

**MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
MAY 10, 2010**

Mayor David W. Samuelson declared a Regular Meeting duly open for the transaction of business at 7:01 P.M. Councilmember Don Mueller led the opening devotion and then Mayor David W. Samuelson led the pledge of allegiance.

Councilmembers present were: Mayor David W. Samuelson, Councilmembers V. L. Wiley, Jr., Lewis Fortenberry, Jr., Don Mueller, and Jeff Gubbels.

Councilmember absent was: Terry David Lynch and Domingo Montalvo, Jr.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joyce Vasut, City Secretary Lisa Olmeda, Assistant to City Manager Jackie Jansky, Public Works Director Carter Miska, Police Chief Tim Guin, Community Services Director Jo Knezek and Assistant City Attorney Amy Rod.

Visitors present were: Barry Halvorson- Wharton Journal Spectator, David Schroeder- Wharton Economic Development Corporation, Carlos Cotton – Jones & Carter, Inc., Bradley Loehr – BEFCO, Greg Baines, and Michelle Harris.

The second item on the agenda was Roll Call and Excused Absences. Councilmember V. L. Wiley, Jr. made a motion to excuse the absence of Councilmembers Terry David Lynch and Domingo Montalvo, Jr. from the regular City Council meeting held May 10, 2010. Councilmember Lewis Fortenberry, Jr. 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 Wharton Moment. Barry Halvorson stated that the Wharton High School Track, Tennis, and Boys Golf Team were going to State competition. No action was taken.

The fifth item on the agenda was to review and consider the reading of the minutes from the regular meetings held April 12, 2010 and April 26, 2010. After some discussion, Councilmember Don Mueller made a motion to approve the minutes from the regular meetings held April 12, 2010 and April 26, 2010 as presented. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider the request by Ms. Michelle Harris to address the City Council regarding utility services at 1827 Hendon Street, Wharton, Texas. City Manager Andres Garza, Jr. presented a copy of the letter dated May 4, 2010 from Ms. Michelle Harris, property owner, Wharton, Texas, requesting to discuss utility services at 1827 Hendon Street. He also presented the City Staff's response to Ms. Harris' letter. Ms. Harris addressed the City Council and stated that there was an issue with the utility services at 1827 Hendon Street. She stated that on January 5, 2010, she sent Paula Northington an email regarding disconnecting utility services. She stated that on January 9, 2010, a neighbor contacted her regarding water running on the property. She stated that a freeze came through causing the pipes to burst. She stated that she sent another email on Saturday regarding the disconnecting of services. She stated that on Monday, January 11, 2010 at 8:00 a.m., she contacted Paula. She stated that Paula advised her that she did not receive the email from January 5th and it could take 3 – 4 days to receive an email. She stated that she was not informed of the delay of receiving emails during the original conversation with Paula Northington. She stated that she was contacted by an insurance adjuster with Texas Municipal League. She stated that the insurance adjuster denied the claim based on the investigation. She stated that she requested a copy of the investigation and was advised by the insurance adjuster that no report existed. She requested that the City of Wharton take responsibility. She stated that the house was on blocks. She stated that she also called TML representative Mark Stanton; however, had not received a return call back. She stated that the email did not return as undeliverable; therefore, she assumed that the email was received. Mr. Garza stated that he would contact the TML-IRP Representative and would work with Ms. Harris to resolve this issue. After some discussion, no action was taken.

The seventh item on the agenda was to review and consider the report by Mr. Greg Baines, Executive Director of Just Do It Now regarding Just Do It Now activities. City Manager Andres Garza, Jr. stated that Mr. Greg Baines, Executive Director of Just Do It Now, requested to address the City Council and present a report regarding the activities of Just Do It Now. Mr. Baines addressed the City Council and publicly thanked the City for the support in financial and monetary contributions. He stated that Just Do It Now, Inc. had been able to conduct a successful after-school program for many at-risk young people, who were struggling in school or exhibiting undesirable social behaviors. He stated that 75-125 youth per day are serviced through the program. He stated that the accomplishments consisted of: improved social behaviors, scholastic performance and self-esteem for "Yes WE Can" after-school program participants, successfully engaged parents in programs, managed over 4,000 hours of community service, reduce city service calls to neighborhood, improved relationship with school district, attracted support from numerous entities and individuals, expanded GED program, selected as hub for I3 Innovation Grant, and established relationships with patrol officers. He stated that the challenges and opportunities consisted of: expand services to waiting youth in local apartment complexes, expand parental involvement, partner with more community organizations, upgrade computing infrastructure, hiring Activities Director and support staff, improving volunteer recruitment and training, reach out to senior citizens, assist with City clean-up efforts, and continue to build a relationship with the City. Mayor David W. Samuelson publicly thanked Greg Baines, the staff, and volunteers for making a difference. He stated that Just Do It Now, Inc. had also partnered with Habitat for Humanity. Councilmember V. L. Wiley, Jr. publicly thanked Greg Baines and

