</sup> day of November 2024.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

Councilmember, Larry Pittman, 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 authorizing the purchase of a Chevrolet Silverado 2500 for the Wharton Fire Department from Parkway Chevrolet through the Buyboard Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to the said purchase. Fire Chief, Hector Hernandez, presented a copy of a quote for purchasing a Chevrolet Silverado 2500 from Parkway Chevrolet for the Wharton Fire Department. Fire Chief Hernandez stated the vendor was a member of the Buyboard Cooperative Purchasing Program and the total cost was \$67,392.00. He said that the City Council Finance Committee met and was recommending the City Council was recommending the City Council consider approving the request. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-128, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-128**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A CHEVROLET SILVERADO 2500 FOR THE WHARTON FIRE DEPARTMENT FROM PARKWAY CHEVROLET THROUGH THE BUYBOARD COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a Chevrolet Silverado 2500 for the Wharton Fire Department; and,

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

**WHEREAS,** Parkway Chevrolet submitted a quote in the amount of \$67,392.00; and,

**WHEREAS,** The Wharton City Council wishes to approve Parkway Chevrolet for the purchase of a Chevrolet Silverado 2500 in the amount of \$67,392.00 for the Wharton Fire 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 Chevrolet Silverado 2500 for the Wharton Fire Department from Parkway Chevrolet through the Buyboard Cooperative Purchasing Program in the amount of \$67,392.00.

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

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

**PASSED, APPROVED, and ADOPTED** this 25th day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

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

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of a 2024 Caterpillar CB2.9 Utility Compactor for the Public Works Department from Mustang Caterpillar through the Sourcewell Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented a copy of a quote for purchasing a 2024 Caterpillar CB2.9 Utility Compactor from Mustang Caterpillar. Director Semien stated the equipment would be replacing the 1990 Ferguson 8-10.5B Roller. He said the vendor was a member of Sourcewell Cooperative Purchasing Program, and the equipment would be purchased through the FEMA Alternate River Project Funds for \$60,415.36. Director Semien stated the City Council Finance Committee met and were recommending the City Council consider approving the request. After some discussion, Councilmember, Burnell Neal, moved to approve City of Wharton Resolution No. 2024-129, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-129**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A 2024 CATERPILLAR CB2.9 UTILITY COMPACTOR FOR THE PUBLIC WORKS DEPARTMENT FROM MUSTANG CATERPILLAR THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a 2024 Caterpillar CB2.9 Utility Compactor for the Public Works Department; and,

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



**WHEREAS,** Mustang Caterpillar submitted a quote in the amount of \$60,415.36; and,

**WHEREAS,** The Wharton City Council wishes to approve Mustang Caterpillar for the purchase of a 2024 Caterpillar CB2.9 Utility Compactor in the amount of \$60,415.36 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 2024 Caterpillar CB2.9 Utility Compactor for the Public Works Department from Mustang Caterpillar through the Sourcewell Cooperative Purchasing Program in the amount of \$60,415.36.

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

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

**PASSED, APPROVED, and ADOPTED** this 25th day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**

Mayor

**ATTEST:**

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**PAULA FAVORS**

City Secretary

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

The sixth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of (2) 2023 John Deere Terrain Cut Commercial Front Mowers for the Public Works Department from Shoppa's Farm Supply, Inc., through the Sourcewell Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented a copy of a quote for purchasing (2) 2023 John Deere Terrain Cut Commercial Front Mowers from Shoppa's Farm Supply, Inc. Director Semien stated the vendor was a member of the Sourcewell Cooperative Purchasing Program, and the equipment would be purchased through the FEMA Alternate River Project Funds

for a total price of \$71,945.72. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-130, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-130**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF (2) 2023 JOHN DEERE 1580 TERRAIN CUT COMMERCIAL FRONT MOWERS FOR THE PUBLIC WORKS DEPARTMENT FROM SHOPPA'S FARM SUPPLY, INC. THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of (2) 2023 John Deere Terrain Cut Commercial Front Mowers for the Public Works Department; and,

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

**WHEREAS,** Shoppa's Farm Supply, Inc. submitted a quote in the amount of \$71,945.72; and,

**WHEREAS,** The Wharton City Council wishes to approve Shoppa's Farm Supply, Inc. for the purchase of (2) 2023 John Deere Terrain Cut Commercial Front Mowers in the amount of \$71,945.72 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 (2) 2023 John Deere Terrain Cut Commercial Front Mowers for the Public Works Department from Shoppa's Farm Supply, Inc. through the Sourcewell Cooperative Purchasing Program in the amount of \$71,945.72.

