

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
MARCH 12, 2018**

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. City Manager Andres Garza, Jr. led the opening devotion and Mayor Tim Barker led the pledge of allegiance.

Councilmember's present were: Mayor Tim Barker and Councilmembers Al Bryant, Terry Freese, Don Mueller, Russell Machann and Steven Schneider.

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr, Finance Director Joan Andel, City Secretary Paula Favors, City Attorney Paul Webb, Public Works Director Wade Wendt, Community Development Coordinator Gwyneth Teves, Assistant to City Manager Brandi Jimenez, Airport Manager David Allen and Patrol Officer David Hunter.

Visitors present were: Wharton Economic Development Corporation (WEDCo) Executive Director, Chad Odom, Ernest Lemons, Ben Muhlhausen, Rebekah Kirschke, Donna Gooden and Ray Linseisen.

The second item on the agenda was Roll Call and Excuses Absences. All members were present.

The third item on the agenda was Public Comments. Mr. Ben Muhlhausen stated concerns with drainage issues on Lees Lane since the 2017 Flood and requested information on whose responsibility it was to maintain the ditch.

The fourth item on the agenda was the Wharton Moment. Councilmember Russell Machann stated the Rotary Gala in El Campo was a success raising over \$200,000 to help victims of the 2017 flooding caused by Hurricane Harvey. Mayor Tim Barker gave condolences to the family of Keith Magee, managing editor of the Wharton Journal-Spectator, who passed away on March 9, 2018.

The fifth item on the agenda was to review and consider the reading of the minutes from the regular meetings held February 12, 2018 and February 26, 2018. After some discussion, Councilmember Russell Machann moved to approve the reading of the minutes from the regular meeting held on February 12, 2018 and February 26, 2018. Councilmember Don Mueller 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 approving a Lease Agreement between the City of Wharton and Wharton

City of Wharton
Regular Council Meeting
March 12, 2018

Independent School District for Harris Park and authorizing the Mayor of the City of Wharton to execute all documents related to said agreement. City Manager Andres Garza, Jr. presented a copy of a draft agreement between Wharton Independent School District and the City of Wharton for a parcel of land known as Harris Park that is located South of West Bailey Street. City Manager Garza stated the Parks and Recreation Committee met on Monday, March 12, 2018 and were recommending the City Council consider approving the Lease Agreement between the City of Wharton and Wharton Independent School District for the use of Harris Park. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2018-12, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2018-12**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF WHARTON AND WHARTON INDEPENDENT SCHOOL DISTRICT AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID AGREEMENT.

WHEREAS, The Wharton Independent School District wishes to extend said land lease agreement as per the requirements set forth in said agreement with the option to extend every year; and,

WHEREAS, The City of Wharton wishes to approve the land lease agreement with Wharton Independent School District as per the requirements set forth in said agreement; and,

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute a contract between the City of Wharton and Wharton Independent School District.

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

Section I. That the City Council hereby approves the land lease agreement between the City of Wharton and Wharton Independent School District.

Section II. That the City Council of the City of Wharton hereby authorizes the Mayor of the City of Wharton to execute the lease agreement with Wharton Independent School District.

Section III. That the City of Wharton and Wharton Independent School District are hereby bound by the conditions set forth in the agreement.

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

City of Wharton
Regular Council Meeting
March 12, 2018

Passed, Approved, and Adopted this 12th day of March 2018.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

Councilmember Terry Free seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider a request from the Wharton Youth Soccer League for assistance in relocating the soccer fields. City Manager Andres Garza, Jr. stated that Ms. Kristina Butler, representative of the Wharton Youth Soccer League, had approached the City requesting assistance to help find land for the new soccer fields. City Manager Garza said that on January 22, 2018, she and Mr. David Schroeder met with the City Council Parks and Recreation Committee to review some potential sites or land the City owned and the area or land Wharton Independent School District owns. City Manager Garza presented the City Council with information provided to the Committee by Ms. Butler. City Manager Garza stated that the City Staff had proceeded to ask the Wharton Independent School District to include the Wharton Independent School District site in its lease for the Harris Park site and the Wharton Independent School District had agreed to include the land west of Bailey Street in the land lease agreement. City Manager Garza said the Committee met on Monday, March 12, 2018 and were recommending the City Council consider approving the Wharton Youth Soccer League's use of Harris Park. After some discussion, Councilmember Al Bryant moved to approve the Wharton Youth Soccer League use of Harris Park and the City would be responsible to remove the curbing on the corner of Camilla Avenue and Bailey Street and level out the field for their use. Councilmember Terry Freese seconded the motion. All voted in favor.

