

AGENDA
CITY OF WHARTON
Regular City Council Meeting, City Hall
7:00 p.m., Monday, September 12, 2005

1. **Call to Order – Opening Devotion – Pledge of Allegiance.**
2. **Roll Call and Excused Absences.**
3. **Public Comments.**
4. **Wharton Moment.**
5. **Review & Consider:** The reading of the minutes from the regular meetings held August 8 and August 22, 2005 and the special meetings held August 1 and August 16, 2005.
6. **Public Hearing:** Proposed Budget for the City of Wharton, Texas, Fiscal Year October 1, 2005 to September 30, 2006.
7. **Review & Consider:** Action on Proposed Budget for the City of Wharton, Texas, Fiscal Year October 1, 2005 to September 30, 2006.
8. **Review & Consider:** Solicitation of bids for the lease of City of Wharton property located at A20034, Abstract 34, Tract 69A, Acres 4.666.
9. **Review & Consider:** Recommendation by the Planning Commission for City Council consideration of the following items:
 - A. Request by Mr. Joseph C. Abraham (Purchaser) for approval of the final re-plat of the patio home subdivision of Sycamore Grove, Block 4, Lot 1, 2, 3, and 4 (unrecorded subdivision).
 - B. Request by Habitat for Humanity/City of Wharton for approval of the preliminary / final replat of Little Mexico, Lot 1, 2, and 3 (unrecorded subdivision).
10. **Review & Consider:** Request by Habitat for Humanity for the City of Wharton to donate property, being known as Habitat for Humanity Subdivision, Lot 1 and 2 for the construction of homes under the Habitat for Humanity Program.
11. **Review & Consider:** Wharton Regional Airport:
 - A. **Resolution:** A resolution of the Wharton City Council approving the Amendment No. 02 to the Texas Department of Transportation Aviation Division 2005

Routine Airport Maintenance Program Contract, Project No. AM 2005WHRTN, CSJ No.: M513WHRTN, to include the Wharton Regional Airport Corporate Hangar Repair Project and authorizing the Mayor of the City of Wharton to execute all documents related to the contract.

- B. **Resolution:** A resolution of the Wharton City Council approving the Texas Department of Transportation Aviation Division, 2006 Routine Airport Maintenance Program Contract, Project No. AM 2006WHRTN, CSJ No.: M613WHRTN with the City of Wharton for the Airport AWOS installation for the monthly NADIN connection fees and repairs and authorizing the Mayor of the City of Wharton to execute all documents related to the contract.

12. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council adopting the National Incident Management System (NIMS) as the Standard for Incident Management for the City of Wharton, Texas.

13. **Review & Consider:** Recommendation from the Finance Committee:

- A. **Ordinance:** An ordinance amending the City of Wharton Code of Ordinances Chapter 74 Taxation, Article III. Hotel Occupancy Tax, Section 74-102. Levy of tax; rate; exceptions; Providing a severability clause; providing a penalty clause; and setting an effective date.
- B. **Resolution:** A resolution of the Wharton City Council rescinding the City of Wharton Resolution No. 2003-25 and approving new rates for emergency medical services.
- C. **Resolution:** A resolution extending the depository banking services agreement between the City of Wharton and Prosperity Bank and authorizing the Mayor of the City of Wharton to execute all documents relating to said contract.
- D. Request by the City Staff to purchase meter reading equipment and software.

14. **Review & Consider:** Request by Mr. Steve Salazar for a Temporary Permit for the consumption/possession of alcoholic beverages in City Parks.

