

**MINUTES  
OF  
CITY OF WHARTON  
CITY COUNCIL REGULAR MEETING  
FEBRUARY 26, 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; Larry Pittman, and Steve Schneider.

Councilmember absent was: Don Mueller.

Staff members present were: City Manager, Joseph R. Pace; Assistant City Attorney, Amy Rod; Finance Director, Joan Anandel; Assistant City Manager, Paula Favors, TRMC, CPM, MMC, IPMA-CP; Assistant to the City Manager, Brandi Jimenez; Planning and Development Director, Gwyn Teves; Public Works Director, Roderick Semien, Patrol Lt. Lance Bothell; Police Chief Terry David Lynch; EMS Director, Christy Gonzales; Lt. Ariel Soltura, and Building Official, Claudia Velasquez.

Visitors present were: Ryan L. Salazar; Tommy Wells; Walter Garrett; Richard Lockley; Sarah Lockley, and Sam Scinta, Jr. with the Wharton Journal Spectator.

**Roll Call and Excused Absences.**

Councilmember, Russell Machann, moved to excuse Councilmember, Don Mueller. Councilmember, Terry Freese, seconded the vote. All voted in favor.

**Public Comments.**

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

**Wharton Moment.**

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

**Review and Consider:**

The first item on the agenda was to review and consider the City of Wharton Financial Report for January 2024. Finance Director, Joan Anandel, presented the City of Wharton Financial Report for January 2024. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Financial Report for January 2024. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The second item on the agenda to view and consider was a request from Mr. Joel Charles and Ms. Barbara Galbreath for the City of Wharton to clean up a City alley. City Manager, Joseph R. Pace, presented a request from Mr. Charles and Ms. Galbreath regarding the clean-up of a City alley. City Manager, Pace stated Mr. Charles and Ms. Galbreath were not in attendance to discuss their request. After some discussion, no action was taken.

The third item on the agenda was to review and consider a request from Ms. Gladys Alas of 1902 N. Richmond Rd., Sols, Block 4, Lots 1, 1A, 2B & 2B-1 for a 0' side building line setback variance to build a carport over the existing concrete foundation. Director of Planning & Development, Gwyn Teves, presented a copy of a request from Ms. Gladys Alas of 1902 N. Richmond Rd., Sols, Block 4, Lots 1, 1A, 2B & 2B-1 for a 0' side building line setback variance to build a carport over the existing concrete foundation. Mrs. Teves stated the Planning Commission met on Monday, February 19, 2024, and voted to recommend this item to the City Council for consideration. After some discussion, Councilmember, Terry Freese, moved to approve the request from Ms. Gladys Alas of 1902 N. Richmond Rd., Sols, Block 4, Lots 1, 1A, 2B & 2B-1 for a 0' side building line setback variance to build a carport over the existing concrete foundation. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The fourth item on the agenda to review and consider was a resolution of the Wharton City Council approving a Memorandum of Understanding between the City of Wharton and Wharton Feed and Supply and authorizing the City Manager of the City of Wharton to execute all documents related to said Memorandum of Understanding. Director of Planning & Development, Gwyn Teves, stated Wharton Feed and Supply had been under construction for its new location and expansion with Ace Hardware at 3030 North Richmond Road and to assist them in eliminating further delays in opening it was discussed with Mr. & Mrs. Lockley on February 5, 2024, to issue a Temporary Certificate of Occupancy (CO) pending approval of all required Final Structural, Mechanical, Electrical, Plumbing, and Fire Inspections, a Temporary CO could be issued with a Memorandum of Understanding for continued design and construction of their drainage for the site. Mrs. Teves said the Memorandum of Understanding intended to establish an agreement that Wharton Feed and Supply would continue to perform the required design and construction for the site detention and drainage within a timely manner. She said that once all drainage and detention had been completed and the inspection was approved, a final Certificate of Occupancy could be issued with approval. Mrs. Teves stated City Attorney, Paul Webb, had reviewed and approved the MOU. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-19, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-19**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WHARTON AND WHARTON FEED AND SUPPLY AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID MEMORANDUM OF UNDERSTANDING.**

**WHEREAS,** The City of Wharton City Council wishes to approve a Memorandum of Understanding with Wharton Feed and Supply for the issuance of a Temporary Certificate of Occupancy prior to drainage construction being completed on the property; and,

**WHEREAS,** Wharton Feed and Supply will continue to work on and complete the design and construction of the onsite drainage facilities. Wharton Feed and Supply will provide an update to the City 30 days prior to the expiration of the Temporary Certificate of Occupancy; and,

**WHEREAS,** The Wharton City Council wishes to authorize the City Manager of the City of Wharton to execute all documents relating to said Memorandum of Understanding.

