



**CITY OF WHARTON
CITY COUNCIL REGULAR MEETING**

**Monday, September 11, 2023
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, September 11, 2023, 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 7th day of September 2023.

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 September 7, 2023, 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 7th day of September 2023.

CITY OF WHARTON

By: 
Paula Favors
City Secretary



A G E N D A
CITY OF WHARTON
City Council Regular Meeting
Monday, September 11, 2023
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. Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2023, to September 30, 2024.

Review and Consider:

1. Action on changes to the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2023, to September 30, 2024.
2. Reading of the minutes from the regular meetings held August 14, 2023, and August 28, 2023, and the special meeting held August 7, 2023.
3. Request from Mr. Ryan Moeckel with McKim & Creed to review the plat for Phase 1 of the Wharton Lakes Subdivision Abstract 36, Tracts 24-1, 24-2, 24-3, 24-5, 24-6 & 24 C.
4. Request from Ms. Clarice Ward of 3521 Fairway Dr., Country Club Estates, Lot 18, for a 3-foot side building line setback from the required 5-foot setback for construction of a carport/storage building over an existing concrete driveway.
5. Request by Mr. Jeff Rainer, Wharton Chamber of Commerce & Agriculture 2023 Holiday Parade Chairman, for the Wharton Holiday Parade for the following:
 - A. Ordinance: An ordinance approving the 2023 Chamber of Commerce & Agriculture Holiday Parade Permit and authorizing the Wharton Police Department to redirect traffic.
 - B. The closure of State Highway 60 (Burlson Street and Milam Street) from its intersection at Alabama Road and Polk Street and the 100 Block of South Fulton Street and South Houston Street from 5:00 p.m. to 9:00 p.m. and declare it as a “No Parking Zone”.
 - C. City of Wharton to transport, set up, and return five (5) portable lights for use during the parade.
6. Resolution: A resolution of the Wharton City Council authorizing the submission of one or more applications to the Houston Galveston Area Council (HGAC) 2024 & 2025 Solid


Waste Grants Program and authorizing the Mayor of the City of Wharton to execute all documents related to said submission.

7. Resolution: A resolution of the Wharton City Council approving Change Order No. 8, for additional contract time with Weisinger, Inc., for the Wharton Well and Water Plant Project and authorizing the Mayor to execute all documents related to said Change Order.
8. Appointments, Resignations, and Vacancies to the City of Wharton Boards, Commissions, and Committees:
 - A. Resignations.
 - B. Appointments.
 - C. Vacancies.
9. City Council Boards, Commissions, and Committee Reports:
 - A. Finance Committee meeting held August 28, 2023.

Adjournment.

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

CITY COUNCIL COMMUNICATION

Meeting Date:	9/11/2023	Agenda Item:	Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2023, to September 30, 2024.
City Manager: Joseph R. Pace		Date: Thursday, September 7, 2023	
Approval: 			
Mayor: Tim Barker			


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

CITY COUNCIL COMMUNICATION

Meeting Date:	9/11/2023	Agenda Item:	Action on changes to the Proposed Budget for the City of Wharton, Texas Fiscal Year October 1, 2023, to September 30, 2024.
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During the August 28, 2023, Regular City Council meeting you received under separate cover a copy of the Proposed Budget for the City of Wharton, Texas, Fiscal Year October 1, 2023, to September 30, 2024.

This item will allow the City Council to direct the City Staff to make any changes to the Proposed Budget prior to the formal adoption, which is scheduled for September 25, 2023.


City Manager: Joseph R. Pace	Date: Thursday, September 7, 2023
Approval: 	
Mayor: Tim Barker	

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

CITY COUNCIL COMMUNICATION

Meeting Date:	9/11/2023	Agenda Item:	Reading of the minutes from the regular meetings held August 14, 2023, and August 28, 2023, and the special meeting held August 7, 2023.
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Attached you will find the draft minutes from the regular meetings held August 14, 2023, and August 28, 2023, and the special meeting held August 7, 2023.

City Manager: Joseph R. Pace	Date: Thursday, September 7, 2023
Approval: 	
Mayor: Tim Barker	

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
AUGUST 14, 2023**

Mayor, Tim Barker declared a Regular Meeting duly open for the transaction of business at 7:00 P.M. at City Hall 120 E. Caney Street Wharton, TX. Councilmember, Russell Machann, led the opening devotion, and Mayor, Tim Barker led the pledge of allegiance.

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

Councilmembers absent were: Burnell Neal.

Staff members present were: City Manager, Joseph R. Pace; City Attorney, Paul Webb; Finance Director, Joan Anandel; Assistant City Manager, Paula Favors, TRMC, CPM, MMC; Director of Planning and Development, Gwyn Teves; Assistant to the City Manager, Brandi Jimenez, Civic Center Manager, Makyla Monroe, and Public Works Director, Roderick Semien.

Visitors present were: Wharton Economic Development Director, Josh Owens, Chamber of Commerce Director, Ron Sanders; Ms. Terry Arceo, President of the Monterey Square Business Association, and Sam Scinta, Jr. with the Wharton Journal Spectator.

Roll Call and Excused Absences.

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

Public Comments.

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

Wharton Moment.

Mayor, Tim Barker, called for Wharton Moments. Mayor, Tim Barker, thanked the City of Wharton Utility Staff, Wharton Police Department, and Assistant to the City Manager, Brandi Jimenez, for assisting a disoriented citizen in City Hall.

Councilmember, Russell Machann, commented on a successful East Wharton County Crimestoppers golf tournament that took place over the weekend.

Review and Consider:

The first item on the agenda was to review and consider the reading of the minutes from the regular meetings held July 10, 2023, and July 24, 2023, and the special meeting held July 17, 2023. After some discussion, Councilmember, Russell Machann, moved to approve the reading of the minutes from the regular meetings held July 10, 2023, and July 24, 2023, and the special meeting held July 17, 2023. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider a request from the Monterey Square Business Association to amend the original request, approved on July 24, 2023, for the following for the Monterey Square Wine and Arts Fair on October 14, 2023:

- A. Request for a variance for the carriage rides.
- B. Close Caney Street at Houston Street and Polk Street at 10:00 a.m. on October 14th due to the route of the carriage rides.
- C. Change the times of the street closings that were approved on July 24, 2023, to be changed from 2:00 p.m. to 10:00 a.m. and reopen at 10:00 p.m.
- D. Close Houston Street between Milam Street and Burleson Street at 8:00 a.m. for the stage to be prepared for the entertainment that evening until 10:00 p.m.

City Manager, Joseph R. Pace, presented a copy of the email received on August 8, 2023, from Ms. Terry Arceo, President of the Monterey Square Business Association, providing her amended requests for the aforementioned items. After some discussion, Councilmember, Terry Freese, moved to approve, afore mentioned items A. through D. Councilmember, Russell Machann, seconded the motion. All voted in favor.

The third item on the agenda was to review and consider a request by Mr. Ron Sanders, Executive Director of the Wharton Chamber of Commerce & Agriculture, for the City of Wharton's assistance by approving the following for the Party Under the Bridge to be held Thursday, October 19, 2023:

1. Closing to traffic from 4:00 p.m. to 8:00 p.m. a portion of Elm Street from Dinosaur Park to underneath the southbound lane of Business 59 and ending near the intersection with Polk Street.
2. Closing to traffic from 4:00 p.m. to 8:00 p.m. to The Dinosaur Park parking lot and access roads.
3. Closing to traffic a portion of West Colorado Street from North Richmond Road southward to the end of Dinosaur Park.
4. Traffic control as needed, including for the route of a children's train.
5. Access to electrical power in close proximity as possible to the entrance to the park at Colorado Street.
6. Trash cans, and if possible, clean-up assistance.
7. Request for mosquito spraying and fire ant treatment.
8. Allow open containers within the confines of the event area coordinated with the Wharton Police Department.

9. Labor and logistics to pick up, set up, and return chairs and eight (8) round tables owned by the Chamber.
10. Picking up, setting up, operating, and returning two (2) generator light plants that the Chamber will rent.
11. Waive all fees.

City Manager, Joseph R. Pace, presented a copy of a letter dated August 1, 2023, from Wharton Chamber of Commerce Executive Director, Ron Sanders, regarding the Party Under the Bridge. Mr. Sanders stated the event would be on Thursday, October 19, 2023, from 5:00 p.m. to 8:00 p.m. After some discussion, Councilmember, Russell Machann, moved to approve aforementioned items 1. through 11. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The fourth item on the agenda was to review and consider a request for a variance from DiamondBack Gun Show to display signage nine (9) days prior to their event for the two remaining scheduled events. Civic Center Manager, Makyla Monroe, stated the City Staff was requesting that the DiamondBack Gun Show vendor be allowed to display signage promoting their event at the Wharton Civic Center nine (9) days prior to the event for the remaining two events already scheduled for the current year. Ms. Monroe said the number of attendees at the past two gun shows promoted by DiamondBack has averaged more than 700 people. She said the City Ordinance states that with the exception of nonprofit organizations, all signage may be displayed only one day before the day of the event and by allowing this variance it would allow the gun show to be promoted to all local citizens as well as attract out-of-town visitors to our city. After some discussion, Councilmember, Terry Freese, moved to approve the request for a variance from DiamondBack Gun Show to display signage nine (9) days prior to their event for two remaining scheduled events. Councilmember, Larry Pittman, seconded the motion. All voted in favor.

The fifth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the submission of an application to the Office of the Governor for the Operation Lone Star Grant for the Wharton Police Department and authorizing the Mayor of the City of Wharton to execute all documents related to said grant submission. Finance Director, Joan Anandel, stated that in October 2021, the Wharton Police Department first applied for a grant through the Office of the Governor, Operation Lone Star. Mrs. Anandel said the City Staff was asking for permission to apply for this grant again. She said the purpose of the program was to enhance interagency border security operations supporting Operation Lone Star including the facilitation of directed actions to deter and interdict criminal activity and detain non-citizen inmates. Mrs. Anandel stated if awarded, the Staff would need to go back to the Council for acceptance with the new grant application, in the amount of \$205,738.04, which would fund a full-time sworn officer position, a vehicle, and all associated equipment, with no city match. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-65, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-65**

**A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE
SUBMISSION OF AN APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE**

OPERATION LONE STAR GRANT FOR THE WHARTON POLICE DEPARTMENT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID GRANT SUBMISSION.

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

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

WHEREAS, The grant would be for the time period of September 1, 2023, to August 31, 2024; and,

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

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

SECTION I. The Wharton City Council hereby authorizes the submission of an application to the Office of the Governor for Operation Lone Star Grant for the Wharton Police Department.

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

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

PASSED, APPROVED, and ADOPTED this 14th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The sixth item on the agenda was to review and consider a resolution of the Wharton City Council awarding a contract for the Valhalla Water Well Rehabilitation Project and authorizing the Mayor

of the City of Wharton to execute all documents related to said contract. Public Works Director, Roderick Semien, stated that on Friday, August 4, 2023, Quiddity Engineering solicited bids for the Valhalla Water Well Rehabilitation project and bids were due on Monday, August 14, 2023, at 10:00 a.m. Quiddity Engineering. He said that at that time the bids would be reviewed for completeness and prepare a recommendation for the City Council. Councilmember, Russell Machann, moved to approve the City of Wharton Resolution No. 2023-66, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-66**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE VALHALLA WATER WELL REHABILITATION PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Bids were received for the Valhalla Water Well Rehabilitation project on August 14, 2023; and,

WHEREAS, Alsay Incorporated was deemed the best lowest qualified bidder for the base bid amount of \$303,574.00; and,

WHEREAS, The Wharton City Council wishes to award a contract to Alsay Incorporated with the base bid amount of \$303,574.00; and,

WHEREAS, The City of Wharton and Alsay Incorporated 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 Valhalla Water Well Rehabilitation project contract.