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

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

**PASSED, APPROVED, and ADOPTED** this 25th day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**



Mayor

**ATTEST:**

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**PAULA FAVORS**

City Secretary

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

The seventh item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of a 2024 John Deere 5120M Utility Tractor and FC15R Flex-Wing Rotary Cutter for the Public Works Department from Shoppa's Farm Supply, Inc. through the Sourcewell Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented a copy of a quote for purchasing a 2024 John Deere 5120M Utility Tractor and FC15R Flex-Wing Rotary Cutter from Shoppa's Farm Supply, Inc. Director Semien stated the vendor was a member of the Sourcewell Cooperative Purchasing Program, and the equipment would be purchased through the FEMA Alternate River Project Funds for \$117,540.34. He said the City Council Finance Committee had met and was recommending the City Council consider approving the request. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-131, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-131**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A 2024 JOHN DEERE 5120M UTILITY TRACTOR AND FC15R FLEX-WING ROTARY CUTTER FOR THE PUBLIC WORKS DEPARTMENT FROM SHOPPA'S FARM SUPPLY, INC. THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a 2024 John Deere 5120M Utility Tractor and FC15R Flex-Wing Rotary Cutter for the Public Works Department; and,

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

**WHEREAS,** Shoppa's Farm Supply, Inc. submitted a quote in the amount of \$117,540.34; and,

**WHEREAS,** The Wharton City Council wishes to approve Shoppa's Farm Supply, Inc. for the purchase of a 2024 John Deere 5120M Utility Tractor and FC15R Flex-Wing Rotary Cutter in the amount of \$117,540.34 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 2024 John Deere 5120M Utility Tractor and FC15R Flex-Wing Rotary Cutter for the Public Works Department from Shoppa's Farm Supply, Inc. through the Sourcewell Cooperative Purchasing Program in the amount of \$117,540.34.

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

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

**PASSED, APPROVED, and ADOPTED** this 25th day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

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

The eighth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of a JLG model T500J 50' Towable Manlift for the Public Works Department from Sunbelt Rentals through the Sourcewell Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented a copy of a quote for purchasing a JLG model T500J 50' Towable Manlift from Sunbelt Rentals. Director Semien stated the equipment would be replacing the 2004 Ford Aerial Truck. He said the vendor was a member of Sourcewell Cooperative Purchasing Program, and the equipment would be purchased through the FEMA Alternate River Project Funds for \$60,404.53. Director Semien stated the City Council Finance Committee had met and were recommending the City Council consider approving the request. After some discussion, Councilmember, David Voulgaris, moved to approve City of Wharton Resolution No. 2024-132, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-132**



**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A JLG MODEL T500J 50' TOWABLE MANLIFT FOR THE PUBLIC WORKS DEPARTMENT FROM SUNBELT RENTALS THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a JLG Model T500J 50' Towable Manlift for the Public Works Department; and,

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

**WHEREAS,** Sunbelt Rentals submitted a quote in the amount of \$60,404.53; and,

**WHEREAS,** The Wharton City Council wishes to approve Sunbelt Rentals for the purchase of a JLG Model T500J 50' Towable Manlift in the amount of \$60,404.53 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 JLG Model T500J 50' Towable Manlift for the Public Works Department from Sunbelt Rentals through the Sourcewell Cooperative Purchasing Program in the amount of \$60,404.53.

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

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

**PASSED, APPROVED, and ADOPTED** this 25th day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**

City Secretary

Councilmember, Larry Pittman, seconded the motion.

