

**MINUTES  
OF  
CITY OF WHARTON  
REGULAR CITY COUNCIL MEETING  
MARCH 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. Mayor Pro Tem Mueller led the opening devotion and the pledge of allegiance.

Councilmember's present were: Mayor Pro Tem Don Mueller, Councilmembers Al Bryant, Jeff Gubbels, Russell Machann and Karen Schulz.

Councilmembers absent were: Mayor Domingo Montalvo, Jr. and Councilmember Terry David Lynch.

Staff members present were: City Manager Andres Garza, Jr., 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. and Natalie Frels with the Wharton Journal Spectator.

The second item on the agenda was Roll Call and Excused Absences. Councilmember Karen Schulz moved to excuse Mayor Domingo Montalvo, Jr. and Councilmember Terry David Lynch. Councilmember Russell Machann 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. No comments were given.

The fifth item on the agenda was to review and consider City of Wharton Financial Report for the month of February 2014. Finance Director Joan Anandel presented the financial report for the month of February 2014. Mrs. Anandel stated that the TexPool balance for February was \$151,322.00 with an average monthly yield of .03%. She said the Prosperity Bank balance for February 2014 was \$11,857,190.66 with an average monthly yield of .15%. After some discussion, Councilmember Al Bryant moved to approve the City of Wharton Financial Report for the month of February 2014. Councilmember Russell Machann seconded the motion. All voted in favor.

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The sixth item on the agenda was to review and consider the Rehabilitation & Painting of two (2) 500,000 Gallons Steel Ground Water Storage Tanks Project.

- A. Review of Bid Tabulation Sheet from Bid Opening Meeting conducted by Jimmy Dunham of Dunham Engineering on March 6, 2014.
- B. A resolution approving the contract a J & A Coating, LLC for the rehabilitation and painting of ground water storage tanks project and authorizing the Mayor of the City of Wharton to execute the contract.

City Manager Andres Garza, Jr. presented a Bid Tabulation Sheet from the Bid Opening Meeting conducted by Jimmy Dunham, P.E., of Dunham Engineering on March 6, 2014. City Manager Garza stated that Mr. Dunham said the City was very fortunate to have received seven bids on the project with the lowest and most qualified being \$274,000, which would allow the additional funds to be allocated to other projects. After some discussion, Councilmember Russell Machann moved to approve City of Wharton Resolution No. 2014-22, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2014-22**

**A RESOLUTION AWARDED A CONTRACT FOR THE CITY OF WHARTON GROUND WATER STORAGE TANK REHABILITATION PROJECT TO J & A COATING, LLC AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATING TO SAID CONTRACT.**

**WHEREAS,** competitive sealed bids were received March 6, 2014 for the City of Wharton Ground Water Storage Tank Rehabilitation Project; and

**WHEREAS,** J & A Coating, LLC was deemed the best lowest qualified bidder in the amount of \$274,000.00; and

**WHEREAS,** the Wharton City Council wishes to award a contract to J & A Coating, LLC for the City of Wharton Ground Water Storage Tank Rehabilitation Project in the amount of \$274,000.00; and

**WHEREAS,** the City of Wharton and J & A Coating, LLC wish to be bound by the conditions as set forth in the agreement.

**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.** The Wharton City Council hereby authorizes the Mayor of the City of Wharton, Texas, to execute a contract for the City of Wharton Ground Water Storage Tank Rehabilitation Project to J & A Coating, LLC in the amount of \$274,000.00.

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**Section II.** The City of Wharton and J & A Coating, LLC are hereby bound by the conditions as set forth in the agreement.

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

**Passed, Approved, and Adopted** this 24<sup>th</sup> day of March 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 a resolution for the 2014 Street Improvement Program. City Manager Andres Garza, Jr. presented itemized spreadsheets for the 2014 City of Wharton Street Improvement Program as provided by the Public Works Department for the 2014 Street Improvement Program. City Manager Garza stated that the City Council Public Works Committee met on March 18, 2014 and recommended the 2014 Street Improvement Program be adopted by the City Council. After some discussion, Councilmember Karen Schulz moved to approve City of Wharton Resolution No. 2014-23, which read as follows:

**CITY OF WHARTON  
RESOLUTION NO. 2014 – 23**

**A RESOLUTION OF THE WHARTON CITY COUNCIL ESTABLISHING THE 2014 STREET IMPROVEMENT PROGRAM AND AUTHORIZING THE CITY MANAGER TO CREATE A TEMPORARY CONSTRUCTION CREW FOR SAID STREET IMPROVEMENT PROGRAM FOR THE CITY OF WHARTON.**

**WHEREAS,** the Wharton City Council wishes to implement the City of Wharton 2014 Street Improvement Program; and

**WHEREAS,** the Wharton City Council wishes City forces to make certain street improvements to the following streets:

See Exhibit A

; and

**WHEREAS,** the Wharton City Council wishes to authorize the City Manager to create a temporary construction crew to conduct the certain street improvements to the aforementioned streets under the 2014 Street Improvement Program; and

**WHEREAS,** funding for the temporary construction crew and street improvements will be allocated from the 2013 Bond Program in the amount of \$500,000.

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

**Section 1:** The Wharton City Council hereby authorizing the improvements to the list of streets above mentioned.

**Section II:** The Wharton City Council hereby authorizes the City Manager to create a temporary construction crew to conduct the certain street improvements to the aforementioned streets under the 2014 Street Improvement Program.

**Section III:** This resolution will become effective immediately upon its passage.

**Passed, Approved and Adopted this 24<sup>th</sup> day of March 2014.**

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**DONALD MUELLER**  
Mayor Pro-Tem

**ATTEST:**

\_\_\_\_\_  
**PAULA FAVORS**  
City Secretary

Councilmember Al Bryant 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 March 20, 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 February, routine maintenance was done 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 has been bid. A contractor for the project will be recommended to the City Council at the March 24<sup>th</sup> City Council Meeting.

3. On-going Water and Sewer Maintenance Program.

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

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 had been submitted and FHWA was 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). IDC met with the City Council Public Works Committee on March 18, 2014 to discuss the stipulations TxDOT is requiring for the projects to be placed on the TxDOT 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 were 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. Planning Commission meeting held on March 3, 2014.

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- B. Mayor's Committee on People with Disabilities Committee was held on March 11, 2014.
- C. Beautification Commission meeting was held on March 12, 2014.
- D. Public Works Committee meeting was held on March 18, 2014.

After some discussion, no action was taken.

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

- |   |                                 |
|---|---------------------------------|
| A. City Secretary/Personnel.                                      | H. Fire Marshall.               |
| B. Code Enforcement.  | I. Legal Department.            |
| C. Community Services Department /<br>Civic Center.               | J. Municipal Court.             |
| D. Emergency Management.  | K. Police Department.           |
| E. E.M.S. Department.   | L. Public Works Department.     |
| F. Facilities Maintenance Department /<br>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 7:16 p.m.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_

**Don Mueller**  
**Mayor Pro Tem**

**ATTEST:**

\_\_\_\_\_  
**Paula Favors**  
**City Secretary**