

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
NOVEMBER 12, 2012**

Mayor Domingo Montalvo, Jr. declared a Regular Meeting duly open for the transaction of business at 7:00 P.M. Councilmember Karen Schulz led the opening devotion and Mayor Domingo Montalvo, Jr. led the pledge of allegiance.

Councilmember's present were: Mayor Domingo Montalvo, Jr., Councilmembers Russell Machann, Don Mueller and Karen Schulz.

Councilmembers absent was: Al Bryant, Jeff Gubbels, and Terry David Lynch.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joan Anandel, City Secretary Paula Favors, Assistant to City Manager Jackie Jansky, City Attorney Paul Webb, and Public Works Director Carter Miska, P.E.

Visitors present were: David Schroeder, Executive Director, Wharton Economic Development Corporation, Carlos Cotton, P.E. of Jones & Carter, Inc., Ben Sharp, Wharton Journal Spectator, Bruce William, Glenna William, Paul Sherland, Rachel Rust, Chuck Bice, Cherly Roach with New First National Bank of Wharton, Sarah Hudgins, Jan Harrington, Doris Teague, Pam Mata, Jim Vasek, Donna Vasek, Nicholas Stransky, Sarah Stransky, Elizabeth Stransky, Bill Stransky, Christine Stransky, Dan Sklar, Marjorie Sklar, Caroline Wagner, Wesley Wagner, Tim Duyka, Mary Duyka, Mary Silver, Debbie Folks, Becky Wied, LeaAnna Kostelnick, Ross Kutach, Kim Williams, Casey Lewis, Rosemary Rust, Paula Cooper, and S. Glenn Stange.

The second item on the agenda was Roll Call and Excuses Absences. Councilmembers Al Bryant, Jeff Gubbels, and Terry David Lynch were absent. After some discussion, Councilmember Don Mueller moved to excuse Councilmembers Al Bryant, Jeff Gubbels, and Terry David Lynch. Councilmember Karen Schulz seconded the motion. All voted in favor.

The third item on the agenda was Public Comments. No comments were given.

The fourth item on the agenda was the Wharton Moment. City Manager Andres Garza, Jr. congratulated that the Wharton Tigers Varsity Football Team for making the playoffs. Mayor Domingo Montalvo, Jr. stated his son earned his designation as an Eagle Scout.

The fifth item on the agenda was to review and consider reading of the minutes from the special meeting held October 15, 2012 and the regular meeting held October 22, 2012. After some discussion, Councilmember Russell Machann moved to approve the minutes from the special meeting held October 15, 2012 and the regular meeting October 22, 2012. Councilmember Don Mueller seconded the motion. All voted in favor.

The sixth item discussed on the agenda was to review and consider a request by Mr. Paul Pilsner, represented by Mr. Ross Kutach, for an over 50% variance to construct a 28'8" x 60'2" home over the interior property line located at 813 Pecan Street; Barbee, Block 1, Lot 8B, 9. Assistant to City Manager Jackie Jansky presented a copy of the City of Wharton City Council Application for a Over 50% Variance submitted by Mr. Paul Pilsner, Property Owner of 813 Pecan Street; Barbee, Block 1, Lot 8B, 9, who was requesting the City Council to approve the construction of a 28'8" x 60'2" home over the interior property line located at 813 Pecan Street; Barbee, Block 1, Lot 8B, 9. Mrs. Jansky also presented a copy of a drawing that indicated the location of the structure to be placed on the property and a drawing that shows where the property was located. Mrs. Jansky stated that Mr. Pilsner was wanting to construct a home and he met all requirements. After some discussion, Councilmember Don Mueller moved to approve the request by Mr. Paul Pilsner, represented by Mr. Ross Kutach, for an over 50% variance to construct a 28'8" x 60'2" home over the interior property line located at 813 Pecan Street; Barbee, Block 1, Lot 8B, 9. Councilmember Karen Schulz seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider a request by Ms. Cindy Cerny, President of S.P.O.T. Wharton County, for City of Wharton to participate in the Spay-Neuter Assistance Program (SNAP) Mobile Spay-Neuter Unit by providing funding assistance. City Manager Andres Garza, Jr. presented a copy of the letter dated October 23, 2012 to him from Ms. Cindy Cerny, President of S.P.O.T., Wharton County, requesting the City of Wharton to participate in the Spay-Neuter Assistance Program (SNAP) Mobile Spay-Neuter Unit by providing funding assistance. City Manager Garza stated that SNAP was a mobile Spay-Neuter Unit that was proposing the City of Wharton match SPOT's contribution of \$1,250 per visit to bring the Mobile Unit to the City of Wharton to provide spay-neuter services to local residents twice a year. City Manager Garza said the total contribution per year would be \$2,500. City Manager Garza said he had submitted the information to Police Chief Tim Guin for Chief Guin's review and comment. City Manager Garza presented a copy of his memorandum dated October 31, 2012 to him providing his comments regarding the proposed service, which Chief Guin felt that the service could be worth while. Mrs. Christene Strankey, SPOT Volunteer and Former SPOT President, and Treasurer stated that in the previous year SPOT, saved over 1,000 animals and with the assistance of the City of Wharton could bring SNAP to help assist residents who would otherwise not be able to afford to spay or neuter their animals. After some discussion, Councilmember Karen Schulz moved to table the item until further information from the City of Wharton's Animal Control could be obtained and presented to the full City Council. Councilmember Don Mueller seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider a resolution of the Wharton City Council approving an agreement with New First National Bank to conduct improvements to the bank drive-thru facility across City of Wharton property and the use of bank property by the City

