

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
MAY 12, 2003**

Mayor Garland S. Novosad declared a Regular Meeting duly open for the transaction of business at 7:00 p.m. Councilmember Bryce D. Kocian led the opening devotion and then 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, Police Captain Richard Coleman, Public Works Director Phillip Bush, Community Services Director Jo Knezek, Facilities Maintenance Director Bob Baker, Building Official Assistant Lori Jaquez, Code Enforcement Officer Jimmy Nickolyn, and City Attorney Paul Webb.

Visitors present were: Ron Sanders Wharton Journal-Spectator, WEDCo Executive Director David Schroeder, A.J. Rath, Lewis Fortenberry, Carlos Cotton, I.O. Coleman, Jr., Bernice Jackson, Paul Jones, Carolyn Hooper, Susan Freese, Anthony Rachunek, Sherrell Speer, Ellis Hurd, J.B. Scarlett, Sr., Richard Arnold, Billie Jones, F. Kocian, Sam Wisnieski, Chester Houston, Mary Nell Wiley, and Ann Montalvo.

The third item on the agenda was Public Comments. Mr. Ellis Hurd addressed the City Council and stated that Mr. Jimmy Nickolyn works hard on the weedy lots and a lot of people get mad at him; however he works equal on all sides of the City. He then stated that City Council needed to stand behind him and a lot of bulldozing work needed to be done on the westside of town. No action was taken.

The fourth item discussed on the agenda was Wharton Moment. Councilmember Ken Freese stated that LinTile was completing the tile work at the Civic Center Restroom Project, which saved the City approximately \$8,000.00. He publicly recognized Travis Knezek and Domingo Montalvo, Jr. for saving the City on the project.

Mayor Garland S. Novosad presented a Proclamation to Police Captain Richard Coleman proclaiming May 15, 2003 as Peace Officer Memorial Day and observing the week of May 11-17, 2003 as Police Week. Mayor Garland S. Novosad also stated that all city building would fly the flag at half staff on May 15, 2003 in observance of Peace Officer Memorial Day. No action was taken.

The fifth item discussed on the agenda was administering the Oath of Office to Elected Officials Councilmembers V.L. Wiley, Ken Freese and Domingo Montalvo, Jr. City Attorney Paul Webb

administered the Oath of Office to Elected Officials Councilmember V. L. Wiley, Jr., Ken Freese, and Domingo Montalvo, Jr. No action was taken.

The sixth item on the agenda was to review and consider Reading of the minutes from the regular meetings held April 14, 2003 and April 28, 2003. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the minutes from the regular meetings held April 14, 2003 and April 28, 2003. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider the appointment of Mayor Pro-Tem. Councilmember Domingo Montalvo, Jr. moved that Councilmember Bryce D. Kocian serve as Mayor Pro-Tem. Councilmember Don Mueller seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider the rescheduling of the Regular City Council meeting scheduled for May 26, 2003 due to the Memorial Day Holiday. City Manager Andres Garza, Jr. stated that due to the Memorial Day Holiday, the City Staff was requesting City Council approval to reschedule the May 26, 2003 regular City Council meeting to May 27, 2003. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to reschedule the Regular City Council meeting from May 26, 2003 due to the Memorial Day Holiday to Tuesday, May 27, 2003. Councilmember Ken Freese seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider request for payment:

A. City of Wharton Civic Center Restroom Project: Pay Estimate No. 1 – Penner Electric, Inc.

City Manager Andres Garza, Jr. presented a copy of the Application and Certificate for Payment that the City received May 1, 2003 from Mr. Barnaby Evans of Fatter & Evans recommending approval of the pay request submitted by Penner Electric, Inc. in the amount of \$2,855.25 for the Civic Center Restroom Renovation Project. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the pay request submitted by Penner Electric, Inc. in the amount of \$2,855.25 for the Civic Center Restroom Renovation Project. Councilmember Don Mueller seconded the motion. All voted in favor.

