



**CITY OF WHARTON
CITY COUNCIL REGULAR MEETING**

**Monday, August 08, 2022
7:00 PM**

***CITY HALL 120 EAST CANEY STREET
WHARTON, TEXAS 77488***

**NOTICE OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING**

Notice is hereby given that a City Council Regular Meeting will be held on Monday, August 08, 2022 at 7:00 PM at the Wharton City Hall, 120 East Caney Street, Wharton, Texas, at which time the following subjects will be discussed to-wit:

SEE ATTACHED AGENDA

Dated this 4th day of August 2022.

By: 
Tim Barker, Mayor

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council Regular Meeting is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall of said City or Town in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on August 4, 2022, at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

The Wharton City Hall is wheelchair accessible. Access to the building and special parking is available at the primary entrance. Persons with disabilities, who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (979) 532-4811 Ext. 225 or by FAX (979) 532-0181 at least two (2) days prior to the meeting date. **BRILLE IS NOT AVAILABLE.**

Dated this 4th day of August 2022.

CITY OF WHARTON

By: 
Paula Favors
City Secretary



A G E N D A
CITY OF WHARTON
City Council Regular Meeting
Monday, August 08, 2022
City Hall - 7:00 PM

Call to Order –Opening Devotion –Pledge of Allegiance.

Roll Call and Excused Absences.

Public Comments.

Wharton Moment.

Public Hearing

1. Public Hearing: Creation of Public Improvement District (PID).

Review and Consider:

1. Wharton Public Improvement District No. 1:
 - A. Resolution: Resolution creating the Wharton Public Improvement District No. 1 in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date.
 - B. Authorize the City Secretary to file the Resolution Establishing Wharton Public Improvement District No. 1 with the County Clerk of Wharton County.
2. Reading of the minutes from the regular meetings held June 13, 2022; June 27, 2022; July 11, 2022 and July 25, 2022 and special meetings held June 21, 2022 and July 18, 2022.
3. Request from Mr. A. Judd Harrison, Turtle Creek Village Section II, Lot Reserve, Lots 5, 6, 7, Lots 4 - 39, Lots 56 – 100 to vacate the subdivision plat recorded on February 13, 1973, due to lack of development.
4. Request by W. A. Harrison Agriculture Ltd. for voluntary annexation of a 20' easement.
5. Resolution: A resolution of the Wharton City Council submitting an application for the Wharton Regional Airport to the Texas Department of Transportation Airport Coronavirus Response Grant Program in the amount of \$13,000.00 and authorizing the Mayor of the City of Wharton to execute all documents related to such application.
6. Resolution: A resolution of the Wharton City Council authorizing and approving Change Order No. 4 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment – Hughes Street and authorizing the Mayor to execute all documents related to said Change Order.
7. City Council Boards, Commissions and Committee Reports:
 - A. Finance Committee meeting held July 25, 2022.

8. Appointments, Resignations and Vacancies to the City of Wharton Boards, Commissions and Committees:
- A. Appointments.
 - B. Resignations.
 - C. Vacancies.

Adjournment.

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	8/8/2022	Agenda Item:	Public Hearing: Creation of Public Improvement District (PID).
City Manager: Joseph R. Pace		Date: Thursday, August 4, 2022	
Approval: 			
Mayor: Tim Barker			

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	8/8/2022	Agenda Item:	Wharton Public Improvement District No. 1: A. Resolution: Resolution creating the Wharton Public Improvement District No. 1 in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and providing an effective date. B. Authorize the City Secretary to file the Resolution Establishing Wharton Public Improvement District No. 1 with the County Clerk of Wharton County.
<p>Attached you will find a resolution creating the Wharton Public Improvement District No. 1 from Mr. Ken Schott of Waterstone Development Group.</p> <p>Mr. Schott will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, August 4, 2022	
Approval: 			
Mayor: Tim Barker			

CERTIFICATE OF RESOLUTION

THE STATE OF TEXAS §
COUNTY OF WHARTON §
CITY OF WHARTON, TEXAS §

I, the undersigned City Secretary of the City of Wharton, Texas (the "City") hereby certify as follows:

1. The Wharton City Council convened in a regular meeting, open to the public, on Monday, August 8, 2022 at 120 East Caney Street, Wharton, Texas 77488, and the roll was called of the duly constituted officials and members of the City Council, to-wit:

- Tim Barker - Mayor
- Clifford W. Jackson - Councilmember District No. 1
- Steven Schneider - Councilmember District No. 2
- Terry Freese - Councilmember District No. 3
- Donald Mueller - Mayor pro-Term and Councilmember District No. 4
- Russell Machann - Councilmember Position No. 5 At-Large
- Larry Pittman - Councilmember Position No. 6 At-Large

All of said persons were present, except _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting:

**RESOLUTION TO CONSIDER ESTABLISHING
WHARTON PUBLIC IMPROVEMENT DISTRICT NO. 1**

was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

AYES: _____
NOES: _____
ABSTENTIONS: _____

2. A true, full, and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Resolution has been duly recorded in said City Council's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the City Council's minutes of such meeting pertaining to the adoption of such Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officials and members of the City Council as indicated therein; each of the officials and members of the City Council was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Resolution would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by Chapter 551 of the Texas Government Code as amended.

SIGNED AND SEALED on the 8th day of August, 2022.

Paula Favors, City Secretary

(SEAL)

CITY OF WHARTON, TEXAS
RESOLUTION NO. _____

**RESOLUTION CREATING THE WHARTON PUBLIC IMPROVEMENT DISTRICT NO. 1 IN
 ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING
 FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of Wharton, Texas (the "City"), is authorized by Chapter 372 of the Texas Local Government Code, as amended (the "Act"), to create a public improvement district within its corporate limits and extraterritorial jurisdiction; and

WHEREAS, on July 14, 2022, Raymond C. Harrison Sr. Properties FLP, a Texas limited partnership (the "Petitioner") submitted and filed with the City Secretary for the City a petition (the "Petition") requesting the establishment of Wharton Public Improvement District No. 1 (the "District"), which is located within the extraterritorial jurisdiction of the City of Wharton, Texas and more particularly described by the metes and bounds in Exhibits A and B (the "Property"), attached hereto and incorporated herein for all purposes; and

WHEREAS, the City Council of the City (the "City Council") has investigated and determined that the facts contained in the Petition are true and correct; and

WHEREAS, after publishing notice in the *Wharton Journal-Spectator*, a newspaper of general circulation of Wharton County and the extraterritorial jurisdiction of the City of Wharton, Texas, and mailing notice of the hearing, all as required by and in conformity with the Act, the City Council conducted a public hearing on the advisability of the improvements on August 8, 2022; and

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

Section 1. The findings set forth in the recitals of this Resolution are hereby found to be true and correct.

Section 2. The Petition submitted to the City by the Petitioner was filed with the City Secretary and complies with Section 372.005 of the Act.

Section 3. Pursuant to the requirements of the Act, including, without limitation, Sections 372.006 and 372.009, the City Council, after considering the Petition and the evidence and testimony presented at the public hearing on August 8, 2022, hereby finds and declares:

(a) Advisability of the Authorized Improvements. It is advisable to create the District to provide the Authorized Improvements (as described below). The Authorized Improvements are feasible and desirable and will promote the interests of the City and will confer a special benefit on the Property.

(b) General Nature of Authorized Improvements. The general nature of the proposed public improvements (collectively, the "Authorized Improvements") are those permitted by the Act including, without limitation, any or all of the following to the extent permitted by the Act: (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility construction and relocation, signalization, landscaping, lighting, signage, entry monumentation, off-street parking and right-of-way; (ii) design, construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features or amenities such as trails, playgrounds, walkways, artwork, lighting and any similar items located therein; (iii) design, construction and other allowed costs related

to sidewalks and landscaping and hardscaping, fountains, lighting and signage; (iv) design, construction and other allowed costs related to water, wastewater and drainage (including detention); (v) acquisition, by purchase or otherwise, of real property in connection with any Authorized Improvement; (vi) design, construction and other allowed costs related to projects similar to those listed in subsections (i) - (v) above authorized by the Act, including off-site projects that provide a benefit to the Property; (vii) special supplemental services for improvement and promotion of the District that are allowed or permitted under the Act, including services relating to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; (viii) payment of costs associated with establishment, administration, and operation of the District and those related to operating and maintaining the Authorized Improvements; and (x) payment of costs associated with developing and financing the Authorized Improvements, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

(c) Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire, and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment administration and operation of the District, is \$36,000,000.00.

(d) Boundaries of the District. The District is proposed to include the contiguous Property comprising approximately 31.294 acres as stated in Exhibit A and 101.536 acres as stated in Exhibit B attached and made a part hereof.

(e) Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and principal), and certain assessments may be paid in annual installments (including interest and principal).

(f) Apportionment of Costs Between the District and the City. The City will not be obligated to provide any funds to finance the Authorized Improvement, other than from assessments levied against the Property within the District.

(g) Management of the District. The District shall be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

(h) Advisory Board. The District shall be established managed without the creation of an advisory body.

Section 4. The Wharton Public Improvement District No. 1 is hereby authorized and created as a public improvement district under the Act and in accordance with the findings of the City Council as to the advisability of the Authorized Improvements contained in this Resolution, the general nature of the Authorized Improvements, the estimated costs of the Authorized Improvements, the boundaries of the District, the method of assessment, the apportionment of costs as described herein, the management of the District and the advisory board; and the conclusion that the District is needed to fund such Authorized Improvements.

Section 5. Not later than the seventh date the City adopts this Resolution, the City Secretary shall file a copy of this Resolution with the County Clerk of Wharton County, Texas.

Section 6. This Resolution shall take effect immediately from and after its passage and filing as required by law.

[EXECUTION PAGE TO FOLLOW]

PASSED, APPROVED AND ADOPTED on this 8th day of August, 2022.

CITY OF WHARTON, TEXAS

By: _____
Tim Barker, Mayor

ATTEST:

Paula Favors, City Secretary

EXHIBIT A



County: Wharton County
Project: 31.294 Acres
Job No.: 15207

FIELD NOTES FOR 31.294 ACRES

Description of a 31.294 acre tract of land, located within the M. Allen Survey, Abstract No. 1, being 1) All of the Turtle Creek Village Section II (called 28.421 acres) as recorded in Slide 16A of the Wharton County Plat Cabinet (W.C.P.C.) and 2) a called 2.882 acre tract as recorded in Volume 7, Page 493 of the Deed Records Wharton County Texas (D.R.W.C.T.), referred to hereinafter at the above referenced tract of land, Said 31.294 acre tract being more particularly described by metes and bounds as follows (bearings are based on the Texas Coordinate System of 1983, (NAD83) South Central Zone, per GPS observations):

BEGINNING at a 1/2-inch iron rod found for the southeast corner of the above referenced tract of land, being on the west right-of-way (R.O.W.) line of Sugar Mill Road (80-feet wide), same being the northeast corner of Turtle Creek Village Section I as recorded in Slide 12A of the W.C.P.C.;

THENCE northwesterly, along the south line of the above referenced tract of land, same being the north line of said Turtle Creek Village Section I, the following courses and distances

North 72°32'50" West, a distance of 140.00 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set for corner;

North 17°28'10" West, a distance of 25.70 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set for corner;

THENCE North 64°39'50" West, continuing along the south line of the above referenced tract of land, same being the north line of said Turtle Creek Village Section I, a distance of 1,099.74 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set for the southwest corner of the above referenced tract of land, same being in the east line of a called 97.28 acre tract of land as recorded in Volume 233, Page 477 of the D.R.W.C.T. and being the northwest corner of said Turtle Creek Village Section I;

THENCE North 17°26'57" East, along the west line of the above referenced tract of land, same being the east line of said called 97.28 acre tract, passing at a distance of 793.84 feet the northeast corner of said 97.28 acre tract, same being the southeast corner of a called 4.39 acre tract as recorded in Volume 383, Page 514 of the D.R.W.C.T., also passing at a distance of 885.70 feet a 5/8-inch capped iron rod, stamped "2300", found in the south right-of-way line of State Highway 1301, continuing a total distance of 895.91 feet to a point for the northwest corner of the above referenced tract of land, same being the northeast corner of said 4.39 acre tract;

THENCE South 84°06'41" East, along the north line of the above referenced tract of land, a distance of 1,255.27 feet to a 5/8-inch capped iron rod, stamped "Baker & Lawson, set for the northeast corner of the above referenced tract of land, same being in the west R.O.W. line of Sugar Mill Road;

THENCE South 17°28'10" West, along the east line of the above referenced tract of land, same being the west line of said Sugar Mill R.O.W., a distance of 1,324.08 feet to the POINT OF BEGINNING of the herein described tract of land and containing 31.294 acres of land, more or less.

A boundary survey of the herein described tract has been prepared by Baker & Lawson Inc. and accompanies this metes and bounds description.

Darrel Heidrich
Registered Professional Land Surveyor
Texas Registration No. 5378



EXHIBIT B

County: Wharton County
 Project: 101.536 Acres
 Job No.: 15207

FIELD NOTES FOR 101.536 ACRES

Description of a 101.536 acre tract of land, located within the M Allen Survey, Abstract No. 1, being 1) a called 97.28 acre tract as recorded in Volume 233, Page 477 of the Deed Records of Wharton County Texas (D.R.W.C.T.) and 2) a called 4.39 acre tract as recorded in Volume 7, Page 493 of the D.R.W.C.T., referred to hereinafter at the above referenced tract of land, said 101.536 acre tract being more particularly described by metes and bounds as follows (bearings are based on the Texas Coordinate System of 1983, (NAD83) South Central Zone, per GPS observations):

BEGINNING at a point for the northeast corner of the above referenced tract of land, same being the northwest corner of a called 2.882 acre tract of land as recorded in Volume 383, Page 514 of the D.R.W.C.T., from which a 5/8-inch capped iron rod, stamped "2300" found in the south right-of-way line of State Highway 1301, bears South 11°20' West, a distance of 10.1 feet;

THENCE South 17°26'57" West, along the east line of the above referenced tract of land, same being the west line of said 2.882 acres tract, passing at a distance of 102.07 feet a 1/2-inch iron rod found for the northwest corner of Turtle Creek Village Section II (called 28.421 Acres) as recorded in Slide 16A of the Wharton County Plat Cabinet (W.C.P.C.), also passing at a distance of 895.91 feet the northwest corner of Turtle Creek Village Section I, as recorded in Slide 12A of the W.C.P.C., continuing a total distance of 2,361.85 feet to a 1/2-inch iron rod found for the southeast corner of the above referenced tract of land, same being in the north line of a called 97.08 acre tract of land as recorded in Volume 1207, Page 789 D.R.W.C.T. and also being the southwest corner of said Turtle Creek Village Section I;

THENCE North 84°05'06" West, along the south line of the above referenced tract of land, same being the north line of said 97.08 acre tract, a distance of 1,911.89 feet to a 1/2-inch iron rod found for the southwest corner of the above referenced tract of land, same being the most southerly northeast corner of a called 15.42 acre tract as recorded in Volume 1000, Page 476 of the D.R.W.C.T.;

THENCE North 17°27'48" East, along the west line of the above referenced tract of land, same being the northeast line of said 15.42 acre tract, same being the east line of a called 97.10 acre tract as recorded in Volume 551, Page 468 of the D.R.W.C.T., passing at a distance of 2,259.00 feet a 5/8-inch iron rod found for the southwest corner of said 4.39 acre tract, passing at a distance of 2,350.86 feet a point in the south R.O.W. line of State Highway 1301, continuing a total distance of 2,361.07 feet to a point for the northwest corner of the above referenced tract of land;

THENCE South 84°06'41" East, along the north line of the above referenced tract of land, a distance of 1,911.48 feet to the **POINT OF BEGINNING** of the herein described tract of land and containing 101.536 acres of land, more or less.

A boundary survey of the herein described tract has been prepared by Baker & Lawson Inc. and accompanies this metes and bounds description.


 Darrel Heidrich
 Registered Professional Land Surveyor
 Texas Registration No. 5378



City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	8/8/2022	Agenda Item:	Reading of the minutes from the regular meetings held June 13, 2022; June 27, 2022; July 11, 2022 and July 25, 2022 and special meetings held June 21, 2022 and July 18, 2022.
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Attached you will find the draft minutes from the regular meetings held June 13, 2022; June 27, 2022; July 11, 2022 and July 25, 2022 and special meetings held June 21, 2022 and July 18, 2022.

City Manager: Joseph R. Pace	Date: Thursday, August 4, 2022
Approval: 	
Mayor: Tim Barker	

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL MEETING
JUNE 13, 2022**

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. Adraylle Watson led the opening devotion and Mayor, Tim Barker led the pledge of allegiance.

Councilmember's present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Larry Pittman; Clifford Jackson; Russell Machann; Don Mueller, and Steve Schneider.

Councilmember absent was: None.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Anandel; City Secretary, Paula Favors, TRMC, CPM, MMC; Assistant to the City Manager, Brandi Jimenez; Director of Planning and Development, Gwyn Teves; Emergency Management Coordinator, Ben Guanajuato; EMS Director, Christy Gonzales; Police Chief, Terry David Lynch, and Public Works Director, Anthony Arcidiacono.

Visitors present were: Adraylle Watson; Stephanie Konvicka; Steve Wisnieski; Andy Parks, P.E. with the Army Corps of Engineers and Sammy Wisnieski.

Roll Call and Excused Absences.

All Councilmembers were present.

Wharton Moment.

Mayor, Tim Barker, thanked Andy Parks, with the Army Corps of Engineers, for holding a Public Meeting to discuss the status of the Wharton Flood Reduction Project – Levee.

Public Comments.

