

**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 27th day of September 2010 at 7:00 p.m., at City Hall located at 120 East Caney Street

Wharton, Texas, at which time the following subjects will be discussed, to-wit: See attached agenda

Dated this 24th day of September 2010.

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 September 24, 2010, at 4:30 p.m., 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 24th day of September 2010.

CITY OF WHARTON, TEXAS

By: 

Lisa Olmeda, City Secretary

AGENDA
CITY OF WHARTON
Regular City Council Meeting, City Hall
7:00 p.m., Monday, September 27, 2010

1. **Call to Order – Opening Devotion – Pledge of Allegiance.**
2. **Roll Call and Excused Absences.**
3. **Public Comments.**
4. **Wharton Moment.**
5. **Review & Consider:** City of Wharton Financial Report for the month of August 2010.
6. **Review and Consider:** **Ordinance:** An ordinance adopting the fiscal year 2010-2011 annual budget for the City of Wharton, Texas; Appropriating the sums established therein; and directing the City Secretary to file copies as required by law.
7. **Review & Consider:** **Ordinance:** Levying a Tax Rate for the City of Wharton, Texas, for the Tax Year 2010; directing the Tax Assessor-Collector to assess, account for and distribute the taxes as herein levied; and providing repealing and severability clauses.
8. **Review & Consider:** Request by Mr. Steven May, Principal, Wharton High School for City Council approval for the following:
 - A. Approval to hold the Wharton High School Homecoming Pep Rally on Friday, October 1, 2010 from 2:15 – 3:00 p.m.
 - B. City of Wharton assistance in blocking Houston Street between Burleson and Milam Streets in front of the Plaza Theatre.
9. **Review & Consider:** Request by Mr. Jim Faetche to address the Wharton City Council regarding covering the Wharton Municipal Pool.
10. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving a contract between the City of Wharton and the Wharton Chamber of Commerce

and authorizing the Mayor of the City of Wharton to execute the agreement.

- 11. Review & Consider:** **Ordinance:** An ordinance amending the City of Wharton Code of Ordinances, Chapter 42, Occupational Licenses, Taxes and Regulations, Article IV. Peddlers, Itinerant Merchants, Solicitors by adding Division 4 Mobile Food Vendors; Providing that a violation of the ordinance or any part of the code as adopted hereby shall constitute a penalty upon conviction of a fine; providing for separability and setting an effective date.
- 12. Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving an interlocal agreement for Emergency Medical Services between the Wharton County Emergency Services District No. 3 and the City of Wharton and authorizing the Mayor of the City of Wharton to execute the agreement.
- 13. Review & Consider:** City Council acceptance of a grant in the amount of \$50,000 from the M.G. and Lillie A. Johnson Foundation, Inc. for the purchase of an ambulance for the City of Wharton Emergency Medical Service (EMS) Department.
- 14. Review & Consider:** City of Wharton EKG Monitors:

 - A. Bid Tabulation.
 - B. **Resolution:** A resolution of the Wharton City Council awarding the bid to Physio-Control for the City of Wharton EMS EKG Monitors and authorizing the Mayor of the City of Wharton to execute the agreement.
- 15. Review & Consider:** **Resolution:** A resolution of the City Council of the City of Wharton, Texas, authorizing the submission of a Texas Community Development Program application to the Texas Department of Rural Affairs for the Texas Community Development fund; and authorizing the Mayor to act as the City's Chief Executive Officer and authorized representative in all matters pertaining to the City's participation in the Community Development Program.

