

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
JUNE 10, 2002**

Mayor Garland S. Novosad declared a Regular Meeting duly open for the transaction of business at 7:02 p.m. Councilmember Bryce D. Kocian led the opening devotion and then Mayor Garland S. Novosad led the pledge of allegiance.

Councilmembers present were: Mayor Garland S. Novosad, Councilmembers V. L. Wiley, Jr., Darryl Darnell, Ken Freese, Don Mueller, Domingo Montalvo, Jr, and Bryce D. Kocian.

Councilmember absent was: None.

Staff members present were: City Manager, Andres Garza, Jr., Finance Director Joyce Vasut, Deputy City Secretary Lisa Stavena, Assistant to City Manager Jackie Wheeler, Police Chief Tim Guin, Public Works Director Phillip Bush, Building Official Ronnie Bollom, EMS Director John Kowalik, Facilities Maintenance Director Bob Baker, Community Services Director Jo Knezek, and City Attorney Paul Webb.

Visitors present were: Ron Sanders Wharton Journal-Spectator, David Schroeder with WEDCo, Anthony Rachunek, Roy Wright, Ellis Hurd, Marian Bulke, I.O. Coleman, Jr., John Mc Leod, Mark Jordan, Robert De Leion, Larry Mueller, Carlos Cotton, and Chester Houston.

The third item on the agenda was Public Comments. Councilmember Domingo Montalvo, Jr. publicly thanked Wharton Economic Development Corporation Executive Director David Schroeder for the change in the Texas Department of Transportation's policy on frontage roads in and out of our community. He also publicly thanked Florence Shipero, which served on the Texas Department of Transportation Board. Councilmember V. L. Wiley, Jr. informed the City Council that the Wharton Training School would be holding their Reunion from the June 14-16, 2002, and publicly invited the City Council to attend the celebration held at the Wharton Square. No action was taken.

The fourth item on the agenda was the Wharton Moment. Councilmember Domingo Montalvo, Jr. publicly honored former Whartonian Fred Zeidman and stated that Wharton was known from the White House to the Governor's Office because of Mr. Zeidman. Councilmember Ken Freese publicly honored Ken Hewitt, and Paul Kearney for their years of service and dedication to Wharton Independent School District. No action was taken.

The fifth item on the agenda was to review and consider reading of the minutes from the Regular Meetings held May 13, 2002 and May 28, 2002 and the Special Meetings held May 9, 2002 and May 20, 2002. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the minutes from the Regular Meetings held May 13, 2002 and May 28, 2002 and the Special Meetings held May 9, 2002 and May 20, 2002 as written. Councilmember Ken Freese seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider U. S. Army Corps of Engineers – Wharton Interim Feasibility Study:

A. Resolution: A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to execute an agreement between the Texas Water Development Board and the City of Wharton for the Wharton Interim Feasibility Study being prepared by the U.S. Army Corps of Engineers. City Manager Andres Garza, Jr. presented the draft resolutions authorizing the execution of the agreements between the City of Wharton and the Texas Water Development Board (TWDB) and the Lower Colorado River Authority (LCRA) for the Wharton Interim Feasibility Study prepared by the U.S. Army Corps of Engineers. He said that on April 22, 2002, the TWDB agreement was presented to the Wharton City Council Finance Committee and on April 16, 2002 to the Wharton City Council Streets and Drainage Committee for their review. City Attorney Paul Webb had also reviewed the agreement. City Manager Andres Garza, Jr. stated that the resolution would allow the execution of these agreements and commit the City to funding \$237,500 in cash over a three-year period, along with \$20,000 of in-kind contributions from the City and LCRA. The agreement with the TWDB allowed the City to accept a \$257,560.99 grant, which would also be used towards the City's share of the study. The LCRA agreement allowed the City to join with LCRA in its agreement with the U.S. Army Corps of Engineers as a participant in their cost sharing agreement. He said the City would be responsible for \$237,500 cash, and \$20,000 in in-kind services, which were identified in the City's application to the TWDB as coming from the City (\$10,000) and LCRA (\$10,000). City Manager Andres Garza, Jr. requested the City Council to authorize the City Staff to formally request funding from Wharton County and the Wharton Economic Development Corporation to assist in paying the City's \$237,500 cash contribution. He stated that the subject matter had been discussed with the Wharton County Commissioner's Court and Mr. David Schroeder, Executive Director of the Wharton Economic Development Corporation.

A. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve Resolution No. 2002-28, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2002 - 28**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE AN AGREEMENT BETWEEN THE TEXAS WATER DEVELOPMENT BOARD AND THE CITY OF WHARTON FOR THE WHARTON INTERIM FEASIBILITY STUDY BEING PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS.

WHEREAS, the City of Wharton was awarded a grant from the Texas Water Development Board for the Wharton Interim Feasibility Study; and

WHEREAS, the City Council of the City of Wharton wished to accept the grant awarded by the Texas Water Development Board for the Wharton Interim Feasibility Study; and

WHEREAS, the Wharton Interim Feasibility Study will identify potential flooding solutions from the Colorado River in the Wharton Area; and

WHEREAS, the City Council wishes to authorize the Mayor of the City of Wharton to provide assurance to the Texas Water Development Board that the City of Wharton will fund the local share of the total study costs in the amount of \$237,500 in cash from its general fund and \$20,000 in in-kind services to be shared by the Lower Colorado River Authority and the City.

WHEREAS, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute an agreement with the Texas Water Development Board attached hereto as Exhibit A for the Wharton Interim Feasibility Study being conducted by the U.S. Army Corps of Engineers.

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

Section I. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to provide the Texas Water Development Board written assurance that the City of Wharton will fund the local share of the total study costs in the amount of \$237,500 in cash from its general fund and \$20,000 in in-kind services to be shared by the Lower Colorado River Authority and the City.

Section II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute Contract No. 2002-483-448 with the Texas Water Development Board attached hereto as Exhibit A for the Wharton Interim Feasibility Study being conducted by the U.S. Army Corps of Engineers.

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

Passed, Approved, and Adopted this 10th day of June 2002.

CITY OF WHARTON, TEXAS

By:

GARLAND S. NOVOSAD
Mayor

ATTEST:

JOYCE VASUT
City Secretary

Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

B. Resolution: A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to execute an agreement between the Lower Colorado River Authority and the City of Wharton for the Wharton Interim Feasibility Study being prepared by the U.S.

Army Corps of Engineers. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve Resolution No. 2002-29, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2002 - 29**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE LOWER COLORADO RIVER AUTHORITY AND THE CITY OF WHARTON FOR THE WHARTON INTERIM FEASIBILITY STUDY BEING PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS.

WHEREAS, the City of Wharton received a grant from the Texas Water Development Board for the Wharton Interim Feasibility Study; and

WHEREAS, the Wharton Interim Feasibility Study will identify potential flooding solutions from the Colorado River in the Wharton Area; and

WHEREAS, the City Council wishes to contract with the Lower Colorado River Authority to serve as the local sponsor and owner of the Feasibility Cost Sharing Agreement with the U.S. Corps of Engineers and shall be responsible for project schedule management and invoice review and processing; and

WHEREAS, the City of Wharton shall be responsible for works efforts as described in Exhibit II of the attached agreement, technical review and approval, and administration of any grant funding requirements including the Texas Water Development Board; and

WHEREAS, the estimated cost of the work under the agreement attached hereto as Exhibit A is \$1,030,00 of which the U. S. Army Corps of Engineers shall be responsible for Fifty Percent of the costs; and

WHEREAS, the City of Wharton will provide the local share of the total study costs in the amount of \$237,500 in cash from its general fund and \$20,000 in in-kind services to be shared by the Lower Colorado River Authority and the City; and

WHEREAS, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute an agreement with the Lower Colorado River Authority attached hereto as Exhibit A for the Wharton Interim Feasibility Study being conducted by the U.S. Army Corps of Engineers.

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

Section I. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to provide the Texas Water Development Board written assurance that the City of Wharton will fund the local share of the total study costs in the amount of \$237,500

in cash from its general fund and \$20,000 in in-kind services to be shared by the Lower Colorado River Authority and the City.