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for parking and authorizing the Mayor of the City of Wharton to execute any and all documents related to said agreement. City Manager Andres Garza, Jr. presented a copy of the letter dated October 13, 2012 from Mr. Guy F. Stovall, III, Chairman/CEO of New First National Bank to Mayor Domingo Montalvo, Jr. requesting the City to allow the bank to use City property for their drive-thru facility. City Manager Garza stated the City currently used the banks property located next to the City's parking lot for parking. City Manager Garza said the City Council Public Works Committee met on October 24, 2012 and reviewed the request and voted to recommend the City Council consider approving the City of Wharton enter into a property use agreement to be developed by City Attorney Paul Webb. City Attorney Paul Webb stated the agreement would be basically the same agreement the City had used previously but would have amendments would include increasing the cancellation time of the contract and the lease term to be ten years. Ms. Cheryl Roach with New First National Bank stated the bank would like to review the amended agreement. After some discussion, Councilmember Russell Machann moved to approve the agreement subject to City Attorney Paul Webb's changes and City of Wharton Resolution No. 2012-60, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2012-60**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AGREEMENT WITH NEW FIRST NATIONAL BANK TO CONDUCT IMPROVEMENTS TO THE BANK DRIVE-THRU FACILITY ACROSS CITY OF WHARTON PROPERTY AND THE USE OF BANK PROPERTY BY THE CITY FOR PARKING AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, New First National Bank is wishing to improve the drive-thru facilities for its customers; and

WHEREAS, Said drive-thru improvements would be located across City of Wharton property; and

WHEREAS, The City of Wharton wishes to assist New First National Bank in providing the necessary agreements that would be required for said project; and

WHEREAS, The City of Wharton and New First National Bank wishes to be bound by the conditions outlined in the agreement; and

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute any and all documents related to said 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 approves to enter into an agreement with New First National Bank in order for the bank to conduct drive-thru facility improvements across City of Wharton property.

Section II. The City of Wharton and New First National Bank are hereby bound by the conditions set forth in said agreement.

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

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

Passed, Approved, and Adopted this the 12th day of November 2012.

CITY OF WHARTON

By: _____
Domingo Montalvo, Jr.
Mayor

ATTEST:

Paula Favors
City Secretary

Councilmember Karen Schultz seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider proposed City of Wharton Drainage Projects:

- A. Request by Ms. Doris Teague, Property Owner of 1811 Willow Bend Road, Wharton, Texas, to address the City Council.
- B. City Council authorization for the City of Wharton Public Works Department to conduct surface grading improvements to utility easement located between Kelving Way Court and Willow Bend Road and authorizing the City Staff to obtain the necessary right-of-entry form(s) to conduct such work.

City Manager Andres Garza, Jr. presented a copy of the letter submitted by Ms. Doris Teague, Property Owner of 1811 Willow Bend Road, requesting to address the City Council. City Manager Garza stated that Ms. Teague previously addressed the City Council during the Public Comment period during a previous City Council meeting regarding drainage on Willow Bend Street. City Manager Garza stated that the City Council Public Works Department had reviewed the drainage concerns the property owners had expressed. City Manager Garza said the proposed area was not a drainage easement but a utility easement; therefore, after consulting with City Attorney Paul Webb the City would need to obtain the necessary rights of entry to access the utility easement and do the necessary grading to provide the needed drainage in the easement. Ms. Teague stated the drainage issue caused standing water, health problems, and erosion of yards. Public Works Director Carter Miska, P.E., stated the City could dig a shallow swale that would help with the drainage. After some discussion, Councilmember Don Muller

moved to authorize the City of Wharton Public Works Department to conduct surface grading improvements in the utility easement located between Kelving Way Court and Willow Bend Road and authorizing the City Staff to obtain the necessary right-of-entry form(s) to conduct such work. Councilmember Russell Machann seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider Waste Corporation of Texas, L.P. (WCA) Rate Modification to the Solid Waste Collection and Disposal Service Franchise Agreement:

- A. Resolution:** A resolution of the Wharton City Council approving the Amendment No. 6 to the Franchise Agreement for Solid Waste Collection Services with Waste Corporation of America and authorizing the Mayor to execute the agreement.
- B. 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.

City Manager Garza presented a copy of the memorandum dated November 7, 2012 from Finance Director Joan Andel providing a copy of the letter dated October 31, 2012 from Jim Larson of Waste Corporation of America (WCA) regarding a rate modification to the Solid Waste Collection and Disposal Service Franchise between the City of Wharton and WCA. City Manager Garza stated that WCA could request rate modifications in accordance with Section 14.00, Basis and Methods of Payment, Item 14.02 Modification of Rates of the General Specifications of the Franchise Agreement. He further stated the proposed rate would require City Council approval to allow ample time, at least 30 days, to notify the utility customers. City Manager Garza further stated that the City Council Finance Committee meet at 12:00 Noon on Monday, November 12, 2012 and recommended the City Council consider approving the rate modification to the Solid Waste Collection and Disposal Service Franchise between the City of Wharton and WCA. Finance Director Joan Andel stated the rate increase of 2.66% was in accordance with the price index mentioned in the City's franchise agreement with WCA. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2012-61 and City of Wharton Ordinance 2012-16, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2012-26**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE AMENDMENT NO. 6 TO THE FRANCHISE AGREEMENT FOR SOLID WASTE COLLECTION SERVICES WITH WASTE CORPORATION OF AMERICA AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, On August 7, 2008, the Wharton City Council approved Resolution No. 2008-50 approving the franchise agreement between the City of Wharton and Waste Corporation of America to be effective October 1, 2008; and

WHEREAS, The Wharton City Council wishes to amend Exhibit “A” of the franchise agreement to reflect the increase in rates as set forth in Section 14.02 Modification of Rates of the contract; and

WHEREAS, WCA and the City of Wharton wishes to be bound by the conditions outlined the agreement; and

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

WHEREAS, this resolution is passed in accordance with said contract.

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

Section I. That the Wharton City Council hereby approves to amend Exhibit A of the franchise contract between the City of Wharton and Waste Corporation of America.

Section II. That the Wharton City Council hereby establishes the rates outlined in the Exhibit “A” of the contract.

Section III. That the effective date of the Exhibit “A” will be the 1st day of January 2013.

Section IV. That the Mayor of the City of Wharton is hereby authorized to execute the contract amendment.

Passed, Approved, and Adopted this 12th day of November 2012.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS

**CITY OF WHARTON
ORDINANCE NO. 2012-16**

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 \$22.01 per Residential Unit which includes a \$3.00 per month fee.

Monthly Commercial Hand Collection \$28.30per Commercial Unit which includes a \$3.50 per month fee.

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

2 yd 1xwk	\$60.55	2xwk	\$108.48
3xwk	\$139.51		
4xwk	\$192.47		
5xwk	\$239.71		
Additional Pick-up	\$66.07		
3yd 1xwk	\$89.08	2xwk	\$159.83
3xwk	\$213.63		
4xwk	\$286.96		
5xwk	\$357.81		
Additional Pick-up	\$95.56		
4yd 1xwk	\$111.35		
2xwk	\$194.38		
3xwk	\$275.50		
4xwk	\$381.44		
5xwk	\$475.92		
Additional Pick-up	\$120.02		
6yd 1xwk	\$158.32		

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2xwk	\$303.39
3xwk	\$423.73
4xwk	\$570.41
5xwk	\$712.14
Additional Pick-up	\$169.38
8yd 1xwk	\$196.29
2xwk	\$366.16
3xwk	\$547.50
4xwk	\$759.37
5xwk	\$948.34
Additional Pick-up	\$207.79

Rates for Roll-offs:

Delivery Fee	\$110.21
Monthly Rental	\$132.25
Pull Price (per pull)	\$140.79
Disposal Fee-Loose (per yard)	\$7.71
Disposal Fee-Compact (per yard)	\$9.10

Rates for Other Services:

Hourly Rate	\$110.42
Disposal per cubic yard	\$7.71

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 January 2013.

