

AGENDA
CITY OF WHARTON
Regular City Council Meeting, City Hall
7:00 p.m., Monday, March 13, 2006

1. **Call to Order – Opening Devotion – Pledge of Allegiance.**
2. **Roll Call and Excused Absences.**
3. **Public Comments.**
4. **Wharton Moment.**
5. **Proclamation:** Proclaiming April 2006 as Fair Housing Month in the City of Wharton, Texas.
6. **Review & Consider:** Reading of the minutes from the regular meetings held February 13, 2006 and February 28, 2006.
7. **Review & Consider:** Request by Mr. Frank A. Fry, Sr. for an over 50% interior side yard property line setback variance for the construction of a 24' x 40' garage to be located at 119 First Street; College Heights, Lot 6 and 7.
8. **Review & Consider:** Request by Ms. Kim Mack, President of Morning Glory Ranch Outdoor Education & Equine Therapy Facility for City of Wharton assistance to close one or both of Fulton Street and/or Houston Street from 8:00 a.m. to 1:00 p.m. for the “Live Life to the Max” Benefit Rally.
9. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving an agreement with Affordable Pest Management Services for City Facilities and authorizing the Mayor of the City of Wharton to execute all documents related to the agreement.
10. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council authorizing the submission of an application to the U.S. Department of Justice under the Bulletproof Vest Partnership (BVP) Program for the purchase of bulletproof vests for the Wharton Police Department.
11. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council authorizing participation in the Texas Department of Transportation Aviation Division Non-Primary Entitlement Grant Program for the Wharton Regional Airport;

designating a consultant selection committee for the procurement of professional engineering/architectural services; establishing consultant selection committee guidelines and criteria; certifying project funds; and designating the City Manager as the authorized representative to act in all matters related to the contract and authorizing the Mayor of the City of Wharton to execute all documents related to the agreements.

12. **Review & Consider:** Report regarding the City of Wharton Resolution No. 2001-67, Racial Profiling Policy.
13. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving an agreement with Cellular One for City of Wharton cellular telephone services and authorizing the City Manager of the City of Wharton to execute the agreement.
14. **Review & Consider:** **Ordinance:** An ordinance amending the City of Wharton Code of Ordinances Chapter 18 Building and Construction; Article VI Flood Damage Prevention; Sections 18-301 through Section 18-306; Providing for Separability; Providing a penalty clause; and setting an effective date.
15. **Review & Consider:** Southern Pacific Railroad Depot Restoration Project, A & A Constructors, Inc., Pay Request No. 8.
16. **Executive Session:** City Council may adjourn into an Executive Session in accordance with Sections 551.071 and 551.072 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:** Acquisition of real estate from Mr. Benedict Hundl for the Santa Fe Drainage Outfall Channel Project.
 - B. **Discussion:** Acquisition of real estate from Mr. Wilbert C. Hundl and Mrs. Albina R. Hundl for the Santa Fe Drainage Outfall Channel Project.
 - C. **Discussion:** Acquisition of real estate from Josef's Farms, Inc. for the Santa Fe Drainage Outfall Channel Project.

- D. **Discussion:** Acquisition of real estate from the Kostka Estate for the Santa Fe Drainage Outfall Channel Project.
- E. **Discussion:** Acquisition of real estate from Mr. Bernard Svatek for the Santa Fe Drainage Outfall Channel Project.
- F. **Discussion:** Litigation – Equal Employment Opportunity Compliant filed by Mr. James Greer.

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

- A. **Review & Consider:** Acquisition of real estate from Mr. Benedict Hundl for the Santa Fe Drainage Outfall Channel Project.
- B. **Review & Consider:** Acquisition of real estate from Mr. Wilbert C. Hundl and Mrs. Albina R. Hundl for the Santa Fe Drainage Outfall Channel Project.
- C. **Review & Consider:** Acquisition of real estate from Josef's Farms, Inc. for the Santa Fe Drainage Outfall Channel Project.
- D. **Review & Consider:** Acquisition of real estate from the Kostka Estate for the Santa Fe Drainage Outfall Channel Project.
- E. **Review & Consider: Resolution:** A resolution of the Wharton City Council approving the acquisition of real estate from Mr. Bernard Svatek for the Santa Fe Drianage Outfall Channel Project and authorizing the Mayor of the City of Wharton to execute all documents related to said acquisition.
- F. **Review & Consider:** Litigation – Equal Employment Opportunity Complaint filed by Mr. James Greer.

18. Review & Consider: City Council Committees, Boards and Commission's Reports:

- A. Wharton Regional Airport Board meeting held March 7, 2006.
- B. Beautification Commission meeting held March 8, 2006.

19. Adjournment.