B. City of Wharton Wastewater Treatment Plant No. 2 Improvement Project: Pay Estimate No. 5 – JTR Constructors, Inc.

City Manager Andres Garza, Jr. presented a copy of the letter the City received May 7, 2003 from Jones & Carter, Inc. recommending approval the pay request number 5 submitted by JTR Constructors, Inc. in the amount of \$245,371.28 for the Wastewater Treatment Plant No. 2 Improvement Project. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the pay request submitted by JTR Constructors, Inc. in the amount of \$245,371.28 for the Wastewater Treatment Plant No. 2 Improvement Project. Councilmember Don Mueller seconded the motion. All voted in favor.

C. City of Wharton wet Well Rehabilitation Project Wastewater Treatment Plant No. 2: Pay Estimate No. 1 – F & L Concrete Services, Inc.

City Manager Andres Garza, Jr. presented a copy of the Certificate of Construction Completion the City received May 8, 2003 from Anthony Rachunek & Associates, Inc. recommending

approval of the first and final pay request submitted by F & L Concrete Services, Inc. in the amount of \$13,285.00 for the Wet Well Rehabilitation Project, Wastewater Treatment Plant No. 1. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the pay request submitted by F&L Concrete Services, Inc. in the amount of \$13,285.00 for the Wet Well Rehabilitation Project, Wastewater Treatment Plant No. 1. Councilmember Don Mueller seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider the Street Lighting Project. City Manager Andres Garza, Jr. presented a copy of the memorandum from Public Work's Director Phil Bush regarding the request for street lights in the City of Wharton. He then presented a list of all streetlights to be added by Council District. He stated that the cost to install all the streetlights was \$15,725.00, plus an additional \$10,476.00 electrical cost per year. He then stated that the cost was not included in the current budget; however if the City Council desired, the streetlights could be paid from the fund balance. Councilmember Darryl Darnell asked about Texas Department of Transportation (TxDOT) providing streetlights on Boling Highway. City Manager Andres Garza, Jr. stated that the TxDOT would not provide streetlights for the Boling Highway in the city limits. Councilmember Ken Freese asked if the City requested installation of only some of the streetlights, then would the cost be the same as quoted for the entire project. Mr. Garza stated that the City Staff would have to contact CenterPoint. Mayor Garland S. Novosad stated that security concerns would need to be addressed at FM 102 and other areas in the City, with guidance from the Police Department. Councilmember Don Mueller asked about the franchise agreement for fifteen lights per year. Mr. Garza stated that with deregulations, the City of Wharton would have to pay for streetlights. Councilmember V. L. Wiley, Jr. stated that the CenterPoint representative stated it would be better to get all streetlights at one time, which would be more cost effective for CenterPoint. Councilmember Darryl Darnell stated that the priority should be adding streetlights in the neighborhoods. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion for the Department Heads to prioritize the streetlights to be installed and determine whether they could be funded in this year and present the results to the City Council. Councilmember Ken Freese seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider the City of Wharton Milam Pump Station Project:

- A. Bid Tabulation:
- B. **Resolution:** A resolution awarding a contract for the City of Wharton Milam Pump Station Project.

City Manager Andres Garza, Jr. informed the City Council that bids for the City of Wharton Milam Pump Station Project were opened May 6, 2003. He then presented a copy of a letter from Jones and Carter, Inc including a recommendation as well as a draft resolution. Carlos Cotton with Jones and Carter, Inc. addressed the City Council and stated that four bids were received and recommended the City Council approve the contract with Uticon, Inc. for the amount of \$147,164.90. After some discussion, Councilmember Don Mueller made a motion to approve Resolution No. 2003-44, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2003 - 44**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING THE BID TO UTICON, INC. FOR THE CITY OF WHARTON MILAM STREET PUMP STATION PROJECT; AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, competitive, sealed bids were received May 6, 2003 for the City of Wharton Milam Street Pump Station Project; and

WHEREAS, the City of Wharton City Council wishes to award the bid Uticon, Inc, the lowest, best qualified bidder, in the amount of \$147,164.90; and

WHEREAS, Uticon, Inc wishes to accept a contract for the City of Wharton Milam Street Pump Station Project for the total construction cost of \$147,164.90; and

WHEREAS, the City of Wharton and Uticon, Inc. wish to be bound by the conditions as set forth in Attached "A".