Section II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute an Interlocal Cooperation Agreement with the Lower Colorado River Authority attached hereto as Exhibit A for the Wharton Interim Feasibility Study being conducted by the U.S. Army Corps of Engineers.

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

Passed, Approved, and Adopted this 10th day of June 2002.

CITY OF WHARTON, TEXAS

By: _____

GARLAND S. NOVOSAD

Mayor

ATTEST:

JOYCE VASUT

City Secretary

Councilmember Darryl Darnell seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider a resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to execute an Interlocal Collaborative Agreement between the City of Wharton and the Wharton County Junior College for Broadband Services on a Telecommunications Infrastructure Fund Board (TIF) DI-5 Grant. City Manager Andres Garza, Jr. informed the City Council that on Wednesday, May 29, 2002, he met with Wharton Economic Development Corporation (WEDCo) Executive Director David Schroeder and Mr. Dale Pinson, Wharton County Junior College (WCJC) Dean of Workforce Development Continuing Education and Distance Learning, to discuss broadband services. He then presented a copy of the information received from Mr. Pinson, which included an Advisory Committee Handbook, Sequence of DI-5 grant events through the Telecommunications Infrastructure Fund Board (TIF), funding considerations, WCJC Network Layout, and a draft interlocal collaborative agreement. City Manager Andres Garza, Jr. stated that the City Council Telecommunications Committee met today at 12:00 Noon to consider and recommend to the City Council whether the City of Wharton should participate with WCJC in offering the City and WCJC broadband services through TIF. He then presented the Telecommunication Committee's memorandum recommending the City Council approve the Interlocal Collaborative Agreement for Broadband Services with WCJC. He said the Committee recommended the City would not be required to pledge any monetary contribution, but would agree to utilize the WCJC training for City employees and to work with WCJC for the use of the City's elevated water storage tanks for placement of the antenna's needed for the broadband service.

After some discussion, Councilmember Ken Freese made a motion to approve Resolution No. 2002-30, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2002-30**

A RESOLUTION OF THE WHARTON CITY COUNCIL AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE AN INTERLOCAL COLLABORATIVE AGREEMENT BETWEEN THE CITY OF WHARTON AND THE WHARTON COUNTY JUNIOR COLLEGE FOR BROADBAND SERVICES ON A TELECOMMUNICATIONS INFRASTRUCTURE FUND BOARD (TIF) DI-5 GRANT.

WHEREAS, the City Council of the City of Wharton wishes to enter into an Interlocal Collaborative agreement between the City of Wharton and the Wharton County Junior College for Broadband Services on a Telecommunications Infrastructure Fund Board (TIF) DI-5 Grant; and

WHEREAS, the City of Wharton and the Wharton County Junior College wishes to be bound by the conditions as set forth in Attachment "A".

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 authorizes the Mayor of the City of Wharton to enter into an Interlocal Collaborative Agreement between the City of Wharton and the Wharton County Junior College for Broadband Services on a Telecommunications Infrastructure Fund Board (TIF) DI-5 Grant.

Section II. That the City of Wharton and the Wharton County Junior College hereby agree to be bound by the conditions as set forth in Attachment "A".

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

Passed, Approved, and Adopted this 10th day of June 2002.

CITY OF WHARTON, TEXAS

By: _____
GARLAND S. NOVOSAD
Mayor

ATTEST:

JOYCE VASUT

City Secretary

Councilmember Darryl Darnell seconded the motion. Councilmembers V. L. Wiley, Jr., Darryl Darnell, Ken Freese, Don Mueller, and Domingo Montalvo, Jr. voted for the motion. Councilmember Bryce D. Kocian and Mayor Garland S. Novosad abstained. The motion carried.

