

MINUTES  
OF  
CITY OF WHARTON  
REGULAR CITY COUNCIL MEETING  
JUNE 11, 2007

Mayor Bryce D. Kocian declared a Regular Meeting duly open for the transaction of business at 7:01 P.M. Councilmember V. L. Wiley, Jr. led the opening devotion and then Mayor Bryce D. Kocian led the pledge of allegiance.

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

Councilmember absent was: None.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joyce Vasut, City Secretary Lisa Stavena, Assistant to City Manager Jackie Jansky, Planning Director Prudencio Arriaga, Sr., EMS Director John Kowalik, Police Captain Richard Coleman, Emergency Management Coordinator Jim Cooper, Public Works Director Phil Bush, Community Services Director Jo Knezek, Fire Chief Anthony Abbott, and City Attorney Paul Webb

Visitors present were: Benjamin Sharp with Wharton Journal Spectator, David Schroeder with Wharton Economic Development Corporation, Carlos Cotton, David Copeland, Johnnie Gonzales, and Arthur Araguz.

The third item on the agenda was Administering the Oath of Office to Elected Councilmember Domingo Montalvo, Jr. City Attorney Paul Webb administered the Oath of Office to Elected Councilmember Domingo Montalvo, Jr.

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

The fifth item on the agenda was Wharton Moment. Councilmember V. L. Wiley, Jr. invited everyone to participate in the Juneteenth Celebration held June 15-17, 2007. He stated that the parade would be held on Friday, June 16, 2007.

Councilmember Domingo Montalvo, Jr. stated that the Lady of Mount Carmel Church would be holding the last mass service by Father Jackson and requested a proclamation be given to him on Sunday, June 17, 2007. He stated that the Bishop would be trying to find a replacement. No action was taken.

The sixth item on the agenda was a proclamation of Appreciation from the Texas Municipal League (TML) Intergovernmental Employee Benefits Pool for the City of Wharton's continued support. City Manager Andres Garza, Jr. presented a copy of the letter dated May 21, 2007 from Ms. Susan Smith, Executive Director of the Texas Municipal League (TML) Intergovernmental Employee Benefits Pool (IEBP) providing the City of Wharton with a Proclamation from TML-IEBP expressing their gratitude to the City of Wharton for its continued loyalty. He stated that Ms. Smith had requested that the proclamation be read into public record and become a permanent part of the history of the City. He then presented a copy of the proclamation, which read as follows:

WHEREAS, TML Intergovernmental Employee Benefits Pool appreciates the continued support of the City of Wharton who continues to participate in open communication concerning products and services, supports TML IEBP Board decisions through ongoing education of its employees, encourages the appropriate use of all TML IEBP products by employees, and encourages healthy lifestyles among employees in support of the TML IEBP Healthy Initiatives program.

WHEREAS, TML Intergovernmental Employee Benefits Pool appreciates the continued loyalty of the City of Wharton through the serious consideration of health care options, timely submission of contributions to the Pool on a monthly basis, involvement in yearly Regional Meetings, and participation in TML IEBP partnerships in reducing & managing health care costs.

PROCLAIMED by the Intergovernmental Employee Benefits Pool Board of Trustees this 27<sup>th</sup> day of April, 2007. No action was taken.

The seventh item on the agenda was to review and consider the reading of the minutes from the regular meetings held May 14, 2007 and May 29, 2007 and the special meeting held May 22, 2007. After some discussion, Councilmember V. L. Wiley, Jr. made a motion to approve the Wharton City Council minutes of the regular meetings held May 14, 2007 and May 29, 2007 and the special meeting held May 22, 2007 as presented. Councilmember Ray Linseisen seconded the motion. All voted in favor.

The eighth item on the agenda was to review and consider the request by Mr. C. E. Muegge for City Council action to rescind the following approved requests for A20038 Abstract 38, Tract 64A RR, Acres 3.5279:

A. A 5-foot setback variance from the required 15-foot rear building line setback and a 10-foot setback variance from the required 35-foot front building line setback.

B. Preliminary/final re-plat of A20038, Abstract 38, Tract 64A RR, Acres 3.5279.

City Manager Andres Garza, Jr. stated that during the regular January 22, 2007 Wharton City Council meeting the City Council approved the afore-mentioned requests by Mr. C.E. Muegge. He then presented a copy of the January 22, 2007 minutes that indicated the City Council approved Mr. Muegge's request. He stated that although the City Council approved the requests, Mr. Muegge was now requesting that the City Council consider rescinding their decision.

Planning Director Prudencio V. Arriaga, Sr. stated that Mr. Muegge had not filed the plat as required; therefore, has was requesting the City Council rescind their prior approval. After some discussion, Councilmember Ray Linseisen made a motion to approve the request by Mr. C. E. Muegge for City Council action to rescind the following approved requests for A20038 Abstract