The eighth item on the agenda was Public Hearing: 2016 Texas CDBG Program Community Development Contract 7216489 for sewer improvements.

Mayor Tim Barker opened the Public Hearing at 7:14 p.m.

Community Development Coordinator Gwyn Teves stated the purpose of the public hearing was for citizens to review performance and obtain comments regarding the City of Wharton 2016 Texas CDBG Program Community Development Contract 7216489 for the Alabama Sanitary Sewer Project sewer improvements. No Comments were given.

Mayor Tim Barker closed the Public Hearing at 7:15 p.m.

City of Wharton
Regular Council Meeting
March 12, 2018

The ninth item on the agenda was to review and consider Project Completion Report for City of Wharton 2016 Texas CDBG Program Community Development Contract 7216489 for sewer improvements. City Manager Andres Garza, Jr. presented the Project Completion Report for City of Wharton 2016 Texas CDBG Program Community Development Contract 7216489 for Alabama Sanitary Sewer Improvements Project for review and approval. After some discussion, Councilmember Russell Machann moved to approve the Project Completion Report for the City of Wharton 2016 Texas CDBG Program Community Development Contract 7216489 for sewer improvements. Councilmember Al Bryant seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider City of Wharton Public Works Department:

A. **Resolution:** A resolution of the Wharton City Council approving a contract for the purchase of a shredder for the Public Works Department and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase.

City Manager Andres Garza, Jr. presented a memo to him from Public Works Director Wade Wendt requesting to purchase a shredder and a roller for the Public Works Department. City Manager Garza stated the funding for the purchase was authorized in the tax anticipation notes approved by the City Council. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2018-13, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2018 -13**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT FOR THE PURCHASE OF A SHREDDER FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The City of Wharton received quotes for the purchase of a shredder for the Public Works Department; and,

WHEREAS, Wharton Tractor was deemed the lowest bidder and most qualified bidder in the amount of \$15,475.00; and,

WHEREAS, The Wharton City Council wishes to approve the purchase with Wharton Tractor for the shredder in the amount of \$15,475.00; and,

WHEREAS, The Wharton City Council wishes to approve the purchase of the shredder for the Public Works Department; and,

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

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

City of Wharton
Regular Council Meeting
March 12, 2018

Section I. That the City Council hereby approves an agreement with Wharton Tractor for the purchase of a shredder in the amount of \$15,475.00.

Section II. That the City Manager of the City of Wharton is hereby authorized to execute any and all documents related to said purchase.

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

PASSED, APPROVED, and ADOPTED this 12th day of March 2018.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

B. Resolution: A resolution of the Wharton City Council approving a contract for the purchase of a roller for the Public Works Department and authorizing the City Manager of the City of Wharton to execute all documents related to said purchase.

Public Works Director Wade Wendt requested the City Council consider the purchase of the roller for the Public Works Department from Mustang CAT in the amount of \$93,532.95. Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2018-13, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2018 -13**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING A CONTRACT FOR THE PURCHASE OF A ROLLER FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE CITY MANAGER OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID PURCHASE.

WHEREAS, The City of Wharton received quotes for the purchase of a roller for the Public Works Department; and,

WHEREAS, Mustang CAT was deemed the lowest bidder in the amount of \$93,532.95; and,

City of Wharton
Regular Council Meeting
March 12, 2018

WHEREAS, The Wharton City Council wishes to approve the purchase with Mustang CAT for the roller in the amount of \$93,532.95; and,

WHEREAS, The Wharton City Council wishes to approve the purchase of the roller for the Public Works Department; and,

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

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

Section I. That the City Council hereby approves an agreement with Mustang CAT for the purchase of a roller in the amount of \$93,532.95.

Section II. That the City Manager of the City of Wharton is hereby authorized to execute any and all documents related to said purchase.

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

PASSED, APPROVED, and ADOPTED this 12th day of March 2018.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS
City Secretary

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

The eleventh item on the agenda was to review and consider Request by Ms. Rebekah Kirschke, Program Director and Event Coordinator of Restoration City for assistance by approving the following for the Community Easter Event to be held Friday, March 30, 2018:

A. Closure of Fulton Street to traffic between Burleson Street and Milam Street and create and mark temporary no parking zones within the same area.

B. Closure of Houston Street to traffic between ~~Burleson Street and the first entrance into~~ Guffey Park and create and mark temporary no parking zones within the same area.