The eighth item on the agenda was a report on the City of Wharton Wastewater Treatment Plant No. 2 Improvement Project. City Manager Andres Garza, Jr. informed the City Council that Mr. Carlos Cotton, P.E. of Jones & Carter, Inc. would provide a report on the engineering design phase for the City of Wharton Wastewater Treatment Plant No. 2 (WWTP2) Improvement Project. He stated that on May 23, 2002, Public Works Director Phil Bush and himself had met with Mr. Tobin Synatschk, P.E. of Jones and Carter to review the preliminary drawings for the WWTP2 Improvement Project and on Friday, June 7, 2002, Jones & Carter had submitted plans and specifications for the WWTP2 Improvement project for final review by the City. He stated that the design of the project was 95% complete and was progressing rapidly. As of June 7, 2002, the project was ahead of schedule by eighteen (18) days and was expected to bid on-time by September 2, 2002. He said several additional items had been added to the design of the project that should be repaired for proper operation of the plant. These items would be bid as alternates to the base bid and would only be added if sufficient funds were available. City Manager Andres Garza, Jr. then presented a copy of Part IV Proposed Performance Schedule of the agreement with Jones and Carter, Inc. Mayor Garland S. Novosad asked about the testing reports. Mr. Carlos Cotton addressed the City Council and stated that the Chemical Oxygen Demand had a couple spikes. However, the parameters for the design of the plant had previously been set from earlier reports and he was not reviewing the current reports. After some discussion, no action was taken.

The ninth item on the agenda was to review and consider an Amendment to the City of Wharton Application for Seismic Testing Permit for Western GeCo. City Manager Andres Garza, Jr. informed the City Council that on September 24, 2001, the City Council approved the permit application for seismic testing submitted by Western GeCo. The permit dates were from January 29, 2002 to May 28, 2002. Western GeCo had submitted a request to extend the permit date an additional sixty days from May 28, 2002 to complete the seismic testing. He then presented a copy of the request for the sixty day extension and a copy of the current permit application. Mr. Garza stated that since the original permit fee was \$2,417.84 for four months and Western GeCo requested to seek an additional two months, then he felt an additional permit fee of \$1,208.92 should be assessed for the extension. After some discussion, Councilmember Don Mueller made a motion to approve the amendment to the City of Wharton Application for Seismic Testing Permit for Western GeCo in the amount of \$1,208.92 for sixty (60) days. Councilmember Darryl Darnell seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider City of Wharton Code of Ordinances Chapter 54 Parks and Recreation:

1. Possession and Consumption of Alcoholic Beverages.

City Manager Andres Garza, Jr. presented a copy of the Code of Ordinances Chapter 54 Parks and Recreation and a copy of Chapter 10 Alcoholic Beverages, Section 10-5 Sale, possession or consumption in certain parks to the City Council. He stated that City Attorney Paul Webb had

requested this item be placed on the agenda to seek additional guidance from the City Council for development of the necessary ordinances. Garland S. Novosad stated that the City Council could ban the possession or consumption of alcoholic beverages at all parks, with the exception of Riverfront Park and the Police Chief could grant exceptions for special events.

Councilmember Darryl Darnell stated that the possession and consumption of alcoholic beverages should be banned unless approval from the Police Chief was received for sanctioned events. Police Chief Tim Guin stated that Section 10-4 prohibits consumption on sidewalks. He stated that the problems caused by alcoholic beverages were from mainly family reunions and softball tournaments. Councilmember Bryce D. Kocian stated that the City Council was being discriminating towards citizens that were not excessive users. City Attorney Paul Webb stated that the City Council needed to adopt a policy to be fair for all parks. After some discussion, Councilmember Darryl Darnell made a motion to prohibit the possession and consumption of alcoholic beverages in all city parks except under circumstances approved by the Police Chief. Councilmember V. L. Wiley, Jr. seconded the motion. Councilmember Bryce D. Kocian voted against the motion. Councilmember V. L. Wiley, Jr., Darryl Darnell, Ken Freese, Don Mueller, and Domingo Montalvo, Jr. voted for the motion. The motion carried.