the organization for all the work put forth in the community. After some discussion, no action was taken.

The eighth item on the agenda was to review and consider the request by Mr. Brandon Cruz on behalf of the Wharton Masonic Lodge #621 for the following:

- A. Use of Riverfront Park to hold a Bar-b-que Cook-off Friday, August 20, 2010 through Saturday, August 21, 2010.
- B. Variance from the City of Wharton Code of Ordinances, Chapter 54 Parks and Recreation, Section 54-2 and 54-8 Operating or parking motor vehicles in parks.
- C. Variance for the City of Wharton Code of Ordinances, Chapter 54 Parks and Recreation, Section 54-3 Hours of use of city parks.
- D. Waive applicable fees for the following:
 1. Use of Riverfront Park.
 2. Temporary permit for Possession/Consumption of Alcoholic Beverages in City Parks.

City Manager Andres Garza, Jr. presented a copy of the letter dated May 3, 2010 from Mr. Brandon Cruz requesting City Council approval of the afore-mentioned items for the Fifth Annual Masonic Lodge #621 Bar-B-Que Cook-Off. He said that the cook-off was scheduled to be held Friday, August 20th through Saturday, August 21, 2010. Mr. Cruz addressed the City Council and stated that the event was sanctioned by the I.B.C.A and he would be requesting the judges from Hinze's Bar-B-Que and Taste Woods Bar-B-Que. He stated that one team would be driving from Minnesota; therefore, requested an additional day in order for the team to remain on location until Sunday, August 22, 2010. He stated that Constable Barbee would be donating security services for the event and would be seeking donation of security services from Mr. Ferguson. After some discussion, Councilmember Don Mueller made a motion to approve the request by Mr. Brandon Cruz on behalf of the Wharton Masonic Lodge #621 for the use of Riverfront Park to hold a Bar-b-que Cook-off Friday, August 20, 2010 through Sunday, August 22, 2010; variance from the City of Wharton Code of Ordinances, Chapter 54 Parks and Recreation, Section 54-2 and 54-8 Operating or parking motor vehicles in parks; variance for the City of Wharton Code of Ordinances, Chapter 54 Parks and Recreation, Section 54-3 Hours of use of city parks; waiver of applicable fees for the use of Riverfront Park and temporary permit for Possession/Consumption of Alcoholic Beverages in City Parks. Councilmember Lewis Fortenberry, Jr. seconded the motion. All voted in favor.

The ninth item on the agenda was to review and consider the 2010 Wharton Municipal Swimming Pool:

- A. Applications, Fees and Pool Schedule.

City Manager Andres Garza, Jr. presented a copy of the 2010 Wharton Municipal Swimming Pool applications, fees and pool schedule. City Secretary Lisa Olmeda stated that the water aerobics dates and times were modified to reflect the participant's request. She stated that a lifeguard would be available for the requested dates and times. She stated that the fees would remain the same as last year. After some discussion, Councilmember V. L. Wiley, Jr. made a motion to approve the 2010 Wharton Municipal Swimming Pool Applications, Fees and Pool Schedule. Councilmember Lewis Fortenberry, Jr. seconded the motion. All voted in favor.

B. Wharton Swim Team Agreement.

City Manager Andres Garza, Jr. presented a copy of the Wharton Swim Team Agreement with the requested dates and times. City Secretary Lisa Olmeda stated that the requested dates and times had been confirmed and that there were no conflicts. She stated that the Wharton Swim Team would be responsible for having the required lifeguards. After some discussion, Councilmember V. L. Wiley, Jr. made a motion to approve the Wharton Swim Team Agreement. Councilmember Lewis Fortenberry, Jr. seconded the motion. All voted in favor.

