

AGENDA
CITY OF WHARTON
City Council Meeting, City Hall
7:00 p.m., Monday, March 10, 2008

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 special meetings held February 11, 2008 and the regular meeting held February 25, 2008.
6. **Report:** Update by Emergency Management Coordinator Jim N. Cooper regarding the Regional Radio Equipment/Tower.
7. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council amending the Emergency Management Coordinator Agreement between the City of Wharton and Mr. James N. Cooper and authorizing the Mayor of the City of Wharton to execute the agreement.
8. **Review & Consider:** Application submitted by Mr. Douglas Dahmann of Devon Energy Production Company, L.P. to obtain a permit to drill, complete and operate an oil and/or gas well within the City limits of Wharton, Texas:
 - A. Public Hearing on Application.
 - B. City Council action regarding the Devon Energy Production Company, L.P. request for approval of the application for a permit to drill, complete and operate an oil and/or gas well within the City Limits of Wharton, Texas.
9. **Review & Consider:** 2007 Annual Report regarding the City of Wharton Resolution No. 2001-67, Racial Profiling Policy.
10. **Review & Consider:** **Ordinance:** An ordinance amending the City of Wharton Code of Ordinances, Chapter 34, Health and Sanitation; Article II. Cleanliness and Sanitation of Premises; Litter; Section 34-51 Accumulation or Growth of Weeds or Brush through Section 34-55. Same—Performance by City; Providing that a violation of the ordinances 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.

- 11. Review & Consider:** **Resolution:** A resolution of the Wharton City Council authorizing the submission of formal comments and recommendations to the Texas Department of Transportation for consideration during the future development of the I-69/Trans Texas Corridor.
- 12. 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:** Real Estate matters regarding a called 5.05 acre tract of land, situated in the Alexander Jackson Timber League, Abstract No. 34, in the City of Wharton, Wharton County, Texas, being a survey of that same real property conveyed from KCT Railway Corporation to Larry Sitka.
- 13. Return to Open Session:** Action on items discussed in Executive Session:
- A. Review & Consider:** Real Estate matters regarding a called 5.05 acre tract of land, situated in the Alexander Jackson Timber League, Abstract No. 34, in the City of Wharton, Wharton County, Texas, being a survey of that same real property conveyed from KCT Railway Corporation to Larry Sitka.
- 14. Review & Consider:** Request by Mr. Larry Sitka for a variance to the City of Wharton Code of Ordinances, Chapter 66 Signs and Advertising for the construction of signs at the following locations:
- A. 25 feet sign setback from the required 50 feet along FM 1301 between Fulton and Rusk Street.
- B. 360 feet sign setback from the required 500 feet along FM 102 near Hendon Street.
- 15. Review & Consider:** City of Wharton Sunny Lane Utility and Roadway Extension Project:

- A. Bid Tabulation.
- B. **Resolution:** A resolution of the Wharton City Council awarding the bid for the Sunny Lane Utility and Roadway Extension Project and authorizing the Mayor of the City of Wharton to execute the agreement.

16. **Review & Consider:** City of Wharton US 59 Southbound Frontage Road and Entrance Ramp Project – Angel Brother’s Enterprises, Ltd.:

- A. Change Order No. 3.
- B. Fifth and Final Pay Request.

17. **Review & Consider:** City of Wharton Handicapped Accessibility Project – Economic Construction, Inc. Change Order No. 2.

18. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving a Street Light Agreement with CenterPoint Energy for the Downtown Lighting Project and authorizing the City Manager of the City of Wharton to execute the agreement.

19. **Review & Consider:** City of Wharton Air Conditioning System Improvement Project for the Police Department/Municipal Court Facility, 1407 North Richmond Road – Eldridge Air Conditioning & Heating, Inc. – Pay Request No. 1.

20. **Review & Consider:** City of Wharton Boards, Commissions and Committees:

- A. Building Standards Commission meeting held February 22, 2008.
- B. Wharton Economic Development Corporation meeting held February 25, 2008.
- C. City Council Public Health Committee meeting held February 29, 2008.
- D. Youth Advisory Commission meeting held March 3, 2008.
- E. City Council Public Works Committee meeting held March 5, 2008 and March 7, 2008.
- F. City Council Public Safety Committee meeting held March 10, 2008.

21. **Adjournment.**