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

Section I. That the City Council of the City of Wharton hereby authorizes the Mayor of the City of Wharton to execute a contract with Uticon, Inc for the City of Wharton Milam Street Pump Station Project.

Section II. That the City of Wharton and Uticon, Inc are hereby bound by the conditions as set forth in Attached "A".

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

Passed, Approved, and Adopted this 12th day of May 2003.

CITY OF WHARTON, TEXAS

By: _____
GARLAND S. NOVOSAD
Mayor

ATTEST:

JOYCE VASUT

City Secretary

Councilmember Bryce D. Kocian seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider the City of Wharton Alabama Road and Nelson Lane Flap Gates Project:

- A. Bid Tabulation:
- B. **Resolution:** A resolution awarding a contract for the City of Wharton Alabama Road and Nelson Lane Flap Gates Project.

City Manager Andres Garza, Jr. informed the City Council that bids for the City of Wharton Alabama Road and Nelson Lane Flap Gates Project were opened May 6, 2003. He then presented a copy of a letter from Jones and Carter, Inc including a recommendation as well as a draft resolution. Carlos Cotton with Jones and Carter, Inc. addressed the City Council and stated that two bids were received and recommended the contract be awarded to Uticon, Inc. in the amount of 156,068.91. After some discussion, Councilmember Ken Freese made a motion to approve Resolution No. 2003-45, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2003 -45**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING THE BID TO UTICON, INC. FOR THE CITY OF WHARTON ALABAMA ROAD AND NELSON LANE FLAP GATES PROJECT; AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO SAID CONTRACT.

WHEREAS, competitive, sealed bids were received May 6, 2003 for the City of Wharton Alabama Road and Nelson Lane Flap Gates Project; and

WHEREAS, the City of Wharton City Council wishes to award the bid to Uticon, Inc., the lowest, best qualified bidder, in the amount of \$156,068.91; and

WHEREAS, Uticon, Inc. wishes to accept a contract for the City of Wharton Alabama Road and Nelson Lane Flap Gates Project for the total construction cost of \$156,068.91; and

WHEREAS, the City of Wharton and Uticon, Inc. wish to be bound by the conditions as set forth in Attached "A".

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

Section I. That the City Council of the City of Wharton hereby authorizes the Mayor of the City of Wharton to execute a contract with Uticon, Inc for the City of Wharton Alabama Road and Nelson Lane Flap Gates Project.

Section II. That the City of Wharton and Uticon, Inc are hereby bound by the conditions as set forth in Attached "A".

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

Passed, Approved, and Adopted this 12th day of May 2003.

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.

The thirteenth item discussed on the agenda was to review and consider the recommendation from the Consultant Selection Committee:

- A. Selection of Engineer for Milam Street Force Main Improvement Project.
- B. **Resolution:** A resolution awarding an engineering services contract for the City of Wharton Milam Street Force Main Improvement Project.

City Manager Andres Garza, Jr. informed the City Council that the Consultant Selection Committee met on Thursday, May 8, 2003 to discuss the selection of an engineer for the Milam Street Force Main Improvement Project and the Committee met again on Monday, May 12, 2003 at 6:30 p.m. in order to finalize a recommendation to the City Council. He stated that Mayor Garland S. Novosad, Councilmembers Don Mueller, Bryce D. Kocian, Public Works Director Phillip Bush, and himself served as the Consultant Selection Committee. He stated that the City received three proposals: Jones and Carter, Inc., Anthony Rachunek & Associates, and O'Malley Engineers. He stated that Jones and Carter, Inc. received the highest score and negotiations were conducted with the engineering firm. He stated that the Consultant Selection Committee recommended Jones and Carter, Inc. be awarded a contract for engineering services in an amount not to exceed \$25,000 and to authorize the City Staff to negotiate the contract. He then presented a draft resolution for engineering services for the Milam Street Force Main Improvement Project. After some discussion, Councilmember made a motion to approve Resolution No. 2003-46, which read as follows:

CITY OF WHARTON
RESOLUTION NO. 2003 - 46

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE A CONTRACT WITH JONES & CARTER, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CITY OF WHARTON MILAM STREET FORCE MAIN IMPROVEMENT PROJECT.