The tenth item on the agenda was to review and consider the application for water service outside the City of Wharton City limits submitted by Mr. Kelly Boedeker for Lot 15, Block 5, Peach Acres Subdivision – Walters Road. City Manager Andres Garza, Jr. presented a copy of the application for water service submitted by Mr. Kelly Boedeker to be located at Lot 15, Block 5, Peach Acres Subdivision along Walters Road, which was outside the City of Wharton City limits. He also presented a copy of the letter dated May 5, 2010 to Mr. Boedeker informing him of the costs to install a one (1) inch tap and a two (2) inch tap. He stated that Mr. Boedeker indicated on the form incorporated into the letter that he wished to install a one (1) inch tap. He stated that he informed Mr. Boedeker that a City of Wharton permit would be required, that a licensed plumber must perform any connections, and that the City's plumbing inspector must inspect the work. He said that although the request for service was outside the City limits, City Council approval was required since it was in the ETJ of the City. He then presented a drawing indicating the location of the property. Councilmember Don Mueller requested the line would be bored in line with the utility easement service and a 6" line be installed. After some discussion, Councilmember Don Mueller made a motion to approve the application for water service outside the City of Wharton City limits submitted by Mr. Kelly Boedeker for Lot 15, Block 5, Peach Acres Subdivision – Walters Road and the City of Wharton install a 6" line with Mr. Boedeker paying for either a (1) one inch tap or a (2) two inch tap. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The eleventh item on the agenda was to review and consider a resolution of the Wharton City Council adopting the City of Wharton Investment Policy. City Manager Andres Garza, Jr. presented a copy of the City of Wharton Investment Policy. He stated that the Investment Policy must be approved each year. He said that Finance Director Joyce Vasut had submitted the current policy to the City's financial advisory Mr. Jim Gilley, Managing Director of Coastal Securities. Finance Director Joyce Vasut stated that Mr. Gilley indicated in the letter dated May 3, 2010 that the policy, if followed, provided a sound framework for investing the City's cash and provided customary investment guidelines and safeguards followed by governmental entities in Texas. She said that Mr. Gilley did not suggest any modifications to the policy. She stated that the City Council Finance Committee discussed the investment policy and recommended approval. Mr. Garza then presented a draft resolution approving the policy. After some discussion, Councilmember Lewis Fortenberry, Jr. made a motion to approve Resolution No. 2010-23, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2010-23**

A RESOLUTION OF THE WHARTON CITY COUNCIL ADOPTING THE CITY OF WHARTON INVESTMENT POLICY.

WHEREAS, the Public Funds Investment Act, requires the City Council to review and adopt, by resolution, the investment policies and strategies for the City of Wharton on an annual basis; and

WHEREAS, the City of Wharton designates the City Manager and the Finance Director as investment officers; and

WHEREAS, the City of Wharton approves the training courses sponsored or endorsed by the Texas Municipal League, the Government Finance Officers Association of Texas, the Government Treasurers Organization of Texas, or the North Central Texas Council of Governments as adequate to meet the investment training requirements; and

WHEREAS, the attached investment policy, including no revisions since last years approval, complies with the Public Funds Investment Act and authorizes the investment of City funds in safe and prudent investments.

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

Section I. The City of Wharton has complied with the requirements of the Public Funds Investment Act and the Investment Policy attached hereto as "Exhibit A" is hereby adopted as the Investment Policy of the City of Wharton effective May 10, 2010.

Section II: That this resolution shall be come effective immediately upon its passage.

Passed, Approved, and Adopted this 10th day of May 2010.

CITY OF WHARTON, TEXAS

By: _____
DAVID W. SAMUELSON
Mayor

ATTEST:

LISA OLMEDA
City Secretary

Councilmember Jeff Gubbels seconded the motion. All voted in favor.

