

**MINUTES  
OF  
CITY OF WHARTON  
CITY COUNCIL REGULAR MEETING  
JULY 10, 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, Burnell Neal; Russell Machann; Larry Pittman, and Steve Schneider.

Councilmembers absent were: Terry Freese and Don Mueller.

Staff members present were: City Manager, Joseph R. Pace; Finance Director, Joan Anandel; Assistant City Manager, Paula Favors, TRMC, CPM, MMC; Director of Planning and Development, Gwyn Teves; Assistant to the City Manager, Brandi Jimenez, and Lt. Lance Bothell.

Visitors present were: Mary Barnes; Charlotte Bess and Al Dube with the Wharton Journal Spectator.

**Roll Call and Excused Absences.**

After some discussion, Councilmember, Russell Machann, moved to excuse Councilmember, Terry Freese, and Councilmember, Don Mueller. 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.**

Mayor, Tim Barker, called for Wharton Moments. No comments were given.

**Review and Consider:**

The first item on the agenda was to review and consider the reading of the minutes from the regular meetings held June 12, 2023, and June 26, 2023, and the special meeting held June 19, 2023. After some discussion, Councilmember, Russell Machann, moved to approve the reading of the minutes from the regular meetings held June 12, 2023, and June 26, 2023, and the special meeting held June 19, 2023. Councilmember, Steve Schneider, 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). Director of Planning & Development, Gwyn Teves, stated the City was approved for funding for the 2019 Transportation Alternatives (TA) in April of 2021 and notices

to residents went out in April of 2022 notifying them of the project with a project map. Mrs. Teves said Mrs. Heard-Roberts was also contacted in person on multiple occasions about the project prior to May of 2022 in an attempt to identify the conflicts with her property's irrigation system by City Staff. She said that due to the start of construction in late March of 2023 with no resolution to the irrigation system in the ROW, the City Staff again attempted to contact Mrs. Heard-Roberts via email with no response and since the construction had been moving timely and, in an effort, to make one last attempt to contact the property owners, a certified letter was sent on June 6, 2023. Mrs. Teves stated that Mrs. Heard-Roberts was advising that she was not prepared to have the irrigation system removed from the ROW in time for the construction to be completed and was asking that the City be responsible for capping the system and removing it from the ROW at the City's costs due to the unplanned repairs. She said it was the City Staff's recommendation that the City Council not approve the request for the removal at the City's expense. After some discussion, Councilmember, Steve Schneider, moved to deny the 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) at the City's expense. Councilmember, Russell Machann, seconded the motion. Councilmember, Burnell Neal, voted against the motion. Councilmembers, Steve Schneider, Russell Machann, and Larry Pittman voted for the motion. The motion carried.

The third item on the agenda was to review and consider a resolution of the Wharton City Council approving a Mutual Aid Agreement between the Wharton Police Department and the Houston Police Department for interdiction for human smuggling and narcotic contraband along the I-69 and I-10 corridors and authorizing the City Manager of the City of Wharton to execute all documents related to said agreement. Police Lt., Lance Bothell, stated he was requesting the approval of a Mutual Aid Agreement between the Wharton Police Department and the Houston Police Department to conduct interdiction for human smuggling and narcotic contraband along the I-69 (Hwy 59) and I-10 corridors in each respective jurisdiction. Lt. Bothell said that City Attorney, Paul Webb, had reviewed the agreement and was recommending the City Council consider approving it. After some discussion, Councilmember, Russell Machan, moved to approve the City of Wharton Resolution No. 2023-54, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2023-54**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A MUTUAL-AID AGREEMENT BETWEEN THE WHARTON POLICE DEPARTMENT AND THE HOUSTON POLICE DEPARTMENT FOR INTERDICTION FOR HUMAN SMUGGLING AND NARCOTIC CONTRABAND ALONG THE I-69 AND I-10 CORRIDORS AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.**

**WHEREAS,** The City of Wharton City Council wishes to enter into a Mutual-Aid Agreement between the Wharton Police Department and the Houston Police Department; and,



**WHEREAS,** Said agreement is to conduct interdiction for human smuggling and narcotic contraband along I-69 (Hwy. 59) and I-10 corridors in each respective jurisdiction; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager of the City of Wharton to execute all documents relating to said Mutual-Aid Agreement.

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

**SECTION I.** The Wharton City Council hereby approves the Mutual-Aid Agreement between the Wharton Police Department and the Houston Police Department to conduct interdiction for human smuggling and narcotic contraband along I-69 (Hwy. 59) and I-10 Corridors in each respective jurisdiction.

**SECTION II.** The Wharton City Council hereby authorizes the City Manager of the City of Wharton to execute all documents related to said Mutual-Aid Agreement.

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

**PASSED, APPROVED, and ADOPTED** this 10th day of July 2023.

**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 the City Council Boards, Commissions, and Committee Reports:

- A. Finance Committee meeting held June 26, 2023.

After some discussion, no action was taken.

The fifth 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, Councilmember, Russell Machann, moved to approve the following:

**Resignations:**

- A. Mr. Zac Henson from the Electrical Board.
- B. Mr. Tom Faust from the Plumbing and Mechanical Board.

**Appointments:**

- A. Mr. Oscar Uribe to the Electrical Board.
- B. Ms. Delia Gonzales to the Mayor's Committee on People with Disabilities.
- C. Mr. Robert Sanchez to the Plumbing and Mechanical Board.

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

There being no further discussion, Mayor, Tim Barker, moved to adjourn the meeting.

The meeting adjourned at 7:10 p.m.

CITY OF WHARTON, TEXAS

By: *Tim Barker*  
TIM BARKER  
Mayor

ATTEST:

*Paula Favors*  
PAULA FAVORS  
City Secretary