WHEREAS, the City of Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute a professional engineering services contract with Jones & Carter, Inc. for the City of Wharton Milam Street Force Main Improvement Project in an amount not to exceed \$25,000; and

WHEREAS, Jones & Carter, Inc. wishes to accept a contract for professional engineering services with the City of Wharton for the Milam Street Force Main Improvement Project in an amount not to exceed \$25,000; and

WHEREAS, the City of Wharton and Jones & Carter, Inc. wish to be bound by the conditions as set forth in Attached "A".

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

Section I. That the City Council of the City of Wharton hereby authorizes the Mayor of the City of Wharton to execute a contract with Jones & Carter, Inc. for professional engineering services for the City of Wharton Milam Street Force Main Improvement Project in an amount not to exceed \$25,000.

Section II. That the City of Wharton and Jones & Carter, Inc. are hereby bound by the conditions as set forth in Attached "A".

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

Passed, Approved, and Adopted this 12th day of May 2003.

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 fourteenth item discussed on the agenda was to review and consider the Planning Commission Recommendation:

A. Request by Sammy Wisnieski to re-plat Lots 16F, 17H-1 and 17H-2, Brod Acres located on FM 1301.

City Manager Andres Garza, Jr. presented a copy of the recommendation from A.J. Rath Chairman of the Planning Commission. He stated that the Commission recommended approving Mr. Wisnieski request to re-plat Lots 16F, 17H-1 and 17H-2, Brod Acres located on FM 1301. He then presented copies of the application and a drawing of the re-plat for City Council review. Mr. Sammy Wisnieski addressed the City Council and stated he was purchasing 16F to construct

mini storage buildings; therefore, Lots 17H-1, 17H-2, and 16F should be re-platted as per the City of Wharton Code of Ordinances. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve the request by Sammy Wisnieski to re-plat Lots 16F, 17H-1 and 17H-2, Brod Acres located on FM 1301. Councilmember Don Mueller seconded the motion. All voted in favor.

- B. Request to allow the construction of a house without the abolishment of an interior property line through re-platting the property located at 907 E. Elm street, Washington, Block 12, Lot 1 and 2.

City Manager Andres Garza, Jr. informed the City Council that the Planning Commission recommended to allow the construction of a house without the abolishment of an interior property line through re-platting the property located at 907 E. Elm Street, Washington Homes, Block 12, Lots 1 and 2 owned by Mr. and Mrs. Alfred Watkins. He then presented a copy of a memorandum from Building Official Ronnie Bollom, which included Section 66-27 of the Code of Ordinances. He also presented copies of the application for variance, a drawing of the re-plat and a copy of the Code Enforcement Permit Application. Mrs. Watkins addressed the City Council and stated that she desired to construct a new resident on Lots 1 and 2. She stated that if she had to build the house on one lot, then she could not build the home the size she wanted it. She stated she was a foster parent and needed the extra space. City Attorney Paul Webb stated that the ordinance calls for a re-plat and the City Council had continuously tried to treat everyone equally. He stated that Mr. Sammy Wisnieski had to re-plat the property to comply with the City of Wharton Code of Ordinances. A. J. Rath, Chairman of the Planning Commission addressed the City Council and stated that the Planning Commission looked at this item and felt if the owner owes two adjacent lots then the property owner should be allowed to build on the property line. He stated that the interior property line should be abolished. City Attorney Paul Webb stated that there would be more to do than just abolish the property line. City Manager Andres Garza, Jr. stated that abolishment of the property line would change the legal description of the property and that abolishing the property line require replatting. Building Official Assistant Lori Jaquez stated that the City of Wharton Code of Ordinances setback requirements states that a 25' front, 10' rear, and 10' sides must be met per lot. City Attorney Paul Webb stated if the City Council allowed the variance, then anyone could request a variance and not have the property re-platted. He stated that in the past ten years, the City Council had not previously granted a re-plat variance. After some discussion, Councilmember Ken Freese made a motion to for the Planning Commission to discuss an amendment to the City of Wharton Code of Ordinances, setback requirements. Councilmember Domingo Montalvo, Jr. seconded the motion. All voted in favor.