The ninth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of (12) Super T Series Eradicator Self Priming Centrifugal Pumps and installation for all lift stations in the City of Wharton from Odessa Pumps & Equipment through the Sourcewell Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented a copy of a quote for purchasing (12) Super T Series Eradicator Self Priming Centrifugal Pumps and installation for all lift stations in the City of Wharton. Director Semien stated the vendor was a member of the Sourcewell Cooperative Purchasing Program, and the equipment would be purchased through the FEMA Alternate River Project Funds. He said the total price of the equipment was \$160,825.20. Director Semien stated the City of Wharton 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. 2024-133, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-133**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF (12) SUPER T SERIES ERADICATOR SELF PRIMING CENTRIFUGAL PUMPS AND INSTALLATION FOR ALL LIFT STATIONS IN THE CITY OF WHARTON FROM ODESSA PUMPS & EQUIPMENT THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of (12) Super T Series Eradicator Self Priming Centrifugal Pumps and installation for all lift stations in the City of Wharton; and,

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

**WHEREAS,** Odessa Pumps & Equipment submitted a quote in the amount of \$160,825.20; and,

**WHEREAS,** The Wharton City Council wishes to approve Odessa Pumps & Equipment for the purchase of (12) Super T Series Eradicator Self Priming Centrifugal Pumps and installation in the amount of \$160,825.20 for all lift stations in the City of Wharton; 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 (12) Super T Series Eradicator Self Priming Centrifugal Pumps and installation for all lift stations in the City of Wharton from Odessa Pumps & Equipment through the Sourcewell Cooperative Purchasing Program in the amount of \$160,825.20.

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

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

**PASSED, APPROVED, and ADOPTED** this 25th day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**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 a resolution of the Wharton City Council authorizing the purchase of (4) Hydromatic 4" Chopper Submersible Pumps for (2) lift stations in the City of Wharton from Odessa Pumps & Equipment through the Sourcewell Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented a quote for purchasing (4) Hydromatic 4" Chopper Submersible Pumps for (2) lift stations in the City of Wharton. Director Semien stated the vendor was a member of the Sourcewell Cooperative Purchasing Program, and the equipment would be purchased through the FEMA Alternate River Project Funds. He said the total price of the equipment was 56,460.00. Director Semien stated 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 the City of Wharton Resolution No. 2024-134, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-134**

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

**PURCHASE OF (4) HYDROMATIC 4" CHOPPER SUBMERSIBLE PUMPS FOR (2) LIFT STATIONS IN THE CITY OF WHARTON FROM ODESSA PUMPS & EQUIPMENT THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of (4) Hydromatic 4" Chopper Submersible Pumps for (2) lift stations in the City of Wharton; and,

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

**WHEREAS,** Odessa Pumps & Equipment submitted a quote in the amount of \$56,460.00; and,

**WHEREAS,** The Wharton City Council wishes to approve Odessa Pumps & Equipment for the purchase of (4) Hydromatic 4" Chopper Submersible Pumps in the amount of \$56,460.00 for (2) lift stations in the City of Wharton; 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 (4) Hydromatic 4" Chopper Submersible Pumps for (2) lift stations in the City of Wharton from Odessa Pumps & Equipment through the Sourcewell Cooperative Purchasing Program in the amount of \$56,460.00.

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

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

**PASSED, APPROVED, and ADOPTED** this 25th day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**

Mayor

**ATTEST:**

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**PAULA FAVORS**

City Secretary



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

The eleventh item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of a 2024 Caterpillar 299D3 Cab Air High Flow Track Skid Steer for the Public Works Department from Mustang Caterpillar through the Sourcewell Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented a copy of a quote for purchasing a 2024 Caterpillar 299D3 Cab Air High Flow Track Skid Steer from Mustang Caterpillar. Director Semien stated the vendor was a member of the Sourcewell Cooperative Purchasing Program, and the equipment would be purchased through the FEMA Alternate River Project Funds. He said the total price of the equipment was 83,816.52. Director Semien stated the City Council Finance Committee had met and was recommending the City Council consider approving the request. After some discussion, Councilmember, Burnell Neal, moved to approve City of Wharton Resolution No. 2024-135, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-135**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A 2024 CATERPILLAR 299D3 CAB AIR HIGH FLOW TRACK SKID STEER FOR THE PUBLIC WORKS DEPARTMENT FROM MUSTANG CATERPILLAR THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**