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

**SECTION I.** The Wharton City Council hereby approves the Memorandum of Understanding with Wharton Feed and Supply for the issuance of a Temporary Certificate of Occupancy prior to drainage construction being completed on the property.

**SECTION II.** The Wharton City Council hereby authorizes the City Manager of the City of Wharton to execute all documents related to said Memorandum of Understanding.

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

**PASSED, APPROVED, and ADOPTED** this 26<sup>th</sup> day of February 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 fifth item on the agenda was to review and consider the Wharton Police Department Annual Contact Report for 2023. Police Chief, Terry David Lynch, presented a copy of the memorandum dated February 13, 2024, submitting the City of Wharton 2023 Annual Contact Report (Racial

Profiling Report) in accordance with Senate Bill 1074. Chief Lynch presented the City of Wharton Annual Contact Report for 2023, to the City Council. After some discussion, Councilmember, Terry Freese, moved to approve the City of Wharton Annual Contact Report for 2023. Councilmember, Russell Machann, 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 submission of an application to the Office of the Governor, Operation Lone Star for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said submission. Patrol Lt., Lance Bothell, stated that in October 2021, the Wharton Police Department applied for a grant through the Office of the Governor, Operation Lone Star, and the Department was awarded the grant. Lt Bothell said the grant was a two-year grant that expired on August 31, 2023, and the Department applied for another Operation Lone Star grant at that time, but it was denied. He said the City Staff was asking for permission to apply for this grant again to enhance interagency border security operations supporting Operation Lone Star including the facilitation of directed actions to deter and interdict criminal activity and detain non-citizen inmates. Lt. Bothell stated the new grant covered the period from September 1, 2024, to August 31, 2025 (one year), and if awarded the City Staff would come back to the Council for acceptance. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-20, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-20**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE OFFICE OF THE GOVERNOR, OPERATION LONE STAR 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 Office of the Governor, Operation Lone Star for the Wharton Police Department to enhance interagency border security operations by including the facilitation of direct actions to deter and interdict criminal activity and detain non-citizen inmates; and,

**WHEREAS,** Said grant is for a one (1) year period beginning September 1, 2024, and ending on August 31, 2025; and,

**WHEREAS,** If awarded, the grant would be in the amount of \$214,552.04 and would fund a full-time sworn officer position, a vehicle, and all associated equipment; 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 Office of the Governor, Operation Lone Star for the Wharton Police Department.

**SECTION II.** The City designates the Mayor as the person authorized to sign all forms related to the preparation of the application.

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

**PASSED, APPROVED, and ADOPTED** this 26<sup>th</sup> day of February 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 seventh item on the agenda to review and consider was a resolution of the Wharton City Council rescinding the City of Wharton Resolution No. 2024-14 and approving new rates for emergency medical services. EMS Director, Christy Gonzales, presented a copy of the current and recommended change to the City of Wharton Ambulance Fee Schedule for only the mileage beyond seventeen (17) miles. EMS Director Gonzales stated this change had been discussed with Debra Medina with Prudentia, the current ambulance services biller; Finance Director, Joan Andel, and herself. She said this item was inadvertently not changed on Resolution 2024-11 passed by the City Council on February 12, 2024. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-21, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-21**

**A RESOLUTION OF THE WHARTON CITY COUNCIL RESCINDING THE CITY OF WHARTON RESOLUTION NO. 2024-14 AND APPROVING NEW RATES FOR EMERGENCY MEDICAL SERVICES.**

**WHEREAS,** The City Council of the City of Wharton established rates in accordance with Resolution No. 2024-14; and,

**WHEREAS,** The City wishes to establish new charges and rates for emergency medical services; and,

**WHEREAS,** The City Council of the City of Wharton wishes to authorize the Emergency Medical Services Director to enforce said charges and the applicable fees.

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

**Section I.** The City Council of the City of Wharton hereby adopts the charges and fees for emergency medical services as described in Exhibit A.

**Section II.** The City Council of the City of Wharton hereby authorizes the Emergency Medical Services Director and his duly authorized representative to enforce charges and the applicable fees.