2. Pleasure Park Insurance Requirements and Restroom Facilities.

City Manager Andres Garza, Jr. informed the City Council that Councilmember Darryl Darnell requested that the restroom facilities at Pleasure Park be unlocked and available so the public could utilize the facility. He said that in the past, the City Staff had operated the parks and facilities at different hours to try to minimize the damage to the restrooms. However, he said the City Council may consider establishing a policy setting the time for restroom facilities to be opened that will correspond with the City of Wharton Code of Ordinances. Facilities Maintenance Director Bob Baker addressed the City Council regarding the restrooms and the damages that occurred at the parks when the restroom doors were left open. He stated that damage occurred when the restroom doors were left open, which ranged from the doors on the stalls being removed, plumbing under the sinks removed, toilets broken, shingles removed from roof and other fixtures removed from the walls. Councilmember Darryl Darnell stated that the city was discriminating if one park was unlocked and the other parks locked.

City Manager Andres Garza, Jr. informed the City Council that the current insurance requirement for softball tournaments or leagues was \$1,000,000 for liability insurance coverage with a requirement to name the City of Wharton as additional insured; however, the City Council could eliminate or reduce the insurance requirement. Councilmember Darryl Darnell suggested that participants should sign a waiver. City Attorney Paul Webb stated that he would not recommend the City Council approve a signed waiver since the City of Wharton could still be sued. After some discussion, no action was taken.

3. Determination of hours parks and facilities are open to the public for use.

City Manager Andres Garza, Jr. informed the City Council that Councilmember Darryl Darnell had requested the determination of hours for parks and facilities to be open to the public for use be placed on the City Council Agenda. He stated that the City Council may consider establishing a policy setting the park hours of operation that will correspond with the City of Wharton Code of Ordinances. Councilmember Darryl Darnell stated that the City could install signs with the hours posted, and not install fencing around the parks. Councilmember Bryce D. Kocian stated that the City would be discriminating against the citizens that walked late at night or early in the morning. Police Chief Tim Guin stated that a curfew would only apply to persons 16 years of

age and younger. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to prohibit public use of the city parks between the hours of 10:00 p.m. and 8:00 a.m. with the exception of Riverfront Park. Councilmember Ken Freese seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider Closure of Milam Street Entrance to Harris Park. City Manager Andres Garza, Jr. informed the City Council that on Friday, May 24, 2002, the City Staff and himself met with Councilmember Wiley, City Attorney Paul Webb, and several concerned citizens regarding the incidences that were occurring at Harris Park. It was discussed that the Milam Street entrance to the park could be closed and changed to a pedestrian entrance. By closing Milam Street to stop the vehicular traffic into the park, it would allow the opportunity to improve the parking area and hinder the "cruising" through the park. He then presented a map of Harris Park that indicated the proposed area that would be converted to a pedestrian entrance. City Council action would be required to close Milam Street as a vehicular entrance into Harris Park. Councilmember Bryce D. Kocian asked if there would be only one gate. Councilmember V. L. Wiley, Jr. stated that the gate would be at Milam Street and would block the main entrance to the park from vehicular traffic. Police Chief stated that the City Staff would need to install no parking signs on Milam Street. Councilmember Domingo Montalvo, Jr. stated that closure of Milam Street would address the public safety issue for EMS, fire and police. Mr. I.O. Coleman, Jr. addressed the City Council and stated that residents were unable to leave their residence from 3:00 p.m. until dark due to the vehicles parking in front of the driveways and along the street. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve closure of Milam Street Entrance to Harris. Councilmember Darryl Darnell seconded the motion. All voted in favor.

Mayor Garland S. Novosad adjourned the meeting for a recess at 8:20 p.m.
Mayor Garland S. Novosad returned the meeting to open session at 8:30 p.m.

The twelfth item on the agenda was to review and consider Health Inspections for the City of Wharton. City Manager Andres Garza, Jr. informed the City Council that on May 31, 2002, Mayor Novosad and himself had met to discuss health inspections within the City. He stated that the City does not provide any health inspections; the Texas Health Department conducts all health inspections. He then stated that several years ago, the City Council discussed health inspections and decided not to pursue them but rather have the State provide them on an as needed basis. However, if the City Council should wish to pursue health inspections at this time, he would recommend a discussion with the City of El Campo and Wharton County to find out their needs. A collaborative effort could then be made to provide this service. Mayor Garland S. Novosad stated that there were problems with the response time from the Texas Health Department. City Manager Garza stated that the Texas Health Department had one representative for eleven counties; therefore, the respond time would be 3-4 days from the date the complaint was received. Councilmember Don Mueller asked the City Staff to contact Rosenberg, Sugar Land and Bay City regarding health inspections. City Manager Andres Garza, Jr. stated that the City of Rosenberg contracted the service. Mayor Garland S. Novosad stated that during the Babe Ruth Series, hotel establishments were unsanitary; therefore, the customers had to be relocate and that he believed the problems were even worse now. City Manager Andres Garza, Jr. stated that the City Council could adopt the Texas Health Code and enforce the ordinance. After some discussion, Councilmember Don Mueller made a motion to authorize the City Staff to pursue a

