

**AGENDA**  
**CITY OF WHARTON**  
**Regular City Council Meeting, City Hall**  
**7:00 p.m., Monday, October 9, 2006**

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 September 11, 2006 and September 25, 2006.
6. **Review & Consider:** CenterPoint Energy Entex Rate Increase.
7. **Review & Consider:** Request by Mrs. Diana M. Rodriguez, PTA President, for City of Wharton assistance to block Old Boling Highway at Alabama Street for the Sivell’s Elementary 3<sup>rd</sup> Annual Fall Festival to be held November 4, 2006.
8. **Review & Consider:** Request by Mr. John A. Ball, Owner of the Party Mouse, for City of Wharton assistance to close Fulton Street between Milam and West Burleson for the Party Mouse Annual Halloween/Harvest Celebration to be held October 28, 2006.
9. **Review & Consider:** Request by Councilmember Ken Freese to address the letter dated September 8, 2006 from Mrs. Betty Bergstrom, Resident, for City Council consideration for the following:
  - A. Declaring the City of Wharton a “No Smoking City”.
  - B. Use of Cell Phones inside establishments.
10. **Review & Consider:** City Council Finance Committee Recommendation:
  - A. **Ordinance:** An ordinance approving budget amendments to the budget for the City of Wharton, Texas, for fiscal year 2005 - 2006.

- B. Fiscal year 2005-2006 Write-off of Water/Sewer and EMS Delinquent Accounts.
- C. **Resolution:** A resolution authorizing the Mayor of the City of Wharton to execute an agreement with the Chamber of Commerce and Agriculture for visitor and convention bureau services for Fiscal Year October 1, 2006 to September 30, 2007.

- 11. **Review & Consider:** City of Wharton, Wharton Industrial Park Lift Station Project:
  - A. Bid Tabulation.
  - B. **Resolution:** A resolution of the Wharton City Council awarding the bid for the City of Wharton, Wharton Industrial Park Lift Station Project and authorizing the Mayor to execute all documents related to the agreement.
- 12. **Review & Consider:** Request by Ms. Jennifer Walker, Committee Chairman of the Wharton County Farmer's Market for City of Wharton assistance during the 2<sup>nd</sup> Bi-Annual Wharton County Farmer's Market:
- 13. **Review & Consider:** Southern Pacific Railroad Depot Restoration Project, A & A Constructors, Inc., Thirteenth and Final Pay Request.
- 14. **Review & Consider:** City of Wharton Boards, Commissions and Committees:
  - A. City Council Acceptance of the resignation of Mr. David H. Allen from the Wharton Regional Airport Board.
  - B. Appointments to the Youth Advisory Commission.
- 15. **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 Benedict L. Hundl for the Santa Fe Drainage Outfall Channel Project.
- B. **Discussion:** Acquisition of real estate for City of Wharton Facilities for the Police Department – 1407 North Richmond Road.
- C. **Discussion:** Contemplation of Litigation concerning the City of Wharton Civic Center Skylights Project -General Contractor Services, Inc.

16. **Return to Open Session:** Action on items discussed in Executive Session:
- A. **Review & Consider: Resolution:** A resolution of the Wharton City Council approving the acquisition of real estate from Mr. Benedict L. Hundl for the Santa Fe Drainage Outfall Channel Project and authorizing the Mayor of the City of Wharton to execute all documents related to said acquisition.
  - B. **Review & Consider: Resolution:** A resolution of the Wharton City Council approving and ratifying the execution of the earnest money contract by City Manager Andres Garza, Jr. between the City of Wharton and CenterPoint Energy for the property located at 1407 North Richmond Road.
  - C. **Review & Consider:** Contemplation of Litigation concerning the City of Wharton Civic Center Skylights Project -General Contractor Services, Inc.
17. **Review & Consider:** Texas Municipal League 94<sup>th</sup> Annual Conference and Exhibition to be held October 25-27, 2006 in Austin, Texas.
18. **Review & Consider:** Request by Mr. Ervin J. Herzik, Jr. for City Council authorization to construct a 35 feet x 50 feet Whirl Wind Storage Building to be located at Jr's Texas Best Smokehouse, 164 CR 467, Wharton, Texas.
19. **Review & Consider:** Over 50% variance request by Mr. and Mrs. G. R. Castellano, 2509 North Fulton Street, Hawes 3,

Block 1, Lot 18C, 19A for a 2 feet variance from the required 5-foot interior side yard setback line setback and a 19 feet variance from the required 25 feet front yard property line setback for an existing 12 feet x 21 feet carport.

**20. Review & Consider:**

Request by Mr. Michael S. Wall, Nan Ya Plastics, Corporation for a temporary permit for the Possession/Consumption of alcoholic beverages in certain parks for October 28, 2006 from 7:30 a.m. to 4:30 p.m.

**21. Review & Consider:**

City Council Committees, Boards and Commission's Reports:

- A. Wharton Economic Development Corporation meeting held September 26, 2006.
- B. Wharton Regional Airport Board meeting held October 3, 2006.

**22. Adjournment.**