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

The first item on the agenda was to review and consider the reading of the minutes from the regular meetings held May 9, 2022 and May 23, 2022 and special meeting held May 16, 2022. After some discussion, Councilmember, Russell Machann, moved to approve the minutes from the regular meetings held May 9, 2022 and May 23, 2022 and special meeting held May 16, 2022. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider Request from Deshavian Williams, for a Juneteenth Celebration on Saturday, June 18, 2022, for the following:

1. Request for a variance to host food trucks and clothing vendors in a City Park.

City Secretary, Paula Favors, stated the event had been cancelled and the item would be pulled from the agenda. After some discussion, no action was taken.

The third item on the agenda was to review and consider a request by Mr. Stephen Wisnieski, of My Storehouse Mini Storage II, 1810 Stadium Road, Brod Acres, Block 17J-1 for an 8' variance from the required 20' side property line setback creating a 12' setback. After some discussion, Councilmember, Terry Freese, moved to approve the request by Mr. Stephen Wisnieski, of My Storehouse Mini Storage II, 1810 Stadium Road, Brod Acres, Block 17J-1 for an 8' variance from the required 20' side property line setback creating a 12' setback. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request from The Brooks at Caney Creek for sidewalk replacement on North Richmond Road. City Secretary, Paula Favors, stated there was not any representatives present for the item. After some discussion, no action was taken.

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council approving the Annual Service Contract with Stryker Medical and authorizing the purchase of four (4) Power Pro 2 Stretchers and Stair-Pro Stair Chairs and authorizing the City Manager to execute all documents related to said purchase. E.M.S. Director, Christy Gonzales, presented a memorandum regarding the Annual Service Contract with Stryker Medical and the purchase of medical equipment and a quote from Stryker Medical for purchase of four new Power Pro 2 stretchers, Stair-PRO Stair Chairs and an updated Annual Service Contract. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2022-53, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-53**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE ANNUAL SERVICE CONTRACT WITH STRYKER MEDICAL AND AUTHORIZING THE PURCHASE OF FOUR (4) POWER PRO 2 STRETCHERS AND STAIR-PRO STAIR CHAIRS AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The Wharton Emergency Medical Services Department requests that the City Council approve the Annual Service Contract with Stryker Medical; and,

WHEREAS, The Wharton City Council wishes to authorize the City Staff to purchase four (4) Power Pro 2 Stretchers and Stair-Pro Stair Chairs; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager to execute all

documents related to the Annual Service Contract and said purchase.

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

SECTION I. The Wharton City Council hereby approves the Annual Service Contract with Stryker Medical and the purchase of four (4) Power Pro 2 Stretchers and Stair-Pro Stair Chairs.

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

PASSED AND APPROVED this 13th day of June 2022.

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 approving the Interlocal Agreement with the Texas Municipal League Health Benefits Pool (TML Health Benefits Pool) for medical, long-term disability, life, accidental death & dismemberment, for flexible spending account, health reimbursement account and voluntary vision plans for City employees for the October 1, 2022 to September 30, 2023 Fiscal Year; and Sun Life Financial for voluntary dental coverage for City employees; authorizing the Mayor of the City of Wharton to execute all documents relating to said contracts. City Secretary, Paula Favors, presented a memorandum regarding the City of Wharton TML Health Benefits Pool re-rate options for the 2022-2023 year. Mrs. Favors stated the recommendation from the City Staff was to consider TML Health Benefits Pool for the employee's health insurance plan and contribute the previous year's amount of \$1,250.00 to a Health Reimbursement Agreement (HRA) to offset the deductible or other medical expenses. She said the City Staff was requesting to continue voluntary Vision Option H to the year's TML Health Benefits Pool plan. Mrs. Favors said the City Council Finance Committee met on June 13, 2022, and were recommending the City Council consider approving Option 1. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2022-54, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-54**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE INTERLOCAL AGREEMENT WITH THE TEXAS MUNICIPAL LEAGUE HEALTH BENEFITS POOL (TML HEALTH BENEFITS POOL) FOR MEDICAL, LONGTERM DISABILITY, LIFE, ACCIDENTAL DEATH & DISMEMBERMENT, FOR FLEXIBLE SPENDING ACCOUNT AND HEALTH REIMBURSEMENT ACCOUNT PLANS FOR CITY EMPLOYEES FOR THE OCTOBER 1, 2022 TO SEPTEMBER 30, 2023 FISCAL YEAR AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENTS.

WHEREAS, The City of Wharton received the renewal rate for medical, long-term disability, life, accidental death & dismemberment for city employees; voluntary Vision Option H, and Sun Life Dental and,

WHEREAS, The City of Wharton medical plan with Texas Municipal League Health Benefits Pool would be renewed with an ___% increase; and,

WHEREAS, The City of Wharton would provide to each full-time employee a \$1,250 yearly contribution to the employee health reimbursement account (HRA) administered by the TML Health Benefits Pool; and,

WHEREAS, The Mayor of the City of Wharton has executed on behalf of the City said agreement.

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

Section I. That the Wharton City Council hereby approves the interlocal agreement with the Texas Municipal League Health Benefits Pool for medical, long-term disability, life and accidental death & dismemberment coverage; voluntary Vision Option H, and Sun Life Dental, signed by the Mayor.

Section II. That Wharton City Council hereby approves providing to each full-time employee a \$1,250 yearly contribution to the employee health reimbursement account (HRA) administered by the TML Health Benefits Pool.

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

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Russell Machann, seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider a resolution authorizing the sale of City of Wharton surplus personal property in accordance with the City’s Charter Section 75 sale of city personal property; procedures. City Secretary, Paula Favors, presented a memorandum requesting City Council approval of the sale of City Surplus Property through the next Poor Farm’s Public Auction and authorizing the City Manager to sell items that were not sold through the bidding process on a first come first serve basis. After some discussion, Councilmember, Don Mueller, moved to approve the City of Wharton Resolution No. 2022-55, which reads as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-55**

A RESOLUTION AUTHORIZING THE SALE OF CITY OF WHARTON SURPLUS PERSONAL PROPERTY IN ACCORDANCE WITH THE CITY CHARTER SECTION 75 SALE OF CITY PERSONAL PROPERTY; PROCEDURES.

WHEREAS, The City of Wharton has identified surplus personal property; and,

WHEREAS, The Wharton City Council of the City of Wharton wishes to authorize the City Manager to sell the surplus personal property through Poor Farm’s Public Auction by in accordance with the City Charter Section 75 Sale of City personal property; procedures; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager to sell City personal property out right on a first come first serve basis if said property did not sell through the bidding process.

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

Section I. The City Council of the City of Wharton hereby authorizes the City Manager to sell the City of Wharton surplus personal property in accordance with the City Charter Section 75 Sale of City personal property; procedures.

Section II. The City Council of the City of Wharton hereby authorizes the sale of this personal property by Poor Farm’s Public Auction.

Section III. The Wharton City Council hereby authorizes the City Manager to sell City personal property out right on a first come first serve basis if said property did not sell through the bidding process.

Section IV. This resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By:

TIM BARKER

Mayor

ATTEST:

PAULA FAVORS

City Secretary

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

The eighth item on the agenda was to review and consider a request for Privileged Liens Amnesty. City Secretary, Paula Favors, stated the City Staff was requesting in an effort to collect some of the outstanding lien debt, the City Council consider approving an amnesty on the interest due on these liens and run the program through September 15, 2022, forgiving the interest amount only. City Secretary Favors said the Finance Committee met on Monday, June 8, 2022 and voted to recommend the City Council consider approving the request. After some discussion, Councilmember, Clifford Jackson, moved to approve the request for Privileged Liens Amnesty of interest amount only through September 15, 2022. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider an ordinance amending the City of Wharton Code of Ordinances, Chapter 34 Health and Sanitation; Article II. Cleanliness and Sanitation of premises; Littering; Section 34-51 accumulation or growth of weeds or brush; item (b) duty to cut growth; item (1); providing that a violation of the Ordinance or any part of the Code as adopted hereby shall constitute a penalty upon conviction of a fine; providing for separability and setting an effective date. City Secretary, Paula Favors, stated the update to the ordinance would require property owners to maintain those grounds within their respective boundaries, all abutting easements and rights-of-way being adjacent thereto and extending beyond the property line of any such property to the edge of the blacktop of adjacent streets where a curb line has not

been established, or to the back of the curb where curb line has been established, and also to the center of adjacent alleys, easements, and undeveloped streets. City Attorney, Paul Webb, stated he had reviewed the ordinance and it was his recommendation the City Council consider approving it. After some discussion, Councilmember, Terry Freese, moved to approve the City of Wharton Ordinance No. 2022-09, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2022-09**

AN ORDINANCE AMENDING THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 34 HEALTH AND SANITATION; ARTICLE II. CLEANLINESS AND SANITATION OF PREMISES; LITTERING; SECTION 34-51 ACCUMULATION OR GROWTH OF WEEDS OR BRUSH; ITEM (b) DUTY TO CUT GROWTH; ITEM (1); PROVIDING THAT A VIOLATION OF THE ORDINANCE OR ANY PART OF THE CODE AS ADOPTED HEREBY SHALL CONSTITUTE A PENALTY UPON CONVICTION OF A FINE; PROVIDING FOR SEPARABILITY AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED by the City Council of the City of Wharton, Texas, that the City of Wharton Code of Ordinances, Chapter 34 Health and Sanitation; Article II. Cleanliness and Sanitation of Premises; Littering; Section 34-51 Accumulation or growth of weeds or brush through Section 34-55. Same-Performance by City shall read as follows:

Sec. 34-51. Accumulation or growth of weeds or brush.

- (a) Nuisance declared. It shall be unlawful for any owner(s) of any premises within the city to allow weeds, grass or uncultivated plants to grow upon such premises or to allow trash or rubbish to accumulate upon such premises to such an extent as is reasonably calculated to create a fire hazard or to become injurious to the health of the citizens. Any such act is declared to constitute a public nuisance.
- (b) Duty to cut growth.
 - (1) It shall be unlawful for any owner(s) of any premises to permit weeds, grass or uncultivated plants to grow upon such premises to a height greater than ten (10) inches on an average or to grow in rank profusion thereon. For purposes of owner(s) responsibility, it shall include, in addition to those grounds within their respective boundaries, all abutting easements and rights-of-way being adjacent thereto and extending beyond the property line of any such property to the edge of the blacktop of adjacent streets where a curb line has not been established, or to the back of the curb where curb line has been established, and also to the center of adjacent alleys, easements, and undeveloped streets. Any premises upon which any weeds, grass or uncultivated plants grow above such height or in rank profusion shall be deemed a public nuisance. Provided, however, the provisions of this subsection shall not apply to any owner(s) of any premises who has received and maintains a valid permit to grow and harvest hay within the city limits.

Penalty Clause

Except as otherwise provided in this chapter, any person found guilty of intentionally, knowingly or recklessly violating any provision of this article and upon conviction thereof in the municipal court shall be fined in accordance with the terms of Section 1-5 of the Code of Ordinances of the City of Wharton, Texas.

Severability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance is invalid or unconstitutional, any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

Effective Date

This Ordinance shall become effective on the 24th day of June, 2022 at 12:01 a.m.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on the 13th day of June, 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

APPROVED AS TO FORM:

PAUL WEBB
City Attorney

Councilmember, Russell Machann, seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider Debris Removal Services and Debris Monitoring Services:

- A. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a debris removal and disposal firm to be used in the event of a major disaster.
- B. Resolution: A resolution of the Wharton City Council establishing a Consultant Selection Committee and developing evaluation criteria for the selection of a debris monitoring firm to be used in the event of a major disaster.

Emergency Management Coordinator, Ben Guanajuato, stated the contracts for Debris Removal Services and Debris Monitoring Services has expired requiring new services be procured. Lt. Guanajuato, said it was the City Staff's recommendation that Consultant Selection Committees be created and advertisements be posted for the procurement of Debris Removal Services and Debris Monitoring Services for the City of Wharton as the 2022 Hurricane Season begins. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-56 and 2022-57, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-56**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A DEBRIS REMOVAL AND DISPOSAL FIRM TO BE USED IN THE EVENT OF A MAJOR DISASTER.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the selection of a debris removal and disposal firm to be used in the event of a major disaster and provide recommendations to the City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director; and,

WHEREAS, The Wharton City Council wishes for this Committee to exist until a recommendation is presented to the City Council; and,

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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 establishes a Consultant Selection Committee.

Section II. That the Consultant Selection Committee will consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director.

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2022-57**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING A CONSULTANT SELECTION COMMITTEE AND DEVELOPING EVALUATION CRITERIA FOR THE SELECTION OF A DEBRIS MONITORING FIRM TO BE USED IN THE EVENT OF A MAJOR DISASTER.

WHEREAS, The Wharton City Council wishes to establish a Consultant Selection Committee for the selection of a debris monitoring firm to be used in the event of a major disaster and to provide recommendations to the City Council; and,

WHEREAS, The Wharton City Council wishes the Consultant Selection Committee to consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director; and,

WHEREAS, The Wharton City Council wishes for this Committee to exist until a recommendation is presented to the City Council; and,

WHEREAS, The Wharton City Council wishes to establish the criteria of selection of the consulting firm as per Attachment A.

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 establishes a Consultant Selection Committee.

Section II. That the Consultant Selection Committee will consist of the Emergency Management Coordinator, the Public Works Director, the City Manager, and the Finance Director.

Section III. That the criteria as set forth in Attachment A is hereby approved.

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Don Mueller, 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 approving a Perpetual Blanket Overhead and Underground Easement between the City of Wharton and CenterPoint Energy to provide electrical service to the new City of Wharton Water Well and Storage Facilities and authorizing the Mayor of the City of Wharton to execute the agreement. Director of Planning & Development, Gwyn Teves, stated the construction of the newest water well on C.R. 222 was progressing and utility services were ready to be extended to the property. Ms. Teves said it was a requirement of CenterPoint Energy to provide an easement on the property for the services. City Attorney, Paul Webb, stated he had reviewed the agreement and met his approval. After some discussion, Councilmember, Steve Schneider, moved to approve City of Wharton No. 2022-58, which read as follows:

CITY OF WHARTON

RESOLUTION NO. 2022-58

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A PERPETUAL BLANKET OVERHEAD AND UNDERGROUND EASEMENT BETWEEN THE CITY OF WHARTON AND CENTERPOINT ENERGY TO PROVIDE ELECTRICAL SERVICE TO THE NEW CITY OF WHARTON WATER WELL AND STORAGE FACILITIES AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, The new City of Wharton Water Well and Storage Facility property is located on C.R. 222 and the Wharton City Council wishes to obtain electrical service from CenterPoint Energy; and,

WHEREAS, The Wharton City Council wishes to approve a Perpetual Blanket Overhead and Underground Easement Agreement with CenterPoint Energy to obtain electrical service to said property; and,

WHEREAS, The easement would be located on City-owned property described as a certain 17.03-acre tract of land situated in the Alexander Jackson Timber League, Abstract 34, and in the William Kincheloe League, Abstract 38, in Wharton County, Texas, this being the same property described in the deed from the Wharton Economic Development Corporation to City of Wharton, dated September 27, 2001, and filed for record under County Clerk's Volume 428, Page 582 in the Official Public Records of said County and State; and,

WHEREAS, The City of Wharton and CenterPoint Energy wishes to be bound by the conditions 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.

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

Section I. That the City Council of the City of Wharton hereby approves a Perpetual Blanket Overhead and Underground Easement Agreement with CenterPoint Energy to obtain electrical service to the new City of Wharton Water Well and Storage Facility located on C.R. 222.

Section II. The Wharton City Council hereby authorizes the Mayor to execute all documents related to said agreement.

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

Passed, Approved, and Adopted this 13th day of June 2022.

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 approving a contract between the City of Wharton and the Wharton Economic Development Corporation for water improvements located at 1106 North Richmond Road, Wharton, Texas, for the Alamo Lumber Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning and Development, Gwyn Teves, stated the City Staff had been working closely with the Alamo Lumber development and had encountered a lack of appropriate water supply to adequately provide water pressure for fire protection measures on the line on Armstrong Street. Ms. Teves said tt the request of Alamo Lumber, the City Staff contacted the Wharton Economic Development Corporation (EDC) for assistance with improving the water line on Armstrong Street for their development, which approved working with the City and Alamo Lumber to assist in infrastructure improvement reimbursements not to exceed \$198,000.00 to place a 6” water main on Armstrong Street. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-59, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-59**

A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY OF WHARTON AND THE WHARTON ECONOMIC DEVELOPMENT CORPORATION FOR WATER IMPROVEMENTS LOCATED AT 1106 NORTH RICHMOND ROAD, WHARTON, TEXAS, FOR THE ALAMO LUMBER PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton City Council wishes to enter into a contract with the Wharton Economic Development Corporation for water improvements located at 1106 North Richmond Road, Wharton, Texas, for the Alamo Lumber Project; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to said agreement; and,

WHEREAS, The City of Wharton and the Wharton Economic Development Corporation wishes to be bound by the conditions as set forth in the contract.

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

Section I. That the City Council of the City of Wharton hereby approves the contract between the City of Wharton and the Wharton Economic Development Corporation for water improvements located at 1106 North Richmond Road, Wharton, Texas, for the Alamo Lumber Project.

Section II. The Wharton City Council hereby authorizes the Mayor to execute all documents related to said agreement.