Section II. The City of Wharton and Alsay Incorporated 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 14th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The seventh item on the agenda was to review and consider a resolution of the Wharton City Council awarding a contract for the Texas Community Development Block Grant – Downtown Revitalization Program/Main Street (TXCDBG-DRP/MS) Sidewalk Project 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 July 18, 2023, proposals were received for the Construction of the Texas Community Development Block Grant – Downtown Revitalization Program/Main Street (TXCDBG-DRP/MS) Sidewalk Project. Mrs. Teves said KSA Engineering had reviewed the submitted proposals and was recommending the contract be awarded to Staff Concrete of Victoria. She said the Finance Committee met on Monday, August 14, 2023, and was recommending the City Council approve the request. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-61, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-61**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT – DOWNTOWN REVITALIZATION PROGRAM/MAIN STREET (TXCDBG-DRP/MS) SIDEWALK PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, Proposals were received for the Texas Community Development Block Grant – Downtown Revitalization Program/Main Street (TXCDBG-DRP/MS) Sidewalk Project on July 18, 2023; and,

WHEREAS, Staff Concrete Construction was deemed the best lowest qualified bidder for the base bid amount of \$335,399.00; and,

WHEREAS, The Wharton City Council wishes to award a contract to Staff Concrete Construction for the base bid amount of \$335,399.00; and,

WHEREAS, The City of Wharton and Staff Concrete Construction wish to be bound by the conditions as set forth in the agreement; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the 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 Texas Community Development Block Grant – Downtown Revitalization Program/Main Street (TXCDBG-DRP/MS) Sidewalk Project contract.

Section II. The City of Wharton and Staff Concrete Construction 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 14th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Russell Machann, 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 a Utility Joint Use Agreement with the Texas Department of Transportation (TxDOT) for utility service relocations on U.S.-59/future I-69 for utilities to remain in the TxDOT Right of Way (ROW) and authorizing the Mayor of the City of Wharton to execute the agreement. Director of Planning & Development, Gwyn Teves, stated the construction of the future I-69 through the City Limits was imminent, and the City Staff had been working with TxDOT on the required utility services to be relocated. Mrs. Teves said the utility relocation that was being displaced in the current City of Wharton Easements required the acquisition of replacement easements. She said the City Staff and HDR had been attempting to negotiate with the property owners of two of the four parcels that were required for replacement easements. Mrs. Teves stated Del Campo Square, LLC, countered back to the offers requesting approximately \$4.00 psf and after meeting with TxDOT on this counteroffer TxDOT authorized a counteroffer of no greater than \$2.00 psf, this

was relayed to the property owner and was not accepted. She said the relocation of the City's utilities was estimated to take the longest construction time and TxDOT was putting their construction for I-69 through the City of Wharton out for bid in November 2023 with a construction award expected in February 2024 and to keep the City from delaying the project it had been recommended that the City enter into a Utility Joint Use Agreement for the utilities in these two parcels to remain in the TxDOT Right of Way. Mrs. Teves said that entering into this agreement would mean that if at any time the utilities had to be moved again due to TxDOT construction, the cost would be reimbursable to the City. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-67, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-67**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A UTILITY JOINT USE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR UTILITY SERVICE RELOCATIONS ON US-59/FUTURE I-69 FOR UTILITES TO REMAIN IN THE TXDOT RIGHT OF WAY (ROW) AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, The Wharton City Council wishes to authorize a Utility Joint Use Agreement with TxDOT for the relocation of utilities within the TxDOT ROW for the US-59/Future I-69 Project; and,

WHEREAS, The Wharton City Council and TxDOT wishes to be bound by the terms and conditions as outlined in the 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. That the Wharton City Council hereby approves the Utility Joint Use Agreement between the City of Wharton and TxDOT for the relocation of utilities within the TxDOT ROW for the US-59/Future I-69 Project.

Section II. That the City of Wharton and TxDOT are hereby bound by the terms and conditions as set forth in the agreement.

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

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

Passed, Approved, and Adopted this 14th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember, Russell Machann, 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 approving and ratifying a proposal for well cleaning services for the City of Wharton Water Well No. 5 between the City of Wharton and Weisinger, Inc., and authorizing the City Manager of the City of Wharton to execute all documents related to said agreement. Director of Planning & Development, Gwyn Teves, presented a copy of the Wharton Well & Water Plant – Well Cleaning Proposal from Weisinger, Inc., for \$47,620.00. Mrs. Teves stated the cleaning was recommended by Quiddity, RW Harden, and Weisinger prior to the installation of the permanent pumping equipment. She said that in order to keep the project from being delayed any additional time, the authorization to proceed with the services was provided to the engineers on July 26, 2023, and the City Staff was requesting ratification of the proposal. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-68, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-68**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AND RATIFYING A PROPOSAL FOR WELL CLEANING SERVICES FOR THE CITY OF WHARTON WATER WELL NO. 5 BETWEEN THE CITY OF WHARTON AND WEISINGER, INC. AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.

WHEREAS, The City of Wharton City Council wishes to ratify and approve the proposal for well cleaning services between the City of Wharton and Weisinger, Inc.; and,

WHEREAS, The proposal is for cleaning the City of Wharton Water Well No. 5 prior to permanent pump installation; and,

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

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

SECTION I. The Wharton City Council hereby ratifies and approves the proposal for well cleaning services between the City of Wharton and Weisinger, Inc.

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

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

PASSED, APPROVED, and ADOPTED this 14th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The tenth item on the agenda was to review and consider Pay Request No. 5 from CF McDonald Electric, Inc. for the Texas HMGP Project DR-4332-0105 COW Critical Facility Generators. Director of Planning & Development, Gwyn Teves, presented a copy of Pay Request No. 5 from CF McDonald Electric, Inc. for the Texas HMGP Project DR-4332-0105 COW Critical Facility Generators in the amount of \$175,500. After some discussion, Councilmember, Terry Freese, moved to approve Pay Request No. 5 from CF McDonald Electric, Inc. for the Texas HMGP Project DR-4332-0105 COW Critical Facility Generators in the amount of \$175,500. Councilmember, Steve Schneider, seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider appointments, resignations, and vacancies to the City of Wharton Boards, Commissions, and Committees:

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

After some discussion, Councilmember, Russell Machann, moved to approve the following:

Appointments:

Term Expiring:

Ms. Sheena Barbee to the Mayor’s Committee on People with Disabilities. June 30, 2025

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

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

A. Finance Committee meeting held July 24, 2023.

After some discussion, no action was taken.

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

The meeting adjourned at 7:27 p.m.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**MINUTES
OF
CITY OF WHARTON
CITY COUNCIL REGULAR MEETING
AUGUST 28, 2023**

Mayor, Tim Barker, declared a Regular Meeting duly open for the transaction of business at 7:08 P.M. at City Hall 120 E. Caney Street Wharton, TX. Councilmember, Burnell Neal, led the opening devotion, and Mayor, Tim Barker, led the pledge of allegiance.

Councilmembers present were: Mayor, Tim Barker, and Councilmembers, Terry Freese; Burnell Neal; 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; Assistant City Manager, Paula Favors; Finance Director, Joan Anandel; Director of Planning and Development, Gwyn Teves, CPM; Civic Center Manager, Makyla Monroe; Emergency Management Coordinator, Ben Guanajuato; Police Chief, Terry David Lynch, and Public Works Director, Roderick Semien.

Visitors present were: Chamber of Commerce Director, Ron Sanders; Wharton County Hispanic Chamber of Commerce President, James Perez, Shalon Owens; Walter Garrett and Sam Scinta, Jr. with the Wharton Journal Spectator.

Roll Call and Excused Absences.

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

Public Comments.

Mayor, Tim Barker, called for Public Comments.

Wharton Moment.

City Attorney, Paul Webb, congratulated the Needville Little League Baseball Team on their successful season which they went undefeated at the Southwest regional and won their first four games at the Little League World Series before losing a rematch with California in the U.S. championship game, and finishing fourth overall at tournament.

Councilmember, Burnell Neal, thanked the City of Wharton employees for their fast-acting response to his illness at the previous City Council meeting. He said he especially wanted to thank Finance Director, Joan Anandel, and Finance Clerk, Theresa Wittig, for their part in getting him to the help he needed.

Review and Consider:

The first item on the agenda was to review and consider the City of Wharton Financial Report for July 2023. City of Wharton Finance Director, Joan Anandel, presented the City of Wharton Financial Report for July 2023. After some discussion, Councilmember, Russell Machann, moved to approve the City of Wharton Financial Report for July 2023. Councilmember, Don Mueller, seconded the motion. All voted in favor.

The second item on the agenda was to review and consider the City Manager’s submission of the City of Wharton, Texas, Proposed Budget for the Fiscal Year October 1, 2023-September 30, 2024. Finance Director, Joan Anandel, stated that on or about, Saturday, August 26, 2023, she filed with City Secretary, Paula Favors, the City of Wharton Fiscal Year October 1, 2023, to September 30, 2024, Proposed Budget as required by State Law. Mrs. Anandel said that under separate cover, on Monday, August 28, 2023, she presented a copy of the Proposed City Budget as required by Article VI-Section 51 of the City’s Charter. After some discussion, no action was taken.

The third item on the agenda was to review and consider setting a Public Hearing date for the City of Wharton, Texas, Proposed Budget for the Fiscal Year October 1, 2023-September 30, 2024. Finance Director, Joan Anandel, stated that under Article VI, Section 53 of the City of Wharton Charter the City Council shall set a time and place for a Public Hearing. Mrs. Anandel said that if the date was approved by the City Council, the City Staff would publish the Notice of Public Hearing on Wednesday, August 30, 2023, in the Wharton Journal Spectator. She said that it was the staff’s recommendation the Public Hearing be set for the regular City Council meeting on September 11, 2023. After some discussion, Councilmember, Terry Freese, made the motion to set the Public Hearing date for the City of Wharton, Texas, Proposed Budget for the Fiscal Year October 1, 2023-September 30, 2024 for September 11, 2023. Councilmember, Steve Schneider, 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 adopting a Proposed Property Tax Rate for the City of Wharton October 1, 2023-September 30, 2024, Fiscal Year Budget as required by state law. Finance Director, Joan Anandel, presented a copy of the 2023 Tax Rate Calculation Worksheet which was prepared listing the applicable tax rates to be used in consideration of setting the tax rate. Mrs. Anandel stated the State required the City Council to adopt a proposed rate and the Proposed Budget was based on the Voter-Approval Tax Rate of \$0.45386. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-69, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-69**

A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING A PROPOSED PROPERTY TAX RATE FOR THE CITY OF WHARTON OCTOBER 1, 2023-SEPTEMBER 30, 2024, FISCAL YEAR BUDGET AS REQUIRED BY STATE LAW.

WHEREAS, The State of Texas Property Tax Code requires the City Council to approve a tax rate prior to setting a final tax rate; and,

WHEREAS, The Wharton City Council wishes to adopt a proposed tax rate prior to setting a final rate; and,

WHEREAS, The City Manager of the City of Wharton has submitted to the City Council a Proposed Budget for the October 1, 2023-September 30, 2024, Fiscal Year.

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 wishes to adopt the proposed tax rate as follows:

1. Voter Approval Tax Rate- \$0.45386.

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

Passed, Approved, and Adopted this 28th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The fifth item on the agenda was to review and consider an ordinance amending the City of Wharton Code of Ordinances, Chapter 86, Sections 86-15, 86-16, 86-17, and 86-21, Utilities and Services, Article I in General; 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 a savings clause and revoking all ordinances or parts of ordinances in conflict herewith only to the extent same are in conflict herewith otherwise provided herein. Finance Director, Joan Anandel, presented a copy of the memorandum dated August 16, 2023, from her to City Manager, Joseph R. Pace, regarding the proposed increase in utility rates for customers effective October 1, 2023. Mrs. Anandel stated that as discussed in the City Council Budget Workshop on August 7, 2023, the Proposed Budget included a 10% increase in water and sewer rates. After some discussion, Councilmember, Terry Freese moved to approve City of Wharton Ordinance No. 2023-08, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2023-08**

AN ORDINANCE AMENDING THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 86, SECTIONS 86-15, 86-16, 86-17 AND 86-21, UTILITIES AND SERVICES, ARTICLE I IN GENERAL; 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 A SAVINGS CLAUSE AND REVOKING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ONLY TO THE EXTENT SAME ARE IN CONFLICT HEREWITH OTHERWISE PROVIDED HEREIN.

BE IT ORDAINED by the City Council of the City of Wharton, Texas that Chapter 86, Utilities and Services, Article I in General; Sections 86-15, 86-16, 86-17, and 86-21 be amended by the following:

Section I. Amendment

The Code of Ordinances of the City of Wharton, Texas, Chapter 86 Utilities and Services is hereby amended to be enforced by the City of Wharton as follows:

Sec. 86-15. - Water and sewer tap charges, deposits, administrative penalties and other charges.