The fifteenth item discussed on the agenda was to review and consider the request for Variances:

- A. Request from Julius Shanklin for variance at 220 North Wilkes.

City Manager Andres Garza, Jr. presented a copy of a memorandum from Building Official Ronnie Bollom regarding an application by Mr. Julius Shanklin for the construction of a 18 x 48 – two-story addition to the existing structure at the same elevation located at 220 N. Wilkes Street, John Harris, Lot 64D-11 and 64D-11A. He then presented copies of the application for variance and a drawing of the variance, copies of the floodway for the City of Wharton, an elevation certificate, blueprints of the addition and Article VI of the Code of Ordinances – Flood Damage Protection. Mr. Garza stated that Mr. Shanklin desired to add 18 X 48 - 2 story addition to the existing structure at the same elevation, which was 3.4 feet below the required base flood elevation of 107.0 feet as indicated on the elevation certificate. Mr. Bob Nelson

addressed the City Council and stated that he had flood insurance and spoke to FEMA and was advised that the City of Wharton was the only one who could approve the construction at same elevation as the existing structure. Councilmember Domingo Montalvo, Jr. stated that the federal government would not continue to pay for repetitive loss to a structure and the structure needed to be constructed at the required elevation. Councilmember Bryce D. Kocian stated that in 1998, the City of Wharton was advised by the federal government not to issue permits for construction if it did not meet the flood elevation requirements. He asked if the City would have any liabilities for the approval of the construction of this resident. Mr. Garza stated that if the City Council granted this request then additional persons would be requesting variances. He also said that the construction could also impact all other flood insurance policy holders by possibly increasing the cost of insurance if the practice continued. Mr. Julius Shanklin informed the City Council that he owned the property and he was aware that building at the same elevation would make his improvement subject to flooding in the future. After some discussion, Councilmember Darryl Darnell made a motion to approve the request from Julius Shanklin for a variance at 220 North Wilkes for the construction of a 18 X 48 - 2 story addition to the existing structure at the same elevation. Councilmember V. L. Wiley, Jr. seconded the motion. Councilmembers V. L. Wiley, Jr., Darryl Darnell, Ken Freese, Don Mueller, and Bryce D. Kocian voted for the motion. Councilmember Domingo Montalvo, Jr. voted against the motion. The motion passed.

B. Request from Church of Christ for setback variance at 1110 East Milam.

City Manager Andres Garza, Jr. presented a copy of a memorandum from Building Official Ronnie Bollom regarding an application by Church of Christ, 501 Abell Street for a forty-foot variance from the property line and a fifty-three-foot variance from the required 500 feet of space to separate all off-premise signs on the same side of the public street for the placement of a 4 x 8 off-premise sign to be placed on Poor Farms Property located at 1110 East Milam St., Abst. 36, Tract 24A-1. He also presented a memorandum from Mr. Bollom referring to the Code of Ordinances, Chapter 66, Signs and Advertising, and the application for variance and a drawing of the variance. Mr. Sherrell Speer addressed the City Council and then introduced Pastor Paul Jones. He stated that the Church of Christ was requesting a setback variance for placement of a 4 X 8 professional sign on Milam Street, which the property owner was Olan Benge with Poor Farms. He stated that the sign would be dark green with white letters. He stated that the sign would not be on the corner to obstruct the view. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve the request from Church of Christ for setback variance at 1110 East Milam for the placement of a 4' X 8' sign. Councilmember Don Mueller seconded the motion. All voted in favor.

