

**MINUTES  
OF  
CITY OF WHARTON  
SPECIAL CITY COUNCIL MEETING  
MAY 9, 2002**

Mayor Joel D. Williams declared a Special Meeting duly open for the transaction of business at 5:32 P.M.

Councilmembers present were: Mayors Joel D. Williams, Garland S. Novosad  
Councilmembers V. L. Wiley, Jr., Jimmy Schulz, Ken  
Freese, Don Mueller, Bryce D. Kocian, and Darryl Darnell.

Councilmember absent was: Domingo Montalvo, Jr.

Staff members present were: City Manager, Andres Garza, Jr., Finance Director Joyce  
Vasut, Deputy City Secretary Lisa Stavena, Assistant to  
City Manager Jackie Wheeler, Building Official Ronnie  
Bollom, Public Works Director Phillip Bush, Community  
Services Director Jo Knezek and City Attorney Paul Webb.

Visitors present were: Ron Sanders Wharton Journal-Spectator, Paul Daly KULP,  
David Schroeder WEDCo Executive Director, City of El  
Campo Mayor Kenneth Martin, Leroy Barnes, I.O.  
Coleman, Jr., Louis Voltz, Henry Voltz, Virgil Richards,  
Jim Cockrell, Johnnie Lee Roberts, Ray Torp, Paula Torp,  
Brooke Novosad, Cindy Rachunek, Ester Reding, Linne  
Weigel, John Dettling, Bill Hobbs, Carla Hobbs, Karen  
Novosad, Anthony Rachunek.

The second item on the agenda was Roll Call and Excused Absences. After some discussion, Councilmember Ken Freese made a motion to excuse Councilmember Domingo Montalvo, Jr. from the Special Meeting held on May 9, 2002. Councilmember Jimmy Schulz seconded the motion. All voted in favor.

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

The fourth item on the agenda was comments by City of El Campo Mayor Kenneth Martin. City of El Campo Mayor Kenneth Martin addressed the City Council and stated that he enjoyed working with the Wharton City Council for the past three (3) years. He publicly thanked Mayor Joel D. Williams for bringing the City of Wharton and City of El Campo together, and hoped that the newly elected City Council would continue the relationship between the two cities. Mayor Joel D. Williams stated that he appreciated Mayor Kenneth Martin's time and effort in the Intergovernmental Relations Committee, and that he would always be indebted to the City of El Campo for the help with sheltering during the 1998 Flood. No action was taken.

The fifth item on the agenda was to review and consider a resolution canvassing the election returns and declaring the results of the City Officers' Election held on May 4, 2002. After some discussion, Councilmember V. L. Wiley, Jr. made a motion to approve Resolution No. 2002-20, which read as follows:

**CITY OF WHARTON, TEXAS  
RESOLUTION NO. 2002-20**

**A RESOLUTION CANVASSING THE ELECTION RETURNS AND  
DECLARING THE RESULTS OF THE CITY OFFICERS' ELECTION  
HELD ON MAY 4, 2002**

**BE IT RESOLVED** 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 **4<sup>th</sup> of May 2002**, 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;

**COUNCILMEMBER DISTRICT NO. 2**

JIM FAETCHE	8
MERRELL "DOC" BARFIELD	60
DARRYL DARNELL	69

**COUNCILMEMBER AT LARGE PLACE NO. 6**

BRYCE D. KOCIAN	588
LYNDA NICOLS	271

**MAYOR**

DOMINGO MONTALVO, JR.	346
GARLAND S. NOVOSAD	522

The City Council, on April 8, 2002, declared, by Ordinance 2002-06, each unopposed candidate elected to office in accordance with the provisions of Subchapter C of Chapter 2 of the Texas Election Code. The candidate, who were unopposed for the May 4, 2002, general election, was Don E. Mueller-Councilmember District No. 4.

The City Council further finds and declares that the election was duly called, that notice of the election was given in accordance with law, that the election was held in accordance with law, that **Garland S. Novosad** was elected Mayor, **Darryl Darnell** was elected Councilmember District No. 2, **Don E. Mueller** was elected Councilmember District No. 4 and that **Bryce D. Kocian** was elected Councilmember At Large - Place No. 6.

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.

### **Separability**

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 **9th** day of **May 2002**.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_  
**JOEL D. WILLIAMS**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**JOYCE VASUT**  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**PAUL WEBB**  
City Attorney

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

The sixth item on the agenda was administering the Oath of Office to Elected Officials Mayor Garland S. Novosad, Councilmembers Darryl Darnell, Don Mueller and Bryce D. Kocian. Mayor Joel D. Williams congratulated the newly elected Mayor Garland S. Novosad, Councilmembers Darryl Darnell, Don Mueller and Bryce D. Kocian. Mayor Williams publicly thanked the City Council for serving and placing themselves before the public for public and media scrutiny. City Attorney Paul Webb administered the Oath of Office to Councilmembers Darryl Darnell, Don Mueller and Bryce D. Kocian. Mayor Joel D. Williams presented Certificates of Election to Councilmembers Darryl Darnell, Don Mueller and Bryce D. Kocian. City Attorney Paul Webb then administered the Oath of Office to Mayor Garland S. Novosad. Mayor Joel D. Williams presented the Certificate of Election to Mayor Garland S. Novosad.

The seventh item on the agenda was adjournment. After some discussion, Councilmember Don Mueller made a motion to adjourn. Councilmember Jimmy Schulz seconded the motion. All voted in favor.

The meeting was adjourned at 5:40 P.M.

**CITY OF WHARTON, TEXAS**

**By:**

---

**JOEL D. WILLIAMS**  
Mayor

**ATTEST:**

---

**JOYCE VASUT**  
City Secretary