Water and sewer tap charges, deposits, administrative penalties, and other charges shall be as follows:

(1) *Water*. Standard water tap fees for customers inside the city limits and outside the city limits are as follows:

	Size of Tap	Cost of Service
a.	¾-inch T-off	\$379.72
b.	¾-inch	\$759.40
c.	1-inch	\$998.07 + cost of meter

d.	1½-inch	\$1,497.10 + cost of meter
e.	2-inch	\$1,995.96 + cost of meter

(2) *Sewer*. Standard sewer tap fees for customers inside the city limits and outside the city limits are as follows:

	Size of Tap	Cost of Service
a.	4-inch	\$759.40
b.	6-inch	\$1,247.40

Sec. 86-16. - Water service charges.

(a) The monthly charges for water service rendered by the city shall be as follows:

Volume Charges:

First 2,000 gallons (minimum)...	\$34.50
Next 2,000 gallons, per 1,000...	\$6.56
Next 3,000 gallons, per 1,000...	\$6.78
Next 4,000 gallons, per 1,000...	\$7.04
Next 4,000 gallons, per 1,000...	\$7.50
Next 35,000 gallons, per 1,000...	\$7.94
Next 50,000 gallons, per 1,000...	\$8.23
Next 50,000 gallons, per 1,000...	\$8.84
Next 50,000 gallons, per 1,000...	\$9.39

(b) Customers requesting temporary water services (seven-day increments) can apply for a temporary water rate based on the following:

Volume Charges:

First 8,000 gallons for seven days... \$79.70
Over 8,000 gallons, per 1,000... \$7.28

Sec. 86-17. - Sewer service charges.

(a) The monthly charges for sanitary sewer services rendered by the city shall be as follows:

Volume Charges:

First 2,000 gallons (minimum)... \$37.06
Next 2,000 gallons, per 1,000... \$5.76
Next 3,000 gallons, per 1,000... \$7.04
Next 4,000 gallons, per 1,000... \$7.82
Next 4,000 gallons, per 1,000... \$8.38
Next 35,000 gallons, per 1,000... \$9.23
Next 50,000 gallons, per 1,000... \$9.88
Next 50,000 gallons, per 1,000... \$10.45
Next 50,000 gallons, per 1,000... \$11.22

Sec. 86-21. - Bulk water rates.

(a) Bulk sales through fire hydrant water meters temporarily installed at locations remote from the Wharton Volunteer Fire Department on Fulton Street will require the following:

- (1) Advance, nonrefundable payment of \$50.00 to the City of Wharton at City Hall for setting the meter connection at the fire hydrant or other appropriate locations as the city may determine; and
- (2) Payment of bulk sales rate of \$132.81 per month for the first 1,000 gallons of water dispensed, or any fraction thereof; \$53.14 per month per 1,000 gallons dispensed, or any fraction thereof, beyond the initial 1,000 gallons dispensed; and
- (3) Advance, refundable fire hydrant meter deposit payment of \$200.00 to the City of Wharton at City Hall.

(b) Bulk sales through permanently installed water meter dispensation point at the Wharton Volunteer Fire Department on Fulton Street will require the following:

- (1) No requirement for payment of meter setting fee; and,
- (2) Payment of bulk sales rate of \$132.81 for the first 1,000 gallons of water dispensed, or any fraction thereof; \$53.14 per 1,000 gallons dispensed, or any fraction thereof, beyond the initial 1,000 gallons dispensed; and,
- (3) No requirement for payment of the \$200.00 fire hydrant meter deposit, however each water dispensation transaction authorized under this section must be prepaid to the City of Wharton at City Hall where a one-day dispensation voucher will be issued for

presentation to the water plant operator to authorize a one-day dispensation of a not to exceed amount of water in gallons. The one-day dispensation voucher identifying the cumulative number of gallons purchased will allow for scheduled multiple withdrawals of water, but only during the same City of Wharton working day upon which initial dispensation commences.

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 a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

Penalties and Fines

Any person knowingly or recklessly found violating and are convicted of a violation of this ordinance shall be fined in an amount not to exceed \$2,000.00. Each day or fraction of a day during which this ordinance or any part thereof is violated shall be deemed a separate offense and punishable as such.

Effective Date

This ordinance shall be effective on the 1st day of October 2023 at 12:01 a.m.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, this 28th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

Paula Favors
City Secretary

APPROVED AS:

PAUL WEBB

City Attorney

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

The sixth item on the agenda was to review and consider Green for Life (GFL), formerly Waste Corporation of America (WCA), Rate Modification to the Solid Waste Collection and Disposal Service Franchise Agreement:

- A. Ordinance: An ordinance repealing and replacing the City of Wharton Code of Ordinances, Chapter 86 Utilities and Services, Article III, Solid Waste Disposal Exhibit A, 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 and setting an effective date.

Finance Director, Joan Anandel, presented a copy of the memorandum dated August 22, 2023, from her to City Manager, Joseph R. Pace, referencing a five (5) percent increase above the cost of Green for Life (GFL) Solid Waste Services. Mrs. Anandel stated that this item was discussed at the Budget Workshop on August 7, 2023. She said the Finance Committee met on August 28, 2023, and was recommending the City Council consider approving the request. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Ordinance No. 2023-09, which read as follows:

**CITY OF WHARTON
ORDINANCE NO. 2023-09**

AN ORDINANCE REPEALING AND REPLACING THE CITY OF WHARTON CODE OF ORDINANCES, CHAPTER 86 UTILITIES & SERVICE, ARTICLE III, SOLID WASTE DISPOSAL EXHIBIT A; 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 AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED by the City Council of the City of Wharton, Texas, that Chapter 86 Utilities & Service, Article III Solid Waste Disposal Exhibit A shall be replaced as follows:

**SCHEDULE “A”
Base Rates**

Monthly Residential Waste Collection
\$ 28.99 per Residential Unit which includes a \$3.00 per month fee.

Monthly Commercial Hand Collection
\$ 37.68 per Commercial Unit which includes a \$3.50 per month fee.

Container Service (per month) includes a \$3.50 fee

2 yd 1xwk	\$ 76.95
2xwk	\$ 135.31
3xwk	\$ 173.09
4xwk	\$ 237.58
5xwk	\$ 295.10
Additional Pick-up	\$ 83.67
3yd 1xwk	\$ 111.68
2xwk	\$ 197.83
3xwk	\$ 263.33
4xwk	\$ 352.63
5xwk	\$ 438.90
Additional Pick-up	\$ 119.57
4yd 1xwk	\$ 138.80
2xwk	\$ 239.91
3xwk	\$ 338.67
4xwk	\$ 467.66
5xwk	\$ 582.70
Additional Pick-up	\$ 149.36
6yd 1xwk	\$ 196.00
2xwk	\$ 372.63
3xwk	\$ 519.16
4xwk	\$ 697.77
5xwk	\$ 870.34
Additional Pick-up	\$ 209.46
8yd 1xwk	\$ 242.23
2xwk	\$ 449.06
3xwk	\$ 669.87
4xwk	\$ 927.85
5xwk	\$ 1,157.93
Additional Pick-up	\$ 256.21

Rates for Roll-offs:

Delivery Fee	\$ 126.66
Monthly Rental	\$ 151.99
Pull Price (per pull)	\$ 337.00
Disposal Fee-Loose (per yard)	\$ 40.48
Disposal Fee-Compact (per yard)	\$ 40.48

Rates for Other Services:

Hourly Rate	\$ 122.97
Disposal per cubic yard	\$ 8.59

PENALTY

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 at 12:01 a.m. on the 1st day of October 2023.

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on the 28th day of August 2023.

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 seventh item on the agenda was to review and consider a request by Mr. Ron Sanders, Executive Director of the Wharton Chamber of Commerce & Agriculture, for the following for the Party Under the Bridge to be held Thursday, October 19, 2023:

1. Variance to have a petting zoo in a City Park.

City Manager, Joseph R. Pace, presented a copy of a letter dated August 16, 2023, from Wharton Chamber of Commerce Executive Director, Ron Sanders, regarding the Party Under the Bridge. Mr. Sanders stated the event would be on Thursday, October 19, 2023, from 5:00 p.m. to 8:00 p.m. and they were requesting the City Council consider giving a variance to allow them to have a petting zoo in Dinosaur Park. After some discussion, Councilmember, Terry Freese, moved to approve the request by Mr. Ron Sanders, Executive Director of the Wharton Chamber of Commerce & Agriculture, for Party Under the Bridge to be held Thursday, October 19, 2023, to allowing a petting zoo in a City Park during the event. After some discussion, Councilmember, Russell Machann, seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider a request from Ms. Shalon Owens for the following for the A.B. Walker Fall Festival to be held on September 23, 2023:

- A. Closure of the 100 Block of South Fulton Street from 12:00 p.m. to 11:00 p.m.
- B. Closure of the 100 Block of South Houston Street from 12:00 p.m. to 11:00 p.m.
- C. Closure of the 200 Block of South Houston Street from 12:00 p.m. to 11:00 p.m. to allow barrel train rides to take place in the Prosperity Bank Parking Lot.
- D. Twelve (12) trash cans and liners placed on and around the Courthouse grounds.
- E. Barricades and cones for traffic control and closure for the above-mentioned streets.
- F. Waiver of the City of Wharton noise ordinance to allow music.
- G. Waiver of the City of Wharton consumption ordinance to allow alcohol on the premises.
- H. Donation of a roll-off dumpster.
- I. Waive all permit fees.
- J. Provide access to any electrical breakers on the street corners surrounding the square.
- K. Display/advertise on the I-69 digital billboard.

City Manager, Joseph R. Pace, presented a copy of the request from Ms. Shalon Owens for the A.B. Walker Fall Festival on September 23, 2023. City Manager, Pace stated Item J. requesting to provide access to any electrical breakers on the street corners surrounding the square would be at the discretion of Wharton County since it was their property and Item K. could be done if the requestor provided the digital content to the City of Wharton for the advertisement. After some discussion, Councilmember, Russell Machann, moved to approve Items A., B., C., D., E., F., G., H., I., and K. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider a request from Mr. James Perez, Wharton County Hispanic Chamber of Commerce President, for the 2023 Diez y Sies de Septiembre Celebration on September 16, 2023, for the following:

- A. Waive City of Wharton Civic Center rental fees.

- B. Display signage of the 2023 Diez y Sies de Septiembre Celebration advertisement on the I-69 digital billboard.
- C. Provide any financial or in-kind support to help offset the costs of the event, including the cost to pay for Wharton Police Department security.
- D. Provide any financial or in-kind assistance to help offset the cost of the event.

City Manager, Joseph R. Pace, presented a copy of the request from Mr. James Perez, Wharton County Hispanic Chamber of Commerce President, for the 2023 Diez y Sies de Septiembre Celebration on September 16, 2023, from 6:00 p.m. to 12:00 a.m. at the Wharton Civic Center. City Manager, Joseph R. Pace, stated the City does not waive the City of Wharton Civic Center rental fees or provide the requests in Item C. After some discussion, Councilmember, Terry Freese, moved to approve afore mentioned Item B. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The tenth item on the agenda to review and consider was a request from Mr. James Perez, Wharton County Hispanic Chamber of Commerce President, for the 2023 Dia De Los Muertos on October 28, 2023, at Guffey Park, for the following:

- A. Close Houston Street between Milam Street and Caney Street on Saturday, October 28, 2023, from 2:00 p.m. to 11:00 p.m.
- B. Close Polk Street between Milam Street and Caney Street on Saturday, October 28, 2023, from 2:00 p.m. to 11:00 p.m.
- C. Close Caney Street between Houston Street and Polk Street from Saturday, October 28, 2023, from 2:00 p.m. to 12:00 a.m.
- D. Close Guffey Park from 2:00 p.m. to 12:00 a.m.
- E. Waive City of Wharton Noise Ordinance to allow for music performances.
- F. Waive City of Wharton Alcohol Ordinance to allow the public to consume alcohol in Guffey Park.
- G. Waive all local permit fees.
- H. Provide two (2) generator lights for safety and clean up.
- I. Provide one (1) roll-off dumpster.
- J. Provide twelve (12) trash barrels and trash bags.
- K. Provide road closure barricades to close off the above-mentioned streets.
- L. Provide access to the electrical breaker at the corner of Polk Street and Caney Street.
- M. Display signage of the 2023 Dia De Los Muertos Celebration advertisement on the I-69 digital billboard.
- N. Provide any financial or in-kind support to help offset the costs of the event.