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Clifford Jackson, 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 purchase and installation of MyGov, LLC Software for the City of Wharton and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning and Development, Gwyn Teves, stated the Wharton City Council adopted the Wharton Recovery Plan associated with the implementation of the City’s American Rescue Plan Act (ARPA) – Coronavirus Local Fiscal Recovery Funds (CLFRF) on April 25, 2022 and as part of the plan, one of the approved items was the purchase of a GIS System. Ms. Teves said the recommendation of the City Staff was to enter into a contract with MyGov, LLC., for software

services to include Code Enforcement, Permits, Work Orders, Asset Management, Credential Management, Electronic Plan Review, GIS/Mapping, as well as the setup, online training and six-week detailed installation. She said the cost for the purchase and installation was \$30,970.00, which includes an annual cost of \$23,964.00 to be shared between multiple departments after the initial first year and a one-time set up cost of \$7,006.00. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-60, which reads as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-60**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE PURCHASE AND INSTALLATION OF MYGOV, LLC SOFTWARE FOR THE CITY OF WHARTON AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, It is in the best interest of the City of Wharton Personnel and Citizens to purchase and install MyGov, LLC software, which will allow for online permitting, electronic plan reviews, asset management, GIS/mapping and other modules; and,

WHEREAS, The Wharton City Council has designated the necessary funding for the purchase and installation of said software through the City’s Recovery Plan utilizing the American Rescue Plan Act Funds; and,

WHEREAS, The Wharton City Council wishes to approve funding in the amount of \$30,970.00 to be used to purchase and install said software; and,

WHEREAS, The Wharton City Council wishes to purchase MyGov, LLC software; 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 software’s purchase and installation.

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 purchase in the amount of \$30,970.00 to purchase and install MyGov, LLC software.

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

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

Passed, Approved, and Adopted this 13th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The fourteenth item on the agenda was to review and consider Appointments, Resignations and Vacancies to the City of Wharton Boards, Commissions and Committees:

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

After some discussion, no action was taken.

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

- A. Beautification Committee meeting held May 11, 2022.
- B. Housing Committee meeting held May 23, 2022.

After some discussion, no action was taken.

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

The meeting adjourned at 7:33 p.m.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

DRAFT

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
JUNE 27, 2022**

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. Adrayelle Watson, led the opening devotion and Mayor, Tim Barker, led the pledge of allegiance.

Councilmember's present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Russell Machann; Don Mueller; Clifford Jackson; Larry Pittman, and Steve Schneider.

Councilmember absent was: None.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Anandel; City Secretary, Paula Favors, TRMC, CPM, MMC; Director of Planning and Development, Gwyn Teves, CPM; Assistant to the City Manager, Brandi Jimenez; Planning & Development Specialist, Krystal Hasselmeier; Public Works Director, Anthony Arcidiacono.

Visitors present were: Laura Clemons; David Bowlin; Adrayelle Watson; Nancy Mata; Director of Wharton Economic Development, Josh Owens; Joe Southern with the Wharton Journal Spectator.

Roll Call and Excused Absences.

All Councilmembers were present.

Public Comments.

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

Wharton Moment.

Mayor, Tim Barker, stated the City finally received some rain.

Review and Consider:

The first item on the agenda was to review and consider the City of Wharton Financial Report for May 2022. Finance Director, Joan Anandel, presented the City of Wharton Financial Report for May 2022. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Financial Report for May 2022. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider Utility Easement Agreements:

- A. Resolution: A resolution of the Wharton City Council accepting a Utility Easement Agreement between the City of Wharton and Russell J. Baird for William Kincheloe League, Abstract No. 38, Wharton County, Texas, Block 1, Lot 3, 4, 5 & 6, of the Baird Subdivision and authorizing the Mayor of the City of Wharton to execute said agreement.
- B. Resolution: A resolution of the Wharton City Council accepting a Utility Easement Agreement between the City of Wharton and Justin D. & Kristina D. Crouch for William Kincheloe League, Abstract No. 38, Wharton County, Texas, Block 1, Lot 1 & 2, of the Baird Subdivision and authorizing the Mayor of the City of Wharton to execute said agreement.

Director of Planning & Development, Gwyn Teves, stated Mr. Baird had been remodeling his buildings in downtown Wharton and had been working to revitalize them for the economic advantage of the downtown area. Mrs. Teves stated that during the process it was discovered that there was an existing sanitary sewer line behind the building without the proper easement and a new easement would be required for the new water line that needed to be installed. She said that in order for the utilities to be in the required and appropriate easement it was the recommendation to enter into an agreement with both Mr. Baird who owns Lots 3, 4, 5 & 6 and Mr. & Mrs. Crouch, who own Lots 1 & 2 for a 20' utility easement on their property. City Attorney, Paul Webb, stated he had reviewed the agreements and they met his approval. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2022-61 and 2022-62, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-61**

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING A UTILITY EASEMENT AGREEMENT BETWEEN THE CITY OF WHARTON AND RUSSELL J. BAIRD FOR WILLIAM KINCHELOE LEAGUE, ABSTRACT NO. 38, WHARTON COUNTY, TEXAS, BLOCK 1, LOT 3, 4, 5 & 6, OF THE BAIRD SUBDIVISION AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE SAID AGREEMENT.

WHEREAS, The Wharton City Council wishes to enter into a Utility Easement Agreement with Russell J. Baird for William Kincheloe League, Abstract No. 38, Wharton County, Texas, Block 1, Lot 3, 4, 5 & 6, of the Baird Subdivision; and,

WHEREAS, The City of Wharton and Russell J. Baird wish to be bound by the conditions as set forth in the said agreements; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the Utility Easement Agreement with Russell J. Baird.

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 the Utility Easement Agreement with Russell J. Baird for William Kincheloe League, Abstract No. 38, Wharton County, Texas, Block 1, Lot 3, 4, 5 & 6, of the Baird Subdivision.

Section II. The City of Wharton and Russell J. Baird are hereby bound by the conditions as set forth in said agreement.

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

Passed, Approved, and Adopted this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2022-62**

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING A UTILITY EASEMENT AGREEMENT BETWEEN THE CITY OF WHARTON AND JUSTIN D. & KRISTINA D. CROUCH FOR WILLIAM KINCHELOE LEAGUE, ABSTRACT NO. 38, WHARTON COUNTY, TEXAS, BLOCK 1, LOT 1 & 2, OF THE BAIRD SUBDIVISION AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE SAID AGREEMENT.

WHEREAS, The Wharton City Council wishes to enter into a Utility Easement Agreement with Justin D. & Kristina D. Crouch for William Kincheloe League, Abstract No. 38, Wharton County, Texas, Block 1, Lot 1 & 2, of the Baird Subdivision; and,

WHEREAS, The City of Wharton and Justin D. & Kristina D. Crouch wish to be bound by the conditions as set forth in the said agreements; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the Utility Easement Agreement with Justin D. & Kristina D. Crouch.

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 the Utility Easement Agreement with Justin D. & Kristina D. Crouch for William Kincheloe League, Abstract No. 38, Wharton County, Texas, Block 1, Lot 1 & 2, of the Baird Subdivision.

Section II. The City of Wharton and Justin D. & Kristina D. Crouch are hereby bound by the conditions as set forth in said agreement.

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

Passed, Approved, and Adopted this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The third item on the agenda was to review and consider the request from The Brooks at Caney Creek for sidewalk replacement on North Richmond Road. City Manager, Joseph R. Pace, stated Ms. Laura Clemons, brought the request for sidewalk replacement on North Richmond Road to the City Council on November 8, 2021, where the item was tabled for further information to be provided and brought back to the Council. City Manager, Pace, said the Council was provided a quote for the work that was provided by Muhlhausen Construction in the amount of \$4,942.00. He said the construction of the sidewalk replacement was discussed and it was decided that the City would be responsible to provide ADA compliant sidewalks and that the cost could be impacted and the request was denied by the City Council. Director of Planning and Development, Gwyn Teves, stated that at the same meeting the City Council did agree to allow the City Staff to install culverts at the City’s cost once the developer purchased the culverts. Mrs. Teves said the City confirmed with TxDOT on Friday, May 13, 2022, that their Sidewalk Project had a let date of March 2025 for this area and TxDOT was proposing to have sidewalks on both sides of Richmond Road. After some discussion, no action was taken.

The fourth item on the agenda was to review and consider the Wharton Economic Development Corporation Fiscal Year 2022-2023 Annual Budget. City Manager, Joseph R. Pace, presented a copy of the Wharton Economic Development Corporation Fiscal Year 2022-2023 Annual Budget. After some discussion, Councilmember, Russell Machann, moved to approve the Wharton Economic Development Corporation Fiscal Year 2022-2023 Annual Budget. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council approving an additional three (3) months on the MyGov, LLC Software for the City of Wharton and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning & Development, Gwyn Teves, stated the City Council adopted the Wharton Recovery Plan associated with the implementation of City’s ARPA – Coronavirus Local Fiscal Recovery Funds (CLFRF) on April 25, 2022 and as part of the plan, one of the approved items was the purchase of a GIS system. Mrs. Teves said upon starting the implementation process it was discovered that this would not allow the set up and implementation to begin until October 1, 2022, in order to maintain the contract on the City’s fiscal calendar and it was the request of City Staff to approve an additional \$5,991.00, bringing the total expenditure to \$36,961.00 to begin the implementation July 1, 2022. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2022-63, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-63**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN ADDITIONAL THREE (3) MONTHS ON THE MYGOV, LLC SOFTWARE FOR THE CITY OF WHARTON AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, It is in the best interest of the City of Wharton Personnel and Citizens to purchase and install MyGov, LLC Software, which will allow for online permitting, electronic plan reviews, asset management, GIS/mapping and other modules; and,

WHEREAS, The Wharton City Council has designated the necessary funding for the purchase and installation of said software through the City’s Recovery Plan utilizing the American Rescue Plan Act Funds; and,

WHEREAS, The Wharton City Council wishes to approve additional funding in the amount of \$5,991.00 for an additional three (3) months to the contract for a total price of \$36,961.00 to be used to purchase and install said software; and,

WHEREAS, The Wharton City Council wishes to purchase MyGov, LLC Software; 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 software’s purchase and installation.

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 additional funding in the amount of \$5,991.00 for an additional three (3) months to the contract for a total price of \$36,961.00 to purchase and install MyGov, LLC Software.
- Section II.** That the Mayor of the City of Wharton is hereby authorized to execute any and all documents related to said software’s purchase and installation.
- Section III.** That this resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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 applications to the Texas Department of Emergency Management under the Hazard Mitigation Grant Program – Texas COVID-19 Pandemic DR-4485 on behalf of Wharton Independent School District, entering into a Memorandum of Understanding and authorizing the Mayor to execute all documents relating to said applications and Memorandum of Understanding. Director of Planning & Development, Gwyn Teves, stated the Wharton Independent School District (ISD) was requesting that the City of Wharton apply for the Hazard Mitigation Grant Program DR-4485 Texas COVID-19 Grant on behalf of the Wharton ISD as a subrecipient for two (2) applications. Mrs. Teves said the applications would be for mitigation retrofits and generators for their facilities and Wharton ISD would be responsible for any costs not

covered by the grant funds. After some discussion, Councilmember, Steve Schneider, moved to approve City of Wharton Resolution No. 2022-64, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-64**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF APPLICATIONS TO THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT UNDER THE HAZARD MITIGATION GRANT PROGRAM – TEXAS COVID-19 PANDEMIC DR-4485 ON BEHALF OF WHARTON INDEPENDENT SCHOOL DISTRICT, ENTERING INTO A MEMORANDUM OF UNDERSTANDING AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO SAID APPLICATIONS AND MEMORANDUM OF UNDERSTANDING.

WHEREAS, On December 10, 2021, the United States President declared a major disaster (DR-4485) as a result of the Texas COVID-19 Pandemic which established the statewide availability of the Hazard Mitigation Grant Program (HMGP); and,

WHEREAS, The City of Wharton City Staff requests to issue applications for retrofits and generators on behalf of Wharton Independent School District under DR-4485 and is seeking City Council permission for the submission of the applications; and,

WHEREAS, The City of Wharton and Wharton Independent School District would execute a Memorandum of Understanding agreeing that the Wharton Independent School District would be responsible for all associated costs not covered by the grant; and,

WHEREAS, The City of Wharton and the Wharton Independent School District wish to be bound by the terms of the Memorandum of Understanding; and,

WHEREAS, The Wharton City Council wishes to authorize the City Staff submit the applications on behalf of Wharton Independent School District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS;

Section I: That the Wharton City Council hereby approves the City Staff to submit applications under the Texas Department of Emergency Management Hazard Mitigation Grant Program (DR-4485) Texas COVID-19 Pandemic on behalf of Wharton Independent School District.

Section II: That the City of Wharton and the Wharton Independent School District wish to be bound by the terms of the Memorandum of Understanding.

Section III. The Wharton City Council hereby authorizes the Mayor to execute all documents relating to the grant applications and execute the Memorandum of Understanding with the Wharton Independent School District.

Section IV: That this resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The seventh item on the agenda was to review a consider a resolution of the Wharton City Council ratifying a Facilities Extension Agreement with CenterPoint Energy for Utility Service on C.R. 222 for the Wharton Water Well Project and authorizing the Mayor of the City of Wharton to execute the agreement. Director of Planning & Development, Gwyn Teves, stated the City of Wharton had been working with CenterPoint Energy to supply new service to water well being constructed on CR 222. Mrs. Teves said the addition of these facilities per CenterPoint Energy’s estimate would be \$17,920.00 and the cost covers the installation of services outside the facilities extension agreement and overhead work was required. She said the City Council approved the easement to place utilities on June 13, 2022, and would have been presented these documents at the same time if received prior to submission of the easement documents, however, to not delay the installation of the utilities, the Facilities Extension Agreement and Rut Letter Agreement were executed at the time of the easement documentation and the City Staff was requesting that these documents be ratified. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2022-65, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-65**

A RESOLUTION OF THE WHARTON CITY COUNCIL RATIFYING A FACILITIES EXTENSION AGREEMENT WITH CENTERPOINT ENERGY FOR UTILITY SERVICE ON C.R. 222 FOR THE WHARTON WATER WELL PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, The Wharton City Council wishes to ratify and authorize CenterPoint Energy to install electrical utilities on C.R. 222 for the Wharton Water Well Project; and,

WHEREAS, The Wharton City Council and CenterPoint Energy wishes to be bound by the terms and conditions as outlined in the agreement; and,

WHEREAS, The Wharton City Council wishes to ratify and approve the City Staff to remit payment to CenterPoint Energy in the amount of \$17,920.00 for the cost to install the services; and,

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

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

Section I. That the Wharton City Council hereby ratifies and approves the Facilities Extension Agreement between the City of Wharton and CenterPoint Energy for the installation of electrical utilities on C.R. 222 for the Wharton Water Well Project.

Section II. The Wharton City Council hereby approves the City Staff to remit payment in the amount of \$17,920.00 to CenterPoint Energy to provide the service.

Section III. That the City of Wharton and CenterPoint Energy are hereby bound by the terms and conditions as set forth in the agreement.

Section IV. The Wharton City Council hereby authorizes the Mayor to execute all documents related to the change order.

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

Passed, Approved, and Adopted this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER

Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Terry Freese, 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 Encroachment Agreement with W. A. Harrison Agriculture, LTD., for a fence encroachment on Tract 224 of the Wharton Levee Project; and authorizing the Mayor of the City of Wharton to execute said agreement. Director of Planning & Development, Gwyn Teves, stated the City of Wharton purchased property from W. A. Harrison Agriculture, LTD., for the Wharton Levee Project and due to the acquisition, a fence was having to be relocated between the new property lines. Mrs. Teves stated City Attorney Paul Webb and City Staff met with a representative of the property and discussed a small area of conflict where the new fence would be impeded by trees and several methods of remedy were discussed to allow for as little financial or time impacts as possible. She said it was determined that allowing a 4' fence encroachment at one location would make the transition more feasible. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-66, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-66**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN ENCROACHMENT AGREEMENT WITH W. A. HARRISON AGRICULTURE, LTD., FOR A FENCE ENCROACHMENT ON TRACT 224 OF THE WHARTON LEVEE PROJECT; AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE SAID AGREEMENT.

WHEREAS, The Wharton City Council wishes approve an encroachment agreement with W. A. Harrison Agriculture, LTD., for a 4' fence encroachment on Tract 224 of the Wharton Levee Project, also known as: William Kincheloe Survey, Abstract 38 & Alexander Jackson Survey, Abstract 34; and,

WHEREAS, The City of Wharton and W. A. Harrison Agriculture, LTD., wish to be bound by the conditions as set forth in said agreement; and,

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

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

Section I. The Wharton City Council hereby approves an encroachment agreement with W. A. Harrison Agriculture, LTD., for a 4' fence encroachment on Tract 224 of the Wharton Levee Project, also known as: William Kincheloe Survey, Abstract 38 & Alexander Jackson Survey, Abstract 34.

Section II. That the Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute the agreement.

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

Passed, Approved, and Adopted this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Clifford Jackson, 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 authorizing and approving Change Order No. 2 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment – Hughes Street and authorizing the Mayor to execute all documents related to said Change Order. Director of Planning & Development, Gwyn Teves, presented a copy of the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes Street Change Order #2 from Arandas Industries for the addition of two (2) storm manholes due to existing conflict on current line. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-67, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-67**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING AND APPROVING CHANGE ORDER NO. 2 WITH ARANDAS INDUSTRIES FOR THE WHARTON COLORADO RIVER FLOOD CONTROL PUBLIC UTILITY ABANDONMENT – HUGHES STREET AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDER.

WHEREAS, The Wharton City Council wishes to authorize and approve Change Order No. 2 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes Street; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor to execute all documents related to the change order.

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

- Section I.** The Wharton City Council hereby approves Change Order No. 2 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes Street.
- Section II.** The Wharton City Council hereby authorizes the Mayor to execute all documents related to the change order.
- Section III.** That this resolution shall become effective immediately upon its passage.

Passed, Approved, and Adopted this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Russell Machann, second the motion. All voted in favor.

