

**MINUTES  
OF  
CITY OF WHARTON  
SPECIAL CITY COUNCIL MEETING  
MARCH 3, 2003, 6:30 p.m.**

Mayor Garland S. Novosad declared a Special Meeting duly open for the transaction of business at 6:43 p.m.

Councilmembers present were: Mayor Garland S. Novosad, Councilmembers V. L. Wiley, Jr., Darryl Darnell, Ken Freese, Don Mueller, Domingo Montalvo, Jr., and Bryce Kocian.

Staff members present were: City Manager Andres Garza, Jr., Finance Director Joyce Vasut, Assistant to City Manager Jackie Wheeler-Jansky and City Attorney Paul Webb.

Visitors present were: Ron Sanders-Wharton Journal Spectator, WEDCo Executive Director David Schroeder, Skip Holman, Louis Fortenberry, Roy Linseisen.

The third item on the agenda was Executive Session: City Council may adjourn into an Executive Session in accordance with Section 551.086 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 regarding Economic Development Project – Wal-Mart – FM 102 & Hwy. 59.

Mayor Garland S. Novosad adjourned the City Council into Executive Session at 6:44 p.m. Mayor Garland S. Novosad returned the City Council to Open Session at 7:00 p.m.

The fourth item on the agenda was return to Open Session: Action on items discussed in Executive Session:

**A. Review & Consider:** Economic Development Project – Wal-Mart – FM 102 & Hwy. 59.

Mayor Garland S. Novosad stated that action would be taken on the Economic Development Project – Wal-Mart - FM 102 & Hwy. 59.

The fifth item on the agenda was to review and consider a utility construction agreement between the City of Wharton and Wal-Mart Stores, Inc. City Manager Andres Garza, Jr. stated that during the regular City Council meeting held February 10, 2003, the City Council approved the City of Wharton Resolution No. 2003-18 authorizing the Mayor of the City of Wharton to execute on behalf of the City a utility service (water/sewer) and drainage agreement for the proposed Wal-Mart Stores, Inc. project located at FM 102 and Hwy. 59. Mr. Garza said that since the approval of the resolution, amendments had been made to the agreement and City Council action was required to authorize Mayor Garland S. Novosad to execute the agreement.

City Attorney Paul Webb presented the amended utility construction agreement between the City and Wal-Mart. After some discussion, Councilmember Ken Freese made a motion to authorize Mayor Garland S. Novosad to execute the utility construction agreement. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The sixth item on the agenda was to review and consider the recommendation from the Planning Commission for a request by Wal-Mart Real Estate Business Trust for approval of a preliminary/final plat for the proposed Wharton Wal-Mart Project. City Attorney Paul Webb presented a proposed plat of the Hwy 59 and FM 102 Wal-Mart project which was prepared by Wal-Mart representatives. After some discussion, Councilmember Don Mueller made a motion to approve the preliminary and final plat recommended by the Planning Commission for approval by the City Council for the Wal-Mart Real Estate Business Trust as presented. Councilmember Domingo Montalvo, Jr. seconded the motion. All voted in favor.

The seventh item on the agenda was adjournment. Councilmember Don Mueller made the motion to adjourn. Councilmember V. L. Wiley, Jr. seconded the motion. All voted in favor.

The meeting adjourned at 7:03 p.m.

**CITY OF WHARTON, TEXAS**

**By:** \_\_\_\_\_  
**GARLAND S. NOVOSAD**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**JOYCE VASUT**  
City Secretary