meeting with the Intergovernmental Committee to further discuss the County and El Campo needs. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider Handicapped Accessibility in the City of Wharton Downtown area. City Manager Andres Garza, Jr. informed the City Council that Mayor Garland S. Novosad requested this item to be placed on the agenda for discussion. Mayor Garland S. Novosad stated that the City Council needed to address the handicap accessibility in the City of Wharton Downtown area. He requested a Handicap Committee be formed to address the issues. Councilmember Don Mueller stated that the State of Texas checked all sidewalks approximately six months ago, and the City could possibly retain a copy of the plans. Mayor Garland S. Novosad stated that the Richmond Road site met the code, but the railing was so close to the road, however the Plaza Theatre handicap accessibility was appealing. He stated that the City Council needed to address the issue since there was a lot of development occurring. Wharton Economic Development Corporation (WECDo) Executive Director David Schroeder addressed the City Council and stated that a \$3,000 grant from WEDCo would be available for property owners. Mayor Garland S. Novosad stated that he desired placement on the City Council agenda to establish a Handicap & Accessibility Committee. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to authorize the City Staff to pursue a meeting with the Transportation Committee to further discuss handicap accessibility in the downtown area. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider Texas Department of Transportation – Aviation Division letter dated May 31, 2002 concerning an AOPA letter to the Federal Aviation Administration. City Manager Andres Garza, Jr. presented to the City Council a copy of the Texas Department of Transportation Aviation Division letter dated May 31, 2002 concerning and AOPA letter to the Federal Aviation Administration, which required a written response by June 21, 2002. He stated that on June 4, 2002 during the regular meeting of the Wharton Regional Airport Board, he presented this information to the Board Members for their consideration. After some discussion regarding the letters, the Airport Board directed the City Staff to pursue the necessary response after consultation with the City Attorney. He then stated that he was pursuing hiring an appraiser to comply with the request and would keep the City Council informed of the progress. After some discussion, no action was taken.

The fifteenth item on the agenda was to review and consider Wharton Regional Airport T-Hangar Improvement Project:

A. Pay Estimate No. 5 – B&B Metal Buildings, Inc.

City Manager Andres Garza, Jr. presented a copy of the Pay Estimate No. 5 for B & B Metal Buildings, Inc. for the Wharton Regional Airport T-Hangar Improvement Project, and a copy of the memorandum dated May 29, 2002 from Public Works Director Phil Bush that provided the status of the project. The memorandum indicated that on the Dalton Investment Hangar, the installation of the doors needed completion. Additionally, the City would construct a temporary apron in front of the hangar after the doors were installed. The improvements to the T-Hangars and large maintenance hangar were completed. The improvements to the old Shanks Hangar, which included replacing a part of the frame on the south side, were near completion. Improvements were also being done to the Schlumberger building. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve Pay Estimate No. 5 to B&B

Metal Buildings, Inc. in the amount of \$14,725.00. Councilmember Don Mueller seconded the motion. All voted in favor.

The sixteenth item on the agenda was to review and consider Appointments to the City of Wharton Boards & Commissions:

A. Wharton Regional Airport Board.

Mayor Garland S. Novosad recommended Jim Butler and Glenn Erdelt to the Airport Board. After some discussion, Councilmember Bryce D. Kocian made a motion to appoint Jim Butler and Glenn Erdelt to the Airport Board for the term ending June 30, 2004 and Ex-Officio Domingo Montalvo, Jr. for the term ending June 30, 2003. Councilmember Ken Freese seconded the motion. All voted in favor.