The tenth item on the agenda to review and consider a resolution of the Wharton City Council authorizing and approving Change Order No. 3 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment – Hughes Street and authorizing the Mayor to execute all documents related to said Change Order. Director of Planning & Development, Gwyn Teves, presented a copy of the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes Street - Change Order #3 from Arandas Industries for the modification of repairs on an area that was originally designed for a 6” waterline. Mrs. Teves said that once construction crews were on location and began repairs it was discovered the existing lines were 8” lines and the change order was for the substitution of those items to the original scope. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2022-68, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-68**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING AND APPROVING CHANGE ORDER NO. 3 WITH ARANDAS INDUSTRIES FOR THE WHARTON COLORADO RIVER FLOOD CONTROL PUBLIC UTILITY ABANDONMENT – HUGHES ST AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDER.

WHEREAS, The Wharton City Council wishes to authorize and approve Change Order No. 3 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes Street; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor to execute all documents related to the change order.

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

Section I. The Wharton City Council hereby approves Change Order No. 3 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes Street.

Section II. The Wharton City Council hereby authorizes the Mayor to execute all documents related to the change order.

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

Passed, Approved, and Adopted this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Steve Schneider, 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 approving Change Order No. 5 due to cost increases due to roof fan model changes with

E Contractors for the Wharton Well and Water Plant Project and authorizing the Mayor to execute all documents related to said change order. Director of Planning & Development, Gwyn Teves, presented a copy of the Wharton Well & Water Plant – Contract #1 (General Construction), Change Order #5 from E-Contractors to increase costs for Contract #1 for the new water well in the amount of \$1,605.98 due to roof fan model change. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-69, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-69**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING CHANGE ORDER NO. 5 DUE TO COST INCREASES DUE TO ROOF FAN MODEL CHANGE WITH E CONTRACTORS FOR THE WHARTON WELL AND WATER PLANT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDER.

WHEREAS, The Wharton City Council wishes to approve Change Order No. 5 due to cost increases due to roof fan model change with E Contractors for the Wharton Well and Water Plant Project; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor to execute all documents related to the change order.

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 Change Order No. 5 due to cost increases due to roof fan model change with E Contractors for the Wharton Well and Water Plant Project.

Section II. The Wharton City Council hereby authorizes the Mayor to execute all documents related to the change order.

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

Passed, Approved, and Adopted this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider Pay Request No. 5, 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. 5 from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction in the amount of \$144,433.50. After some discussion, Councilmember, Terry Freese, moved to approve Pay Request No. 5, from E-Contractors for the Wharton Well and Water Plant Contract No. 1-General Construction. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider Pay Request No. 5 and 5a, from Weisinger Inc. for the Wharton Well and Water Plant Contract No. 2 – Well Construction. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 5 in the amount of \$58,330.00 and 5a in the amount of \$43,182.63, from Weisinger Inc. for the Wharton Well and Water Plant Contract No. 2 – Well Construction. After some discussion, Councilmember, Clifford Jackson, moved to approve Pay Request No. 5 and 5a, 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 fourteenth item on the agenda was to review and consider was a resolution of the Wharton City Council approving the dissolution of the City of Wharton Housing Finance Corporation; authorizing the preparation and execution of all documents necessary to dissolve the corporation; and authorizing the Mayor of the City of Wharton to execute all documents related to the dissolution. Director of Planning & Development, Gwyn Teves, stated the City Council, by resolution, created the Wharton Housing Finance Corporation on April 23, 2018, to assist with financing the cost of residential ownership and development that would provide decent safe and sanitary housing that are functionally related to any affordable housing project, at affordable prices for residents of the City. Mrs. Teves said the Corporation had not been able to provide any financial assistance to date and the City was pending development of three (3) affordable multifamily housing projects and several housing development projects coming into the City. She said it had been difficult to keep the members engaged and meetings have not been held regularly due to lack of items of business and the Corporation has had vacant positions for over a year that have not been able to be filled. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2022-70, which read as follows:

CITY OF WHARTON
RESOLUTION NO. 2022-70

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE DISSOLUTION OF THE CITY OF WHARTON HOUSING FINANCE CORPORATION; AUTHORIZING THE PREPARATION AND EXECUTION OF ALL DOCUMENTS NECESSARY TO DISSOLVE THE CORPORATION; AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO THE DISSOLUTION.

WHEREAS, The Wharton City Council no longer sees a need for a City of Wharton Housing Finance Corporation in the City of Wharton; and,

WHEREAS, The Wharton City Council wishes to dissolve the City of Wharton Housing Finance Corporation as written in the Article of Incorporation; and,

WHEREAS, The Wharton City Council wishes to authorize the City Staff to prepare all documents necessary to effectively terminate the Corporation, including, but not limited to a certificate of termination; and,

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 dissolves the City of Wharton Housing Finance Corporation.

Section II. The Wharton City Council hereby authorizes the City Staff to prepare all documents necessary to effectively terminate the Corporation, including, but not limited to a certificate of termination.

Section III. All assets, if any, of the Corporation shall be distributed to the City of Wharton, Texas.

Section IV. The Wharton City Council authorizes the Mayor of the City of Wharton to execute all documents related to the dissolution of the Corporation.

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

Passed, Approved, and Adopted this 27th day of June 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The fifteenth item on the agenda was to review and consider an update of City of Wharton Grant Programs. City Manager, Joseph R. Pace, presented a copy of a memorandum from Director of Planning & Development, Gwyn Teves, providing an update on the City of Wharton Grant Programs. After some discussion, no action was taken.

The sixteenth item on the agenda was to review and consider an update of City of Wharton on-going Projects. City Manager, Joseph R. Pace, presented a copy of his memorandum dated June 22, 2022, which stated the following:

FLOOD REDUCTION (LEVEE) PROJECT:

The U.S. Army Corp of Engineers (USACE) Lower Colorado River Phase I Report - City of Wharton Flood Prevention Project and Recommended report is located at the Wharton County Library and the office of the City of Wharton City Secretary for viewing or the report may be viewed on line at <http://www.cityofwharton.com/information-a-notices/lcrb-feasibility-study>. The Project Participation Agreement (PPA) has been executed. The City has hired HDR for Right-of-Way Acquisition and Jones & Carter for City and private company utility relocations. The City has acquired all properties for the project. Utility relocations for City utilities is near completion and all private utilities have been relocated or abandoned. All asbestos abatement has been completed. Phase 1 construction award Completed May 27th and contract being finalized with the contractor. Demo and construction anticipated to start early August 2022.

DRAINAGE:

1. Stavena Addition Drainage Project.

The design and construction plans are complete. The project is one of the construction projects to be funded with the Texas Water Development Board (TWDB) Flood Infrastructure Fund Program for partial assistance.

2. Ahldag Ditch Improvement.

The project was approved by the City Council. The ditch improvements were proposed under the Texas General Land Office (GLO) Infrastructure Grant Program. The staff is currently working with an appraiser for ROW acquisition. The project is also listed as one of the construction projects to be funded with the Texas Water Development Board

(TWDB) Flood Infrastructure Fund Program for partial assistance. Project has currently been delayed due to environmental concerns with USACE permitting for jurisdictional waters.

3. On-going Drainage and Maintenance Program.

The Public Works Department has continued working on cleaning residential drainage ditches that have experienced poor drainage.

4. Pecan Acres (Mahan, Kinkaid, Delmas) Drainage Project.

Installation of the drainage pipes was completed. The City Public Works Department will be regrading ditches to improve the drainage in the area. The project is listed as one of the construction projects to be funded with the Texas Water Development Board (TWDB) Flood Infrastructure Fund Program for partial assistance.

WATER/SEWER IMPROVEMENTS:

1. On-going Water and Sewer Maintenance Program.

Water leaks and sewer failures are still being seen in the month of May.

2. Water Well and Water Plant Project – CR 222 (Halford).

Monthly progress meetings are being held. Well drilling complete and pump being installed and set in August pending delivery. Ground storage tank construction complete. Plant construction still in progress.

STREET IMPROVEMENTS:

1. FM 1301 Extension and Overpass Project Progress Report.

IDC Inc. has submitted to TxDOT Yoakum District Office all required plans for the project. ROW is in process of being turned over to TxDOT for construction letting in October 2022.

2. I-69 Project.

The City submitted the comments as approved by the City Council to TxDOT. TxDOT has informed the City that CivilCorp engineering has begun design and the City is involved in regular coordination meetings. City staff is coordinating with Jones & Carter Engineering on utility relocations of water and sewer lines along I-69 that will be impacted by the expansion.

3. NanYa Exit Ramp Project.

TxDOT has been coordinating with NanYa and JM Eagle on the exit design. As of last coordination meeting the ramp has been implemented in the design with a turn around under the FM 102 overpass to allow for easy access to the retail area on the alternate side of the Interstate.

After some discussion, no action was taken.

The seventeenth item on the agenda was to review and consider appointments and resignations to the City of Wharton Boards, Commissions and Committees.

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

City Manager, Joseph R. Pace, presented the following:

Appointments:

1. Wharton Regional Airport Board: Larry David, Jimmy Zissa and Glenn Erdelt (Re-Appointments).
2. Beautification Commission: Rachel Roberson (Re-Appointment) and Nancy Mata.
3. Building Standards Commission: Howard Singleton (Re-Appointment).
4. Electrical Board: Philip Hamlin and Milton Barbee (Re-Appointments).
5. Holiday Light Decorating Chairman: Mayor Tim Barker (Re-Appointment).
6. Mayor’s Committee on People with Disabilities: Johnnie Gonzalez, Faye Evans and Rebekah Kirschke (Re-Appointments).
7. Health Officer: Dr. Jeff Gubbels (Re-Appointment).
8. Veterinarian: Dr. Cody Pohler (Re-Appointment).
9. Planning Commission: Adraylle Watson, Marshall Francis and Michael Wootton (Re-Appointments).
10. Plumbing and Mechanical Board: A.J. Rath (Re-Appointment).

11. Housing Finance Corporation:

Resignations:

1. Beautification Commission : Tammie Janik and Debbie Newlin.

Vacancies:

1. Beautification Commission: 1 vacancy.
2. Building Standards: 3 vacancies.
3. Planning Commission: 1 vacancy.
4. Plumbing and Mechanical Board: 2 vacancies.

After some discussion, Councilmember, Russell Machann, moved to approve the afore mentioned items as presented. Councilmember, Terry Freese, seconded the motion.

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

- A. Finance Committee meeting held June 13, 2022.

After some discussion, no action was taken.

The nineteenth item on the agenda was to review and consider the City Manager’s Reports:

- A. City Secretary/Personnel.

- B. Code Enforcement.
- C. Community Services Department/Civic Center.
- D. Emergency Management.
- E. E. M. S. Department.
- F. Facilities Maintenance Department/Wharton Municipal Pool.
- G. Fire Department.
- H. Fire Marshal.
- I. Legal Department.
- J. Municipal Court.
- K. Police Department.
- L. Public Works Department.
- M. Water/Sewer Department.
- N. Weedy Lots/Sign Ordinance.
- O. 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 Executive Session shall be made in Open Meeting.

Discussion:

- A. City Managers Evaluation.

Mayor, Tim Barker, moved the meeting into Closed Session at 7:34 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 7:56 p.m. Mayor Barker stated information only was received.

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

The meeting adjourned at 7:56 p.m.

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

DRAFT

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL MEETING
JULY 11, 2022**

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. Adraylle Watson led the opening devotion and Mayor, Tim Barker led the pledge of allegiance.

Councilmember's present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Clifford Jackson; Russell Machann; Don Mueller, and Steve Schneider.

Councilmember absent was: Larry Pittman.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Anandel; City Secretary, Paula Favors, TRMC, CPM, MMC; Director of Planning and Development, Gwyn Teves; and Police Chief, Terry David Lynch.

Visitors present were: Adraylle Watson; Eric Muegge; David Schroeder; Russ Baird; and Joe Southern with the Wharton Journal Spectator.

Roll Call and Excused Absences.

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

Wharton Moment.

No comments were made.

Public Comments.

Mayor, Tim Barker, called for Public Comments.

1. Mr. Eric Muegge stated that he represented the Lake Net subdivision group and presented a copy of a petition of support from property owners in regard to the drainage project between Wharton County and the City of Wharton to relieve drainage issues in the subdivision.

The first item on the agenda was to review and consider a request by Ms. Valerie Jefferson for Approval of an Extension to the Variance for Temporary Placement of a Travel Trailer for Temporary Housing at 212 East Dahlgren Avenue. Director of Planning & Development, Gwyn Teves, stated Ms. Jefferson was granted a temporary variance of Chapter 38-Manufactured

Housing, Mobile Homes, and Travel Trailers; Article II-Requirements Concerning Mobile Homes, Manufactured Housing and Travel Trailers; Division 3-Recreational Vehicles of 1-year on May 24, 2021, allowing her to place and live in a Travel Trailer at 212 East Dahlgren Avenue while constructing a new home. Mrs. Teves said Ms. Jefferson was requesting an 8-month extension of the variance while completing the construction of her home, which would expire on January 24, 2023. She said Ms. Jefferson had been progressing with her construction and had been getting regular inspections for her construction. After some discussion, Councilmember, Terry Freese, moved to approve the request by Ms. Valerie Jefferson for Approval of an Extension to the Variance for Temporary Placement of a Travel Trailer for Temporary Housing at 212 East Dahlgren Avenue with an expiration date of January 24, 2023. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a resolution approving a Water Utility Service Agreement between the City of Wharton and Russell J. Baird for water line improvements located at Baird Subdivision, Block 1, lots 1, 2, 3, 4, 5 & 6, Wharton, Texas, and authorizing the Mayor of the City of Wharton to execute all documents related to said agreement. Director of Planning & Development, Gwyn Teves, stated Mr. Baird had been remodeling his buildings in downtown Wharton and had been working to revitalize them for the economic advantage of the downtown area. Mrs. Teves said Mr. Baird had been working with the City Staff to extend independent water service to each building and at the meeting on June 27, 2022, easements were established for utilities, and he was now requesting to work with the City to extend the water service behind the buildings and enter into a Water Utility Service Agreement for the City to bid out services to install the water utilities. She said the bids provided to Public Works Director, Anthony Arcidiacono, had both come in just under \$40,000 but contractors would not guarantee bids longer than seven (7) days due to the changes in the market. Mrs. Teves stated Mr. Baird and staff were recommending the agreement be set at \$40,000 and if the work was completed for less, he would be reimbursed the remaining funds, or if the bids come in higher, Mr. Baird would be informed, and an amendment may be required. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-71, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-71**

A RESOLUTION APPROVING A WATER UTILITY SERVICE AGREEMENT BETWEEN THE CITY OF WHARTON AND RUSSELL J. BAIRD FOR WATER LINE IMPROVEMENTS LOCATED AT BAIRD SUBDIVISION, BLOCK 1, LOTS 1, 2, 3, 4, 5 & 6, WHARTON, TEXAS, AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.

WHEREAS, The Wharton City Council wishes to enter into an agreement with Russell J. Baird for water improvements located at Baird Subdivision, Block, 1, Lots 1, 2, 3, 4, 5 & 6, Wharton, Texas; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to said agreement; and,

WHEREAS, The City of Wharton and Russell J. Baird wishes to be bound by the conditions as set forth in the agreement.

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

Section I. That the City Council of the City of Wharton hereby approves the agreement between the City of Wharton and Russell J. Baird for water improvements located at Baird Subdivision, Block 1, Lots 1, 2, 3, 4, 5 & 6, Wharton, Texas.

Section II. The Wharton City Council hereby authorizes the Mayor to execute all documents related to said agreement.

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

Passed, Approved, and Adopted this 11th day of July 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Russell Machann, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider an ordinance amending the City of Wharton Code of Ordinances, Chapter 2, Administration, Article V, Division 2, Beautification City Commission, Section 2-122. Director of Planning & Development, Gwyn Teves, stated the City of Wharton’s Beautification Commission was requesting the adoption and approval on revisions to the City of Wharton Code of Ordinances, Chapter 2, Article V, Division 2, Section 2-122-Membership as follows due to the dissolution of the Wharton Downtown Business Association:

- Section 2-122. Revising (a)

After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Ordinance No. 2022-10, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2022-10**

AN ORDINANCE AMENDING THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE V, DIVISION 2, BEAUTIFICATION CITY COMMISSION, SECTION 2-122.

BE IT ORDAINED by the City Council of the City of Wharton, Texas, that Chapter 2, Administration, Article V, Division 2, Beautification City Commission, Section 2-122 be amended to read as follows: Sec. 2-122. - Membership.

- (a) The beautification city commission shall be comprised of seven members to be appointed by the city council and shall be residents of the city or shall have businesses in the city. One of the seven members of the commission shall be recommended for appointment to the city council by the Wharton Chamber of Commerce (one member).
- (b) Members of the commission shall serve for two-year staggered terms.