City Manager, Joseph R. Pace, presented a copy of the request from Mr. James Perez, Wharton County Hispanic Chamber of Commerce President, for the 2023 Dia De Los Muertos Celebration on October 28, 2023, from 6:00 p.m. to 11:00 p.m. at Guffey Park. City Manager, Joseph R. Pace stated the City did not have generator lights to provide or give any financial or in-kind support to help offset the costs of the event. After some discussion, Councilmember, Russell Machann, moved to approve the aforementioned Items A., B., C., D., E., F., G., I., J., K., L., and M. Councilmember, Burnell Neal, seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the payment of airplane repairs to Tyler McCarver and authorizing the City Manager of the City of Wharton to execute all documents related to said payment. Finance Director, Joan Andel, stated that on June 21, 2023, Mr. Tyler McCarver received damage to his airplane housed at the Wharton Regional Airport. Mrs. Andel said that due to employee oversight, paint from hangar repairs being made in an adjoining hangar were sprayed onto his airplane. She said Mr. McCarver had provided the City estimates to have his airplane repaired in the amount of \$41,849.90. Mrs. Andel stated the Finance Committee met on Monday, August 28, 2023, and was recommending the City Council consider approving the request. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-70, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-70**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PAYMENT OF AIRPLANE REPAIRS TO TYLER MCCARVER AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PAYMENT.

WHEREAS, The Wharton City Council authorizes the payment of airplane repairs to Tyler McCarver in the amount of \$41,849.90; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager to make the payment upon invoice; and,

WHEREAS, The Wharton City Council wishes to authorize the City Manager to execute the agreement related to payment of the repairs.

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

SECTION I. The Wharton City Council hereby authorizes the City Manager to pay for airplane repairs to Mr. Tyler McCarver in the amount of \$41,489.90.

SECTION II. The Wharton City Council hereby authorizes the City Manager to execute the agreement related to the airplane repairs.

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

PASSED AND APPROVED this 28th day of August 2023.

CITY OF WHARTON

TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The twelfth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of pumps for the Wastewater Treatment Plant #2 and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. Public Works Director, Roderick Semien, presented copies of bids for replacing two out of the three lift station pumps at Wastewater Treatment Plant #2. Mr. Semien stated the pumps were down, and motor windings had shorted out. He said the pumps were essential in the operation of the plant since they moved raw sewage water from the resident's homes into the plant to be processed. Public Works Director Semien stated the Public Works Department was renting one pump at \$275 a week but still, that left the City short of one pump for their needs and it was recommended, and due to its specifications, that the City purchase the two pumps listed below from the two different manufacturers below:

Odessa Pumps model UGRU_99030144 \$7483.25
Green Pump & Supply model AMS434-180/5.5TC \$5780.00

Mr. Semien said the Finance Committee met on Monday, August 28, 2023, and was recommending the City Council consider approving the request. After some discussion, Councilmember, Terry Freese, moved to approve City of Wharton Resolution No. 2023-71, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-71**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF PUMPS FROM ODESSA PUMPS AND GREEN PUMP AND SUPPLY FOR THE WASTEWATER TREATMENT PLANT #2 AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The City of Wharton requested quotes from three sources for pumps at the Waste Water Treatment Plant #2; and,

WHEREAS, The Wharton City Council authorizes the purchase of two pumps, one from Odessa Pumps in the amount of \$7,483.25 and one from Green Pump and Supply in the amount of \$5,780.00 for Waste Water Treatment Plant #2 and wishes to authorize the City Manager of the City of Wharton to execute all documents.

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

Section I. The Wharton City Council hereby authorizes the City Manager of the City of Wharton to execute all documents related to the purchase of two pumps needed at the Waste Water Treatment Plant #2.

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

Passed, Approved, and Adopted this 28th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The thirteenth item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the purchase of an air conditioning unit for the City Secretary's Office and server area of the Wharton City Hall and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. City Secretary, Paula Favors, stated the air conditioning unit for the City Secretary's Office and Server Room was currently not operational. Mrs. Favors said the concern comes in with the server room not being held at a cool temperature and City's servers overheating. She said a temporary air conditioning unit was being utilized to keep the server room's temperature down as much as possible and the City Staff had requested three bids for a replacement unit. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-72, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-72**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE PURCHASE OF AN AIR CONDITIONING UNIT FOR THE CITY SECRETARY'S OFFICE AND SERVER AREA OF THE WHARTON CITY HALL AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The Wharton City Council wishes to approve EB Air Conditioning and Heating for the air conditioning unit for the City Secretary’s office and server area of the Wharton City Hall in the amount of \$19,900.00; and,

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

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

Section I. The Wharton City Council hereby authorizes the City Manager of the City of Wharton, Texas, to execute all documents related to the purchase from EB Air Conditioning and Heating for the air conditioning unit for the City Secretary’s office and server area of the Wharton City Hall in the amount of \$19,900.00;.

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

Passed, Approved, and Adopted this 28th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

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

The fifteenth item on the agenda was an update of City of Wharton on-going projects. City Manager, Joseph R. Pace presented an update on the City of Wharton on-going projects. After some discussion, no action was taken

The sixteenth item on the agenda was to review and consider appointments, resignations, and vacancies to the City of Wharton Boards, Commissions, and Committees:

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

After some discussion, no action was taken.

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

- A. Finance Committee meeting held August 14, 2023.

After some discussion, no action was taken.

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

After some discussion, no action was taken.

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

The meeting adjourned at 7:49 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
AUGUST 7, 2023**

Mayor, Tim Barker, declared a Special Meeting duly open for the transaction of business at 6:06 P.M. Councilmember, Russell Machann, led the opening devotion, and Mayor, Tim Barker, led the pledge of allegiance.

Councilmembers present were: Mayor, Tim Barker and Councilmembers, Terry Freese; Burnell Neal; Russell Machann; Don Mueller; Larry Pittman, and Steve Schneider.

Councilmembers absent were: None.

Staff members present were: Finance Director, Joan Anzel; Assistant City Manager/City Secretary, Paula Favors; Assistant to the City Manager, Brandi Jimenez; Director of Planning and Development, Gwyn Teves, Public Works Director, Roderick Semien; Utility Superintendent, Harold Matula and Finance Accountant, London Davis.

Visitors present were: Kristi Kocian; Debbie Folks, and Wharton Chamber of Commerce Executive Director, Ron Sanders.

Roll Call and Excused Absences.

All Councilmembers were present.

Public Comments.

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

Wharton Moment.

Mayor, Tim Barker, thanked City Staff for their hard work on the Employee Appreciation Event that took place in July.

The first item on the agenda was to review and consider a resolution of the Wharton City Council authorizing and ratifying the water well emergency rework through Alsay Incorporated at the Valhalla Site to include a camera survey and pump rental and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. Public Works Director, Roderick Semien, stated that on Saturday, July 29, 2023, the water well at the Valhalla Site was checked and the well had pumped approximately 13,000 gallons in comparison to 500,000 gallons as expected. Utilities Superintendent, Harold Matula, stated that on Sunday, July 30, 2023, the pump reading was the same so on Sunday, the City Staff began making calls and working to get a resolution to have the well become operational as soon as possible since this was an emergency.

Public Works Director Semien said that it was decided on Monday, July 31, 2023, by contacting Quiddity Engineering, that the City would need to hire a contractor to perform emergency rework at the Valhalla Well Site. Mr. Semien said that Mr. Pace was informed at the time and the City Staff was instructed to contact a contractor to get the well operational. Alsay Incorporated was contacted and was able to be on-site on Monday to address the situation. After some discussion, Councilmember, Russell Machann, moved to approve City of Wharton Resolution No. 2023-64, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2023-64**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING AND RATIFYING THE WATER WELL EMERGENCY REWORK THROUGH ALSAY INCORPORATED AT THE VALHALLA SITE TO INCLUDE A CAMERA SURVEY AND PUMP RENTAL AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The City of Wharton had a pump failure at the Valhalla Water Well; and,

WHEREAS, The City of Wharton had to make emergency repairs; and,

WHEREAS, The Wharton City Council ratifies the emergency rework through Alsay Incorporated at the Valhalla Site to include a camera survey and pump rental and wishes to authorize the City Manager of the City of Wharton to execute all documents.

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

Section I. The Wharton City Council hereby authorizes the City Manager of the City of Wharton to execute all documents related to emergency rework at the Valhalla Well Site through Alsay Incorporated.

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

Passed, Approved, and Adopted this 7th day of August 2023.

CITY OF WHARTON, TEXAS

By: _____

TIM BARKER

Mayor

ATTEST:

PAULA FAVORS

City Secretary

Councilmember, Don Mueller, seconded the motion. All voted in favor.

The second item on the agenda was Budget Workshop: the City of Wharton 2023-2024 Fiscal Year Budget:

A. Funding Request:

- 1. Women’s Crisis Center.
- 2. Wharton Chamber of Commerce.
- 3. SPOT.
- 4. Friends of Wharton Animal Control.
- 5. Just Do It Now.

B. Five-year Vehicle & Equipment Capital Needs:

- 1. Code Enforcement Department.
- 2. Airport Department.
- 3. Fire Department.
- 4. Emergency Medical Services Department.
- 5. Emergency Management Department.
- 6. Police, Animal Control & Communications Departments.
- 7. Municipal Court.
- 8. City Secretary.
- 9. Civic Center.

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.
- 5. Garage.
- 6. Parks & Facilities Department.

D. General Fund.

E. PEG Fund.

F. Hotel Motel Fund.

G. Narcotics 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.

City of Wharton
Special City Council Meeting
August 7, 2023

Finance Director, Joan Anandel and Finance Accountant, London Davis, presented the City Council the Capital Improvements Projects. After some discussion, no action was taken.

Finance Director, Joan Anandel, stated the 2023-2024 fiscal year budget would include a 10% increase in water and sewer rates and a 5% increase in solid waste rates.

Finance Director, Joan Anandel, and Finance Accountant, London Davis, presented the City of Wharton 2023-2024 fiscal year budget. Mrs. Anandel stated the budget would be presented at a future meeting for possible City Council approval. After some discussion, no action was taken.

Adjournment.

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

The meeting was adjourned at 7:17 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:	9/11/2023	Agenda Item:	Request from Mr. Ryan Moeckel with McKim & Creed to review the plat for Phase 1 of the Wharton Lakes Subdivision Abstract 36, Tracts 24-1, 24-2, 24-3, 24-5, 24-6 & 24 C.
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Attached you will find the request from Mr. Ryan Moeckel with McKim & Creed to review the plat for Phase 1 of the Wharton Lakes Subdivision Abstract 36, Tracts 24-1, 24-2, 24-3, 24-5, 24-6 & 24 C.

The Planning Commission met on Monday, September 5, 2023, 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, September 7, 2023
Approval: 	
Mayor: Tim Barker	



City of Wharton

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

MEMORANDUM

DATE: September 5, 2023
FROM: Mike Wootton, Planning Commission Chairperson
TO: Honorable Mayor and City Council
SUBJECT: Recommendation to City Council from the Special Called Planning Commission Meeting held Tuesday, September 5, 2023

The following item was discussed during the Tuesday, September 5, 2023, meeting:

1. Request from Ryan Moeckel with McKim & Creed to review the plat for Phase 1 of the Wharton Lakes Subdivision Abstract 36, Tracts 24-1, 24-2, 24-3, 24-5, 24-6 & 24 C.

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

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

CITY OF WHARTON
PLANNING COMMISSION
APPLICATION
FOR
PLAT OR RE-PLAT

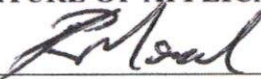
NOTE: If plat or re-plat request is approved by the Planning Commission, the request will then be presented at the next City Council meeting for City Council consideration. Attendance by the applicant requesting the variance is mandatory during the City Council meeting. If applicant fails to attend the meeting, the variance request will not be considered by the City Council at that time.

Ryan Moeckel
Name (Printed)
12718 Century Drive, Stafford, Texas 77477
Physical Address
12718 Century Drive, Stafford, Texas 77477
Legal Address

7-20-23
~~2-28-2023~~
Date
12718 Century Drive, Stafford, Texas 77477
Mailing Address
 /
P:

*ATTACH A PRELIMINARY/FINAL DRAWING OF THE RE-PLAT.
*ATTACH TAX CERTIFICATES.