15. **Review & Consider:** Appointments to the 2005-2006 Youth Advisory Commission.
16. **Review & Consider:** City of Wharton Bid Awards:
- A. Santa Fe Trail Water Fountain Foundation Project:
 - 1. Bid Tabulation.
 - 2. **Resolution:** A resolution awarding a bid for the Santa Fe Trail Water Fountain Foundation Project and authorizing the Mayor of the City of Wharton to execute all documents related to said contract.
 - B. Road Materials:
 - 1. Bid Tabulation.
 - 2. **Resolution:** A resolution awarding a bid to Quality Hot Mix for limestone, hot mix cold laid, pre-coat aggregate, hot mix asphalt, and Rejecting bids for Portland Cement Concrete; Authorizing the Mayor of the City of Wharton to execute all documents relating to said contract.
 - C. Chemicals:
 - 1. Bid Tabulation.
 - 2. **Resolution:** A resolution awarding a bid to Acetylene Oxygen Company for Ton Chlorine Gas Cylinder, 150 Lbs. Chlorine Gas Cylinder and Granular Calcium Hypochlorite; Basic Chemical Solutions, L.L.C. for Sodium Bisulfite Solution (Pound), Napco Chemical Company, Inc. for Sodium Hypochlorite Liquid Bleach 10%; and Mid-Co Water Treatment, Inc. for Muratic Acid 55 Gallon and Fluoride; Authorizing the Mayor of the City of Wharton to execute all documents relating to said contract.
17. **Review & Consider:** City of Wharton Construction Projects:
- A. Southern Pacific Railroad Depot Restoration Project – A & A Constructors, Inc. Pay Request No. 2.
 - B. Murphy Road Sanitary Sewer Replacement Project – RWL Construction, Inc. – Pay Request No. 1.
18. **Executive Session:** City Council may adjourn into an Executive Session in accordance with Section 551.072, 551.074 and 551.087 of the 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:** Navasota Wharton Energy, LLC.
- B. Discussion:** Entertainment Center.
- C. Discussion:** Acquisition of right-of-way from the Hawes Property Estate for the Ahldag Addition Drainage Outfall Project.
- D. Discussion:** Acquisition of property from Edward Guajardo and Wife, Lydia Guajardo for the Ahldag Addition Drainage Outfall Project.
- E. Discussion:** Duties of the Finance Director.

19. Return to Open Session: Action on items discussed in Executive Session:

- A. Review & Consider:** Navasota Wharton Energy, LLC.
- B. Review & Consider:** Entertainment Center.
- C. Review & Consider:** Acquisition of right-of-way from the Hawes Property Estate for the Ahldag Addition Drainage Outfall Project.
- D. Review & Consider:** Acquisition of property from Edward Guajardo and Wife, Lydia Guajardo for the Ahldag Addition Drainage Outfall Project.
- E. Review & Consider:** Finance Director Employment Agreement.

20. Review & Consider: **Ordinance:** An ordinance declaring a public necessity for the acquisition of a public drainage easement across 5.69 acres of land, out of Tract 55 and 56C, William Kincheloe League, Abstract 38, Wharton, Wharton County, Texas, as conveyed to the Hawes Family Estate for a Public Purpose, namely the acquisition, improvement and maintenance of the Ahldag Addition Drainage Outfall Project; and authorizing the City Attorney and the Law Offices of Davidson & Troilo, a professional corporation to dismiss pending eminent domain proceedings; ratifying and affirming all prior acts and proceedings done or initiated by attorney and employees of the City to acquire such easement; authorizing all other lawful actions necessary or incidental to such easement acquisition.

21. Review & Consider: **Ordinance:** An ordinance declaring a public necessity for the acquisition of fee simple title to Lots 3A, 4A, 4, 5, 6, 7, 8, & 9, Block 40, Hawes Fifth Addition, City of Wharton, Wharton County, Texas,

as conveyed to Edward Guajardo and Wife, Lydia Guajardo, for a public purpose, namely the acquisition, improvement, and maintenance of the Ahldag Addition Drainage Outfall Project; and Authorizing the City Attorney and the Law Offices of Davidson & Troilo, A professional corporation to dismiss pending eminent domain proceedings if any; ratifying and affirming all prior acts and proceedings done or initiated by attorney's and employees of the City to acquire such property; authorizing all other lawful actions necessary or incidental to such property acquisition.

- 22. Review & Consider:** **Resolution:** A resolution approving an interlocal agreement between the City of Wharton and Wharton County for in-kind excavation assistance for the Ahldag Addition Drainage Outfall Project and authorizing the Mayor of the City of Wharton to execute the agreement.
- 23. Review & Consider:** 2005 TML Annual Conference and Exhibition to be held October 26 – 28, 2005 in Grapevine, Texas.
- 24. Review & Consider:** City Council Boards, Commissions, and Committee Meetings:
- A. Building Standards Commission meeting held August 18, 2005.
 - B. Wharton Economic Development Corporation meeting held August 23, 2005.
 - C. Parks Planning Committee meeting held August 25, 2005.
 - D. Public Works Committee meeting held August 30, 2005.
 - E. Finance Committee meeting held September 1, 2005.
 - F. Planning Commission meeting held September 6, 2005.
- 25. Adjournment.**