**WHEREAS,** A quote was received for the purchase of a 2024 Caterpillar 299D3 Cab Air High Flow Track Skid Steer for the Public Works Department; and,

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

**WHEREAS,** Mustang Caterpillar submitted a quote in the amount of \$83,816.52; and,

**WHEREAS,** The Wharton City Council wishes to approve Mustang Caterpillar for the purchase of a 2024 Caterpillar 299D3 Cab Air High Flow Track Skid Steer in the amount of \$83,816.52 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 2024 Caterpillar 299D3 Cab Air High Flow Track Skid Steer for the Public Works Department from Mustang Caterpillar through the Sourcewell Cooperative Purchasing Program in the amount of \$83,816.52.

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

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

**PASSED, APPROVED, and ADOPTED** this 25th day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember, David Voulgaris, seconded the motion.

The twelfth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of a Caterpillar XQ125 Trailer-Mounted Generator for the Public Works Department from Mustang Caterpillar through the Sourcewell Cooperative Purchasing Program and authorizing the City Manager to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented a copy of a quote for purchasing a Caterpillar XQ125 Trailer-Mounted Generator from Mustang Caterpillar. Director Semien stated the vendor was a member of Sourcewell Cooperative Purchasing Program, and the equipment would be purchased through the FEMA Alternate River Project Funds. He said the total price of the equipment was Caterpillar XQ125 Trailer-Mounted Generator-\$89,000.00. Director Semien stated the City Council Finance Committee had 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. 2024-136, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-136**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF A CATERPILLAR XQ125 TRAILER-MOUNTED GENERATOR FOR THE PUBLIC WORKS DEPARTMENT FROM MUSTANG CATERPILLAR THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.**



**WHEREAS,** A quote was received for the purchase of a Caterpillar XQ125 Trailer-Mounted Generator for the Public Works Department; and,

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

**WHEREAS,** Mustang Caterpillar submitted a quote in the amount of \$89,000.00; and,

**WHEREAS,** The Wharton City Council wishes to approve Mustang Caterpillar for the purchase of a Caterpillar XQ125 Trailer-Mounted Generator in the amount of \$89,000.00 for the Public Works Department; and,

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

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

**SECTION I.** The Wharton City Council hereby authorizes the City Manager to purchase a Caterpillar XQ125 Trailer-Mounted Generator for the Public Works Department from Mustang Caterpillar through the Sourcewell Cooperative Purchasing Program in the amount of \$89,000.00.

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

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

**PASSED, APPROVED, and ADOPTED** this 25th day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**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 approving the EXHIBIT A Texas Settlement Subdivision Participation and Release Form for the Kroger Texas Opioid Settlement and authorizing the Mayor of the City of Wharton to execute

all documents related to said agreement. City Secretary, Paula Favors stated the City of Wharton approved the Texas Term Sheet in October of 2021, joining the settlement to receive funds from opioid manufacturers. Mrs. Favors said the City of Wharton had been allocated over \$33,204.14 but only received \$11,887.06. She said that when funds become available, they are released to the City. City Secretary Favors stated the City had also approved participating in the Janssen/J&J, Endo, Teva, Allergan, Walmart, Walgreens, and CVS settlement and cities did not have to have a Kroger in their town to participate. Mrs. Favors said the only requirement was to join in the funding distribution and approve the EXHIBIT A A Texas Settlement Subdivision Participation and Release Form. After some discussion, Councilmember, Larry Pittman, moved to approve City of Wharton Resolution No. 2024-137, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-137**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE EXHIBIT A TEXAS SETTLEMENT SUBDIVISION PARTICIPATION AND RELEASE FORM FOR THE KROGER TEXAS OPIOID SETTLEMENT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.**

**WHEREAS,** The City of Wharton obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants, as may be added to the litigation (collectively, "Defendants"), have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and,

**WHEREAS,** These actions, conduct, and misconduct have resulted in significant financial costs to the City; and,

**WHEREAS,** On May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet, and now additional subdivision participation is available from Kroger and the Release Form is attached hereto as Exhibit "A"; and,

**WHEREAS,** Special Counsel and the State of Texas have recommended that the City of Wharton support the EXHIBIT A Texas Settlement Subdivision Participation and Release Form.