**Section III.** That Resolution No. 2024-14 shall become null and void on February 26, 2024.

**Section IV.** That this resolution shall become effective on February 26, 2024.

**Passed, Approved, and Adopted** this 26<sup>th</sup> day of February 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 eighth item on the agenda was to review and consider a resolution of the Wharton City Council approving an amended contract between the City of Wharton and Wharton County for Emergency Medical Services for Ambulance Transports and authorizing the Mayor of the City of Wharton to execute all documents relating to said contract. EMS Director, Christy Gonzales, presented a draft copy of the contract and draft resolution for Emergency Medical Services for Ambulance Transports between the City of Wharton and Wharton County. Director Gonzales stated there was

one change from the previous contract and Exhibit A had been updated to reflect current Medicare allowable fees. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2024-22, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-22**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AMENDED CONTRACT BETWEEN THE CITY OF WHARTON AND WHARTON COUNTY FOR EMERGENCY MEDICAL SERVICES FOR AMBULANCE TRANSPORTS AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.**

**WHEREAS,** The City of Wharton wishes to enter into an amended contract with Wharton County for Emergency Medical Services for Ambulance Transports; and,

**WHEREAS,** The Wharton City Council and Wharton County wishes to be bound by the conditions as set forth in the contract; and,

**WHEREAS,** The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to the contract.

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

**Section I.** That the Wharton City Council hereby approves the amended contract with Wharton County for Emergency Medical Services for Ambulance Transports.

**Section II.** That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to the contract.

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

**Passed, Approved, and Adopted** this 26th day of February 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 ninth item on the agenda to review and consider was a resolution of the Wharton City Council authorizing and ratifying the emergency repairs at the Alabama Water Plant and authorizing the City Manager of the City of Wharton to execute all documents related to said ratification. Public Works Director, Roderick Semien, presented a copy of his memorandum explaining the emergency motor repairs at the Alabama Water Plant due to an electrical voltage surge. Director Semien stated Barbee Electric Services was contacted for an assessment, and it was determined that both motors were damaged. He said that Burke's Mechanical Service was contacted, and both motors were pulled to be disassembled and inspected and they were able to install a temporary rental motor, to continue water services to the City from these wells. Mr. Semien stated to reduce rental costs, it was decided to approve the estimate for repairs on both motors on February 14, 2024. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-23, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-23**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING AND RATIFYING THE EMERGENCY REPAIRS AT THE ALABAMA WATER PLANT AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID RATIFICATION.**

**WHEREAS,** The Public Works Department had to make emergency repairs due to damage on well motors at the Alabama Water Plant due to an electrical voltage surge; and,

**WHEREAS,** The Wharton City Council ratifies the emergency repairs and wishes to authorize the City Manager of the City of Wharton to execute all documents related to the repair.

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

**Section I.** The Wharton City Council hereby authorizes the City Manager of the City of Wharton to execute all documents related to the emergency repairs due to an electrical voltage surge on the well motors at the Alabama Water Plant.

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

**Passed, Approved, and Adopted** this 26th day of February 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 tenth item on the agenda was to review and consider the City of Wharton Proficiency Allowances:

- A. Resolution: A resolution of the Wharton City Council updating the proficiency allowance for the City of Wharton Employees.

City Secretary, Paula Favors, presented a copy of a draft resolution updating the proficiency allowances the City offers its employees. City Secretary Favors stated that although some proficiency allowances had been in place for several years, the City Staff was recommending updating this resolution to add Bilingual Proficiency, Basic Animal Control Officer Proficiency Pay, and Water License D Proficiency Pay. Mrs. Favors said at the February 12, 2024, Finance Committee meeting concerns were brought forth regarding the Bilingual Proficiency Pay and how it would be administered. She said those issues were addressed with the Finance Committee to answer all questions. City Secretary Favors stated the City Council Finance Committee met on Monday, February 26, 2024, and was recommending the City Council consider approving the proficiency allowances. After some discussion, Councilmember, Larry Pittman, moved to approve the City of Wharton Resolution No. 2024-24, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-24**

**A RESOLUTION OF THE WHARTON CITY COUNCIL UPDATING THE  
PROFICIENCY ALLOWANCE FOR THE CITY OF WHARTON EMPLOYEES.**

**WHEREAS,** the Wharton City Council has determined there is a need to improve education for City of Wharton employees; and,

**WHEREAS,** the Wharton City Council wishes to resend any previous resolution prior to this date for proficiency allowance; and,

**WHEREAS,** the Wharton City Council wishes to update and formalize said policy in resolution form; and,

**WHEREAS,** the Wharton City Council hereby has established a proficiency allowance policy for the City of Wharton employees; and,

**WHEREAS,** the Wharton City Council wishes to authorize proficiency allowance for the City of Wharton Employees who hold current certifications; and,

**WHEREAS,** the Wharton City Council approves this policy in the fiscal year's budget; and,

**WHEREAS,** the Wharton City Council wishes to authorize the City Manager to implement the policies and procedures as set forth in this proficiency allowance resolution.

