

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
NOVEMBER 27, 2006**

Mayor Bryce D. Kocian declared a Regular Meeting duly open for the transaction of business at 7:00 P.M. Mr. David Allen led the opening devotion and then Mayor Bryce D. Kocian led the pledge of allegiance.

Councilmembers present were: Mayor Bryce D. Kocian, Councilmembers David Samuelson, Ken Freese, Don Mueller, Domingo Montalvo, Jr., and Ray Linseisen.

Councilmember absent was: V. L. Wiley, Jr.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joyce Vasut, City Secretary Lisa Stavena, Assistant to City Manager Jackie Jansky, Police Chief Tim Guin, Building Official Ronnie Bollom, Planning Director Prudencio Arriaga, Sr., Public Works Director Phil Bush, EMS Director John Kowalik, Community Services Director Jo Knezek, and City Attorney Paul Webb.

Visitors present were: Benjamin Sharp with Wharton Journal Spectator, David Schroeder with Wharton Economic Development Corporation, Henry Thiele, Don Hillis, and Don Erdelt.

The second item on the agenda was Roll Call and Excused Absences. Councilmember Domingo Montalvo, Jr. made a motion to excuse the absence of Councilmember V. L. Wiley, Jr. from the Regular City Council Meeting held November 27, 2006. Councilmember Ray Linseisen seconded the motion. All voted in favor.

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

The fourth item on the agenda was Wharton Moment. Mayor Bryce D. Kocian wished Councilmember Don Mueller Happy Birthday. Mayor Bryce D. Kocian stated that the City of Wharton was presented with a plaque honoring the City of Wharton for twenty years of membership and dedicated service in shaping and advocating National Municipal Policy and helping to strengthen and promote communities of all sizes from the National League of Cities. No action was taken.

The fifth item on the agenda was to review and consider the City of Wharton financial report for the month of October 2006. Finance Director Joyce Vasut presented the financial report for the month of October 2005 which was at 8% or one month into the fiscal year. Mrs. Vasut stated that the general fund revenues were at 2.53% and the expenditures were at 9.56%. The total ad

valorem taxes collected were \$0. She said the sales tax for the month of September was \$191,377 with \$127,585 going to the City and \$63,792 to WEDCo. The TexPool balance for October was \$825,284.66 with an average monthly yield of 5.2831%. After some discussion, Councilmember Ray Linseisen made a motion to approve the City of Wharton Financial Report for the month of October 2006 Councilmember Don Mueller seconded the motion. All voted in favor.

The sixth item on the agenda was a Public Hearing: Proposed annexation of certain property, owned by the Texas Department of Transportation, by the City of Wharton, Texas. City Manager Andres Garza, Jr. stated that during the regular November 13, 2006 Wharton City Council meeting, the City Council approved the Resolution No. 2006-88, which established the required public hearing dates for the proposed annexation of two tracts of land owned by the Texas Department of Transportation (TxDOT) located along FM 1301. He then presented a copy of his letter dated November 15, 2006 to Mr. Mark Wooldridge, Area Engineer for TxDOT informing him of the proposed annexation of the properties and the public hearings.

Mayor Bryce D. Kocian opened the Public Hearing at 7:07 p.m.

Mr. Don Erdelt addressed the City Council and thanked the City Council for considering the annexation of the property in anticipation of the new Wharton Independent School District elementary school.

Mayor Bryce D. Kocian closed the Public Hearing at 7:09 p.m.

The seventh item on the agenda was a Public Hearing: Proposed annexation of a certain property, owned by the Wharton Independent School District, by the City of Wharton, Texas. City Manager Andres Garza, Jr. stated that during the regular November 13, 2006 Wharton City Council meeting, the City Council approved the Resolution No. 2006-89, which established the required public hearing dates for the proposed annexation of two tracts of land owned by the Wharton Independent School District (WISD). He then presented a copy of his letter dated November 15, 2006 to Mr. Don Hillis, WISD Superintendent, informing him of the proposed annexation of the property and the public hearings.

Mayor Bryce D. Kocian opened the Public Hearing at 7:09 p.m.

Mr. Don Erdelt addressed the City Council and thanked the City Council for considering the annexation of the property in order for the Wharton Independent School District elementary school. He stated that the design drawings were 95% complete and construction would begin in 2007. He stated that Mr. Don Hillis was also present and expressed his and Mr. Hillis' thankfulness for annexation of the property.

Mayor Bryce D. Kocian closed the Public Hearing at 7:10 p.m.

The eighth item on the agenda was to review and consider a resolution of the Wharton City Council approving an application for funding through the Texas Department of Agriculture, Texas Capital Fund for funding for the 9'ers Grill Expansion Project and authorizing the Mayor of the City of Wharton to execute any and all documents relating to the application. City Manager Andres Garza, Jr. stated that during the regular November 13, 2006 Wharton City Council meeting, the City Council authorized the City Staff to move forward with the Texas Department of Agriculture Texas Capital Fund Application under the Texas Community Development