SIGNATURE OF APPLICANT:


Signature

7-20-23
Date

Planning commission Meeting: 9.5.2023
City Council Meeting: 9.11.2023

ADJACENT PROPERTY OWNER(S):

Name

Legal Address

Name

Legal Address

Name

Legal Address

Phone

Physical Address

Phone

Physical Address

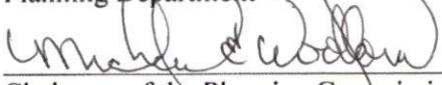
Phone

Physical Address

APPROVAL:


Planning Department

7.21.2023
Date


Chairman of the Planning Commission

9.5.2023
Date

Mayor

Date

STATE OF TEXAS :
COUNTY OF WHARTON:

WE, WHARTON 55, LLC, ACTION HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS WHARTON LAKES SEC 1, AN ADDITION TO THE CITY OF WHARTON, TEXAS AND DOES HEREBY DEDICATE, IN FEE SIMPLE TO THE PUBLIC USE FOREVER, THE STREETS, ALLEY, AND PUBLIC USE AREAS, SHOWN HEREON, AND DOES HEREBY DEDICATE THE EASEMENTS SHOWN ON THE PLAT FOR THE PURPOSES INDICATED TO THE PUBLIC USE FOREVER, SAID DEDICATIONS BEING FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS SHOWN HEREIN. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS ON SAID PLAT. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO A PARTICULAR UTILITY OR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WHARTON'S USE THEREOF. THE CITY OF WHARTON AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS. THE CITY OF WHARTON AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY SAID EASEMENT FOR THE PURPOSE OF USING, CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OF PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

WHARTON 55, LLC, DOES HEREBY BIND ITSELF, ITS SUCCESSORS AND ASSIGNS TO FOREVER WARRANT AND DEFEND ALL AND SINGULAR THE ABOVE DESCRIBED STREETS, ALLEYS, EASEMENTS AND RIGHTS UNTO THE PUBLIC AGAINST EVERY PERSON WHOMSOEVER LAWFULLY CLAIMING OR TO CLAIM THE SAME OR ANY PART THEREOF. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF WHARTON.

WITNESS MY HAND THIS ____ DAY OF _____, 2023.

BY: _____
BRIAN JARRARD
OFFICER
WHARTON 55, LLC

STATE OF TEXAS:
COUNTY OF _____:

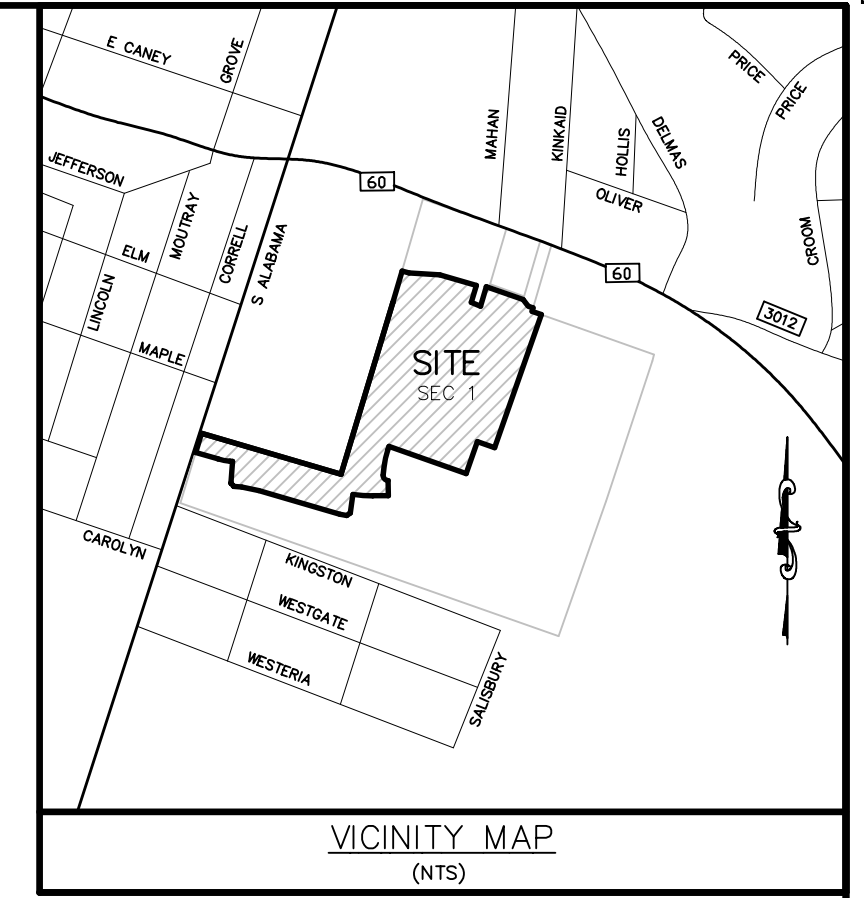
BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED BRIAN JARRARD, OFFICER OF WHARTON 55, LLC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR STATE OF TEXAS
MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

Table with columns: LINE, BEARING, DISTANCE. Contains lines L1 through L40 with specific bearing and distance values.

Table with columns: CURVE, RADIUS, LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Contains curves C1 through C37 with specific curve data.



KNOW ALL MEN BY THESE PRESENTS:

THAT I, ROBERT CHRIS KELLY, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF WHARTON, TEXAS.

ROBERT CHRIS KELLY, R.P.L.S.
TEXAS REGISTRATION NO. 6833



NOTES:

- 1.) BEARINGS AND COORDINATES SHOWN HEREON ARE SURFACE COORDINATES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NO. 4204, NAD 83), AS OBTAINED FROM C.O.R.S. SYSTEM, AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.99986294072.
2.) ALL LOT CORNERS, ANGLE POINTS, AND PC'S HAVE BEEN MARKED WITH A 5/8" IRON ROD WITH CAP STAMPED "MCKIM & CREED", UNLESS OTHERWISE NOTED.
3.) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR WHARTON COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 48481-C-0365F EFFECTIVELY DATED DECEMBER 21, 2017, THIS PROPERTY LIES IN ZONE "AE", SPECIAL FLOOD HAZARD AREAS INUNDATED BY THE 1% ANNUAL CHANCE FLOOD EVENT WITH BASE FLOOD ELEVATIONS DETERMINED.
4.) ALL LOTS SHALL HAVE 5 FEET BUILDING SETBACK LINES ON ALL SIDE PROPERTY LINES.
5.) ALL OF THE PROPERTY SUBDIVIDED IN THE FOREGOING PLAT IS WITHIN THE INCORPORATED BOUNDARIES OF THE CITY OF WHARTON, TEXAS.

APPROVED THIS ____ DAY OF _____, 202__ BY THE CITY PLANNING COMMISSION OF THE CITY OF WHARTON, TEXAS.

CHAIRMAN _____ SECRETARY _____

APPROVED THIS ____ DAY OF _____, 202__ BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS.

MAYOR _____ CITY SECRETARY _____

WHARTON LAKES SEC 1

A SUBDIVISION OF A 18.5716 ACRE TRACT IN THE RANDAL JONES 1/2 LEAGUE, ABSTRACT NO. 36, CITY OF WHARTON, WHARTON COUNTY, TEXAS

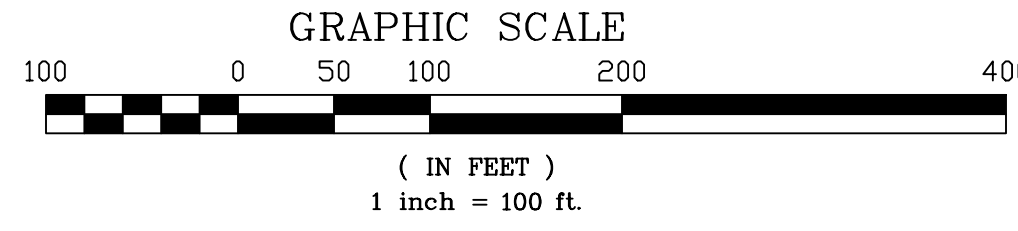
99 LOTS 5 BLOCKS 4 RESERVES

~ OWNERS ~

WHARTON 55, LLC
5005 Riverway Drive
Houston, Texas 77056
PHONE: 281.731.1382

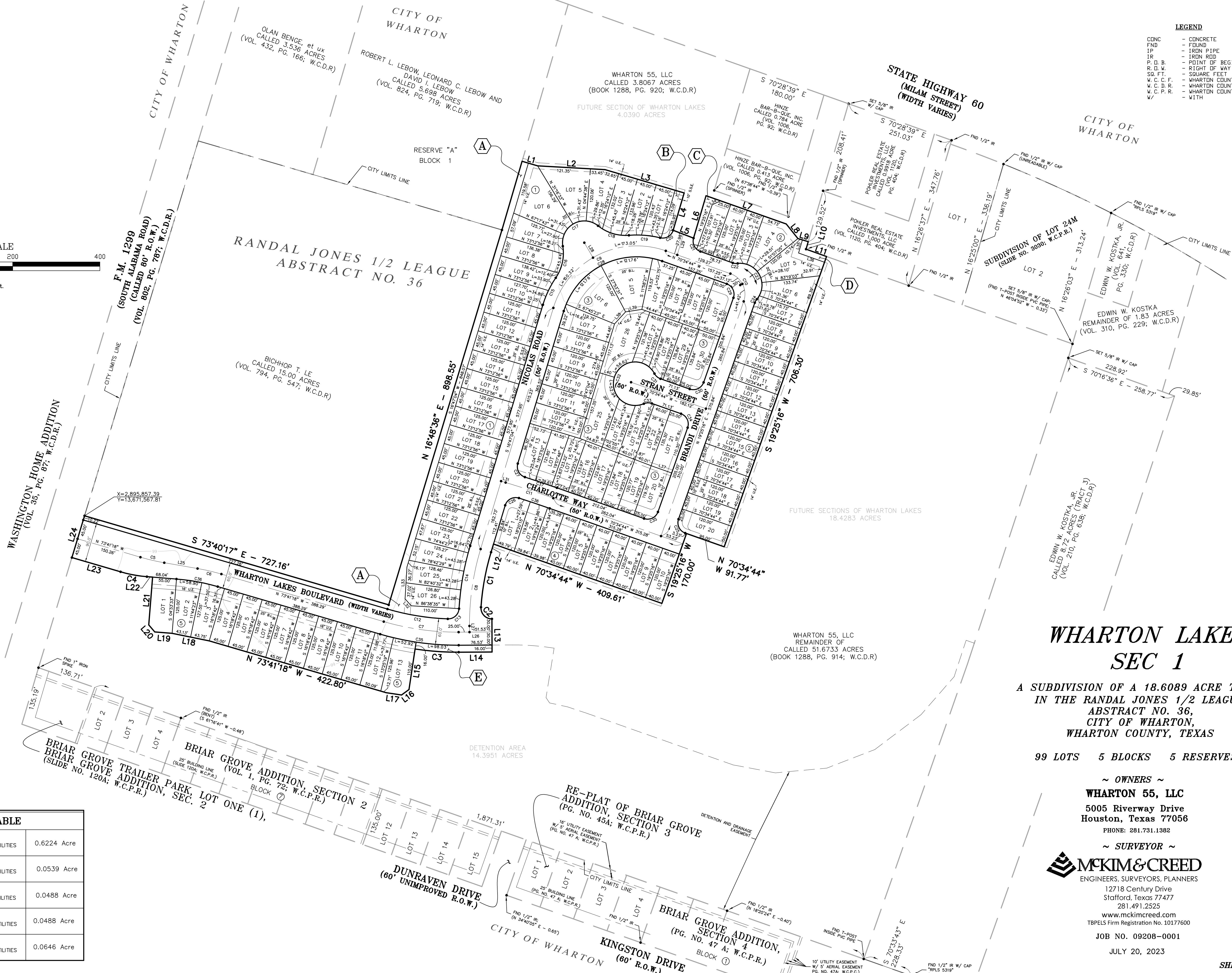
~ SURVEYOR ~

MCKIM & CREED
ENGINEERS, SURVEYORS, PLANNERS
12718 Century Drive
Stafford, Texas 77477
281.491.2525
www.mckimcreed.com
TBPELS Firm Registration No. 10177600
JOB NO. 09208-0001
JULY 20, 2023