PASSED AND APPROVED by the City Council of the City of Wharton, Texas, on the 12th day November 2012.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

APPROVED AS TO FORM:

PAUL WEBB
City Attorney

Councilmember Karen Schulz seconded the motion. All voted in favor.

The eleventh item on the agenda to review and consider a resolution of the Wharton City Council approving the purchase and installation of a dual run of 30” reinforced concrete pipe with safety treatments under SH 60 for the Highway 60 Drainage Re-Route Project and authorizing the City Manager to execute a contract between the City of Wharton and Mercer Construction, Inc. to conduct said project. Public Works Director Carter Miska, P.E., stated the City received three quotes in accordance with the City’s purchasing policy for the project. Mr. Miska said his recommendation was to utilize Mercer Construction, Inc. who was the lowest bidder on the project. Mr. Miska said the drainage would vastly improve the areas around Mahan, Delmas, and Kinkaid streets. After some discussion, Councilmember Don Mueller moved to approve City of Wharton Resolution No. 2012-62, which read as follows:

CITY OF WHARTON
RESOLUTION NO. 2012-62

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE PURCHASE AND INSTALLATION OF A DUAL RUN OF 30” REINFORCED CONCRETE PIPE WITH SAFETY TREATMENTS UNDER SH 60 FOR THE HIGHWAY 60 DRAINAGE RE-ROUTE PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

WHEREAS, The City of Wharton is moving forward with the Highway 60 Drainage Re-route Project to improve drainage; and

WHEREAS, The City of Wharton received quotes in accordance with the City of Wharton Purchasing Policy; and

WHEREAS, Mercer Construction, Inc. was deemed the lowest and best qualified bidder for the Purchase and Installation of a dual run of 30” Reinforced Concrete Pipe with Safety Treatments under SH 60 for said Highway 60 Drainage Re-Route Project; and

WHEREAS, The Wharton City Council wishes to enter into a contract for said project with Mercer Construction, Inc.; and

WHEREAS, Mercer Construction, Inc. and the City of Wharton wishes to be bound by the conditions of the contract; and

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute the agreement.

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

Section I. That Mercer Construction, Inc. is hereby awarded the contract for bid for the Purchase and Installation of a dual run of 30” Reinforced Concrete Pipe with Safety Treatments under SH 60 for said Highway 60 Drainage Re-Route Project.

Section II. That the City of Wharton and Mercer Construction, Inc. is hereby bound by the conditions of the contract.

Section III. That the Mayor of the City of Wharton is hereby authorized to sign any documents relating to said contract.

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

Passed, Approved, and Adopted this 12th day of November 2012.

CITY OF WHARTON, TEXAS

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Karen Schulz seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider proposed City of Wharton Write-offs:

A. City of Wharton EMS.

City Manager Andres Garza, Jr. presented a copy of the memorandum dated October 24, 2012 from Finance Director Joan Anandel to him recommending that \$250,376.89 be written off. Finance Director Joan Anandel stated that these accounts had been delinquent for more than one year and that the accounts had been forwarded to the collection agency of Lam, Lyn, & Philip, P.C. for collections. Mrs. Anandel said the total amount to be considered to be written off is 14.2% of the total charges of \$1,765,184 for the fiscal year and the City had collected approximately \$786,000 or 44.5% of total charges.

B. Utility Accounts.

City Manager Andres Garza, Jr. presented a copy of the memorandum dated October 24, 2012 from Finance Director Joan Anandel to him that indicated the Utility Department was requesting that \$18,711.96 of uncollected balances for the 2011 – 2012 fiscal year be written off due to non-payment. Finance Director Joan Anandel stated that the City Staff had taken all of the appropriate steps to try to collect the amounts owed, which included a final bill and at least one or two letters concerning the delinquent accounts. Mrs. Anandel said that those customers would not be allowed to open a new account until the past due balance was paid. City Manager Andres Garza, Jr. stated that the City Council Finance Committee met at 12:00 Noon on Monday, November 12, 2012 and recommended the City Council consider approving the aforementioned City of Wharton write-offs items A & B. Councilmember Karen Schulz requested the City look into another collection agency that may better be able to collect on the large amount of write-offs. After some discussion, Councilmember Don Mueller moved to approve the City of Wharton write-offs for A. City of Wharton EMS and B. Utility Accounts. Councilmember Russell Machann seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider City of Wharton Proficiency Allowances:

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

B. Resolution: A resolution of the Wharton City Council establishing proficiency allowance for the Wharton Volunteer Fire Fighters.