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

**Section I.** That the Wharton City Council hereby approves the City of Wharton employee's proficiency allowance policy, as follows:

**Public Works Department:**

Water License D	\$ 50.00 per month
Water License C	\$100.00 per month
Water License B	\$150.00 per month
Water License A	\$200.00 per month
Wastewater License C	\$100.00 per month
Wastewater License B	\$150.00 per month
Wastewater License A	\$200.00 per month
Sewer Collection I	\$75.00 per month
Sewer Collection II	\$100.00 per month
Sewer Collection III	\$150.00 per month
TDA Pesticide Applicators License	\$100.00 per month
Certified Applicator Technician	\$50.00 per month
Commercial Driver's License Class A	\$50.00 per month
Commercial Driver's License Class A Haz-Mat	\$75.00 per month
Underground Storage Tank Class C	\$100.00 per month
Underground Storage Tank Class A & B	\$175.00 per month

**Police Department:**

Police Officer Intermediate Certificate	\$80.00 per month
Police Officer Advanced Certificate	\$120.00 per month
Police Officer Master Certificate	\$200.00 per month

**Communications:**

Intermediate Telecommunicator	\$80.00 per month
Advanced Telecommunicator	\$120.00 per month

Master Telecommunicator \$200.00 per month

**Animal Control:**

Basic Animal Control Officer \$100.00 per month

**City Secretary:**

Texas Registered Municipal Clerk (TRMC) \$125.00 per month

Master Public Information Officer (FEMA) \$50.00 per month

**Municipal Court:**

Certified Court Clerk Level I \$25.00 per month

Certified Court Clerk Level II \$50.00 per month

Certified Municipal Court Clerk \$75.00 per month

**Code Enforcement:**

Certified Flood Plain Manager \$100.00 per month

Texas Code Enforcement Officer License II \$50.00 per month

Texas Code Enforcement Officer License III \$75.00 per month

**All:**

Certified Public Manager (CPM) \$100.00 per month

Certified Public Accountant (CPA) \$100.00 per month

Bilingual (Spanish Only) \$100.00 per month

\*See "Exhibit A" attached – Procedures outlined in Policy Book

**Section. II.** That the Wharton City Council hereby authorizes the City Manager to implement the policies and procedures as set forth in this policy.

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

**Passed, Approved, and Adopted** this the 26<sup>th</sup> day of February 2024.

**CITY OF WHARTON**

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 to review and consider was an ordinance vacating, abandoning, and closing a fifty (50) foot Right-of-Way Easement being an extension of Dennis Street throughout Lot 17, City of Wharton, Wharton County, Texas. Director of Planning & Development, Gwyn Teves, presented a copy of the request from Judge Phillip Spenrath on behalf of Wharton County to vacate the dedicated 50-foot right-of-way easement for Dennis Street, commencing at Milam Street and extending 100 feet in a southerly direction. Mrs. Teves stated the Planning Commission met and was recommending this item to the City Council for consideration. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Ordinance No. 2024-04, which read as follows:

**CITY OF WHARTON  
ORDINANCE NO. 2024-04**

**AN ORDINANCE VACATING, ABANDONING, AND CLOSING A FIFTY (50) FOOT RIGHT-OF-WAY EASEMENT BEING AN EXTENSION OF DENNIS STREET THROUGHOUT LOT 17, CITY OF WHARTON, WHARTON COUNTY, TEXAS.**

**WHEREAS,** Wharton County, being the owner of the property on either side and adjoining said portion of said right-of-way easement, has filed its request that said right-of-way easement be closed, abandoned, and vacated; and,

**WHEREAS,** The above-described right-of-way easement is obsolete and is not being used for any utility services and does not anticipate any future need or use of said easement; and,

**WHEREAS,** The Mayor and City Council of Wharton, Texas deem it desirable and proper to close, abandon, and vacate the above-described easement.