LEGEND

CONC	- CONCRETE
FND	- FOUND
IP	- IRON PIPE
IR	- IRON ROD
P.D.B.	- POINT OF BEGINNING
R.O.W.	- RIGHT OF WAY
SQ. FT.	- SQUARE FEET
W.C.C.F.	- WHARTON COUNTY CLERK'S FILE
W.C.D.R.	- WHARTON COUNTY DEED RECORDS
W.C.P.R.	- WHARTON COUNTY PLAT RECORDS
W/	- WITH



WHARTON LAKES SEC 1

A SUBDIVISION OF A 18.6089 ACRE TRACT
IN THE RANDAL JONES 1/2 LEAGUE,
ABSTRACT NO. 36,
CITY OF WHARTON,
WHARTON COUNTY, TEXAS

99 LOTS 5 BLOCKS 5 RESERVES

~ OWNERS ~
WHARTON 55, LLC
5005 Riverway Drive
Houston, Texas 77056
PHONE: 281.731.1382

~ SURVEYOR ~
MCKIM & CREED
ENGINEERS, SURVEYORS, PLANNERS
12718 Century Drive
Stafford, Texas 77477
281.491.2525
www.mckimcreed.com
TBPELS Firm Registration No. 10177600
JOB NO. 09208-0001
JULY 20, 2023

RESERVE TABLE

A	RESTRICTED TO LANDSCAPE/OPEN SPACE/UTILITIES	0.6224 Acre
B	RESTRICTED TO LANDSCAPE/OPEN SPACE/UTILITIES	0.0539 Acre
C	RESTRICTED TO LANDSCAPE/OPEN SPACE/UTILITIES	0.0488 Acre
D	RESTRICTED TO LANDSCAPE/OPEN SPACE/UTILITIES	0.0488 Acre
E	RESTRICTED TO LANDSCAPE/OPEN SPACE/UTILITIES	0.0646 Acre

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


CITY COUNCIL COMMUNICATION

Meeting Date:	9/11/2023	Agenda Item:	Request from Ms. Clarice Ward of 3521 Fairway Dr., Country Club Estates, Lot 18, for a 3-foot side building line setback from the required 5-foot setback for construction of a carport/storage building over an existing concrete driveway.
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Attached you will find the request from Ms. Clarice Ward of 3521 Fairway Dr., Country Club Estates, Lot 18, for a 3-foot side building line setback from the required 5-foot setback for construction of a carport/storage building over an existing concrete driveway.

The Planning Commission met on Monday, September 5, 2023, 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, September 7, 2023
Approval: 	
Mayor: Tim Barker	



City of Wharton

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

MEMORANDUM

DATE: September 5, 2023
FROM: Mike Wootton, Planning Commission Chairperson
TO: Honorable Mayor and City Council
SUBJECT: Recommendation to City Council from the Special Called Planning Commission Meeting held Tuesday, September 5, 2023

The following item was discussed during the Tuesday, September 5, 2023, meeting:

1. Request from Ms. Clarice Ward of 3521 Fairway Dr., Country Club Estates, Lot 18, for a 3-foot side building line setback from the required 5-foot setback for construction of a carport/storage building over existing concrete driveway.

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

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

**CITY OF WHARTON
PLANNING COMMISSION
APPLICATION FOR VARIANCE**

Item-4.

NOTE: If variance request is approved by the Planning Commission, the request will then be presented at the next City Council meeting for City Council consideration. Attendance by the applicant requesting the variance is mandatory during the City Council meeting. If applicant fails to attend the meeting, the variance request will not be considered by the City Council at that time. The expiration date for approved variance application will be six months from the date of approval of the variance. If construction has not commenced within that six month period, the applicant must re-apply for the variance.

Clarice A. Ward
Name (Printed)
3521 Fairway Dr
Physical Address
3521
Legal Address

8/21/23
Date
3521 Fairway Dr

Describe the variance request and the reason for requesting variance:

install CARPORT 12' x 25'
Request a 3' setback from required 5' side setback.

ATTACH A SITE PLAN WITH DIMENSIONS TO PROPERTY LINES:

SIGNATURE OF APPLICANT:

Clarice Ward
Signature
8/31/23
Date
Planning Commission Meeting: 9/05/23 @ 430p
City Council Meeting: 9/11/23 @ 7pm

Building line setbacks Only	
Residential	\$100.00 <input checked="" type="checkbox"/>
Non-Residential	\$150.00
Non-Refundable fee	
Effective November 3, 2006	

ADJACENT PROPERTY OWNER (S):

Robert Kolacny
Name
Country Club Est lot 19
Legal Address
Bailey & Calista Satek
Name
Country Club Est. Lot 17
Legal Address
Hacienda Services Inc.
Name
Baker # 1, lot 6
Legal Address

Phone
3515 Fairway Drive
Physical Address
Phone
3613 Fairway Drive
Physical Address
Phone
3610 Cline Drive
Physical Address

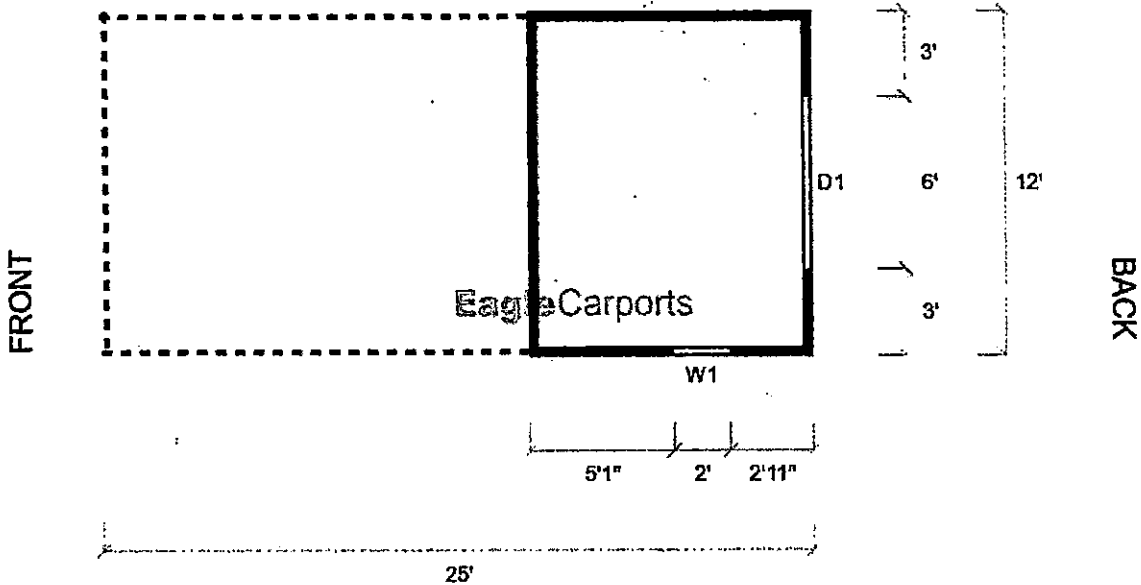
APPROVAL:

Fresh Teves
Planning Department
[Signature]
Chairman of the Planning Commission
Mayor

8.21.2023
Date
9.5.2023
Date
Date



LEFT SIDE



RIGHT SIDE

SYMBOL LEGEND

- D1** 6'x7' Garage Door
- W1** 24W x 36H Windows
- Closed Wall
- - - -** Open Wall

CUSTOMER

Clarice Ward

DEALER ID #

d0011763-main

PHONE #

979-532-3823

STATE

TX

ZIP CODE

77488

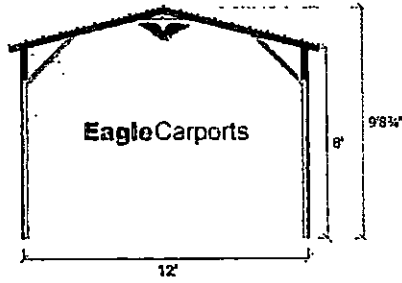
DISCLAIMER

If building does not meet proper compliance and verification for wind/snow rating, your request will be screened by our team and you will be made aware of the necessary changes.

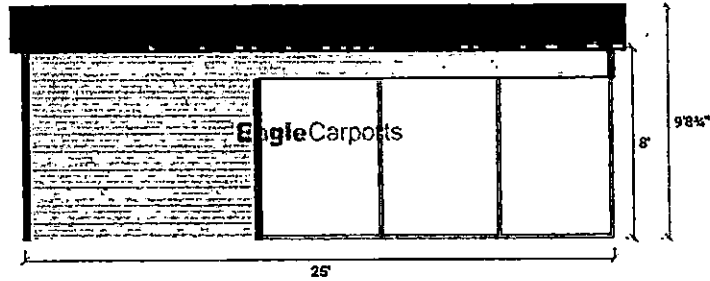
BUILD #

1692297149438922

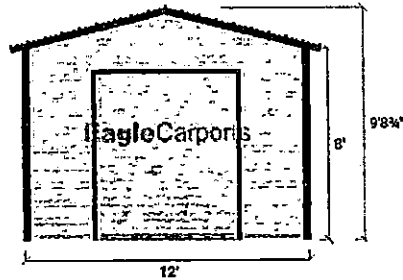
FRONT



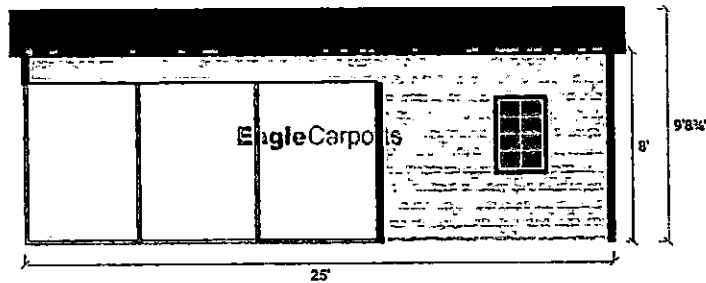
LEFT SIDE



BACK



RIGHT SIDE



BUILD #	1692297149438922	DISCLAIMER			
CUSTOMER	Clarice Ward	If building does not meet proper compliance and verification for wind/snow rating, your request will be screened by our team and you will be made aware of the necessary changes.			
DEALER ID #	d0011763-main			PHONE #	979-532-3823
STATE	TX			ZIP CODE	77488

Item-4.

12 ft

- Page 51 -

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


CITY COUNCIL COMMUNICATION

Meeting Date:	9/11/2023	Agenda Item:	<p>Request by Mr. Jeff Rainer, Wharton Chamber of Commerce & Agriculture 2023 Holiday Parade Chairman, for the Wharton Holiday Parade for the following:</p> <ul style="list-style-type: none"> A. Ordinance: An ordinance approving the 2023 Chamber of Commerce & Agriculture Holiday Parade Permit and authorizing the Wharton Police Department to redirect traffic. B. The closure of State Highway 60 (Burleson Street and Milam Street) from its intersection at Alabama Road and Polk Street and the 100 Block of South Fulton Street and South Houston Street from 5:00 p.m. to 9:00 p.m. and declare it as a "No Parking Zone". C. City of Wharton to transport, set up, and return five (5) portable lights for use during the parade.
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Attached you will the request from Mr. Jeff Rainer, Wharton Chamber of Commerce & Agriculture 2023 Holiday Parade Chairman, for the Wharton Holiday Parade.

Also attached is a copy of the draft ordinance.

Mr. Ron Sanders, Executive Director of the Wharton Chamber of Commerce, will be present to answer any questions.

City Manager: Joseph R. Pace	Date: Thursday, September 7, 2023
Approval: 	
Mayor: Tim Barker	



225 N. Richmond Road, Wharton, Texas 77488
Ronald K. Sanders, Executive Director

979-532-1862

whartonchamber.com

Kristi Kocian, Board Chair

September 1, 2023

Joseph Pace, City Manager
120 E. Caney St.
Wharton, TX 77488

Dear Mr. Pace,

The 43rd Annual Chamber of Commerce Christmas Holiday Parade is scheduled for Tuesday, Nov. 21st. Pre-parade activities will begin at 6 pm, and the parade at 7 pm. The 2023 Parade Committee thanks the City of Wharton, which is instrumental to this event's success.

