

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
FEBRUARY 24, 2014**

Mayor Pro Tem Don Mueller declared a Regular Meeting duly open for the transaction of business at 7:00 P.M at City Hall 120 E. Caney Street Wharton, TX. Councilmember Terry David Lynch led the opening devotion and the pledge of allegiance.

Councilmember's present were: Mayor Pro Tem Don Mueller, Councilmembers Al Bryant, Terry David Lynch, and Karen Schulz.

Councilmembers absent were: Mayor Domingo Montalvo, Jr., Councilmembers Jeff Gubbels and Russell Machann.

Staff members present were: City Attorney Paul Webb, Finance Director Joan Anandel, Assistant to the City Manager Cheryl Urbanovsky, and City Secretary Paula Favors.

Visitors present were: David Schroeder, Executive Director of the Wharton Economic Development Corporation (WEDCO), Carlos Cotton, P.E. with Jones and Carter, Inc., Ben Sharp with the Wharton Journal Spectator, and I.O. Coleman, Jr.

The second item on the agenda was Roll Call and Excused Absences. Councilmember Terry David Lynch moved to excuse Mayor Domingo Montalvo, Jr. and Councilmembers Jeff Gubbels and Russell Machann. 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 the Wharton High School Basketball Team for their victory over Bandera and wished them continued success in their pursuit to the state playoffs.

The fifth item on the agenda was to review and consider City of Wharton Financial Report for the month of January 2014. Finance Director Joan Anandel presented the financial report for the month of January 2014. Mrs. Anandel stated that the TexPool balance for January was \$151,318.69 with an average monthly yield of .04%. She said the Prosperity Bank balance for January 2014 was \$10,883,534.60 with an average monthly yield of .15%. After some discussion, Councilmember Terry David Lynch moved to approve the City of Wharton Financial Report for the month of January 2014. Councilmember Karen Schulz seconded the motion. All voted in favor.

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The sixth item on the agenda was to review and consider a resolution approving a contract with Jones & Carter for Wastewater Discharge Permit covering Wastewater Treatment Plants No. 1 and No. 2 and authorizing the Mayor of the City of Wharton to execute the contract. City Manager Andres Garza, Jr. stated that the City's Wastewater Treatment Plants No. 1 and No. 2 permit would expire on December 31, 2014. City Manager Garza said TCEQ required that the application for permit renewal be submitted at least 180 days prior to expiration and Jones & Carter, Inc. would be able to assist the Staff in preparing the permit application. City Manager Garza said the City Council Public Works Committee met on February 20, 2014 and voted to recommend the agreement be approved by the City Council. After some discussion, Councilmember Karen Schulz moved to approve City of Wharton Resolution No. 2014-13, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2014-13**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING AN AGREEMENT WITH JONES & CARTER, INC. AND THE CITY OF WHARTON FOR TECHNICAL AND PROFESSIONAL SERVICES NECESSARY TO COMPLETE THE PROJECT DESCRIBED AS RENEWING THE WASTEWATER DISCHARGE PERMITS FOR WASTE WATER TREATMENT PLANTS NO. 1 AND NO. 2 AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE THE AGREEMENT.

WHEREAS, On February 24, 2014 the Wharton City Council entered into a professional agreement with Jones & Carter, Inc. for the technical and professional services necessary to complete the Project described as renewing the wastewater discharge permits for Waste Water Treatment Plants No. 1 and No. 2.

WHEREAS, the City of Wharton and Jones & Carter, Inc. wishes to be bound by the conditions as set forth in the agreement; and

WHEREAS, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute said contract amendment.

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

Section I. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute an agreement with Jones & Carter, Inc. and the City of Wharton for technical and professional services necessary to complete the

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Project described as renewing the wastewater discharge permits for Waste Water Treatment Plants No. 1 and No. 2.

Section II. The City of Wharton and Jones & Carter, Inc. are hereby bound by the conditions as set forth in the contract amendment.

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

Passed, Approved, and Adopted this 24th day of February 2014.

CITY OF WHARTON, TEXAS

By: _____
DON MUELLER
Mayor Pro-Tem

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Al Bryant seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider the Hydroneumatic Tank Addition at Cloud Street Water Plant:

- A. Request for Progress Payment Request No. 5 & FINAL by Jones & Carter, Inc. for Schier Construction Company.

City Manager Andres Garza, Jr. presented a Request for Progress Payment Request No. 5 & FINAL by Jones & Carter, Inc. for Schier Construction Company. Mr. Carlos Cotton, P.E. with Jones and Carter, Inc. stated that the project was complete and Progress Payment No. 5 on the project was requested. After some discussion, Councilmember Terry David Lynch moved to approve the Request for Progress Payment Request No. 5 & Final by Jones & Carter, Inc. for Schier Construction Company. Councilmember Karen Schulz seconded the motion. All voted in favor.

The eighth item on the agenda was the status report on the City of Wharton Projects. City Manager Andres Garza, Jr. presented a copy of the memorandum dated January 31, 2014 providing an update on the City of Wharton current projects.

FLOOD REDUCTION (LEVEE) PROJECT

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The U.S. Army Corp of Engineers (USACE) Lower Colorado River Phase I Report - City of Wharton Flood Prevention Project and Recommended report is located at the Wharton County Library and the office of the City of Wharton City Secretary for viewing or the report may be viewed on line at <http://www.cityofwharton.com/information-a-notices/lcrb-feasibility-study>.

