

**NOTICE OF MEETING OF THE
GOVERNING BODY OF
CITY OF WHARTON**

Notice is hereby given that a regular meeting of the governing body of the City of Wharton will be held on the 13th day of January 2014 at 7:00 p.m., at City Hall located at 120 E. Caney St., Wharton, TX 77488

Wharton, Texas, at which time the following subjects will be discussed, to-wit: _____
See Attached Agenda.

Dated this 9th day of January 2014.

By: _____

Domingo Montalvo, Jr., Mayor

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Wharton is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on January 9, 2014, at 4:30pm, and remained so posted continuously for at least 72 hours preceding the schedule time of said Meeting.

The City of Wharton City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available at the primary entrance. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (979) 532-4811, Ext. 225 or by FAX (979) 532-0181 at least two (2) days prior to the meeting date.

BRaille IS NOT AVAILABLE.

Dated this 9th day of January 2014.

CITY OF WHARTON, TEXAS

By: _____

Paula Favors, City Secretary

AGENDA
CITY OF WHARTON
Regular City Council Meeting, City Hall
7:00 p.m., Monday, January 13, 2014

1. **Call to Order – Opening Devotion – Pledge of Allegiance.**
2. **Roll Call and Excused Absences.**
3. **Public Comments.**
4. **Wharton Moment.**
5. **Review & Consider:** Reading of the minutes from the regular meetings held December 9, 2013.
6. **Review & Consider:** City of Wharton Financial Report for November 2013.
7. **Review & Consider:** Hydropneumatic Tank Addition at Cloud Street Water Plant Project:
 - A. Request for ratification of Progress Payment Request No. 3 by Jones & Carter, Inc. for Schier Construction Company.
 - B. Request for Progress Payment Request No. 4 by Jones & Carter, Inc. for Schier Construction Company.
8. **Review & Consider:** Sidewalk Accessibility & Historic Streetscape Project:
 - A. Request for ratification of Payment Request No. 4 by BEFCO Engineering, Inc. from M & C Fonseca Construction Company, Inc.
 - B. Change Order No. 1 from BEFCO Engineering, Inc. and M & C Fonseca Construction adding three areas to the Sidewalk project:
 1. 300 Block of West Milam, South Side.
 2. Ramp on 100 Block of South Polk.

3. Areas in the front of the Coffee Shop near the intersection of Houston / West Milam.

C. Request for Payment Request No. 5 by BEFCO Engineering, Inc. from M & C Fonseca Construction Company, Inc.

9. Review & Consider:

Resolution: A resolution of the Wharton City Council approving a Joint Election Agreement with Wharton County Elections Department for the City Election; and Authorizing the Mayor of the City of Wharton to execute the agreement.

10. Review & Consider:

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, January 31, 2014 beginning at 7:00 a.m. through Saturday, February 1, 2014 ending at 7:00 p.m.

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.

11. Review & Consider:

Resolution: A resolution of the Wharton City Council approving a contract between Pepco Energy Services and the City of Wharton for energy conservation measures; and Authorizing the Mayor of the City of Wharton to execute the agreement on behalf of the City.

12. Review & Consider:

Resolution: A resolution by the Wharton City Council approving a Fixed Based Operation Lease Agreement with Cowboy Up Hang-Gliding, LLC, to operate a business at the Wharton Regional Airport.

13. **Review & Consider:** Acceptance of Resignation of Chief of Police Tim Guin.
14. **Executive Session:** City Council may adjourn into an Executive Session in accordance with Section 551.074 of the Local Government Code, Revised Civil Statutes of Texas. Final action, decision or vote, if any with regard to any matter considered in Executive Session shall be made in Open Meeting.
 - A. Discussion: Appointment of Chief of Police.
15. **Return to open meeting:** Action on items discussed in Executive Session:
 - A. Review& Consider: Appointment of Chief of Police.
16. **Review & Consider:** Resolution: A resolution by the Wharton City Council approving a contract with the SouthEast Texas Regional Advisory Council (SETRAC) for funding of a Mobile Communications Vehicle and authorizing the Mayor to execute said contract.
17. **Review & Consider:** Request by Councilmember Al Bryant for City Council's reconsideration of the establishment of a Quiet Zone along the Kansas City Southern Railroad.
18. **Review & Consider:** Ordinance: An ordinance approving amendment to the City of Wharton Budget October 1, 2012 – September 30, 2013.
19. **Review & Consider:** Request by Tony Bone on behalf of The Plaza Theatre for financial assistance from the city Hotel Motel Fund for The Houston Grand Opera performance of their brand new opera at the Plaza Theater in March 2014.
20. **Review & Consider:** Agreement with WISD for use of City Swimming Pool.
21. **Review & Consider:** Recommendation by the Planning Commission for City Council consideration of the request by Jimmy

and Karen Schulz for approval of a Preliminary/Final Replat of William Kincheloe, Block 66, Lots 8 and 9.

- 22. Review & Consider:** Recommendation by the Planning Commission for City Council consideration of the request by C. E. Muegge for approval of a Preliminary/Final Replat of 3.176 ac., William Kincheloe, Abstract 38.
- 23. Review & Consider:** City Manager's request for Travel Reimbursement.
- 24. Review & Consider:** City of Wharton City Council Boards, Commissions, and Committees Appointments:
- A. Beautification Commission.
 - B. Holiday Light Decorating Chairman.
- 25. Review & Consider:** City Council Committees, Boards and Commission's Reports:
- A. Planning Commission Committee meeting held December 16, 2013.
- 26. City Manager's Reports (November 2013):**
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| A. City Secretary/Personnel. | H. Fire Marshall. |
| B. Code Enforcement. | I. Legal Department. |
| C. Community Services Department / Civic Center. | J. Municipal Court. |
| D. Emergency Management. | K. Police Department. |
| E. E.M.S. Department. | L. Public Works Department. |
| F. Facilities Maintenance Department / Wharton Municipal Pool. | M. Water / Sewer Department. |
| G. Fire Department. | N. Weedy Lots / Sign Ordinance. |
| | O. Wharton Regional Airport. |
- 27. Adjournment.**