

AGENDA
CITY OF WHARTON
Regular City Council Meeting, City Hall
120 East Caney Street
Wharton, Texas 77488
7:00 p.m., Monday, February 12, 2007

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 January 8, 2007 and January 22, 2007 and the special meeting held January 3, 2007.
6. **Report:** Report by Mr. Wayne Neal, Manager, Texas Mid-Gulf Cablevision regarding Fox Sports Net - Southwest.
7. **Public Hearing:** Proposed annexation of a certain 312.62 acre tract of land situated in the Alexander Jackson Timber and Prairie Leagues, Abstract No. 34, owned by Ms. Katherine Whorton Harrell, by the City of Wharton, Texas.
8. **Review & Consider:** City Council Finance Recommendation for City Council consideration on the following for Champs Food, LLC:
 - A. **Public Hearing:** A Public Hearing regarding the request for Tax Abatement by Champs Food, LLC for the Taco Bell/KFC Project.
 - B. **Resolution:** A resolution administratively approving an application for tax abatement submitted by Champs Food, LLC dated the 11th day of January 2007.
 - C. **Ordinance:** An ordinance approving and authorizing the Mayor of the City of Wharton to sign and execute for and on behalf of the City of Wharton a Tax Abatement Agreement with Champs Food, LLC in a form as attached hereto and Marked Exhibit “A” and making certain findings of fact in accordance with the requirements of law.

9. **Review & Consider:** 2007 City of Wharton Election:
- A. **Ordinance:** An ordinance calling for a City Officer’s Election, providing for the date, time and place of the election, Notice of the Election, the appointment of Election Officers and Clerks, Accessible Voting System, filing applications, drawing for ballot positions, early voting, and making election returns.
 - B. **Resolution:** A resolution of the Wharton City Council approving a Limited Contract with the Wharton County Elections Officer for the lease of election equipment for use during the City of Wharton 2007 Elections and authorizing the Mayor of the City of Wharton to execute the agreement.
 - C. **Resolution:** A resolution of the Wharton City Council approving an agreement between the City of Wharton and the Wharton Independent School District to hold a joint election in certain voting precincts on May 12, 2007 and authorizing the Mayor of the City of Wharton to execute the agreement.
10. **Review & Consider:** Recommendation by the Planning Commission for City Council consideration of the following:
- A. Request by Mr. Faisal Zakaria, Champs Food, LLC for approval of a 91 square feet variance from the required 75 square feet to construct a 166 square feet sign at 1406 North Richmond Road, Wm. Kincheloe, Block 65, Lots 4A, 3A-1.
 - B. Request by Mr. Sammy Wisnieski for approval of a preliminary/final re-plat of Brod Acres, Block 16F, 17H-1.
11. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council replacing Resolution No. 2003-27 on the establishment of the Mayor’s Local Committee on People with Disabilities in accordance with the guidelines set fort by the Governor’s Committee on People with Disabilities.
12. **Review & Consider:** City of Wharton Committees, Commissions and Boards:
- A. Electrical Board:
 - 1. City Council acceptance of the letter of resignation submitted by Board Member Dave Gerstenberger, Centerpoint Energy.

2. Appointment to the Electrical Board.
 - B. Appointment to the Wharton Regional Airport Board.
13. **Review & Consider:** Request by the Public Works Department to solicit bids for two (2) ½ ton pickup trucks.
14. **Review & Consider:** Travel Reimbursement for City Manager.
15. **Review & Consider:** City of Wharton Santa Fe Trail Electrical Improvement Project:
 - A. Penner Electric, Inc. – Change Order No. 1.
 - B. Penner Electric, Inc. – Pay Request No. 4.
16. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving the Amendment No. 1 to the Texas Department of Transportation Aviation Division Project No. 06HGWHRTN – Contract No. 6XXAV106 for the Wharton Regional Airport Hangar Construction Project and authorizing the Mayor of the City of Wharton to execute the agreement.
17. **Executive Session:** City Council may adjourn into an Executive Session in accordance with Section 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 Josef's Farms, Inc./Ronald L. Marr for the Santa Fe Drainage Outfall Channel Project.
18. **Return to Open Meeting:** Action on items discussed in Executive Session:
 - A. **Review & Consider: Ordinance:** An ordinance declaring a public necessity for the acquisition of fee simple title to 0.867 acre tract of land being a portion of a called 65.666 acre tract (Tract 1) and 5.4639 acre tract of land being a portion of a called 52.06 acre tract (Tract 2) and a called 10 acre tract (Tract 3) located in the Randell Jones ½ League, Abstract No. 36 owned by Josef's Farm, Inc./Ronald L. Marr for a public purpose, namely the acquisition, improvement and maintenance of the Santa Fe Drainage Outfall Channel Project; and authorizing the City Attorney and the Law Offices of

Davidson & Troilo, A professional corporation, to file eminent domain proceedings; ratifying and affirming all prior acts and proceedings done or initiated by attorneys and employees of the City to acquire such property; authorizing all other lawful action necessary or incidental to such acquisition or eminent domain proceedings.

19. Review & Consider:

City of Wharton Boards, Commissions and Committees:

- A. Wharton Economic Development Corporation meeting held January 23, 2007.
- B. City Council Finance Committee meeting held February 1, 2007.
- C. Planning Commission meeting held February 5, 2007.
- D. Mayor's Committee on People with Disabilities meeting held February 6, 2007.

20. Adjournment.