Severability

If any court of competent jurisdiction rules that any section, subsection, sentence, clause, phrase, or portion of this ordinance is invalid or unconstitutional, any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on the 11th day of July 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

APPROVED AS TO FORM:

PAUL WEBB

City Attorney

Councilmember, Terry Freese, 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 awarding a contract for the Construction of Wastewater Treatment Plant No. 1 Headworks Coarse Screen Replacement City of Wharton American Rescue Plan Act - Federal Coronavirus Local Fiscal Recovery Fund (APA-CLFRF), TX1666 and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Director of Planning & Development, Gwyn Teves, stated that on June 30, 2022, proposals were received for the Construction of Wastewater Treatment Plant No. 1 Headworks Coarse Screen Replacement. Mrs. Teves said proposals were received from three companies as follows:

1. B-5 Construction Co.
2. C3 Constructors, LLC
3. Matula & Matula Construction, Inc.

She said Quiddity Engineering had reviewed the submitted proposals and had provided a recommendation of award to award the contract to C3 Constructors, LLC in the amount of \$438,000.00 for the base bid and a substantial completion time of 330 calendar days. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-72, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-72**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE CONSTRUCTION OF WASTEWATER TREATMENT PLANT NO. 1 HEADWORKS COARSE SCREEN REPLACEMENT CITY OF WHARTON AMERICAN RESCUE PLAN ACT - FEDERAL CORONAVIRUS LOCAL FISCAL RECOVERY FUND (ARPA-CLFRF), TX1666 AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Proposals were received for the Construction of Wastewater Treatment Plant No. 1 Headworks Coarse Screen Replacement City of Wharton American Rescue Plan Act - Federal Coronavirus Local Fiscal Recovery Fund (ARPA-CLFRF), TX1666, on June 30, 2022; and,

WHEREAS, C3 Constructors, LLC, was deemed the best lowest qualified bidder for the base bid amount of \$438,000.00; and,

WHEREAS, The Wharton City Council wishes to award a contract to C3 Constructors, LLC, for the base bid amount of \$438,000.00; and,

WHEREAS, The City of Wharton and C3 Constructors, LLC, 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 contract.

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 to execute the Construction of Wastewater Treatment Plant No. 1 Headworks Coarse Screen Replacement City of Wharton American Rescue Plan Act - Federal Coronavirus Local Fiscal Recovery Fund (ARPA-CLFRF), TX1666 contract.

Section II. The City of Wharton and C3 Constructors, LLC, are hereby bound by the conditions as set forth in the contract.

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

Passed, Approved, and Adopted this 11th day of July 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

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

After some discussion, no action was taken.

Executive Session

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

Discussion:

- A. City Managers Evaluation.

Mayor Tim Baker moved the meeting into Executive Session at 7:16 p.m.

Return to Open Session

Action on items discussed in Executive Session:

- A. City Managers Evaluation.

Mayor Tim Barker returned the meeting back into Open Session at 7:20 p.m.

Councilmember, Russell Machann, moved to increase City Manager, Joseph R. Pace's, salary by \$10,000 a year effective July 1st, 2022. Councilmember, Terry Freese, seconded the motion. All voted in favor.

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

The meeting adjourned at 7:22 p.m.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

DRAFT

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
JULY 25, 2022**

Mayor Pro-Tem, Don Mueller, 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. Adrayelle Watson, led the opening devotion and Mayor Pro-Tem, Don Mueller, led the pledge of allegiance.

Councilmember's present were: Mayor Pro-Tem, Don Mueller and Councilmembers, Terry Freese; Russell Machann; Clifford Jackson and Larry Pittman.

Councilmember absent was: Mayor, Tim Barker and Councilmember, Steve Schneider.

Staff members present were: City Manager, Joseph R. Pace; 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 and Public Works Director, Anthony Arcidiacono.

Visitors present were: Laura Clemons; Adrayelle Watson; Debbie Folks; Ray Roberson; Russ Baird; Alfons Kolar; Henrietta Kolar; James Pettibone; Brooks Peacock; Carolyn Reckers; Matt Reckers; Ken Schott with Waterstone Development Group and Joe Southern with the Wharton Journal Spectator.

Roll Call and Excused Absences.

After some discussion, Councilmember, Clifford Jackson, moved to excuse Mayor, Tim Barker. Councilmember, Russell Machann, seconded the motion. All voted in favor.

Public Comments.

Mayor Pro-Tem, Don Mueller, called for Public Comments.

1. Mr. Ray Roberson requested the City Council consider placing a stop sign on Sunny Lane near his home. Mr. Roberson stated there have been numerous occasions where someone has almost hit his home with the latest happening the previous Friday night.

Wharton Moment.

Mayor Pro-Tem, Don Mueller, stated the Gun Show held at the Wharton Civic Center over the weekend was a very successful event that was well attended.

Review and Consider:

The first item on the agenda was to review and consider the City of Wharton Financial Report for June 2022. Finance Director, Joan Andel, presented the City of Wharton Financial Report for June 2022. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Financial Report for June 2022. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a resolution by the City Council of the City of Wharton, Texas, a home rule municipality existing under the laws of the State of Texas, accepting a Public Improvement District (PID) Petition and setting a Public Hearing on the creation of a Public Improvement District as described in the attached Exhibit A. City Secretary, Paula Favors, stated two petitions were received for the creation of a Public Improvement District (PID) from property owners located in the Extraterritorial Jurisdiction (ETJ) of the City of Wharton. Mrs. Favors said the petitions were a request for the City Council to consider holding a Public Hearing on the creation of a PID. After some discussion, Councilmember, Clifford Jackson, moved to approve City of Wharton Resolution No. 2022-73, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-73**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, ACCEPTING A PUBLIC IMPROVEMENT DISTRICT (PID) PETITION AND SETTING A PUBLIC HEARING ON THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT AS DESCRIBED IN THE ATTACHED EXHIBIT A.

WHEREAS, The Wharton City Council received a Public Improvement District (PID) Petition requesting the creation of a PID; and,

WHEREAS, The City of Wharton wishes to set a Public Hearing on the creation of a Public Improvement District (PID); and,

WHEREAS, The Wharton City Council wishes to accept the Public Improvement District (PID) Petition and set the Public Hearing date for August 8, 2022, at 7 p.m. during the regular City Council meeting.

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

Section I. The Wharton City Council hereby accepts the Public Improvement District (PID) Petition requesting the creation of a PID.

Section II. The City of Wharton hereby wishes to set a Public Hearing on the creation of a Public Improvement District (PID) for August 8, 2022, at 7 p.m. during the regular City Council meeting.

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

Passed, Approved, and Adopted this 25th day of July 2022.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro-Tem

ATTEST:

PAULA FAVORS
City Secretary

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

The third item on the agenda was to review and consider a request by Mr. Michael Miller on behalf of Enterprise Rent a Car, 1601 North Richmond Road Blasingame, Lots 1, 1C, 2, 2B, 3, for a 3-foot variance from the required 10-foot setback resulting in a 7-foot setback for the installation of a sign in the location of the existing sign. Director of Planning & Development, Gwyn Teves, presented a copy of a request by Mr. Michael Miller on behalf of Enterprise Rent a Car, 1601 North Richmond Road Blasingame, Lots 1, 1C, 2, 2B, 3, for a 3-foot variance from the required 10-foot setback resulting in a 7-foot setback for the installation of a sign in the location of the existing sign. Mrs. Teves stated the Planning Commission met on Monday, July 18, 2022, and voted to recommend this item to the City Council for consideration. After some discussion, Councilmember, Russell Machann, moved to approve the request by Mr. Michael Miller on behalf of Enterprise Rent a Car, 1601 North Richmond Road Blasingame, Lots 1, 1C, 2, 2B, 3, for a 3-foot variance from the required 10-foot setback resulting in a 7-foot setback for the installation of a sign in the location of the existing sign. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request by Mr. Marshall Francis, 1804 Willowbend Drive, Chapel Heights, Block B, Lot 1, for a 12-foot variance from the required 25-foot front property line setback resulting in a 13-foot setback for the installation of a carport. Director of Planning & Development, Gwyn Teves, presented a copy of the request by Mr. Marshall Francis, 1804 Willowbend Drive, Chapel Heights, Block B, Lot 1, for a 12-foot variance from the required 25-foot front property line setback resulting in a 13-foot setback for the installation of a carport. Mrs. Teves stated the Planning Commission met on Monday, July 18, 2022, and voted to recommend this item to the City Council for consideration. After some discussion, Councilmember, Clifford Jackson, moved to approve the request by Mr. Marshall

Francis, 1804 Willowbend Drive, Chapel Heights, Block B, Lot 1, for a 12-foot variance from the required 25-foot front property line setback resulting in a 13-foot setback for the installation of a carport. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider a request from The Brooks to address the City Council regarding sidewalks to align with the completion of the project. City Manager, Joseph R. Pace, presented a copy of the request from The Brooks to address the City Council regarding sidewalks to align with the completion of the project. Ms. Laura Clemons addressed the City Council with her request for the City to replace a small section of sidewalk in front of her new micro retail incubator project. After some discussion, no action was taken.

The sixth item on the agenda was to review and consider Weedy Lots Liens Amnesty Program – Reduction/Payment Plan Agreement. City Secretary, Paula Favors, stated the City Council approved a Liens Amnesty Program on June 13, 2022, to help clear up over \$300,000 in outstanding liens and since that time, the City Staff, had been in contact with several of the property’s owners regarding their liens. Mrs. Favors said that many of the owners did not realize their property had a lien(s) on it with some of the owners having their liens go into the thousands of dollars and are unable to pay the full amount of the liens before the September 15, 2022, deadline. She said the City Staff was requesting to collect some of the outstanding lien debt and that the City Council consider approving a reduction in those liens over \$1,000 and payment plan agreements. Mrs. Favors stated the recommendation was that the liens from \$1,000 to \$2,000 be reduced in half. Those liens over \$2,000 would pay \$1,000 and the remainder over \$2,000 would be reduced by 75%. She said the City Council Finance Committee was requesting that the City Council consider approving the reduction/payment plan agreement. After some discussion, Councilmember, Clifford Jackson, moved to approve the Weedy Lots Liens Amnesty Program – Reduction/Payment Plan Agreement. Councilmember, Russell Machann, seconded the motion. All voted in favor.

The seventh item on the agenda was to review a consider a resolution of the Wharton City Council awarding a contract for the Wharton Regional Airport Paving Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. Finance Director, Joan Anandel, presented a copy of a proposal from Sylva Construction Company for the continuation of the Wharton Regional Airport Paving Project in the amount of \$43,230. Mrs. Anandel stated the first section of this project was completed in August 2021 and the project encompasses widening the hangar driveway area as well as the office area to include paving, replacing car stops and restriping. She said the City would be responsible for only one-half of the cost of this project. The remainder will be reimbursed through the Routine Airport Maintenance Program (RAMP) with the Texas Department of Transportation Aviation Division and the Finance Committee had met and were recommending the City Council consider approving the contract. Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2022-74, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-74**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDED A CONTRACT FOR THE WHARTON REGIONAL AIRPORT PAVING PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, The Wharton City Council wishes to enter into a contract for the Wharton Regional Airport Paving Project with Sylva Construction, LLC; and,

WHEREAS, The City of Wharton and Sylva Construction, LLC, wishes 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 said contract.

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 an agreement with Sylva Construction, LLC, for the Wharton Regional Airport Paving Project.

Section II. The City of Wharton and Sylva Construction, LLC, are hereby bound by the conditions as set forth in the contract.

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

Passed, Approved, and Adopted this 25th day of July 2022.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro-Tem

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Terry Freese, 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 accepting the funding from the Texas Community Development Block Grant Mitigation (CDBG-MIT) Fund and authorizing the Mayor of the City of Wharton to execute all documents related to

said award. Director of Planning & Development, Gwyn Teves, stated the information and the conditionally approved method of distribution were released through the Houston-Galveston Area Council (HGAC) for public hearing and comment through July 28, 2022. Mrs. Teves said the disbursement of funds would be handled through the HGAC and allocated based on the calculation method determined by the HGAC and then submitted to the General Land Office for approval. She said the recommended allocation to the City of Wharton was \$4,360,800 and it had been requested of all jurisdictions to return a letter of intention on whether they would be using the funds or will be turning the funds down. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-75, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-75**

A RESOLUTION OF THE WHARTON CITY COUNCIL ACCEPTING THE FUNDING FROM THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION (CDBG-MIT) FUND AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AWARD.

WHEREAS, The City of Wharton City Council wishes to accept the funding from the Texas Community Development Block Grant Mitigation (CDBG-MIT) Fund; and,

WHEREAS, The Wharton City Council hereby approves the execution of the acceptance and participation; and,

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

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

SECTION I. The Wharton City Council hereby approves the acceptance of the funding from the Texas Community Development Block Grant Mitigation (CDBG-MIT) Fund.

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

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

PASSED, APPROVED, and ADOPTED this 25th day of July 2022.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro-Tem

ATTEST:

PAULA FAVORS
City Secretary

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

The ninth item on the agenda was to review and consider City of Wharton Debris Management and Debris Monitoring Services:

- A. Resolution: A resolution of the Wharton City Council approving a contract for Disaster Debris Clearance and Removal Services and authorizing the Mayor of the City of Wharton to execute all documents related to said contract and setting an effective date.
- B. Resolution: A resolution of the Wharton City Council approving a contract for Disaster Debris Removal Monitoring and authorizing the Mayor of the City of Wharton to execute all documents related to said contract and setting an effective date.

Director of Planning and Development, Gwyn Teves, stated that on June 13, 2022, the City Council approved a Consultant Selection Committee (CSC) for the selections of a disaster debris monitoring and disaster debris recovery services consisting of the City Manager, the Finance Director, the Public Works Director and the Emergency Management Coordinator. Mrs. Teves said that on July 12, 2022, proposals were received at City Hall and distributed to the CSC for scoring. There were three proposals received for the Debris Monitoring Services:

- 1. Tetra Tech.
- 2. Tidal Basin.
- 3. Disaster Programs & Operations, Inc.

There were six proposals received for the Debris Removal Services:

- 1. DRC Emergency Services.
- 2. KDF Enterprises.
- 3. Custom Tree Care Disaster Response.
- 4. TFR Enterprises.
- 5. Ceres Environmental.
- 6. Looks Great Services of MS.

After some discussion, Councilmember, Terry Freese moved to approve City of Wharton Resolution No. 2022-76 and 2022-77, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022 - 76**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT FOR DISASTER DEBRIS REMOVAL MONITORING AND AUTHORIZING THE

MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT AND SETTING AN EFFECTIVE DATE.

WHEREAS, The City of Wharton received sealed bids for Disaster Debris Removal Monitoring on July 12, 2022; and,

WHEREAS, The Wharton City Council wishes to approve a contract between the City of Wharton and Tidal Basin for primary Disaster Debris Removal Monitoring and Tetra Tech for secondary Disaster Debris Removal Monitoring; and,

WHEREAS, The City of Wharton and Tidal Basin for primary Disaster Debris Removal Monitoring and Tetra Tech for secondary Disaster Debris Removal Monitoring wishes to be bound by the conditions as set forth in 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 approves a contract between the City of Wharton and Tidal Basin for primary Disaster Debris Removal Monitoring and Tetra Tech for secondary Disaster Debris Removal Monitoring for Disaster Debris Removal Monitoring.

Section II. The Wharton City Council hereby approves to authorize the Mayor of the City of Wharton to execute the agreement.

Section III. The City of Wharton and Tidal Basin for primary Disaster Debris Removal Monitoring and Tetra Tech for secondary Disaster Debris Removal Monitoring are hereby bound by the conditions as set forth in the agreement.

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

Passed, Approved, and Adopted this the 25th day of July 2022.

CITY OF WHARTON

By: _____
DON MULLER
Mayor Pro-Tem

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2022 – 77**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT FOR DISASTER DEBRIS CLEARANCE AND REMOVAL SERVICES AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT AND SETTING AN EFFECTIVE DATE.

WHEREAS, The City of Wharton received sealed bids for Disaster Debris Clearance and Removal Services; and,

WHEREAS, The Wharton City Council wishes to approve a contract between the City of Wharton and DRC Emergency Services as the primary firm for Disaster Debris Clearance and Removal Services and TFR Enterprises as the secondary firm for Disaster Debris Clearance and Removal Services; and

WHEREAS, The City of Wharton and DRC Emergency Services and TFR Enterprises wishes to be bound by the conditions as set forth in the agreements.

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

Section I. The Wharton City Council hereby approves a contract between the City of Wharton and DRC Emergency Services as the primary firm for Disaster Debris Clearance and Removal Services and TFR Enterprises as the secondary firm for Disaster Debris Clearance and Removal Services

Section II. The Wharton City Council hereby approves to authorize the Mayor of the City of Wharton to execute the agreements.

Section III. The City of Wharton and DRC Emergency Services as primary service and TFR Enterprises as secondary service are hereby bound by the conditions as set forth in the agreements.

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

Passed, Approved, and Adopted this the 25th day of July 2022.

CITY OF WHARTON

By: _____
DON MUELLER

Mayor Pro-Tem

ATTEST:

PAULA FAVORS

City Secretary

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

The tenth item on the agenda to review and consider a resolution of the Wharton City Council approving Change Order No. 6 for cost decrease due to the City no longer using fluoride systems, creating a design and scope change with E Contractors for the Wharton Well and Water Plant Project and authorizing the Mayor to execute all documents related to said change order. Director of Planning & Development, Gwyn Teves, presented a copy of the Wharton Well & Water Plant – Contract #1 (General Construction), Change Order No. 6 from E-Contractors for a price reduction due to the City no longer utilizing fluoride systems thus being removed from the design and scope for a decrease in the amount of \$2,710.86. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2022-78, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2022-78**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING CHANGE ORDER NO. 6 FOR COST DECREASE DUE TO CITY NO LONGER USING FLOURIDE SYSTEMS CREATING A DESIGN AND SCOPE CHANGE WITH E CONTRACTORS FOR THE WHARTON WELL AND WATER PLANT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDER.

WHEREAS, The Wharton City Council wishes to approve Change Order No. 6 for cost decrease due to city no longer using fluoride systems creating a design and scope change with E Contractors for the Wharton Well and Water Plant Project; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor to execute all documents related to the change order.

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 Change Order No. 6 for cost decrease due to city no longer using fluoride systems creating a design and scope change with E Contractors for the Wharton Well and Water Plant Project.

Section II. The Wharton City Council hereby authorizes the Mayor to execute all documents related to the change order.