City Manager Andres Garza, Jr. presented a draft resolution formalizing the proficiency allowances the City offers its employees and the Wharton Volunteer Fire Fighters. City Manager Garza stated that although some of the proficiency allowances had been in place for several years, the City Staff was recommending that it be formalized by resolution to insure that it was well documented. City Manager Garza said that on November 12, 2012 at 12:00 Noon, the City Council Finance Committee met and recommended the City Council consider approving the respective resolutions. City Secretary Paula Favors stated the proficiency allowance would promote further education by the City Staff and would be an incentive for those employees who went above and beyond what was in their job descriptions. After some discussion,

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Councilmember Karen Schulz moved to approve City of Wharton Resolution No. 2012-63 and No. 2012-64 which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2012-64**

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

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

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

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

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

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

WHEREAS, the Wharton City Council approves this policy in the fiscal years budget; and

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

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

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

Public Works Department:

Water License C	\$50.00 per month
Water License B	\$75.00 per month
Water License A	\$125.00 per month

Wastewater License C	\$50.00 per month
Wastewater License B	\$75.00 per month
Wastewater License A	\$125.00 per month

TDA Pesticide Applicators License	\$75.00 per month
Certified Applicator Technician	\$25.00 per month

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Commercial Driver's License Class A	\$50.00 per month
Commercial Driver's License Class A Haz-Mat	\$75.00 per month
Certified Survey Technician Level I	\$75.00 per month
Certified Survey Technician Level II	\$125.00 per month
Underground Storage Tank Class C	\$25.00 per month
Underground Storage Tank Class B	\$50.00 per month
Underground Storage Tank Class A	\$75.00 per month
Police Department:	
Police Officer Intermediate Certificate	\$25.00 per month
Police Officer Advanced Certificate	\$75.00 per month
Police Officer Master Certificate	\$125.00 per month
City Secretary:	
Texas Registered Municipal Clerk (TRMC)	\$125.00 per month
Master Public Information Officer (FEMA)	\$50.00 per month
Municipal Court:	
Certified Court Clerk Level I	\$25.00 per month
Certified Court Clerk Level II	\$50.00 per month
Certified Municipal Court Clerk	\$75.00 per month
Code Enforcement:	
Certified Flood Plain Manager	\$50.00 per month
Texas Code Enforcement Officer License	\$25.00 per month

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

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

Passed, Approved, and Adopted this the 12th day of November 2012.

CITY OF WHARTON

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

**CITY OF WHARTON
RESOLUTION NO. 2012-64**

A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING PROFICIENCY ALLOWANCE FOR THE CITY OF WHARTON VOLUNTEER FIREFIGHTERS.

WHEREAS, the Wharton City Council has determined there was a need to improve education for City of Wharton Volunteer Firefighters; and

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

WHEREAS, the Wharton City Council hereby has established proficiency allowance policy for the City of Wharton Volunteer Firefighters; and

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

WHEREAS, the Wharton City Council approves this policy in the fiscal years budget to be reimbursed each December starting with a prorated amount on the month in the calendar year the certification was obtained; and

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

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

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

Certifications maybe obtained from either State Firemen's and Fire Marshal's Association of Texas or Texas Commission on Fire Protection.

Volunteer Firefighters:

Firefighter – Basic	\$10.00 per month
Firefighter – Intermediate	\$10.00 per month
Firefighter – Advance	\$10.00 per month
Firefighter – Masters	\$10.00 per month

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

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

Passed, Approved, and Adopted this the 12th day of November 2012.

CITY OF WHARTON

By: _____
DOMINGO MONTALVO, JR.
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The fourteenth item on the agenda was to review and consider appointments to the City of Wharton Boards and Commissions:

- A. Holiday Light Decoration Chairman.
- B. Mayor's Committee on People with Disabilities.

City Manager Andres Garza, Jr. stated that each of the committees listed above had one (1) vacancy respectively. City Manager Garza said the City Council could consider possible appointments to fill the vacancies. After some discussion, no action was taken.

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

- A. City Council Public Works Committee meeting held Monday, October 23, 2012.
- B. City Council Housing Committee meeting held Friday, October 24, 2012.

After some discussion, no action was taken.

The sixteenth item on the agenda was adjournment. 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 7:58 p.m.

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CITY OF WHARTON, TEXAS

By: _____
Domingo Montalvo, Jr.
Mayor

ATTEST:

Paula Favors
City Secretary