City Manager Andres Garza, Jr. presented a copy of the letter dated March 6, 2018 from Ms. Rebekah Kirschke, Program Director and Event Coordinator of Restoration City providing her request for the afore-mentioned items. After some discussion, Councilmember Al Bryant

City of Wharton
Regular Council Meeting
March 12, 2018

moved to approve the closure of Houston Street from Burleson Street to Milam Street and the closure of Fulton Street from Burleson Street to Milam Street. Councilmember Don Mueller seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider City of Wharton Regional Airport:

- A. Quotes for Wharton Regional Airport Taxi Light Repairs.
- B. **Resolution:** A resolution of the Wharton City Council awarding a contract for the taxi light repairs at the Wharton Regional Airport and authorizing the City Manager to execute on behalf of the City said contract.

City Manager Andres Garza, Jr stated the taxi lights at the Wharton Regional Airport was in need of repairs and the City staff solicited quotes for the cost. After some discussion, Councilmember Don Mueller moved to approve City of Wharton Resolution No. 2018-16, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2018-16**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE TAXI LIGHT REPAIRS AT THE WHARTON REGIONAL AIRPORT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY SAID CONTRACT.

WHEREAS, Proposals were received for the taxi light repairs at the Wharton Regional Airport; and,

WHEREAS, F&W Electrical Contractors, Inc. was deemed the best lowest qualified bidder in the amount of \$10,500.00; and,

WHEREAS, The Wharton City Council wishes to award a contract to F&W Electrical Contractors, Inc. for the taxi light repairs at the Wharton Regional Airport in the amount of \$10,500.00; and,

WHEREAS, The City of Wharton and F&W Electrical Contractors, Inc. wish to be bound by the conditions as set forth in the agreement; and,

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

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

City of Wharton
Regular Council Meeting
March 12, 2018

Section I. The Wharton City Council hereby authorizes the City Manager to execute a contract for the taxi light repairs at the Wharton Regional Airport to F&W Electrical Contractors, Inc. in the amount of \$10,500.00.

Section II. The City of Wharton and F&W Electrical, Inc. 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 12th day of March 2018.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

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

C. Quotes for Wharton Regional Airport Hangar Repairs.

D. **Resolution:** A resolution of the Wharton City Council awarding a contract for the hangar repairs at the Wharton Regional Airport and authorizing the City Manager to execute on behalf of the City said contract.

City Manager Andres Garza, Jr. stated Hangar #39 at the Wharton Regional Airport was in need of repairs due to damage from Hurricane Harvey. Airport Manager David Allen stated he solicited quotes for the cost of the repairs. City Manager Garza presented the quotes and a memorandum from Mr. Allen. After some discussion, Councilmember Al Bryant moved to approve City of Wharton Resolution No. 2018-15, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2018-15**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING A CONTRACT FOR THE HANGAR REPAIRS AT THE WHARTON REGIONAL AIRPORT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY SAID CONTRACT.

WHEREAS, Proposals were received for the hangar repairs at the Wharton Regional Airport; and,

City of Wharton
Regular Council Meeting
March 12, 2018

WHEREAS, BLS Construction, Inc. was deemed the best lowest qualified bidder in the amount of \$33,800.00; and,

WHEREAS, The Wharton City Council wishes to award a contract to BLS Construction, Inc. for the hangar repairs at the Wharton Regional Airport in the amount of \$33,800.00; and,

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

WHEREAS, The Wharton City Council wishes to authorize the City Manager 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 City Manager to execute a contract for the hangar repairs at the Wharton Regional Airport to BLS Construction, Inc. in the amount of \$33,800.00.

Section II. The City of Wharton and BLS Construction, Inc. 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 12th day of March 2018.

CITY OF WHARTON, TEXAS

By: _____
TIM BARKER
Mayor

ATTEST:

PAULA FAVORS

City Secretary

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

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

- A. Beautification Commission.
- B. Building Standards Commission.

City of Wharton
Regular Council Meeting
March 12, 2018

- C. Plumbing and Mechanical Board.
- D. City Council Committees.

After some discussion, no action was taken.

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

- A. Finance Committee meeting held February 26, 2018
- B. Public Safety Committee meeting held February 26, 2018.
- C. Public Works Committee meeting held March 5, 2018.
- D. Airport Board meeting held on March 6, 2018.

After some discussion, no action was taken.

The fifteenth item on the agenda was adjournment. There being no further discussion, Councilmember Don Mueller moved to adjourn. Councilmember Al Bryant seconded the motion. All voted in favor.

The meeting adjourned at 7:26 p.m.

CITY OF WHARTON, TEXAS

By: _____
Tim Barker
Mayor

ATTEST:

Paula Favors
City Secretary