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

Passed, Approved, and Adopted this 25th day of July 2022.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro-Tem

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider Pay Request No. 6 and No. 7 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. 6 in the amount of \$643,947.58 and Pay Request No. 7 in the amount of \$6,330.73 from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction. After some discussion, Councilmember, Clifford Jackson, moved to approve Pay Request No. 6 and No. 7 from E-Contractors for the Wharton Well and Water Plant Contract No. 1 – General Construction in the amount of \$643,947.58 and \$6,330.73. Councilmember, Terry Freese, seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider Pay Request No. 1 from Underground Construction Solutions LLC for the FM 1301 Utility Relocation. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 1 from Underground Construction Solutions LLC, in the amount of \$83,524.50 for the FM 1301 Utility Relocation. After some discussion, Councilmember, Russell Machann, moved to approve Pay Request No. 1 from Underground Construction Solutions LLC for the FM 1301 Utility Relocation in the amount of \$83,524.50. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

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

The fourteenth item on the agenda was to review and consider an update of City of Wharton on-going Projects. City Manager, Joseph R. Pace, presented a copy of his memorandum dated July 18, 2022, which stated the following:

FLOOD REDUCTION (LEVEE) PROJECT:

The U.S. Army Corp of Engineers (USACE) Lower Colorado River Phase I Report - City of Wharton Flood Prevention Project and Recommended report is located at the Wharton

County Library and the office of the City of Wharton City Secretary for viewing or the report may be viewed on line at <http://www.cityofwharton.com/information-a-notices/lcrb-feasibility-study>. The Project Participation Agreement (PPA) has been executed. The City has hired HDR for Right-of-Way Acquisition and Jones & Carter for City and private company utility relocations. The City has acquired all properties for the project. Utility relocations for City utilities is near completion and all private utilities have been relocated or abandoned. All asbestos abatement has been completed. Phase 1 was awarded on May 27th, but due to a complication the award was terminated, and the project will need to be rebid. USACE is currently anticipating going back out for procurement in November 2022 with an anticipated award in April 2023.

DRAINAGE:

1. Stavena Addition Drainage Project.

The design and construction plans are complete. The project is one of the construction projects to be funded with the Texas Water Development Board (TWDB) Flood Infrastructure Fund Program for partial assistance.

2. Ahldag Ditch Improvement.

The project was approved by the City Council. The ditch improvements were proposed under the Texas General Land Office (GLO) Infrastructure Grant Program. The staff is currently working with an appraiser for ROW acquisition. The project is also listed as one of the construction projects to be funded with the Texas Water Development Board (TWDB) Flood Infrastructure Fund Program for partial assistance. Project has currently been delayed due to environmental concerns with USACE permitting for jurisdictional waters.

3. On-going Drainage and Maintenance Program.

The Public Works Department has continued working on cleaning residential drainage ditches that have experienced poor drainage.

4. Pecan Acres (Mahan, Kinkaid, Delmas) Drainage Project.

Installation of the drainage pipes was completed. The City Public Works Department will be regrading ditches to improve the drainage in the area. The project is listed as one of the construction projects to be funded with the Texas Water Development Board (TWDB) Flood Infrastructure Fund Program for partial assistance.

WATER/SEWER IMPROVEMENTS:

1. On-going Water and Sewer Maintenance Program.

Water leaks and sewer failures are still being seen in the month of June.

2. Water Well and Water Plant Project – CR 222 (Halford).

Monthly progress meetings are being held. Well drilling complete and pump being installed and set in August pending delivery. Ground storage tank construction complete. Plant construction still in progress.

STREET IMPROVEMENTS:

1. FM 1301 Extension and Overpass Project Progress Report.

IDC Inc. has submitted to TxDOT Yoakum District Office all required plans for the project. ROW is in process of being turned over to TxDOT for construction letting in October 2022.

2. I-69 Project.

The City submitted the comments as approved by the City Council to TxDOT. TxDOT has informed the City that CivilCorp engineering has begun design and the City is involved in regular coordination meetings. City staff is coordinating with Jones & Carter Engineering on utility relocations of water and sewer lines along I-69 that will be impacted by the expansion.

3. NanYa Exit Ramp Project.

TxDOT has been coordinating with NanYa and JM Eagle on the exit design. As of last coordination meeting the ramp has been implemented in the design with a turnaround under the FM 102 overpass to allow for easy access to the retail area on the alternate side of the Interstate.

After some discussion, no action was taken.

The fifteenth item on the agenda was to review and consider appointments and resignations to the City of Wharton Boards, Commissions and Committees.

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

City Manager, Joseph R. Pace, presented a request from Ms. Lucy Cruz Alaniz to be appointed to the Beautification Commission. After some discussion, Councilmember, Russell Machann, moved to appoint the following:

Beautification Commission

Term Expiring:

Lucy Cruz Alaniz

June 30, 2024

Councilmember, Terry Freese, seconded the motion.

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

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

- F. Facilities Maintenance Department/Wharton Municipal Pool.
- G. Fire Department.
- H. Fire Marshal.
- I. Legal Department.
- J. Municipal Court.
- K. Police Department.
- L. Public Works Department.
- M. Water/Sewer Department.
- N. Weedy Lots/Sign Ordinance.
- O. Wharton Regional Airport.

After some discussion, no action was taken.

There being no further discussion, Councilmember, Terry Freese, moved to adjourn. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

The meeting adjourned at 7:34 p.m.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**MINUTES
OF
CITY OF WHARTON
SPECIAL CITY COUNCIL MEETING
JUNE 21, 2022**

Mayor, Tim Barker, declared a Special Meeting duly open for the transaction of business at 6:00 P.M. Councilmember, Clifford Jackson, led the prayer and Mayor, Tim Barker, led the pledge of allegiance.

Councilmembers present were: Mayor, Tim Barker and Councilmembers, Terry Freese; Clifford Jackson; Larry Pittman; Russell Machann; Don Mueller; and Steven Schneider.

Councilmember absent was: None.

Staff members present were: City Manager, Joseph R. Pace; Finance Director, Joan Anandel; Assistant to City Manager, Brandi Jimenez; Assistant to Finance Director; London Davis; City Secretary, Paula Favors; Assistant to the Building Official, Claudia Velasquez; Airport Attendant; Dwayne Pospisil; Facilities Maintenance Director, Bob Baker; Fire Chief, Anthony Abbott; Emergency Management Coordinator, Ben Guanajuato; Civic Center Manager, Makyla Monroe; Police Chief Terry David Lynch; EMS Director, Christy Gonzales; Public Works Director, Anthony Arcidiacono and Director of Planning and Development, Gwyn Teves.

Visitors present were: None.

Roll Call and Excused Absences. All Councilmembers were present.

Public Comments. No comments were given.

The first item on the agenda Budget Workshop: City of Wharton 2022-2023 Fiscal Year Budget:

1. Five-year Vehicle & Equipment Capital Needs:
 1. Code Enforcement.
 2. Emergency Management.
 3. Parks & Facilities Department.
 4. Airport Department.
 5. Fire Department.
 6. Civic Center.
 7. Emergency Medical Services Department.
 8. Police, Animal Control, Communications Departments.
 9. City Secretary.
 10. Municipal Court.
 11. Finance.
 12. Community Development.

City of Wharton
 City Council Budget Meeting
 June 21, 2022

Assistant to Finance Director; London Davis, stated each Department Head would present their requests for the City of Wharton 2022-2023 fiscal year budget. The presentations were as follows:

A.

1. Claudia Velasquez – Code Enforcement Department.
2. Ben Guanajuato – Emergency Management.
3. Bob Baker- Parks & Facilities Department.
4. Dwayne Pospisil – Airport Department.
5. Anthony Abbott – Fire Department.
6. Makyla Monroe – Civic Center.
7. Christy Gonzales- EMS.
8. Terry David Lynch – Police, Animal Control, Communications Departments.
9. Paula Favors – City Secretary.
10. Paula Favors – Municipal Court.
11. Joan Anandel – Finance.
12. Gwyn Teves – Community Development.

B. Five Year Capital Infrastructure Improvement Program:

1. Transportation Systems. - Anthony Arcidiacono – Public Works.
 - A. Streets.
 - B. Major Thoroughfares.
 - C. Sidewalks.
2. Drainage System.
3. Flood Reduction Project-Levee.
4. Water and Sewer Utility System.
5. Garbage

- C. General Fund.
- D. PEG Fund.
- E. Hotel Motel Fund.
- F. Narcotics Seizure Fund.
- G. Debt Fund.
- H. Capital Improvement Fund.
- I. Water & Sewer Fund.
- J. Solid Waste Fund.
- K. Emergency Medical Services Fund.
- L. Civic Center Fund.
- M. Airport Fund.

Finance Director, Joan Anandel, and City Manager, Joseph R Pace, presented information regarding the proposed 2022-2023 fiscal year budget. Each Department Head presented the five-year capital needs of their departments. After some discussion, no action taken.

Adjournment.

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

City of Wharton
City Council Budget Meeting
June 21, 2022
The meeting adjourned at 8:55 p.m.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

DRAFT

**MINUTES
OF
CITY OF WHARTON
SPECIAL CITY COUNCIL MEETING
JULY 18, 2022**

Mayor, Tim Barker, declared a Special Meeting duly open for the transaction of business at 6:00 P.M. Councilmember, Russell Machann, led the opening devotion.

Councilmembers present were: Mayor, Tim Barker, and Councilmembers, Clifford Jackson; Larry Pittman; Russell Machann and Steve Schneider.

Councilmember absent was: Don Mueller and Terry Freese.

Staff members present were: City Manager, Joseph R. Pace; Finance Director, Joan Anandel; City Secretary, Paula Favors; Finance Accountant, London Davis and Crime Victim's Officer, Courtney Bobbitt.

Visitors present were: Chat Faucett; Brittany Matthews; Executive Director of the Wharton Chamber of Commerce, Ron Sanders; Samantha Counts; Christine Stransky; Sherry Smith; Barry Hodges and Brittney Nelson with the Children's Advocacy Center.

Roll Call and Excused Absences.

After some discussion, Councilmember, Russell Machann, moved to excuse Councilmember, Terry Freese and Councilmember, Don Mueller. Councilmember, Clifford Jackson, seconded the motion. All voted in favor.

Public Comments. No comments were given.

Wharton Moment. No comments were given.

The first item on the agenda City of Wharton 2022-2023 Fiscal Year Budget:

A. Funding Request:

1. Women's Crisis Center.

Samantha Counts and Brittney Matthews with the Women's Crisis Center made a presentation regarding the services that are provided in the City and requested \$7,000 from the City of Wharton for the Women's Crisis Center. After some discussion, no action was taken.

2. Friends of Wharton Animal Control.

Barry Hodges with Friends of Wharton Animal Control made a presentation regarding the services the organization provided in the City and requested \$10,000 from the City of

Wharton for the Friends of Wharton Animal Control. After some discussion, no action was taken.

3. SPOT.

Christine Stransky with SPOT made a presentation regarding the services the organization provided in the City and requested \$3,000 from the City of Wharton for SPOT. After some discussion, no action was taken.

4. Wharton Chamber of Commerce.

Mr. Ron Sanders, Executive Director of the Wharton Chamber of Commerce, made a presentation regarding the services being provided by the Chamber of Commerce to the City and made the request for \$52,000 from the City of Wharton's Hotel Motel Fund. After some discussion, no action was taken.

B. Five-year Vehicle & Equipment Capital Needs:

1. Code Enforcement Department.
2. Parks & Facilities Department.
3. Airport Department.
4. Fire Department.
5. Emergency Medical Services Department.
6. Emergency Management Department.
7. Police, Animal Control & Communications Departments.
8. Municipal Court.
9. City Secretary.
10. Civic Center.
11. Community Development.
12. Central Services.

Finance Director, Joan Andel, stated each Department Head had presented their five-year Capital Needs requests for the City of Wharton. Finance Accountant, London Davis, made the presentations.

C. Five Year Capital Infrastructure Improvement Program:

1. Transportation Systems.
 - A. Streets.
 - B. Major Thoroughfares.
 - C. Sidewalks.
 2. Drainage System.
 3. Flood Reduction Project-Levee.
 4. Water and Sewer Utility System.
- D. General Fund.
 E. PEG Fund.
 F. Hotel Motel Fund.

City of Wharton
City Council Budget Meeting
July 18, 2022

- G. Seizure Fund.
- H. Debt Fund.
- I. Capital Improvement Fund.
- J. Water & Sewer Fund.
- K. Solid Waste Fund.
- L. Emergency Medical Services Fund.
- M. Civic Center Fund.
- N. Airport Fund.

Finance Director Joan Andel presented information regarding the proposed 2022-2023 fiscal year budget. Finance Director Joan Andel presented the needs of the departments. Mrs. Andel said the City Staff would review the requests and by the next budget workshop present a draft budget that would be balanced. After some discussion, no action taken.

Adjournment.

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

The meeting adjourned at 7:54 p.m.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	8/8/2022	Agenda Item:	Request from Mr. A. Judd Harrison, Turtle Creek Village Section II, Lot Reserve, Lots 5, 6, 7, Lots 4 - 39, Lots 56 – 100 to vacate the subdivision plat recorded on February 13, 1973, due to lack of development.
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Attached you will find the request from Mr. A. Judd Harrison, Turtle Creek Village Section II, Lot Reserve, Lots 5, 6, 7, Lots 4 - 39, Lots 56 – 100 to vacate the subdivision plat recorded on February 13, 1973, due to lack of development.

The Planning Commission met on August 1, 2022, and voted to recommend this item to the City Council for consideration.

Director of Planning & Development, Gwyn Teves, will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, August 4, 2022
Approval: 	
Mayor: Tim Barker	



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: August 1, 2022
FROM: Mike Wootton, Planning Commission Chairperson
TO: Honorable Mayor and City Council
SUBJECT: Recommendation to City Council from the Planning Commission Meeting held Monday, August 1, 2022

The following items were discussed during the Monday, August 1, 2022, meeting:

1. Request from Mr. A. Judd Harrison, Turtle Creek Village Section II, Lot Reserve, Lots 5, 6, 7, Lots 4 - 39, Lots 56 – 100 to vacate subdivision plat recorded February 13, 1973, due to lack of development.

The Planning Commission is recommending approval on the above item and is referring it to City Council for a final decision.

If you should have any questions, please contact me. Thank You.

July 25, 2022

City of Wharton Texas
City Planning Commission
City Council
120 East Caney Street
Wharton, Texas 77488

RE: Abandonment of Plat of Turtle Creek Village, Section II
To Whom It May Concern:

Request is hereby made for the abandonment of Turtle Creek Village, Section II plat, also known as Turtle Creek Village Sec.2 Lot Lot Reserve 5,6,7, Lot 39-4,56 Thru 100. This property was platted for development in February of 1973 and recorded in the Plat Records of Wharton County, Texas in Volume 1, Page 32 of the Wharton County Plat Book Records, and re-filed in Slide 16-A of the Wharton County Plat Cabinet Records.

There has been no active steps made for the development of this property. At present it is crop land.

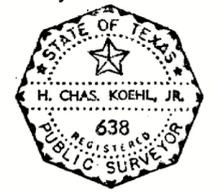
Sincerely,

A. Judd Harrison

THE STATE OF TEXAS |
 COUNTY OF WHARTON | I, H. CHAS. KOEHL, JR., REGISTERED PUBLIC SURVEYOR, HEREBY CERTIFY THAT
 THE ABOVE IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE BY ME ON THE GROUND OF "TURTLE
 CREEK VILLAGE - SECTION II", A SUBDIVISION IN THE MARTIN ALLEN LEAGUE, WHARTON COUNTY, TEXAS.

WITNESS MY HAND AND SEAL, THIS 8TH DAY OF NOVEMBER, 1972.

H. Chas. Koehl, Jr.
 H. CHAS. KOEHL, JR.
 REGISTERED PUBLIC SURVEYOR

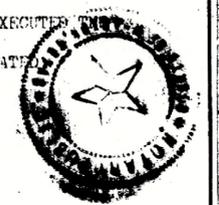


CANEY CREEK FARM, INC., ACTING THROUGH ITS PRESIDENT, RAYMOND C. HARRISON, DOES HEREBY
 ADOPT THIS AS THE OFFICIAL MAP OF TURTLE CREEK VILLAGE - SECTION II, AND DOES HEREBY DEDICATE
 "POSSUM TROT", A 60 FT WIDE STREET AND THE 10 FT WIDE STRIP FOR WIDENING OF "SUGAR MILL ROAD"
 ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC FOR STREET, DRAINAGE AND UTILITIES PURPOSES.
 EASEMENTS OF THE WIDTHS SHOWN ARE DEDICATED FOR USE OF UNDERGROUND UTILITIES ONLY, EXCEPT
 THAT THE 12 FT WIDE EASEMENTS ALONG THE NORTH LINE, AS INDICATED, AND ALONG THE ENTIRE WEST
 LINE OF THE SUBDIVISION IS NOT RESTRICTED TO UNDERGROUND EASEMENTS, AND ALONG THESE TWO LINES
 ONLY THERE IS ALSO DEDICATED A 5 FT WIDE UNCONSTRUCTED AERIAL EASEMENT FROM A PLANE TWENTY FEET
 ABOVE GROUND UPWARD, ADJACENT TO SAID TWO 12 FT WIDE EASEMENTS.

