



**CITY OF WHARTON
SPECIAL CITY COUNCIL MEETING**

**Monday, May 15, 2023
7:00 PM**

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

**NOTICE OF
CITY OF WHARTON
SPECIAL CITY COUNCIL MEETING**

Notice is hereby given that a Special City Council Meeting will be held on Monday, May 15, 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 11th day of May 2023.

By: 
Tim Barker, Mayor

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Special City Council 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 May 11, 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. BRAILLE IS NOT AVAILABLE.

Dated this 11th day of May 2023.

CITY OF WHARTON

By: 
Paula Favors
City Secretary



A G E N D A
CITY OF WHARTON
Special City Council Meeting
Monday, May 15, 2023
City Hall - 7:00 PM

Call to Order –Opening Devotion –Pledge of Allegiance.

Roll Call and Excused Absences.

Public Comments.

Wharton Moment.

Review and Consider:

1. Ordinance: An ordinance canvassing the election returns and declaring the results of the City Officers' Election held May 6, 2023.

Ordenanza: Una ordenanza haciendo el escrutinio y declarando los resultados de la eleccion de concejales municipales que se celebro el 6 de mayo de 2023.
2. Administer Oath of Office to Elected Officials: Councilmembers Burnell Neal, Terry Freese, and Russell Machann.
3. Appointment of Mayor Pro-Tem.
4. Presentation: Clifford Jackson for years of service to the City of Wharton.

Adjournment.

CITY COUNCIL COMMUNICATION

Meeting Date:	5/15/2023	Agenda Item:	Ordinance: An ordinance canvassing the election returns and declaring the results of the City Officers' Election held May 6, 2023. Ordenanza: Una ordenanza haciendo el escrutinio y declarando los resultados de la eleccion de concejales municipales que se celebro el 6 de mayo de 2023.
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Attached is a draft ordinance canvassing the election returns and declaring the results of the City Officers' Election held May 6, 2023.

City Manager: Joseph R. Pace	Date: Thursday, May 11, 2023
Approval: 	
Mayor: Tim Barker	

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

**AN ORDINANCE CANVASSING THE ELECTION RETURNS AND
DECLARING THE RESULTS OF THE CITY OFFICERS' ELECTION
HELD ON MAY 6, 2023.**

BE IT ORDAINED by the City Council of the City of Wharton, Texas:

The City Council of the City of Wharton, Texas has canvassed the returns of the City Officers' Election held on the **6th of May 2023**, and the City Council finds and declares that the election returns were duly and legally made, that all of the votes counted at the election were valid and legal, and that each of the candidates in the election received the following numbers of votes:

Election Returns	<u>Early Votes</u>	<u>Election Day</u>	<u>Total</u>
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Councilmember District No. 1

Clifford Jackson	16	16	32
Burnell Neal	148	58	206

Councilmember District No. 3

Terry Freese	0	0	0
Unopposed	0	0	0

Councilmember District No. 5 – At Large

Russell Machann	0	0	0
Unopposed	0	0	0

The City Council further finds and declares that the election was duly called, that notice of the election was given in accordance with the law, that the election was held in accordance with the law, that **Burnell Neal** was elected Councilmember District No. 1; **Terry Freese** was elected

City of Wharton
Ordinance No. 2023-XX
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Councilmember District No. 3; and **Russell Machann** was elected Councilmember District No. 5 At-Large.

The City Council declares the above-named persons to be duly elected to the above-named offices, subject to the taking of their oaths of office as provided by the laws of the State of Texas and the charter 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 resolution is invalid or unconstitutional, any such portion shall be deemed to be a separate, distinct, and independent provision, and any such ruling shall not affect the validity of the remaining portions hereof.

Passage and Approval

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on the 15th of May, 2023.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

APPROVED AS TO FORM:

PAUL WEBB
City Attorney

CITY COUNCIL COMMUNICATION

Meeting Date:	5/15/2023	Agenda Item:	Administer Oath of Office to Elected Officials: Councilmembers Burnell Neal, Terry Freese, and Russell Machann.
The Oaths of Office will now be administered.			
City Manager: Joseph R. Pace		Date: Thursday, May 11, 2023	
Approval: 			
Mayor: Tim Barker			

CITY COUNCIL COMMUNICATION

Meeting Date:	5/15/2023	Agenda Item:	Appointment of Mayor Pro-Tem.
<p>Sec. 15. - Presiding officer; mayor; mayor pro tem.</p> <p>The mayor shall preside at meetings of the council and shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties. The mayor shall sign all bonds, time warrants, and such other official documents as directed by this charter or by the council, and perform such other duties consistent with the office as may be imposed upon him by this charter, and ordinances or resolutions passed in pursuance to the provisions of this charter. The mayor shall be entitled to vote upon all matters considered by the council, but he shall have no veto power. Following such regular annual election, upon the induction of the newly elected members of the governing body into office, the members of the city council shall elect one of the councilmen to be mayor pro tem.</p>			
City Manager: Joseph R. Pace		Date: Thursday, May 11, 2023	
Approval: 			
Mayor: Tim Barker			

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

CITY COUNCIL COMMUNICATION

Meeting Date:	5/15/2023	Agenda Item:	Presentation: Clifford Jackson for years of service to the City of Wharton.
<p>At this time, the City will present outgoing City Councilmember, Clifford Jackson, with a plaque for his years of service on the Wharton City Council.</p>			
City Manager: Joseph R. Pace		Date: Thursday, May 11, 2023	
Approval: 			
Mayor: Tim Barker			