

MINUTES
OF
CITY OF WHARTON
REGULAR CITY COUNCIL MEETING
SEPTEMBER 24, 2007

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

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

Councilmember absent was: Ray Linseisen.

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., Building Official Ronnie Bollom, and City Attorney Paul Webb.

Visitors present were: Benjamin Sharp with Wharton Journal Spectator, David Schroeder with Wharton Economic Development Corporation, Carlos Cotton, Louis Edwards, Thane Harrison, Darryl Lesak, Bill Kincer, and Lewis Fortenberry.

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 Ray Linseisen from the Regular City Council meeting on September 24, 2007. Councilmember Ken Freese 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. Councilmember V. L. Wiley, Jr. stated that he attended the Texas Municipal League Public Officials Liabilities conference in Austin, Texas, on the 14th of September and would present a report to City Council at a later date.

Councilmember David Samuelson publicly commended Brittny Cantero for representing the Boys & Girls Club of Wharton in Washington D.C. He said she gave a very motivational speech at the reception held for her. 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 August 2007. Finance Director Joyce Vasut presented the financial report for the month of August 2007 and stated that the fiscal year was at 93%. She stated that the general fund

revenues were at 87.44% and the expenditures were at 92.08%. The total ad valorem taxes collected were \$1,814,627. The sales tax for the month of July 2007 was \$156,148 with \$104,099 to the City and \$52,049 to WEDC. The TexPool balance for August 2007 was \$2,872,875.66 with an average monthly yield of 5.2473%. The Franklin Bank balance for August 2007 was \$411,413.51 with an average monthly yield of 5.250%. After some discussion, Councilmember David Samuelson made a motion to approve the City of Wharton Financial Report for the month of August 2007. Councilmember Ken Freese seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider the City Council action in accordance with House Bill 3195:

- A. Adoption of a budget that will require raising more revenue from property taxes than in the previous year.
- B. Ratification of the property tax increase reflected in the budget.

City Manager presented a copy of HB 3195 adopted by the 80th Texas Legislature. He stated that in accordance with Section 4 (Page 2), Section 102.007, Local Government Code, was amended by adding Subsection 9(C) to state that adoption of a budget that would , A.) require raising more revenue from property taxes than in the previous year , and B.) required the governing body to ratify the property tax increase reflected in the budget. He stated that a vote under this subsection was in addition to and separate from the vote to adopt the budget or a vote to set the tax rate was required by Chapter 26, Tax Code, or other law. Finance Director Joyce Vasut stated that the new properties added to the tax roll increased the property taxes by \$79,000; even though the property tax rate was decreasing by approximately \$0.03. After some discussion, Councilmember David Samuelson made a motion to approve the adoption of a budget that would require raising more revenue from property taxes than in the previous year, and ratification of the property tax increase reflected in the budget. Councilmember Don Mueller seconded the motion. All voted in favor.

The seventh item on the agenda was to review and consider an ordinance adopting the Fiscal Year 2007-2008 Annual Budget for the City of Wharton, Texas; Appropriating the several sums established therein; and directing the City Secretary to file copies as required by law. City Manager Andres Garza, Jr. stated that during the regular August 24, 2007 City Council meeting under separate cover a copy of the proposed budget for the City of Wharton, Texas, Fiscal Year October 1, 2007 to September 30, 2008 was presented. He stated that during the regular City Council meeting held September 10, 2007 the City Council held the public hearing to receive public input regarding City of Wharton Annual Budget for Fiscal year 2007 – 2008. He then presented a draft ordinance adopting the Fiscal Year 2007-2008 Annual Budget for the City of Wharton, Texas. Finance Director Joyce Vasut stated that the budget was amended to include the PED amount of \$65,000 and the 4% salary adjustment for City Manager Andres Garza, Jr. After some discussion, Councilmember Domingo Montalvo, Jr. made a motion to approve Ordinance No. 2007-19, which read as follows:

**CITY OF WHARTON, TEXAS
ORDINANCE NO. 2007-19**

**AN ORDINANCE ADOPTING THE FISCAL YEAR 2007-2008 ANNUAL BUDGET FOR
THE CITY OF WHARTON, TEXAS; APPROPRIATING THE**