C. Request from A.J. Rath for setback variance at 127 Mays.

City Manager Andres Garza, Jr. presented a copy of a letter from Building Official Ronnie Bollom regarding an application by A.J. Rath, S & R Rentals, 127 Mays Street, Sols, Block 1, Lot 5 for a seven-foot interior side yard setback variance for the placement of a 12 x 20 metal carport. He then presented copies of the application for variance, a drawing of the variances and pictures of the site. He stated that since this variance was greater than 50%, the request was made directly to the City Council. He stated the setback variance for a seven feet interior side yard setback from the required 10 feet interior side yard setback for placement of an 12 X 20 metal carport was requested. Mr. A. J. Rath addressed the City Council and stated that he desired to construct a metal carport on the rental property, which would be in line with the existing garage three feet from the property line. After some discussion, Councilmember Don

Mueller made a motion to approve the request from A.J. Rath for setback variance of seven feet at 127 Mays for the construction of a metal carport. Councilmember Domingo Montalvo, Jr. seconded the motion. All voted in favor.

The sixteenth item discussed on the agenda was to review and consider the request for temporary permit for Possession/Consumption of Alcoholic Beverages at City parks:

A. Request by Wharton Training High School Alumni Association for Riverfront Park on June 13 & 14, 2003.

City Manager Andres Garza, Jr. presented to City Council the application for a temporary permit for possession/consumption of alcoholic beverages at City parks. He also presented a memorandum from Wharton Police Department Captain Richard Coleman stating that no security or traffic control would be needed for the Reunion held by the Wharton Training High School Alumni Association on June 13 & 14, 2003 at Riverfront Park. Mr. Chester Houston addressed the City Council and stated that membership would be coming from all across the United States and was requesting the temporary permit for Possession/Consumption of Alcoholic Beverages at City parks in case someone has alcoholic beverages. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the request by Wharton Training High School Alumni Association for Riverfront Park on June 13 & 14, 2003 for a temporary permit for Possession/Consumption of Alcoholic Beverages at City parks. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

B. Request by Wharton County Freedom Fest at Riverfront Park – June 27 & 28, 2003. City Manager Andres Garza, Jr. presented to City Council the application for a temporary permit for possession/consumption of alcoholic beverages at City parks. He stated that the Wharton County Freedom Fest had been meeting to plan the 4th of July festival. He then presented a memorandum from Police Captain Richard Coleman stating that security and traffic control was arranged. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the request by Wharton County Freedom Fest at Riverfront Park on June 27 & 28, 2003 for a temporary permit for Possession/Consumption of Alcoholic Beverages at City parks. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

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

- A. Wharton Regional Airport Board.
- B. Beautification Commission.
- C. Building Standards Commission.
- D. Electrical Board.
- E. Holiday Lighting Commission.
- F. Planning Commission.
- G. Plumbing and Mechanical Board.
- H. Wharton Economic Development Corporation.
- I. Youth Activities Committee.
- J. Municipal Court Judge.
- K. Health Officer.
- L. Veterinarian.
- M. City Council Committees:
 - 1. Annexation Committee.
 - 2. Finance Committee.

3. Street & Drainage Committee.
4. Telecommunications Committee.
5. Intergovernmental Relations Committee.
6. Legislative Committee.

City Manager Andres Garza, Jr. presented a list of members on all City of Wharton Boards and Commissions to the City Council. He stated that those members with a term expiring in June 2003 would need to be approved by City Council for another term or a replacement would have to be named by the City Council. He stated that the City Staff had not contacted any members for their intentions to serve another term at this time. After some discussion, Councilmember Ken Freese made a motion to authorize the City Staff to contact the members whose terms would expire on their willingness to serve for another two year term. Councilmember Darryl Darnell seconded the motion. All voted in favor.

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

- A. Mayor's Local Committee on People with Disabilities meeting held April 24, 2003.
- B. Wharton Regional Airport Board meeting held, May 6, 2003.
- C. Planning Commission meeting held May 5, 2003.

City Manager Andres Garza, Jr. presented the reports to the City Council. After some discussion, Councilmember Bryce D. Kocian made a motion to approve the reports as presented. Councilmember Don Mueller seconded the motion. All voted in favor.

The nineteenth item on the agenda was adjournment. 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 8:08 p.m.

CITY OF WHARTON, TEXAS

By:

BRYCE D. KOCIAN
Mayor Pro-Tem

ATTEST:

JOYCE VASUT
City Secretary