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

**Section I.** The City of Wharton City Council closes, abandons, and vacates the above-described right-of-way easement, also shown on "Exhibit A" and that title thereto vest to the center of said easement to the property owner on either side.

**Section II.** The City Secretary is hereby directed to file with the County Clerk of Wharton, Texas, a certified copy of this ordinance.

**Section III.** This ordinance shall become effective immediately upon its passage.

**PASSED, APPROVED, and ADOPTED** by the City Council of the City of Wharton, Texas, on the 26<sup>th</sup> day of February 2024.

**CITY OF WHARTON, TEXAS**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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**PAUL WEBB**  
City Attorney

Councilmember, Larry Pittman, 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 approving the renewal of the Memorandum of Understanding with the Caney Creek Conservation Foundation regarding the use of Guadalupe Park and authorizing the Mayor of the City of Wharton to execute all documents related to said Memorandum of Understanding. Director of Planning & Development, Gwyn Teves, stated the City of Wharton City Council approved a Memorandum of Understanding (MOU) with the Caney Creek Conservation Foundation on March 28, 2022, in reference to the use of Guadalupe Park. Mrs. Teves said Mr. Garrett and the Foundation had maintained a Community Garden at Guadalupe Park in good condition and the arrangement has been advantageous to the park and the neighborhood. She said Mr. Garrett and the Foundation would like to request a two (2) year renewal of the MOU effective March 28, 2024, until March 28, 2026. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2024-25, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2024-25**

**A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE RENEWAL OF THE MEMORANDUM OF UNDERSTANDING WITH THE CANEY CREEK CONSERVATION FOUNDATION REGARDING THE USE OF GUADALUPE PARK AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID MEMORANDUM OF UNDERSTANDING.**

**WHEREAS,** The City of Wharton City Council wishes to approve a renewal of the Memorandum of Understanding with the Caney Creek Conservation Foundation regarding the use of Guadalupe Park; and,

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

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

**SECTION I.** The Wharton City Council hereby approves the renewal of the Memorandum of Understanding with the Caney Creek Conservation Foundation regarding the use of Guadalupe Park for two years.

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

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

**PASSED, APPROVED, and ADOPTED** this 26<sup>th</sup> day of February 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 thirteenth item on the agenda was to review and consider Pay Request No. 13 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. 13 from E-Contractors for the Wharton Well and Water Plant Contract No. 1-General Construction in the amount of \$25,039.95. After some discussion, Councilmember, Russell Machann, moved to approve Pay Request No. 13 from E-Contractors for the Wharton Well and Water Plant Contract No. 1-General Construction in the amount of \$25,039.95. Councilmember, Larry Pittman, seconded the motion. Councilmember, Terry Freese, voted against the motion. Councilmembers, Burnell Neal; Steve Schneider; Russell Machann, and Larry Pittman voted for the motion. The motion carried.

The fourteenth item on the agenda was to review and consider Pay Request No. 8, No. 8a, and No. 9 (final) from Weisinger, Inc., for the Wharton Well and Water Plant Contract No. 2-Well Construction. Director of Planning and Development, Gwyn Teves, presented a copy of Pay Request No. 8 in the amount of \$12,675.00, No. 8a in the amount of \$4,791.77, and No. 9 (final) in the amount of \$22,911.11 from Weisinger, Inc., for the Wharton Well and Water Plant Contract No. 2-Well Construction. After some discussion, Councilmember, Russell Machann, moved to approve Pay Request No. 8 in the amount of \$12,675.00, No. 8a in the amount of \$4,791.77, and No. 9 (final) in the amount of \$22,911.11 from Weisinger, Inc., for the Wharton Well and Water Plant Contract No. 2-Well Construction. Councilmember, Terry Freese, seconded the motion. All voted in favor.

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

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

17. 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 eighteenth item was the City Council Boards, Commissions, and Committee Reports:

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

After some discussion, no action was taken.

The nineteenth item to review and consider was the 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.

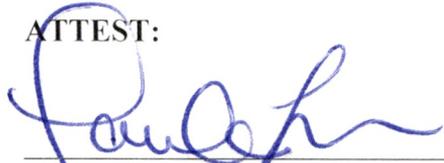
There being no further discussion, Mayor, Tim Barker, moved to adjourn.

The meeting adjourned at 7:27 p.m.

**CITY OF WHARTON, TEXAS**

By:   
**TIM BARKER**  
Mayor

ATTEST:

  
**PAULA FAVORS**  
City Secretary