CANEY CREEK FARM, INC., IN RECORDING THIS PLAT OF TURTLE CREEK VILLAGE - SECTION II HAS
 DESIGNATED CERTAIN AREAS OF LAND AS "GREEN AREAS", INTENDED FOR USE BY THE RESIDENCE OWNERS IN
 TURTLE CREEK VILLAGE, FOR RECREATION AND OTHER RELATED ACTIVITIES. THE "GREEN AREAS" ARE NOT
 DEDICATED FOR USE BY THE GENERAL PUBLIC BUT ARE DEDICATED TO THE COMMON USE AND ENJOYMENT OF
 THE HOME OWNERS IN TURTLE CREEK VILLAGE AS MORE FULLY PROVIDED IN "SUPPLEMENTARY DECLARATION
 OF COVENANTS AND RESTRICTIONS" DATED NOVEMBER 1, 1972, AND RECORDED WITH THIS PLAT, AND IN
 "DECLARATION OF COVENANTS AND RESTRICTIONS" APPLICABLE TO TURTLE CREEK VILLAGE AND REFERENCED
 IN SAID SUPPLEMENTARY DECLARATION, AND WHICH SUPPLEMENTARY DECLARATION AND DECLARATION ARE
 HEREBY INCORPORATED AND MADE A PART OF THIS PLAT. SIGNED THIS 7TH DAY OF FEBRUARY, 1973.

CANEY CREEK FARM, INC. BY: *Raymond C. Harrison, Jr.* PRESIDENT

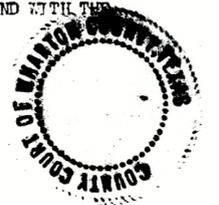
THE STATE OF TEXAS |
 COUNTY OF WHARTON | BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED
 RAYMOND C. HARRISON, PRESIDENT OF CANEY CREEK FARM, INC., KNOWN TO ME TO BE THE PERSON WHOSE
 NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE
 SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY STATED
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, THE 7th DAY OF FEBRUARY, 1973.
James B. Webb
 NOTARY PUBLIC IN AND FOR
 WHARTON COUNTY, TEXAS.



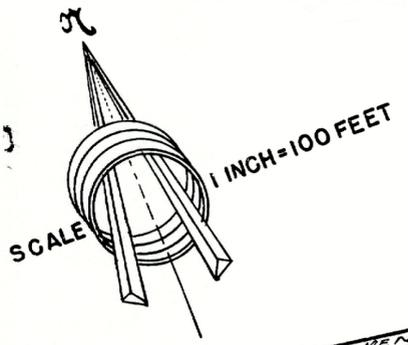
THE STATE OF TEXAS |
 COUNTY OF WHARTON | I, HEREBY CERTIFY THAT THE FOREGOING PLAT HAS BEEN APPROVED BY THE COMMISSIONERS' COURT
 OF WHARTON COUNTY, TEXAS, BY ORDER ENTERED IN THE MINUTES OF SAID COURT, DATED THE 12th DAY OF
 FEBRUARY, 1973, AND RECORDED IN VOLUME W ON PAGE 157 OF MINUTES OF THE COUNTY COURT OF
 WHARTON COUNTY, TEXAS. I FURTHER CERTIFY THAT THE SAID COURT DID, IN THE ORDER, ACCEPT THE
 DEDICATION OF THE STREET AND WIDENING STRIP, AND EASEMENTS FOR THE PURPOSES AND WITH THE
 LIMITATIONS SET OUT IN THE DEDICATION.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE 13th DAY OF FEBRUARY, 1973.

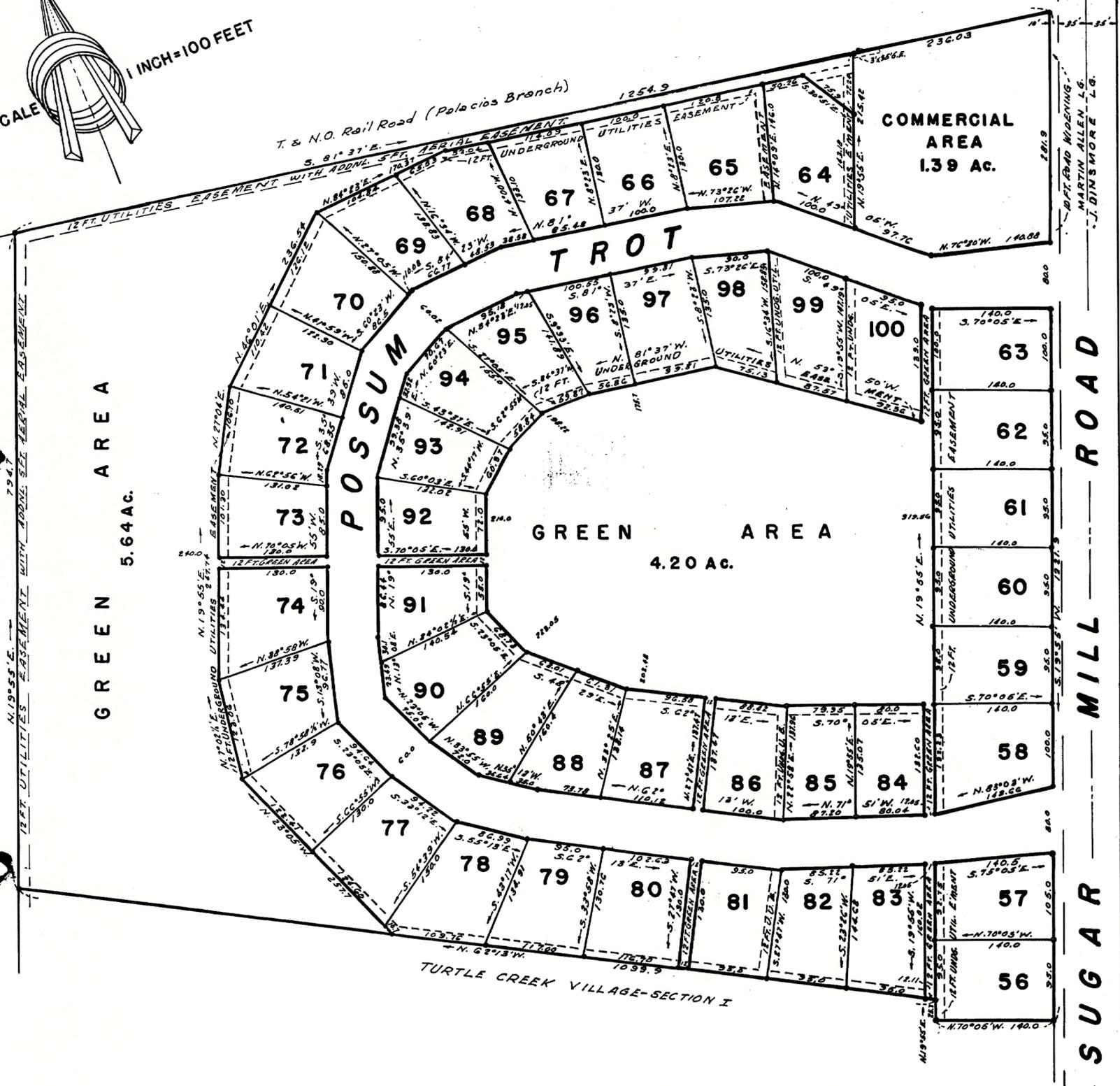
Debra Mark
 COUNTY CLERK IN AND FOR
 WHARTON COUNTY, TEXAS.



RESTRICTIONS IN VOLUME 432, PP. 131 DEED RECORD WHARTON CO.



Kath H. Wagner 97.10 AM 79.4



TURTLE CREEK VILLAGE SECTION II

SITUATED IN WHARTON COUNTY, TEXAS, IN THE MARTIN ALLEN LEAGUE,
 ABSTRACT NO. 1, AND BEING 28.421 ACRES OFF OF THE NORTH END OF
 66.10 ACRES LOT NO. 4 IN A SUBDIVISION OF A PORTION OF "THE HORTON TRACT",
 PLAT OF WHICH, DATED NOV. 8, 1950, IS RECORDED IN VOL. 223, ON PAGE 434
 OF THE WHARTON COUNTY DEED RECORDS.

FILED

FEB 13 1973

Debra Mark
 County Clerk, Wharton Co., Tex.
 BY _____ Deputy

**STATE OF TEXAS
COUNTY OF WHARTON**

KNOW ALL MEN BY THESE PRESENTS

I (or we), (name of owner or owners if individuals) or (name of President and Secretary or authorized trust officer of a company or corporation), being the sole owner (owners) and proprietor of the following described property in the wholly in the ETJ of the City of Wharton, Wharton County, Texas, to wit:

Turtle Creek Village, Section II, a subdivision of Wharton County, Texas, situated in the Martin Allen League, Abstract No. 1, and being 28.421 Acres off of the North end of 66.10 Acres Lot No. 4 in a subdivision of a portion of "The Horton Tract", Plat of which, Dated Nov. 8, 1950, is recorded in Vol. 223, on Page 434 of the Wharton County Deed Records as according to the plat of record recorded on February 13, 1973, in Book 1, Page 32 of the Plat Records of Wharton County and re-filed in Plat Cabinet 1, Slide 16-A. of the Wharton County Plat Records.

Do hereby desire and declare that said plat, subdivision and dedication thereon be vacated and canceled so as to convert all of said platted property to an acreage tract as same existed before such property was platted, subdivided and recorded.

WITNESS MY (or our) hand in the City of Wharton, Texas this _____ day of _____, 20____.

(Signature of owner or owners)

(Names to be printed)

**STATE OF TEXAS
COUNTY OF WHARTON**

Before me, (insert the name and character of the officer), on this day personally appeared _____, known to me (or proved to me on the oath of _____ or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20____.

(Seal)

Notary Public's Signature

This is to certify that the City of Wharton, Texas has approved this instrument and vacation of the subdivision plat entitled Turtle Creek Village, Section II in conformance with the laws of the State of Texas and have authorized the recording of this instrument this _____ day of _____, 20____.

Chairman, PLANNING COMMISSION

Secretary, PLANNING COMMISSION

APPROVED BY THE PLANNING COMMISSION, THIS _____ DAY OF _____, 20____.

MAYOR

CITY SECRETARY

APPROVED BY THE CITY COUNCIL THIS _____ DAY OF _____, 20____.

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	8/8/2022	Agenda Item:	Request by W. A. Harrison Agriculture Ltd. for voluntary annexation of a 20' easement.
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The City Staff has received a Petition Requesting Annexation from W. A. Harrison Agriculture Ltd. for a 20' easement to extend the City Limits on their property.

The property is described as a called 0.420 acre tract of land, located within the M. Allen Survey, Abstract No. 1 being a part of a called 4.167 acre tract as recorded in Volume 1000, Page 476 of the Deed Records of Wharton County, Texas.

Attached is the request for annexation, survey, and metes & bounds description.

Mr. Ken Schott of Waterstone Development will be in attendance on behalf of W. A. Harrison Agriculture Ltd. to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, August 4, 2022
Approval: 	
Mayor: Tim Barker	



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: August 2, 2022

FROM: Gwyneth Teves, Director of Planning & Development

TO: Mr. Joseph R. Pace, City Manager

SUBJECT: Request by W. A. Harrison Agriculture Ltd. for voluntary annexation of a 20' easement.

City staff has received a Petition Requesting Annexation from the Harrisons for a 20' easement to extend the City Limits on their property.

The property is described as a called 0.420 acre tract of land, located within the M. Allen Survey, Abstract No. 1 being a part of a called 4.167 acre tract as recorded in Volume 1000, Page 476 of the Deed Records of Wharton County, Texas.

Attached is the request for annexation, survey, and metes & bounds description.

Mr. Ken Schott of Waterstone Development will be in attendance on behalf of the Harrisons to answer any questions.

If you should have any questions, please contact me at 979-532-2491 ext. 238. Thank You.

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF WHARTON, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.016, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Wharton, Texas, the following described territory, to wit:

See attached Exhibit A:

We certify that the above-described tract of land is contiguous and adjacent to the City of Wharton, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: _____

Signed: _____

Signed: _____

Signed: _____

THE STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared _____, _____, and _____, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Public in and for
_____ County, Texas.

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF WHARTON, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.016, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Wharton, Texas, the following described territory, to wit:

See attached Exhibit A:

We certify that the above-described tract of land is contiguous and adjacent to the City of Wharton, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: A. Judd Harrison

Signed: _____

Signed: _____

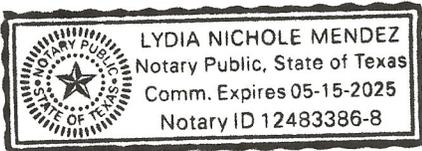
Signed: _____

THE STATE OF TEXAS

COUNTY OF WHARTON

BEFORE ME, the undersigned authority, on this day personally appeared A. Judd Harrison, and _____, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 2nd day of August, 2020



Lydia N. Mendez
Notary Public in and for
Harris County, Texas.

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF WHARTON, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.016, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Wharton, Texas, the following described territory, to wit:

See attached Exhibit A:

We certify that the above-described tract of land is contiguous and adjacent to the City of Wharton, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: _____

Signed: _____

Signed: _____

Signed: Sallie Harrison Sweeney

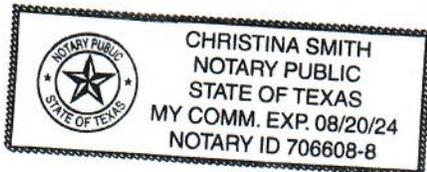
THE STATE OF TEXAS

COUNTY OF Wharton

BEFORE ME, the undersigned authority, on this day personally appeared Sallie Harrison Sweeney, and _____,

known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 1st day of August, 2022.



Christina Smith
Notary Public in and for
Wharton County, Texas.

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF WHARTON, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.016, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Wharton, Texas, the following described territory, to wit:

See attached Exhibit A:

We certify that the above-described tract of land is contiguous and adjacent to the City of Wharton, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: Gerard A. Harrison

Signed: _____

Signed: _____

Signed: _____

THE STATE OF TEXAS

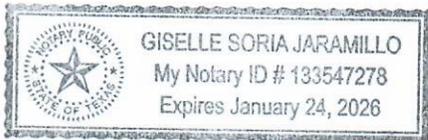
COUNTY OF Travis

BEFORE ME, the undersigned authority, on this day personally appeared Gerard A. Harrison, _____, and _____,

known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

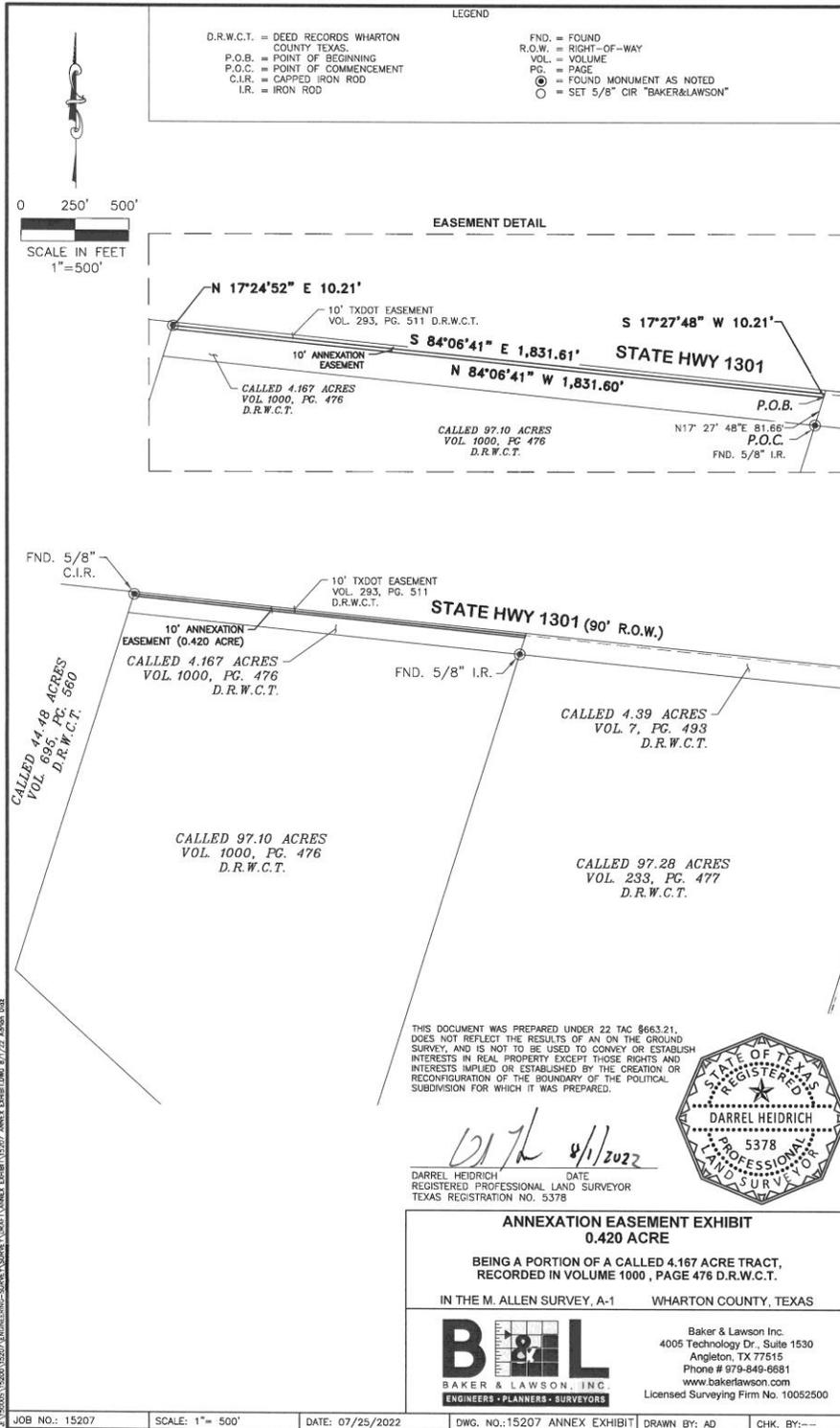
Given under my hand and seal of office, this 1st day of August, 2022

Gerard



Notary Public in and for Travis County, Texas.