16. **Review & Consider:** City of Wharton Signatories:
- A. **Resolution:** A resolution authorizing signators on the City's bank depository contract with Prosperity Bank.
 - B. **Resolution:** A resolution authorizing signators on the City's Texas Local Government Investment Pool (TEXPOOL) accounts.
 - C. **Resolution:** A resolution of the Wharton City Council appointing the depository/authorized signatories for the City of Wharton Ahldag Addition Sanitary Sewer Improvement Project, Texas Department of Rural Affairs Contract No. 728459.
 - D. **Resolution:** A resolution of the Wharton City Council appointing the depository/authorized signatories for the City of Wharton Ahldag Addition Sanitary Sewer Improvement Project, Texas Department of Rural Affairs Contract No. R729710.
17. **Review & Consider:** City of Wharton Ahldag Addition Sanitary Sewer Improvement Project:
- A. Belle Avenue & Extra Services on Dahlgren & Fulton Streets – Supak Construction, Inc.:
 - 1. Change Order No. 2.
 - 2. Second (2nd) and Final Pay Request.
 - B. Belle Avenue & Extra Services on Dahlgren & Fulton Streets – Supak Construction, Inc. – Additional Work.
 - C. TxCDBG Contract No. 728459 – Supak Construction, Inc.:
 - 1. Change Order No. 3.
 - 2. Eighth (8th) and Final Pay Request.
18. **Review & Consider:** City of Wharton Chemicals:
- A. Bid Tabulation.

B. **Resolution:** A resolution awarding a bid for ton chlorine gas cylinder, 150 lbs. chlorine gas cylinder, granular calcium hypochlorite, sodium bisulfite solution (pound), sodium hypochlorite liquid bleach 10%, muratic acid 55 gallon drum, and fluoride; authorizing the Mayor of the City of Wharton to execute all documents relating to said contracts.

19. **Review & Consider:**

City of Wharton Fuel:

A. Bid Tabulation.

B. **Resolution:** A resolution awarding a bid for fuel and authorizing the Mayor of the City of Wharton to execute all documents relating to said contract.

20. **Review & Consider:**

City of Wharton Road Materials:

A. Bid Tabulation.

B. **Resolution:** A resolution awarding a bid for limestone, hot mix cold laid asphalt concrete, pre-coated aggregate, aggregate, dense-graded hot mix asphalt pavement, flexible base and lime slurry; authorizing the Mayor of the City of Wharton to execute all documents relating to said contracts.

21. **Review & Consider:**

City of Wharton Sale of Surplus Real Property:

A. Bid Tabulation.

B. **Resolution:** A resolution of the Wharton City Council authorizing the sale of certain City of Wharton Properties as Surplus Properties and authorizing the Mayor of the City of Wharton to execute all necessary documents associated with said sale of those certain properties.

22. **Review & Consider:**

City of Wharton Cloud Street Water Plant Control Modifications Project – Neil Technical Services, Corp. – Pay Request No. 1.

23. **Review & Consider:**

City of Wharton Water Plant Control Modifications Project – Industrial Control Manufacturing – First and Final Pay Request.

- 24. Review & Consider:** Request by the City of Wharton Fire Department for a six feet variance from the required ten feet interior side yard set back requirement for the construction of a new building four feet from the property line located at Hawes Block E, Lots 8, 9, 10; 319 North Fulton Street.
- 25. Review & Consider:** City of Wharton City Council Boards, Commissions, and Committees:
- A. Beautification Commission.
 - B. Planning Commission.
 - C. Holiday Lighting Chairman.
 - D. Wharton Economic Development Corporation Board of Directors.
- 26. Review & Consider:** Status Report on City of Wharton Projects.
- 27. Review & Consider:** City Council, Committee, Commissions, and Boards Reports:
- A. City Council Public Health Committee meeting held September 17, 2010.
 - B. Wharton Economic Development Corporation meeting held September 20, 2010.
 - C. City Council Public Works Committee meeting held September 22, 2010.
- 28. City Manager's Reports:**
- A. City Secretary/Personnel.
 - B. Code Enforcement.
 - C. Community Services Department /Civic Center.
 - D. Emergency Management.
 - E. E.M.S. Department.
 - F. Engineer/Planning Department.
 - G. Facilities Maintenance Department.
 - H. Fire Department.
 - I. Legal Department.
 - J. Municipal Court.
 - K. Police Department
 - L. Public Works Department.
 - M. Water/ Sewer Department.
 - N. Weedy Lots/ Sign Ordinance.
 - O. Wharton Municipal Pool.
 - P. Wharton Regional Airport.
- 29. Adjournment.**