The twelfth item on the agenda was to review and consider a resolution of the Wharton City Council approving a one-year extension to the City of Wharton contract with Prosperity Bank for

Depository Services. Finance Director Joyce Vasut stated that the City of Wharton initially entered into a Depository Services Agreement with Franklin Bank and during the term Franklin Bank was acquired by Prosperity Bank. She said that the agreement was a three year agreement with the option to renew two additional one year terms, which the City had entered into the first renewal year and was due to expire on September 30, 2010. She said that Prosperity Bank had indicated that it was willing to enter into the second renewal year. She stated that the City Council Finance Committee discussed the bank depository services and recommended approval. Mr. Garza then presented a copy of the agreement and a draft resolution approving the contract extension. After some discussion, Councilmember Don Mueller made a motion to approve Resolution No. 2010-24, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2010-24**

A RESOLUTION OF THE WHARTON CITY COUNCIL APPROVING THE BANKING DEPOSITORY SERVICES AGREEMENT BETWEEN THE CITY OF WHARTON PROSPERITY BANK, EXTENDING THE CONTRACT ONE ADDITIONAL YEAR AND TO AUTHORIZE THE MAYOR OF THE CITY OF WHARTON TO EXECUTE SAID AGREEMENT.

WHEREAS, On February 23, 2009, the Wharton City Council approved Resolution No. 2009-14 approving the transfer of the Banking Depository Services Agreement from Franklin Bank to Prosperity Bank and extending the contract one additional year; and

WHEREAS, The Wharton City Council wishes to extend the contract with Prosperity Bank for one (1) additional year per the original agreement; and

WHEREAS, The City of Wharton and Prosperity Bank wishes to be bound by the conditions set forth in the agreement; and

WHEREAS, The Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to said agreements.

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 approves to extend the Banking Depository Services Agreement for one (1) additional year.

Section II. That the City of Wharton and Prosperity Bank are hereby bound by the conditions set forth in the agreement.

Section III. That the Wharton City Council hereby authorizes the Mayor of the Wharton to execute the agreement.

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

Passed, Approved, and Adopted this the 10th day of May 2010.

CITY OF WHARTON

By: _____
DAVID W. SAMUELSON
Mayor

ATTEST:

LISA OLMEDA

City Secretary

Councilmember Lewis Fortenberry, Jr. seconded the motion. All voted in favor.

The thirteenth item on the agenda was to review and consider a resolution of the Wharton City Council approving an agreement for Auditing Services and authorizing the Mayor of the City of Wharton to execute the agreement. Finance Director Joyce Vasut stated that on April 30, 2010, the City Staff received two proposals for the City of Wharton Auditing Services. City Manager Andres Garza, Jr. then presented a tabulation of the proposed services and costs offered by the firms. He then presented under separate cover, a copy of the proposals submitted by the firms. Mrs. Vasut stated that the City Council Finance Committee met and recommended auditing services with the Harrison, Waldrop & Uherek, L.L.P. Mr. Garza then presented a draft resolution awarding the contract. After some discussion, Councilmember Lewis Fortenberry, Jr. made a motion to approve Resolution No. 2010-25, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2010 - 25**

A RESOLUTION APPROVING AN AGREEMENT FOR AUDITING SERVICES FOR THE CITY OF WHARTON AND AUTHORIZING THE MAYOR OF THE CITY OF WHARTON TO EXECUTE ALL DOCUMENTS RELATED TO THE AGREEMENT ON BEHALF OF THE CITY OF WHARTON.

WHEREAS, Proposals were received on April 30, 2010 for 2009-2010 Annual Financial Audit; and

WHEREAS, the Wharton City Council wishes to authorize the Mayor of the and the City of Wharton to execute a three year - annual agreement with Harrison, Waldrop & Uherek, L.L.P. to conduct the City of Wharton's Annual Financial Audit in the amount of \$25,950.00 each year; and

WHEREAS, the City of Wharton and Harrison, Waldrop & Uherek, L.L.P. wishes to be bound by the conditions as set forth in the agreement.

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, Texas to execute a three year - annual agreement with Harrison, Waldrop & Uherek, L.L.P. to conduct the City of Wharton's Annual Financial Audit in the amount of \$25,950.00 each year.

Section. II. That Harrison, Waldrop & Uherek, L.L.P. and the City of Wharton 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 the 10th day of May 2010.

CITY OF WHARTON

By: _____
DAVID W. SAMUELSON
Mayor

ATTEST:

LISA OLMEDA

City Secretary

Councilmember Jeff Gubbels seconded the motion. All voted in favor.