We hope you will again grant us a Parade Permit and authorize the Police Department to redirect traffic as you have done in years past. The requested parade route requires the City of Wharton to close State Highway 60 (Burlison Street and Milam Street) from its intersection with Alabama Road and Polk Street. The closure of State Highway 60 will be for a time of less than four (4) hours. We also request you to close the 100 blocks of South Fulton Street and South Houston Street from 5 pm to 9 pm and declare "no parking" zones and place temporary no parking signs.

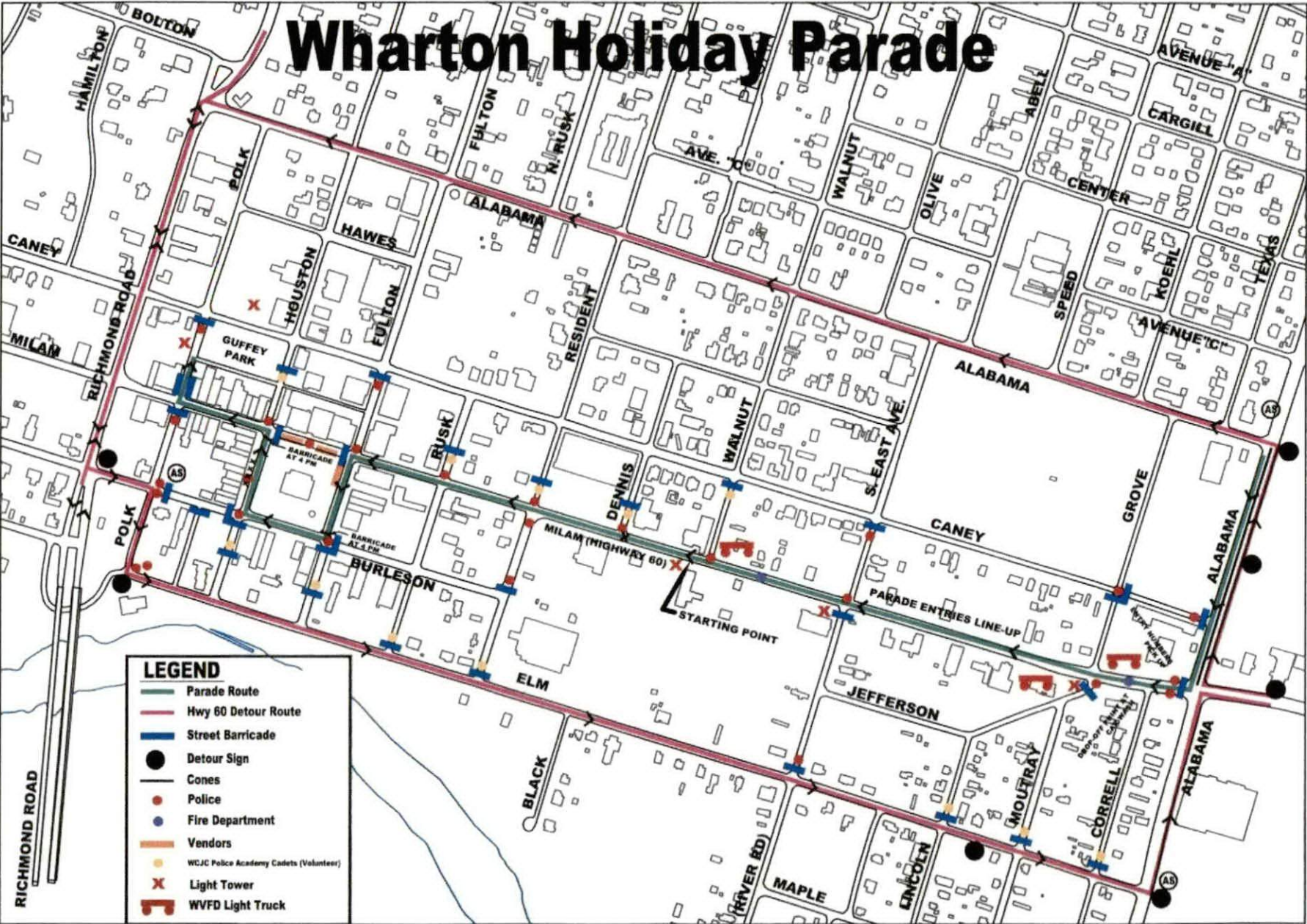
We also are asking the City to transport, set up and return five (5) tree lights that we can use at the line up point and pick up point. We would consider it an honor for you and the City Council to ride in the parade. If you should need additional information or have questions, please call me at 979-533-3157. Thank you again for your support.

We look forward to another wonderful holiday season in Wharton!

Best regards,


Jeff Rainier
2023 Parade Chair

Wharton Holiday Parade



**CITY OF WHARTON
ORDINANCE NO. 2023-XX**

AN ORDINANCE APPROVING THE 2023 CHAMBER OF COMMERCE & AGRICULTURE HOLIDAY PARADE PERMIT AND AUTHORIZING THE POLICE DEPARTMENT TO REDIRECT TRAFFIC.

WHEREAS, The Wharton Chamber of Commerce and Agriculture has filed an application for a parade permit with the City of Wharton Police Department as required under the City of Wharton Code of Ordinances, Chapter 82, Article III, Sec. 82-91; and,

WHEREAS, The requested parade route requires the City of Wharton to close State Highway 60 (Burlson Street and Milam Street) from its intersection with Alabama Road and Polk Street and the 100 Block of South Fulton Street and South Houston Street from 5:00 p.m. to 9:00 p.m. and declare a “no parking zone” for such; and,

WHEREAS, The closure of State Highway 60 will be for a time of less than four (4) hours; and,

WHEREAS, The closure will require the detouring of all traffic according to the map (Attachment A) attached to this ordinance; and,

WHEREAS, The routing of all traffic will include truck traffic to Alabama Road which is prohibited by ordinance; and,

WHEREAS, The City Council wishes to suspend for the duration of the parade the enforcement of said ordinance of trucks traveling on Alabama Road; and,

WHEREAS, If there are any other ordinances that would be violated because of the re-routing of all traffic their suspension is hereby authorized.

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

Section I. The parade permit for the Wharton Chamber of Commerce and Agriculture is hereby approved.

Section II. The parade route is hereby approved as detailed in the attached map (Attachment A) which is hereby made part of this ordinance.

Section III. The closure of all streets as indicated in said map identified in Section II is hereby authorized.

Section IV. The traffic detour plan as identified in Section III above is hereby approved.

Section V. The Chief of Police and City Staff are hereby authorized to make the necessary expenditures needed to ensure the safety of the public.

City of Wharton
Ordinance No. 2023-XX
Page 2 of 2

Section VI. This ordinance shall become effective on the 21st day of November 2023 and remain in effect until such time that the parade concludes.

Passed, Approved, and Adopted this 11th day of September 2023.

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:	9/11/2023	Agenda Item:	Resolution: A resolution of the Wharton City Council authorizing the submission of one or more applications to the Houston Galveston Area Council (HGAC) 2024 & 2025 Solid Waste Grants Program and authorizing the Mayor of the City of Wharton to execute all documents related to said submission.
<p>The City Staff has been made aware of the Notice of Funding for the 2024 & 2025 HGAC Solid Waste Grants Program. The program has funding available to assist with the local enforcement of solid waste/illegal dumping. The City Staff has met and discussed the opportunities available and would like to submit two (2) applications to the program. One application would be for additional staff and a vehicle for the Code Enforcement Department to assist in the ongoing local enforcement and investigations of illegal dumping. The second application would be for additional camera/video equipment to assist in the enforcement and investigation of illegal dumping. The City can apply for up to 100% funding and will not be required to provide a monetary match for the program.</p> <p>Director of Planning & Development, Gwyn Teves, will be present to answer any questions.</p>			
City Manager: Joseph R. Pace		Date: Thursday, September 7, 2023	
Approval: 			
Mayor: Tim Barker			



City of Wharton

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

MEMORANDUM

DATE: September 5, 2023

FROM: Gwyneth Teves, Director of Planning & Development

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

SUBJECT: Application submission to the Houston Galveston Area Council (HGAC) 2024 & 2025 Solid Waste Grants Program

The City staff has been made aware of the Notice of Funding for the 2024 & 2025 HGAC Solid Waste Grants Program. The program has funding available to assist with the local enforcement of solid waste/illegal dumping.

The City staff has met and discussed the opportunities available and would like to submit 2 applications to the program. One application would be for additional staff and a vehicle for the Code Enforcement Department to assist in the ongoing local enforcement and investigations of illegal dumping. The second application would be for additional camera/video equipment to assist in the enforcement and investigation of illegal dumping.

The City can apply for up to 100% funding and will not be required to provide a monetary match for the program. I have also included the information provided by HGAC on the grant program.

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

REQUEST FOR APPLICATIONS

FISCAL YEARS 2024 AND 2025 H-GAC SOLID WASTE GRANTS PROGRAM APPLICATION

This is a Request for Applications for H-GAC's FY24/25 Solid Waste Grants Program. Included in this grant application package are the following:

- H-GAC FY24/25 Grant Announcement including screening and selection criteria
- H-GAC FY24/25 What's New
- Self Assessment Document, Budget Guidance Document, Used Electronics Guidance Document, HHW Guidance Document, Guidance for Local Enforcement Equipment Purchases, Questions to Ask When Shopping for Recycling and Composting Equipment, and Grant Writing Tips

H-GAC has received solid waste grant funds from the Texas Commission on Environmental Quality (TCEQ) for solid waste implementation projects. For FY24/25 solid waste implementation grants, **\$1 million** is available for local implementation projects.

Implementation projects funded under this grant program must be consistent with the H-GAC Regional Solid Waste Management Plan by addressing at least one goal and objective of the plan, must promote cooperation between public and private entities, and may not create a competitive advantage over a private industry that provides recycling or solid waste services that are readily available. *(See FY24/25 Grant Announcement and Grant Application for more details.)*

Projects that will take longer to complete, ultimately determined by H-GAC's Solid Waste staff, will be funded in FY24.

Eligible Grant Categories

- Citizens' Collection Stations and "Small" Registered Transfer Stations
- Education and Training
- Household Hazardous Waste Management
- Litter and Illegal Dumping Cleanup and Community Collection Events
- Local Enforcement
- Local Solid Waste Management Plans
- Source Reduction and Recycling
- Technical Studies

Eligible Entities

Entities eligible for funding are cities, counties, public school districts (excluding universities and other post-secondary educational institutions), general and special law districts created in accordance with State law with the authority and responsibility for water quality protection or municipal solid waste management (e.g., river authorities and municipal utility districts) and Councils of Governments (COGs). In order to receive an implementation grant, the prospective grant recipient must not be in arrears in the payment of any municipal solid waste or hazardous waste fee owed to the State of Texas. Eligible entities may subcontract with other entities, such as private entities, nonprofit organizations, or state and federal governments. Private entities,

nonprofit organizations, state and federal governments are not directly eligible for grants. They must partner with an eligible entity.

FY24/25 Solid Waste Grants Program Schedule

H-GAC staff will be available to answer any questions concerning the grant application package during the grant application webinar. Please see schedule below:

Tuesday, September 19, 2023

1:30 PM to 3:30 PM

Webinar Only

[Register Here](#)

The webinar will provide time for applicants to ask questions regarding their applications and proposed projects, and will include:

- Overview of the Solid Waste Grants Program
- How to Complete the Online Application
- Important Deadlines and Future Requirements
- Question/Answer Session

Applicants requiring further assistance are asked to schedule an individual appointment. First time applicants are strongly encouraged to attend the September 19th workshop. For projects to be considered by H-GAC for FY24/25 funding, the application must be received via the online application **no later than noon, Tuesday, October 17, 2023**. No late applications will be accepted or scored. Additionally, no faxed, emailed or hard copy applications will be accepted or scored.

The Solid Waste Grants Scoring Subcommittee will meet virtually on **October 31 and November 1, 2023** to score grant applications. Once all grant applications are received by H-GAC, grant applicants will be notified of their presentation time. **All grant applicants must have a representative available to give a brief presentation and answer questions via webinar on October 31st or November 1st.** Funding recommendations will be emailed to each applicant and the H-GAC Solid Waste Management Committee no later than November 2, 2023. Any appeals to the funding recommendations must be submitted by **5:00 PM, Thursday, November 9, 2023** (See *FY24/25 Grant Announcement for more details on the Appeals process*). The H-GAC Solid Waste Management Committee will meet on **Thursday, November 16, 2023, at 10:00 AM via webinar** to hear appeals if needed. The H-GAC Board of Directors will complete final grant selection on **Tuesday, December 19, 2023, at 10:00 AM**. Once selected, grant recipient information will be sent to the TCEQ for review and comment.