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

- Section I.** Support the adoption and approval of the EXHIBIT A Texas Settlement Subdivision Participation and Release Form.
- Section II.** Authorize the Mayor of the City of Wharton to sign the EXHIBIT A Texas Settlement Subdivision Participation and Release Form.
- Section III.** That this resolution shall become effective immediately upon its passage.



**Passed, Approved, and Adopted** this 25th day of November 2024.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

Councilmember, David Voulgaris, seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the City Manager to contract with Barbee Services, Inc. for the installation of a manual transfer switch and electrical service at the Wharton Civic Center and authorizing the City Manager to execute all documents related to said installation. Finance Director, Joan Andel, stated the City Staff received quotes for the installation of a manual transfer switch and electrical service at the Wharton Civic Center. She said there was not any auxiliary power at this location in the event of electrical disruption and quotes were received from:

Barbee Services, Inc. - \$48,850.00  
Branch Construction Group - no response  
Gulf Coast A/C & Electric - no response

Director Andel stated the City Council Finance Committee met on Monday, November 25, 2024, and were recommending the City Council approve the request. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-138, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-138**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE CITY MANAGER TO CONTRACT WITH BARBEE SERVICES, INC. FOR THE INSTALLATION OF A MANUAL TRANSFER SWITCH AND ELECTRICAL SERVICE AT THE WHARTON CIVIC CENTER AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID INSTALLATION.**

**WHEREAS,** The Wharton City Council wishes to approve Barbee Services, Inc. for the installation of a manual transfer switch and electrical service at the Wharton Civic

Center in the amount of \$48,850.00; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager to execute all documents related to the installation and electrical services.

**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 contract with Barbee Services, Inc. for the installation of a manual transfer switch and electrical service at the Wharton Civic Center in the amount of \$48,850.00; and,

**SECTION II.** The Wharton City Council hereby authorizes the City Manager to execute all documents related to the installation and electrical services.

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

**PASSED, APPROVED, AND APPROVED** this 25<sup>th</sup> day of November 2024.

**CITY OF WHARTON**

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**TIM BARKER**  
Mayor

**ATTEST:**

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**PAULA FAVORS**  
City Secretary

Councilmember, David Voulgaris, seconded the motion. All voted in favor.

The fifteenth item on the agenda was to review and consider a request for advance payment from Branch Construction for Wastewater Treatment Plant No. 2. Finance Director, Joan Andel, stated that on July 8, 2024, the City Council approved an agreement with Branch Construction Group for labor, material, and equipment to install a bypass system on the Wastewater Treatment Plant #2 (WWTP2). Finance Director Andel said the proposal called for a payment of 50% upon approval and the remaining 50% due upon completion. She said the funds for this project were allocated from the American Rescue Plan Act. Finance Director Andel stated Branch Construction was requesting an advance payment of \$197,783.80 from the remaining 50% of funds due to the demo of the current rotary screen assembly and to begin the concrete rehabilitation of the headworks. Finance Director Andel said the City Staff was requesting additional funds be paid to move the project along and upon completion would be \$135,189.20. After some discussion, Councilmember, David Voulgaris, moved to approve the request for advance payment from