The fourteenth item on the agenda was to review and consider the recommendation to the City Council for the refunding of bonds. Finance Director Joyce Vasut stated that the City's financial advisor Mr. Jim Gilley recommended the City refund the bonds. She said that the current interest rate was 4.5% – 5%; however, by refunding the bonds the interest rate would be 2.7%. She stated that there would be a \$205,000 savings over the next 10 years. She stated that the City Council Finance Committee met and recommended approval. After some discussion, Councilmember Lewis Fortenberry, Jr. made a motion to approve the refunding of bonds. Councilmember Jeff Gubbels seconded the motion. All voted in favor.

The fifteenth item on the agenda was to review and consider the City Council authorization for the City Staff to pay for the purchase of a new motor for the blower at the Wastewater Treatment Plant No. 1 from Houston Armature Works, Inc. City Manager Andres Garza, Jr. presented a copy of the memorandum dated May 6, 2010 from Public Works Director Carter Miksa regarding the motor for the blower at the Wastewater Treatment Plant No. 1 (WWTP#1). He said that one of the motors that operated one of the two blowers at the WWTP#1 had shut down. He said that the City Staff had the motor inspected by an electrician and a motor technician who both recommended the City replace the motor. He said that the motor could be repaired at a cost of approximately \$6,500; however, it would most likely fail again within a year. He said that since

the motor needed to be replaced and one of the City's goals was to become more energy efficient, and after consulting with Mr. Chad Nobles of Siemens Industry, Inc, the City Staff opted to solicit quotes from several companies to purchase a new motor with 95.4% minimum efficiency requirements. He said that four companies were solicited with only two meeting the requirements, which were Houston Armature Works, Inc. and Wofford Electric Pump Supply. He said that even though Wofford Electric's bid was \$1,000 lower than Houston Armature Works, their delivery time was eight weeks where Houston Armature Works would be delivered in one to two days. He said that he authorized the purchase of the motor from Houston Armature Works, Inc. in the amount of \$12,184.00 since it was imperative that the water plant be kept online. He said that the City Staff was seeking City Council authorization from the City Council to pay the cost for the motor. Public Works Director Carter Miska then presented a copy of the bid tabulation of the quotes received. After some discussion, Councilmember Lewis Fortenberry, Jr. made a motion to authorize the City Staff to pay for the purchase of a new motor for the blower at the Wastewater Treatment Plant No. 1 from Houston Armature Works, Inc. in the amount of \$12,184.00. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

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

- A. Wharton Economic Development Corporation meeting held April 19, 2010.
- B. City Council Public Works Committee meeting held April 29, 2010.
- C. City Council Finance Committee meeting held May 10, 2010.

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

The seventeenth item on the agenda was to review and consider the City of Wharton Ahldag Addition Sanitary Sewer System Improvement Project – Additional Line, TxCDBG Contract No. 728459:

- A. Bid Tabulation.
- B. Resolution: A resolution of the Wharton City Council awarding a contract for the Ahldag Addition Sanitary Sewer System Improvement Project Additional Lines, TxCDBG Contract No. 728459 and authorizing the Mayor of the City of Wharton to execute the agreement.

City Manager Andres Garza, Jr. stated that on March 22, 2010, the City Council approved to amend the TxCDBG Contract No. 728459 by adding additional lines to the project under a small purchase contract. He said that the bid opening for the City of Wharton Ahldag Addition Sanitary Sewer System Improvement Project – Additional Line, TxCDBG Contract No. 728459 was held Thursday, May 6, 2010 at 2:00 p.m. He then presented a copy of a preliminary bid tabulation. Mr. Bradley Loehr, P.E. of BEFCO Engineering stated that the additional funds were \$40,000. He stated that lowest qualified bidder was Supak Construction being at \$32,238.00. Mr. Garza then presented a draft resolution awarding the agreement. After some discussion, Councilmember Don Mueller made a motion to approve Resolution No. 2010-26, which read as follows:

**CITY OF WHARTON
RESOLUTION NO. 2010-26**

A RESOLUTION OF THE WHARTON CITY COUNCIL AWARDING THE BID FOR THE AHLDAG ADDITION SANITARY SEWER SYSTEM IMPROVEMENT PROJECT ADDITIONAL LINES, TXCDBG/OCRA CONTRACT NO. 728459 AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