If you have any questions, please contact the following H-GAC staff:

Cheryl Mergo

Senior Manager

cheryl.mergo@h-gac.com

Erin Livingston

Principal Planner

erin.livingston@h-gac.com

Wendy Almanzan

Lead Program Coordinator

wendy.almanzan@h-gac.com

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

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE SUBMISSION OF ONE OR MORE APPLICATIONS TO THE HOUSTON GALVESTON AREA COUNCIL (HGAC) 2024 & 2025 SOLID WASTE GRANTS PROGRAM AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID SUBMISSION.

WHEREAS, The City of Wharton City Council wishes to authorize the submission of one or more applications to the Houston Galveston Area Council (HGAC) 2024 and 2025 Solid Waste Grants Program for Local Enforcement Staff and Equipment; and,

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

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

SECTION I. The Wharton City Council hereby approves the submission of one or more applications to the Houston Galveston Area Council (HGAC) 2024 and 2025 Solid Waste Grants Program for Local Enforcement Staff and Equipment.

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

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

PASSED, APPROVED, and ADOPTED this 11th day of September 2023.

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:	9/11/2023	Agenda Item:	Resolution: A resolution of the Wharton City Council approving Change Order No. 8, for additional contract time with Weisinger, Inc., for the Wharton Well and Water Plant Project and authorizing the Mayor to execute all documents related to said Change Order.
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Attached you will find the Wharton Well & Water Plant – Contract #2 (Water Well), Change Order No. 8 from Weisinger, Inc., for additional time to the contract in the amount of 41 days. The extension is being requested due to multiple experienced delays on the part of E-Contractors – Contract #1. This will move the contract completion date to November 8, 2023.

Also attached is a copy of the Change Order for review.

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

City Manager: Joseph R. Pace	Date: Thursday, September 7, 2023
Approval: 	
Mayor: Tim Barker	



City of Wharton

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

MEMORANDUM

DATE: September 5, 2023

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 Well & Water Plant – Contract # 2 (Water Well), Change Order No. 8

Attached please find the Wharton Well & Water Plant – Contract #2 (Water Well), Change Order No. 8 from Weisinger, Inc., for additional time to the contract in the amount of 41 days. The extension is being requested due to multiple experienced delays on the part of E-Contractors – Contract #1. This will move the contract completion date to November 8, 2023. Attached is a copy of the change order for review.

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

Date of Issuance:	Effective Date:
Owner: City of Wharton	Owner's Contract No.: CFDA # 10.760
Contractor: Weisinger Incorporated	Contractor's Project No.: Contract No. 2
Engineer: Half Associates, Inc.	Engineer's Project No.: AVO31934
Project: Wharton Well and Water Plant	Contract Name: Well Construction (Well No. 5)

The Contract is modified as follows upon execution of this Change Order:

Description: Weisinger Incorporated (Contract No. 2) is requesting extension in contract times shown below as result of continuous delays by Contract No. 1 that are out of Contract No. 2's control. In addition, this schedule includes the additional work associated with water well cleaning as a result of Contract No. 1 delays. The attached schedule and completion times presented herein assumes work by others (Contract No. 1) can be completed within the time frame estimated.

Attachments: Revised Project Schedule for Contract No. 2.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>NA</u>	Original Contract Times: July 21, 2021 (NTP) Substantial Completion: <u>250 days</u> Ready for Final Payment: <u>280 days</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : \$ <u>NA</u>	[Increase] [Decrease] from previously approved Change Orders No. <u> 1 </u> to No. <u> 8 </u> : Substantial Completion: <u>799 days</u> Ready for Final Payment: <u>829 days</u> days
Contract Price prior to this Change Order: \$ <u>NA</u>	Contract Times prior to this Change Order: Substantial Completion: <u>September 28, 2023</u> Ready for Final Payment: <u>October 28, 2023</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>NA</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>41 days</u> Ready for Final Payment: <u>41 days</u> days or dates
Contract Price incorporating this Change Order: \$ <u>NA</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>November 8, 2023</u> Ready for Final Payment: <u>December 8, 2023</u> days or dates

<p>RECOMMENDED:</p> <p>By: <u>Mark Lehnert</u> Engineer (if required)</p> <p>Title: <u>Principal</u></p> <p>Date: <u>August 22, 2023</u></p>	<p>ACCEPTED:</p> <p>By: _____ Owner (Authorized Signature)</p> <p>Title: _____</p> <p>Date: _____</p>	<p>ACCEPTED:</p> <p>By: <u>[Signature]</u> Contractor (Authorized Signature)</p> <p>Title: <u>Vice President</u></p> <p>Date: <u>8/22/2023</u></p>
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Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

**City of Wharton - Well 5
Project Schedule**

<i>Task Description</i>	<i># Days</i>	<i>Start Date</i>	<i>End Date</i>
Mobilization for well cleaning	4	8/21/2023	8/25/2023
Well cleaning/camera survey	14	8/25/2023	9/8/2023
Installation of pump	10	9/8/2023	9/18/2023
Demobilization	2	9/18/2023	9/20/2023
Electrical hook up (by others)	14	9/20/2023	10/4/2023
Start-up, collect bac-t samples and final testing	5	10/4/2023	10/9/2023
Submit O&Ms and punchlist items	30	10/9/2023	11/8/2023
Final completion	30	11/8/2023	12/8/2023

Date subject to change based off work by others.

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

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING CHANGE ORDER NO. 8, FOR ADDITIONAL CONTRACT TIME WITH WEISINGER, INC., 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. 8, for additional contract time with Weisinger, Inc., 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. 8, for 41 additional days to the contract with Weisinger, Inc., 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 11th day of September 2023.

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:	9/11/2023	Agenda Item:	Appointments, Resignations, and Vacancies to the City of Wharton Boards, Commissions, and Committees: A. Resignations. B. Appointments. C. Vacancies.
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Attached is the list of people serving on the various City Boards, Commissions, and Committees. There are still vacancies that also need to be filled.


Resignations.

Appointments.

Vacancies:

- A. Building Standards Commission.
- B. Mayor’s Committee on People with Disabilities.
- C. Plumbing and Mechanical Board.

The City Council Wharton Economic Development Corporation Board of Directors Selection Committee will meet on September 11, 2023, to review applications for the positions whose term will expire on September 30, 2023. The Committee will submit a recommendation at the meeting.

City Manager: Joseph R. Pace	Date: Thursday, September 7, 2023
Approval: 	
Mayor: Tim Barker	

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

WHARTON REGIONAL AIRPORT BOARD	TWO YEAR TERM	Reappointment
Jimmy Gardner	June 30, 2025	
Randy Rodriguez	June 30, 2025	
Bill Kingrey	June 30, 2025	
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	
Barbie Fortenberry	June 30, 2025	
Adraylle Watson	June 30, 2025	
Debbie Folks	June 30, 2025	
Sheryl Joost	June 30, 2025	

BUILDING STANDARDS COMMISSION	TWO YEAR TERM	Reappointment
Leonard Morales	June 30, 2025	
Vacant	June 30, 2025	
Vacant	June 30, 2025	
Paul Shannon	June 30, 2025	
Vacant	June 30, 2024	
Howard Singleton	June 30, 2024	
Shaun Stockwell	June 30, 2024	
Claudia Velasquez, Building Official - ExOfficio		
Jeff Gubbels - Health Officer-ExOfficio		
Hector Hernandez-Fire Marshall-ExOfficio		

ELECTRICAL BOARD	TWO YEAR TERM	Reappointment
Councilmember Burnell Neal	June 30, 2025	
Oscar Uribe	June 30, 2025	
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 Gonzales	June 30, 2024	

Faye Evans	June 30, 2024	
Vacant	June 30, 2024	
Adraylle Watson	June 30, 2025	
Delia Gonzales	June 30, 2025	
Sheena Barbee	June 30, 2025	
Cheryl Lavergne	June 30, 2025	
Mayor Tim Barker- Ex Officio		
HEALTH OFFICER	TWO YEAR TERM	Reappointment
Dr. Jeff Gubbels, MD	June 30, 2024	
VETERINARIAN	TWO YEAR TERM	Reappointment
Dr. Cody Pohler, DVM	June 30, 2024	
MUNICIPAL COURT JUDGE	TWO YEAR TERM	Reappointment
Jared Cullar	June 30, 2025	
PLANNING COMMISSION	TWO YEAR TERM	Reappointment
Johnnie Gonzales	June 30, 2025	
Rob Kolacny	June 30, 2025	
Michael Quinn	June 30, 2025	
Marshall Francis	June 30, 2024	
Adraylle Watson	June 30, 2024	
Michael Wootton	June 30, 2024	
Joel Williams	June 30, 2024	
PLUMBING AND MECHANICAL BOARD	TWO YEAR TERM	Reappointment
A. J. Rath	June 30, 2024	
Vacant	June 30, 2025	
Vacant	June 30, 2024	
Robert Sanchez	June 30, 2025	
Vacant	June 30, 2024	
Claudia Velasquez, Building Official - ExOfficio		
Public Works Director Anthony Arcidiacono- Ex Officio		
Mayor Tim Barker - Ex Officio		
WHARTON ECONOMIC DEVELOPMENT CORPORATION	TWO YEAR TERM	Reappointment
Michael Wootton	September 30, 2024	
Alice Heard Roberts	September 30, 2024	
Freddie Pekar	September 30, 2024	
Larry Pittman (Councilmember)	September 30, 2024	
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
Burnell Neal

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
Burnell Neal

TELECOMMUNICATIONS COMMITTEE

Burnell Neal
Terry Freese
Don Mueller

WHARTON ECONOMIC DEVELOPMENT CORP BOARD OF DIRECTORS SELECTION COMMITTEE

Tim Barker
Steven Schneider
Larry Pittman

ECONOMIC DEVELOPMENT COMMITTEE


Tim Barker
Burnell Neal
Russell Machann

PARKS AND RECREATION COMMITTEE

Steven Schneider
Russell Machann
Terry Freese

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

CITY COUNCIL COMMUNICATION

Meeting Date:	9/11/2023	Agenda Item:	City Council Boards, Commissions, and Committee Reports: A. Finance Committee meeting held August 28, 2023.
Attached you will find the reports from the above-mentioned Committees.			
City Manager: Joseph R. Pace		Date: Thursday, September 7, 2023	
Approval: 			
Mayor: Tim Barker			



City of Wharton

120 E. Caney Street ° Wharton, TX
77488

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

MEMORANDUM

Date: August 29, 2023

From: City Council Finance Committee

To: Mayor & City Council

Subject: Report/Recommendations from the meeting held August 28, 2023

At the August 28, 2023, City Council Finance Committee Meeting, the Committee met and discussed the following items:

1. Review & Consider: Minutes from the meeting held August 14, 2023.
2. Review & Consider: Ordinance: An ordinance amending the City of Wharton Code of Ordinances, Chapter 86, Sections 86-15, 86-16, 86-17, and 86-21, Utilities and Services, Article I in General; 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 a savings clause and revoking all ordinances or parts of ordinances in conflict herewith only to the extent same are in conflict herewith otherwise provided herein. The Committee voted to recommend this item to the City Council for consideration.
3. Review & Consider: Green for Life (GFL), formerly Waste Corporation of America (WCA), Rate Modification to the Solid Waste Collection and Disposal Service Franchise Agreement:
 - A. Ordinance: An ordinance repealing and replacing the City of Wharton Code of Ordinances, Chapter 86 Utilities and Services, Article III, Solid Waste Disposal Exhibit A, 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 and setting an effective date. The Committee voted to recommend this item to the City Council for consideration.
4. Review & Consider: Resolution: A resolution of the Wharton City Council authorizing the purchase of pumps for the Wastewater Treatment Plant #2 and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase. The Committee voted to recommend this item to

the City Council for consideration.

5. Review & Consider:

Resolution: A resolution of the Wharton City Council authorizing the payment of airplane repairs to Tyler McCarver and authorizing the City Manager of the City of Wharton to execute all documents related to said payment. The Committee voted to recommend this item to the City Council for consideration.

Adjournment.