Branch Construction for Wastewater Treatment Plant No. 2 in the amount of \$197,783.80. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The sixteenth item on the agenda was to review and consider a resolution of the Wharton City Council approving an Engineering Services Agreement between the City of Wharton and Quiddity Engineering for the City of Wharton Colorado River Flood Control Utility Relocation Revision Project and authorizing the Mayor of the City of Wharton to execute all documents related to said project. Director of Planning & Development, Gwyn Teves, stated the City relocated utilities for the construction of the Levee, and conflicts of utilities were identified that would require water and sewer lines at the end of Sheppard Street to be dropped significantly below the current location. Mrs. Teves said the City utilities were necessary to stay connected to supply the City of Wharton Firing Range and Fire Department Training Grounds, the revisions must be engineered and construction placed for competitive bid. She said it was the City Staff's recommendation to enter into a Professional Services Agreement with Quiddity Engineering. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton 2024-139, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-139**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF WHARTON AND QUIDDITY ENGINEERING FOR THE CITY OF WHARTON COLORADO RIVER FLOOD CONTROL UTILITY RELOCATION REVISION PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PROJECT.**

**WHEREAS,** The Wharton City Council wishes to engage the services of Quiddity Engineering to provide professional engineering services in connection with said project; and,

**WHEREAS,** Quiddity Engineering wishes to provide said services for the City of Wharton Colorado River Flood Control Utility Relocation Revision Project; and,

**WHEREAS,** The City of Wharton and Quiddity Engineering wishes to be bound by the conditions of said professional engineering services agreement; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the agreement.

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

**Section I.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute a professional engineering services agreement with Quiddity Engineering

for the City of Wharton Colorado River Flood Control Utility Relocation Revision Project.

**Section II.** The City of Wharton and Quiddity Engineering 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 25th day of November 2024.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

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

The seventeenth item on the agenda was to review and consider the cancellation of the December 23, 2024, Regular City Council Meeting. City Manager, Joseph R. Pace, requested the City Council consider canceling the second meeting in December. After some discussion, Councilmember, Burnell Neal, moved to approve the cancellation of the December 23, 2024, Regular City Council Meeting. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The eighteenth item on the agenda was to review and consider the update on the City of Wharton's ongoing projects. City Manager, Joseph R. Pace, gave an update on the City of Wharton's ongoing projects. After some discussion, no action was taken.

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

The twentieth 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.



City Manager, Joseph R. Pace, stated a resignation letter was received from Mr. Adraylle Watson wishing to step down from the Beautification Commission. After some discussion, Councilmember, Russell Machann, moved to accept the resignation letter from Mr. Watson. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

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

- A. Finance Committee meeting held November 12, 2024.

After some discussion, no action was taken.

The twenty-second item on the agenda was to review and consider Department Head 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. Legal Department.
- H. Municipal Court.
- I. Police Department.
- J. Public Works Department.
- K. Water/Sewer Department.
- L. Weedy Lots/Sign Ordinance.
- M. Wharton Regional Airport.

After some discussion, no action was taken.

### **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 the Executive Session shall be made in an Open Meeting.

Discussion:

- A. City Managers Evaluation.

Mayor Tim Barker closed the meeting with Executive Session at 7:45 p.m.

### **Return to Open Session**

1. Action on items discussed in Executive Session:

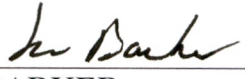
A. City Managers Evaluation.

Mayor Tim Barker returned the meeting to Open Session at 7:53 p.m. After some discussion, Councilmember, Russell Machann, moved to approve an additional week of vacation for City Manager, Joseph R. Pace, for a total of four weeks of vacation. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

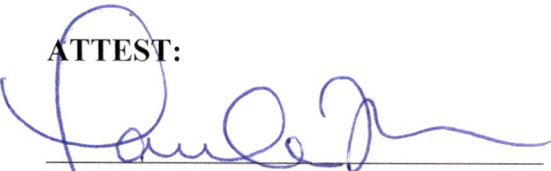
There being no further discussion, Councilmember David Voulgaris moved to adjourn. All voted in favor.

The meeting adjourned at 7:53 p.m.

**CITY OF WHARTON, TEXAS**

By:   
**TIM BARKER**  
Mayor

**ATTEST:**

  
**PAULA FAVORS**  
City Secretary