WHEREAS, the Office of Rural Community Affairs awarded the City of Wharton the Texas Community Development Block Grant Contract No. 728459 for the City of Wharton Ahldag Addition Sanitary Sewer Improvement Project; and

WHEREAS, on May 22, 2010, the City Council approved to add additional lines to the original TxCDBG Contract no. 728459; and

WHEREAS, competitive, sealed bids were received for the additional lines on May 6, 2010; and

WHEREAS, the Wharton City Council wishes to award the bid to Supak Construction in the amount of \$32,238.00 as per bid specifications; and

WHEREAS, the City of Wharton and Supak Construction wishes to be bound by the conditions as set forth in the contract; and

WHEREAS, the Wharton City Council wishes to authorize the Mayor of the City of Wharton to execute all documents related to the contract.

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 approves a contract between the City of Wharton and Supak Construction for the Ahldag Addition Sanitary Sewer System Improvement Project Additional Lines, Texas Community Development Block Grant Contract No. 728459.

Section II. The Wharton City Council hereby authorizes the Mayor of the City of Wharton to execute all documents related to the contract.

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

Passed, Approved, and Adopted this 10th of May 2010.

CITY OF WHARTON, TEXAS

By: _____
DAVID W. SAMUELSON
Mayor

ATTEST:

LISA OLMEDA

City Secretary

Councilmember Lewis Fortenberry, Jr. seconded the motion. All voted in favor.

The eighteenth item on the agenda was to review and consider the request by the Wharton County Freedom Fest, Inc. (WCFF) Committee for the following:

- A. Authorization to hold the event on June 25 and 26, 2010.
- B. Use of Riverfront Park and waiver of park rental fee(s).
- C. Assistance obtaining Port-O-Lets.
- D. Assistance obtaining solid waste receptacles from Waste Corporation of America.
- E. Waiver of the fees for the City of Wharton Temporary Permit for Possession and consumption of alcoholic beverages in City parks.
- F. Variance to the City of Wharton Code of Ordinances Chapter 54 Parks and Recreation Section 54-2 Park Property, Section 54-3 Hours of Operation, and Section 54-8. Operating or parking motor vehicles in parks.
- G. Authorization to close the following streets:
 - 1. Houston and Fulton Streets adjacent to the downtown square.
 - 2. Houston Street from Burleson to Elm.
 - 3. Portion of Elm Street.
- H. Funding for security through the City of Wharton Hotel/Motel Fund.
- I. Assistance from the Public Works and Facilities Maintenance Departments.

City Manager Andres Garza, Jr. presented a copy of the letter dated May 4, 2010 from Mr. David Copeland, Co Chairman of the Wharton County Freedom Fest, Inc. requesting City Council approval of the afore-mentioned items. After some discussion, Councilmember V. L. Wiley, Jr. made a motion to approve the request by the Wharton County Freedom Fest, Inc. (WCFF) Committee for authorization to hold the event on June 25 and 26, 2010; use of Riverfront Park and waiver of park rental fee(s); assistance obtaining Port-O-Lets; assistance obtaining solid waste receptacles from Waste Corporation of America; waiver of the fees for the City of Wharton Temporary Permit for Possession and consumption of alcoholic beverages in City parks; variance to the City of Wharton Code of Ordinances Chapter 54 Parks and Recreation Section 54-2 Park Property, Section 54-3 Hours of Operation, and Section 54-8. Operating or parking motor vehicles in parks; authorization to close Houston and Fulton Streets adjacent to the downtown square, Houston Street from Burleson to Elm, and a portion of Elm Street; funding for security through the City of Wharton Hotel/Motel Fund; and assistance from the Public Works and Facilities Maintenance Departments. Councilmember Don Mueller seconded the motion. Councilmembers V. L. Wiley, Jr., Don Mueller, and Jeff Gubbels voted for the motion. Councilmember Lewis Fortenberry, Jr. abstained. The motion carried.

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

The meeting adjourned at 8:03 p.m.

City of Wharton
Regular City Council Meeting
May 10, 2010

CITY OF WHARTON, TEXAS

By: _____
DAVID W. SAMUELSON
Mayor

ATTEST:

LISA OLMEDA
City Secretary