B. Beautification Commission.

After some discussion, Councilmember V. L. Wiley, Jr. made a motion to appoint Ms. Maxine Fisher to the Beautification Commission for the term ending June 30, 2004. Councilmember Domingo Montalvo, Jr. seconded the motion. All voted in favor.

C. Building Standards Commission.

After some discussion, Councilmember V. L. Wiley, Jr. made a motion to appoint Mr. Chester Houston to the Building Standards Commission for the term ending June 30, 2004. Councilmember Domingo Montalvo, Jr. seconded the motion. All voted in favor. Councilmember Don Mueller made a motion to appoint Mayor Garland S. Novosad as Ex Officio member to the Building Standards Commission. Councilmember Darryl Darnell seconded the motion. All voted in favor.

D. Holiday Lighting Commission.

Mayor Garland S. Novosad informed the City Council that Mrs. Beverly Baker would like to serve as the Holiday Lighting Commission Chair, but would not desire to raise the needed funds of \$3,500. After some discussion, Councilmember Don Mueller made a motion to appoint Beverly Baker to the Holiday Lighting Commission without the duties of raising the needed funds. Councilmember Bryce D. Kocian seconded the motion. All voted in favor.

E. Planning Commission.

After some discussion, Councilmember V. L. Wiley, Jr. made a motion to appoint Councilmembers Domingo Montalvo, Jr. and Don Mueller as Ex Officio members to the Planning Commission. Councilmember Darryl Darnell seconded the motion. All voted in favor.

F. Plumbing and Mechanical Board.

After some discussion, Councilmember Don Mueller made a motion to appoint Councilmember Domingo Montalvo, Jr. as Ex Officio member to the Plumbing and Mechanical Board. Councilmember Bryce D. Kocian seconded the motion. All voted in favor.

G. Youth Activities Committee.

After some discussion, no action was taken.

H. City Council Committees:

1. Annexation Committee.

After some discussion, Councilmember Ken Freese made a motion to appoint Mayor Garland S. Novosad to the City Council Annexation Committee. Councilmember Bryce D. Kocian seconded the motion. All voted in favor.

2. Finance Committee.

After some discussion, no action was taken.

3. Street & Drainage Committee.

After some discussion, no action was taken.

4. Telecommunications Committee.

After some discussion, Councilmember Ken Freese made a motion to appoint Mayor Garland S. Novosad to the City Council Telecommunications Committee. Councilmember Bryce D. Kocian seconded the motion. All voted in favor.

5. Intergovernmental Relations Committee.

After some discussion, no action was taken.

6. Legislative Committee.

After some discussion, Councilmember Ken Freese made a motion to appoint Mayor Garland S. Novosad to the City Council Legislative Committee. Councilmember Bryce D. Kocian seconded the motion. All voted in favor.

The seventeenth item on the agenda was to review and consider Request by Mayor Garland S. Novosad and Councilmember Darryl Darnell for City Council approval to attend the 37th Association of Mayors, Councilmembers and Commissioners Institute (AMCC) Conference to be held in El Paso, Texas June 25 – 27, 2002. After some discussion, Councilmember V. L. Wiley, Jr. made a motion to approve the request by Mayor Garland S. Novosad and Councilmember Darryl Darnell for City Council approval to attend the 37th Association of Mayors, Councilmembers and Commissioners Institute (AMCC) Conference to be held in El Paso, Texas June 25 – 27, 2002. Councilmember Ken Freese seconded the motion. Councilmember Bryce D. Kocian stated that the City Council Budget would have to be amended if the trip exceeded a cost of \$736.00. All voted in favor.

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

A. Wharton Regional Airport Board meeting held June 4, 2002.

B. Wharton Economic Development Corporation meeting held June 4, 2002.

City Manager Andres Garza, Jr. presented the reports to the City Council. No action was taken.

The nineteenth item on the agenda was adjournment. After some discussion, Councilmember Don Mueller made a motion to adjourn. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The meeting was adjourned at 9:03 P.M.

By:

GARLAND S. NOVOSAD
Mayor

ATTEST:

JOYCE VASUT
City Secretary