EXHIBIT A: Annexation Easement, Not Conveyance of Property





County: Wharton County
Project: ANNEXATION EASEMENT
Job No.: 15207

**FIELD NOTES FOR 0.420 ACRE
ANNEXATION EASEMENT**

Description of a called 0.420 acre tract of land, located within the M. Allen Survey, Abstract No. 1 being a part of a called 4.167 acre tract as recorded in Volume 1000, Page 476 of the Deed Records of Wharton County Texas (D.R.W.C.T.), referred to hereinafter at the above referenced tract of land, said 0.420 acre tract being more particularly described by metes and bounds as follows (bearings are based on the Texas Coordinate System of 1983, (NAD83) South Central Zone, per GPS observations):

COMMENCING at a 5/8-inch iron rod found for the southeast corner of said 4.167 acre tract, same being the southwest corner of a called 4.39 acre tract of land as recorded in Volume 7, Page 493 D.R.W.C.T., the northeast corner of a called 97.10 acre tract of land as recorded in Volume 1000, Page 476 D.R.W.C.T. and the northwest corner of a called 97.28 acre tract as recorded in Volume 233, Page 477 D.R.W.C.T.;

THENCE North 17°27'48" East, along the east line of said 4.167 acre tract, same being the west line of said 4.39 acre tract, a distance of 81.66 feet to the southeast corner and **POINT OF BEGINNING** of the above referenced tract of land;

THENCE North 84°06'41" West, along the south line of the above referenced tract of land, a distance of 1,831.60 feet to a point for the southwest corner of the above referenced tract of land, same being in the west line of said 4.167 acre tract;

THENCE North 17°24'52" East, along the west line of the above referenced tract of land, same being the west line of said 4.167 acre tract, a distance of 10.21 feet to a 5/8-inch capped iron rod found for the northwest corner the above referenced tract of land, same being in the south right-of-way R.O.W. line of State Highway 1301 (10-foot wide TXDOT easement as recorded in Volume 293, Page 511 D.R.W.C.T.);

THENCE South 84°06'41" East, along the north line of the above referenced tract of land, same being the south R.O.W. line of said State Highway 1301, a distance of 1,831.61 feet to a point for the northeast corner of the above referenced tract of land, same being in the west line of said 4.39 acre tract;

THENCE South 17°27'48" West, along the east line of the above referenced tract of land, same being the west line of said 4.39 acre tract, a distance of 10.21 feet to the **POINT OF BEGINNING** of the herein described tract of land and containing 0.420 acre of land, more or less.

An exhibit drawing of the herein described tract has been prepared by Baker & Lawson Inc. and accompanies this metes and bounds description. This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

DH 8/1/2022
Darrel Heidrich
Registered Professional Land Surveyor
Texas Registration No. 5378



City of Wharton
 120 E. Caney Street
 Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	8/8/2022	Agenda Item:	Resolution: A resolution of the Wharton City Council submitting an application for the Wharton Regional Airport to the Texas Department of Transportation Airport Coronavirus Response Grant Program in the amount of \$13,000.00 and authorizing the Mayor of the City of Wharton to execute all documents related to such application.
<p>The State of Texas, acting through the Texas Department of Transportation (TxDOT), has been working with the Federal Aviation Administration (FAA) to implement the Airport Coronavirus Response Grant Program (ACRGP) which was approved by Congress in the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA), on December 27, 2020. TxDOT has awarded grant funds to eligible Texas airports to prevent, prepare for, and respond to the coronavirus disease 2019 pandemic.</p> <p>The grant funding can be used for reimbursements of airport’s costs related to operations, personnel, cleaning, sanitization, janitorial services, and combating the spread of pathogens in accordance with the limitations prescribed in the Act with expenditures occurring no earlier than January 20, 2020. The grant may also be used to reimburse a Sponsor’s payment of debt service where such payments occur on or after January 20, 2020.</p> <p>The maximum amount available to the Wharton Regional Airport under the provisions of the Airport Coronavirus Response Grant Program is \$13,000.00. The Wharton Regional Airport would like to submit an application for these funds through the Wharton City Council.</p> <p>Finance Director, Joan Andel, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, August 4, 2022	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney Street ° Wharton, TX
77488

Phone (979) 532-2491° Fax (979) 532-
0181

MEMORANDUM

To: Mr. Joseph R. Pace
City Manager

From: Joan Andel

Date: August 1, 2022

Re: Airport Coronavirs Response Grant Program

The State of Texas, acting through the Texas Department of Transportation, has been working with the Federal Aviation Administration (FAA) to implement the Airport Coronavirus Response Grant Program (ACRGP) which was approved by Congress in the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA), on December 27, 2020. TxDOT has awarded grant funds to eligible Texas airports to prevent, prepare for, and respond to the coronavirus disease 2019 pandemic.

The grant funding can be used for reimbursements of airport's costs related to operations, personnel, cleaning, sanitization, janitorial services, and combating the spread of pathogens in accordance with the limitations prescribed in the Act with expenditures occurring no earlier than January 20, 2020. The grant may also be used to reimburse a Sponsor's payment of debt service where such payments occur on or after January 20, 2020.

The maximum amount available to the Wharton Regional Airport under the provisions of the Airport Coronavirus Response Grant Program is \$13,000. The Wharton Regional Airport would like to submit an application for these funds through the Wharton City Council.

I would like to place this item on the agenda for the City Council agenda on August 8, 2022.

Should you have any questions, please contact me.

Thank you.

**CITY OF WHARTON
RESOLUTION NO. 2022 - XX**

A RESOLUTION OF THE WHARTON CITY COUNCIL SUBMITTING AN APPLICATION FOR THE WHARTON REGIONAL AIRPORT TO THE TEXAS DEPARTMENT OF TRANSPORTATION AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM IN THE AMOUNT OF \$13,000.00 AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SUCH APPLICATION.

WHEREAS, The City of Wharton City Council wishes to submit an application for the Wharton Regional Airport for funding from the Texas Department of Transportation Airport Coronavirus Response Grant Program in the amount of \$13,000.00; and,

WHEREAS, The Wharton City Council hereby accepts the Grant Agreement terms and conditions; and,

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

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

SECTION I. The Wharton City Council hereby submits an application for the Wharton Regional Airport to the Texas Department of Transportation Airport Coronavirus Response Grant Program in the amount of \$13,000.00.

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

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

PASSED, APPROVED, and ADOPTED this 8th day of August 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

City of Wharton
120 E. Caney Street
Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	8/8/2022	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing and approving Change Order No. 4 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment – Hughes Street and authorizing the Mayor to execute all documents related to said Change Order.
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Attached you find the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes Street - Change Order No. 4 from Arandas Industries for the addition of a line stop and valve to isolate the line for future repairs.

Also attached is a copy of the change order for your review.

Director of Planning & Development, Gwyn Teves, will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, August 4, 2022
Approval: 	
Mayor: Tim Barker	



City of Wharton

120 E. Caney • Wharton, TX 77488
Phone (979) 532-2491 • Fax (979) 532-0181

MEMORANDUM

DATE: August 2, 2022

FROM: Gwyneth Teves, Director of Planning & Development

TO: Honorable Mayor and City Councilmembers, City Manager Joseph R. Pace, and City Attorney Paul Webb

SUBJECT: Wharton Colorado River Flood Control Public Utility Abandonment – Hughes St. - Change Order #4

Attached please find the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes St - Change Order #4 from Arandas Industries for the addition of a line stop and valve to isolate the line for future repairs. Attached is a copy of the change order for review.

It is the recommendation of the engineering consultant and City staff that the Council approve the change order for the difference in cost of \$10,990.00.

If you should have any questions, please contact me at 979-532-2491. Thank You.



W Grand Parkway North, Suite 150
Katy, Texas 77449
Tel: 832.913.4000
www.quiddity.com

CHANGE ORDER NO. 004

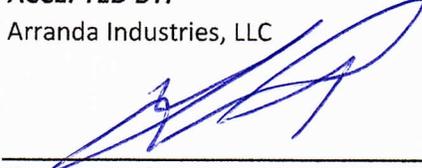
DATE: July 22, 2022

Project: Construction of Colorado River Flood Control Hughes Street Utility Relocation	JC Job No.: 05135-0224-00
Owner: City of Wharton	Contractor: Arranda Industries, LLC

Description of Changes: The Contractor is directed to furnish all materials, labor and equipment to install 8-inch line stop and 8-inch cut in gate valve.

Reason for Changes: Contractor adding line stop and valve for line to isolate line for future repairs.

<u>Change in Contract price and time summary:</u>	<u>COST</u>	<u>TIME</u>
Original Contract:	\$839,419.00	120 Calendar Days
Net previous change(s):	\$27,930.00	179 Calendar Days
Contract prior to this change order:	\$867,349.00	299 Calendar Days
Net increase from this change order:	\$10,990.00	10 Calendar Days
Revised Contract Amount:	\$878,339.00	309 Calendar Days
Cumulative % Change in Contract:	4.64 %	157.50 %
Project Completion Date:	August 31, 2022	

APPROVED BY: City of Wharton	RECOMMENDED BY: Quiddity Engineering, LLC
_____	
Representative	Kristen Hennings, PE, CFM, LEED® Green Associate
_____	7/22/2022
Date	Date
	ACCEPTED BY: Arranda Industries, LLC
	
	Representative
	7/22/22
	Date
Enclosures: Attachment No. 001	

K:\05135\05135-0224-00 City of Wharton Colorado River Flood Con\3 Construction Phase\Change Orders\Hughes Street\CO4\05135-0224-00 Hughes CO 4

**CITY OF WHARTON
RESOLUTION NO. 2022-XX**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING AND APPROVING CHANGE ORDER NO. 4 WITH ARANDAS INDUSTRIES FOR THE WHARTON COLORADO RIVER FLOOD CONTROL PUBLIC UTILITY ABANDONMENT – HUGHES STREET AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAID CHANGE ORDER.

WHEREAS, The Wharton City Council wishes to authorize and approve Change Order No. 4 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes Street; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor to execute all documents related to the change order.

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

Section I. The Wharton City Council hereby approves Change Order No. 4 with Arandas Industries for the Wharton Colorado River Flood Control Public Utility Abandonment-Hughes Street.

Section II. The Wharton City Council hereby authorizes the Mayor to execute all documents related to the change order.

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

Passed, Approved, and Adopted this 8th day of August 2022.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

City of Wharton
 120 E. Caney Street
 Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	6/13/2022	Agenda Item:	City Council Boards, Commissions and Committee Reports: A. Finance Committee meeting held July 25, 2022.
<p>Attached you will find the reports from the above-mentioned Committees.</p>			
City Manager: Joseph R. Pace		Date: Thursday, August 4, 2022	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney Street ° Wharton, TX
77488

Phone (979) 532-2491° Fax (979) 532-
0181

MEMORANDUM

Date: July 27, 2022

From: City Council Finance Committee

To: Mayor & City Council

Subject: Report/Recommendations from the meeting held July 25, 2022

At the July 25, 2022, City Council Finance Committee Meeting, the Committee met and discussed the following items:

1. Review & Consider: Minutes from the meeting held June 13, 2022.
2. Review & Consider: Wharton Chamber of Commerce request for the FY2023 Budget.
3. Review & Consider: Outside Agencies request for the FY2023 Budget.
4. Review & Consider: Weedy Lots Liens Amnesty Program – Reduction/Payment Plan Agreement. The Committee voted to recommend this item to the City Council for consideration.
5. Review & Consider: Resolution: A resolution of the Wharton City Council awarding a contract for the Wharton Regional Airport Paving Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract. The Committee voted to recommend this item to the City Council for consideration.

Adjournment.

City of Wharton
 120 E. Caney Street
 Wharton, TX 77488

CITY COUNCIL COMMUNICATION

Meeting Date:	8/8/2022	Agenda Item:	Appointments, Resignations and Vacancies to the City of Wharton Boards, Commissions and Committees: <ul style="list-style-type: none"> A. Appointments. B. Resignations. C. Vacancies.
Attached you will find the list of persons serving on the various City Boards, Commissions and Committees. There are still vacancies that also need to be filled. <p><u>Appointments:</u> None.</p> <p><u>Resignations:</u> None.</p> <p><u>Vacancies:</u></p> <ul style="list-style-type: none"> 1. Building Standards Commission. 2. Plumbing and Mechanical Board. 			
City Manager: Joseph R. Pace		Date: Thursday, August 4, 2022	
Approval: 			
Mayor: Tim Barker			

**CITY OF WHARTON
BOARDS, COMMISSIONS AND COMMITTEES**

WHARTON REGIONAL AIRPORT BOARD	TWO YEAR TERM	Reappointment
Jimmy Gardner	June 30, 2023	
Randy Rodriguez	June 30, 2023	
Bill Kingrey	June 30, 2023	
Larry David	June 30, 2024	
Jimmy Zissa	June 30, 2024	
Glenn Erdelt	June 30, 2024	

BEAUTIFICATION COMMISSION	TWO YEAR TERM	Reappointment
Nancy Mata	June 30, 2024	
Lucy Cruz Alanis	June 30, 2024	
Rachel Roberson	June 30, 2024	
Stephanie Konvicka	June 30, 2023	
Adrayelle Watson	June 30, 2023	
Debbie Folks	June 30, 2023	
Kenneth Dimmick	June 30, 2023	

BUILDING STANDARDS COMMISSION	TWO YEAR TERM	Reappointment
Leonard Morales	June 30, 2023	
Burnell Neal	June 30, 2023	
Vacant	June 30, 2023	
Paul Shannon	June 30, 2023	
Vacant	June 30, 2024	
Howard Singleton	June 30, 2024	
Vacant	June 30, 2024	
Ronnie Bollom, Building Official - ExOfficio		
Jeff Gubbels - Health Officer-ExOfficio		
Hector Hernandez-Fire Marshall-ExOfficio		

ELECTRICAL BOARD	TWO YEAR TERM	Reappointment
Councilmember Clifford Jackson	June 30, 2023	
Zac Henson	June 30, 2023	
Philip Hamlin	June 30, 2024	
Milton Barbee	June 30, 2024	
Hector Hernandez- Fire Marshal		

HOLIDAY LIGHT DECORATING CHAIRMAN	TWO YEAR TERM	Reappointment
Tim Barker	June 30, 2024	

MAYOR'S COMMITTEE ON PEOPLE WITH DISABILITIES	TWO YEAR TERM	Reappointment
Johnnie Gonzalez	June 30, 2024	

Faye Evans	June 30, 2024
Rebekah Kirschke	June 30, 2024
Adraylle Watson	June 30, 2023
Marilyn Sebesta	June 30, 2023
Sandy Wilkins	June 30, 2023
Cheryl Lavergne	June 30, 2023
Mayor Tim Barker- Ex Officio	

HEALTH OFFICER	TWO YEAR TERM	Reappointment
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Dr. Jeff Gubbels, MD	June 30, 2024
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VETERINARIAN	TWO YEAR TERM	Reappointment
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Dr. Cody Poler, DVM	June 30, 2024
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MUNICIPAL COURT JUDGE	TWO YEAR TERM	Reappointment
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Jared Cullar	June 30, 2023
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PLANNING COMMISSION	TWO YEAR TERM	Reappointment
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Burnell Neal	June 30, 2023
Rob Kolacny	June 30, 2023
Michael Quinn	June 30, 2023
Marshall Francis	June 30, 2024
Adraylle Watson	June 30, 2024
Michael Wootton	June 30, 2024
Vacant	June 30, 2024

PLUMBING AND MECHANICAL BOARD	TWO YEAR TERM	Reappointment
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A. J. Rath	June 30, 2024
Tom Faust	June 30, 2023
Vacant	June 30, 2024
Robert Sanchez	June 30, 2023
Vacant	June 30, 2024

Ronnie Bollom, Building Official - ExOfficio

Public Works Director Anthony Arcidiacono- Ex Officio

Mayor Tim Barker - Ex Officio

WHARTON ECONOMIC DEVELOPMENT CORPORATION	TWO YEAR TERM	Reappointment
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Michael Wootton	September 30, 2022
David Schroeder	September 30, 2022
Freddie Pekar	September 30, 2022
Clifford Jackson (Councilmember)	September 30, 2022
Russell Machann- (Councilmember)	September 30, 2023
Andrew Armour	September 30, 2023
Michael Roberson	September 30, 2023

CITY COUNCIL COMMITTEES - Renew June 30th of Each Year

ANNEXATION COMMITTEE

Tim Barker
 Russell Machann
 Don Mueller

FINANCE COMMITTEE

Russell Machann
 Larry Pittman
 Tim Barker

HOUSING COMMITTEE

Terry Freese
 Russell Machann
 Clifford Jackson

INTERGOVERNMENTAL RELATIONS COMMITTEE

Terry Freese
 Tim Barker
 Larry Pittman

LEGISLATIVE COMMITTEE

Tim Barker
 Larry Pittman
 Steven Schneider

PUBLIC HEALTH COMMITTEE

Terry Freese
 Larry Pittman
 Russell Machann

PUBLIC SAFETY COMMITTEE

Larry Pittman
 Terry Freese
 Don Mueller

PUBLIC WORKS COMMITTEE

Terry Freese
 Don Mueller
 Clifford Jackson

TELECOMMUNICATONS COMMITTEE

Clifford Jackson
 Terry Freese
 Don Mueller

WHARTON ECONOMIC DEVELOPMENT CORP BOARD OF DIRECTORS SELECTION COMMITTEE

Tim Barker
 Steven Schneider
 Clifford Jackson

ECONOMIC DEVELOPMENT COMITTEE

Tim Barker
 Clifford Jackson
 Russell Machann

PARKS AND RECREATION COMMITTEE

Steven Schneider
 Russell Machann
 Terry Freese