Halff Associates submitted the 100% set of construction plans and the City Staff is currently reviewing the document. The City Staff has indicated to Halff Associates that it is too early to acquire the services of a professional land surveyor to prepare metes and bounds since we do not know for sure if the alignment will stay as shown on the current set of construction plans. The City Staff and Halff Associates went through the plan set page by page to identify utility relocations that will be necessary during or prior to construction of the levee. The City will be responsible for all relocations of water, sewer and drainage infrastructure. The City will work together with Halff Associates to coordinate other utility relocations. These include utilities owned by others including CenterPoint Electric, CenterPoint Gas, MidCoast Cable, and Panther Pipeline. The City Staff worked with Jones & Carter and has completed the preliminary layout for the Hughes St. utility relocation. Halff along with the City Staff are working together to solve the issue of spoil disposal.

This design is for the first phase of levee construction along the Colorado River from FM 102 to Business 59.

DRAINAGE:

1. Santa Fe Outfall Channel.

The Public Works Department has finished excavation of the channel. During the month of December, no routine maintenance was required on the Channel. The channel is slowly increasing in grass cover which is allowing several eroded areas to heal themselves over time. Public Works will continue installing grade stabilization structures to eliminate erosion thereby reducing or eliminating the need to reshape the channel areas with active erosion. The Public Works Department has installed six grade stabilization structures or pipe drops along the channel so far. These structures are part of the original engineering design and not only control erosion but are helping to improve drainage in the city by serving as the outfall for water that has been redirected to the Santa Fe Channel. Work on property owners land is now complete.

2. Stavena Addition Drainage Project.

The City Council on January 27, 2014 authorized the project. The Staff will be meeting with Schiebe Engineering to complete the design and construction preparation.

3. Highway 60 & Old Lane City Road Drainage Improvements.

Project has been completed.

WATER/SEWER IMPROVEMENTS:

1. Water Storage Tank Maintenance Program

The hydropneumatic tank has been installed and is operational at the Cloud Street location. The elevated water storage tank has been dismantled. This project has been completed.

2. Alabama Road Water Plant Storage Tank Renovation Project.

The project is in the bidding stage at this time. The bid opening is scheduled for March 1, 2014

3. On-going Water and Sewer Maintenance Program.

Water leaks and sewer failures were on average the month of January.

Grease build up has continued to be a problem in the sanitary sewer lines and manholes along Richmond Rd. This results in sewer back-ups and has kept crews busy. The Public Works Department is coordinating with Code Enforcement to begin a grease trap inspection program at restaurants throughout town. The City Staff hopes this will eliminate some of the unnecessary grease build up and sewer back-ups along Richmond Rd and other areas of the City.

STREET IMPROVEMENTS

1. FM 1301 Extension and Overpass Project Progress Report.

IDC Inc. continues to work with City Staff in an effort to develop preliminary engineering for the project. The City Staff continues to coordinate with TxDOT to ensure the project continues to move forward.

The City Staff and IDC Inc. coordinated via e-mail and telephone this month in a continuing effort to complete drainage associated with the project. The Federal Highway Administration reviewed the environmental document and had requested responses to their comments. At the City Council meeting held on February 10, 2014, IDC provided an update on the project. The responses to FHWA has been submitted and FHWA has approved the project for further processing and public involvement. A Public Hearing must be held for public input. IDC has submitted to TxDOT the railroad overpass package of plans for TxDOT to acquire the necessary permit. Also, IDC has submitted the City's request to place the components of the project in the State Transportation Improvement Plan (STIP).

2. 2014 Street Improvement Program.

The City Staff has identified street program for 2014 and completed cost estimates for these improvements. The estimates and recommendations from the City Staff will be submitted to the City Council Public Works Committee for review and consideration in the near future.

3. Wharton Sidewalk Accessibility and Historic Streetscape Project.

This project is moving along on Milam Street with M&C Fonseca Construction Company. The project is almost complete with the change order for construction on the 300 Block of South Milam being worked on at the present time. Also, the 2013 project which has been funded will get underway as soon as the City receives the Advance Funding Agreement from TxDOT.

4. On-going Street and Drainage Maintenance Program.

The Public Works Department has been working on cleaning residential drainage ditches that have been experiencing poor drainage. These efforts to improve drainage are paying off. Areas that used to flood are no longer flooding. The Public Works Department has been noticing a significant decrease in citizen complaints during larger rainfall events concerning poor drainage. The City Staff is continuing these drainage improvement efforts. The Public Works Department has noticed a significant drop in drainage complaints and attributes the decrease to the improvements being made and lack of rain.

WHARTON REGIONAL AIRPORT

1. Hangar Construction Project.

This project has been approved by the City Council. The City Staff is awaiting the grant agreement.

The ninth item on the agenda was to review and consider City of Wharton City Council Boards, Commissions, and Committees Appointments:

- A. Beautification Commission.
- B. Holiday Light Decorating Chairman.

After some discussion, no action was taken.

The tenth item on the agenda was City Council Committees, Boards and Commission's Reports:

- A. Mayor's Committee on People with Disabilities Committee was held on February 5, 2014.

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- B. Beautification Commission meeting was held on February 12, 2014.
- C. Public Works Committee meeting was held on February 20, 2014.

After some discussion, no action was taken.

The eleventh item on the agenda was City Manager's Reports:

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| A. City Secretary/Personnel. | H. Fire Marshall. |
| B. Code Enforcement. | I. Legal Department. |
| C. Community Services Department /
Civic Center. | J. Municipal Court. |
| D. Emergency Management. | K. Police Department. |
| E. E.M.S. Department. | L. Public Works Department. |
| F. Facilities Maintenance Department /
Wharton Municipal Pool. | M. Water / Sewer Department. |
| G. Fire Department. | N. Weedy Lots / Sign Ordinance. |
| | O. Wharton Regional Airport. |

After some discussion, no action was taken.

The meeting adjourned at 7:13 p.m.

CITY OF WHARTON, TEXAS

By: _____
Don Mueller
Mayor Pro Tem

ATTEST:

Paula Favors
City Secretary