

AGENDA
CITY OF WHARTON
Regular City Council Meeting, City Hall
7:00 p.m., Monday, September 24, 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:** City of Wharton Financial Report for the month of August 2007.
6. **Review & Consider:** City Council action in accordance with House Bill 3195:
 - A. Adoption of a budget that will require raising more revenue from property taxes than in the previous year.
 - B. Ratification of the property tax increase reflected in the budget.
7. **Review and Consider:** **Ordinance:** An ordinance adopting the Fiscal Year 2007-2008 Annual Budget for the City of Wharton, Texas; Appropriating the several sums established therein; and directing the City Secretary to file copies as required by law.
8. **Review & Consider:** **Ordinance:** Levying a Tax Rate for the City of Wharton, Texas, for the Tax Year 2007; directing the Tax Assessor-Collector to assess, account for and distribute the taxes as herein levied; and providing repealing and severability clauses.
9. **Review & Consider:** Recommendation by the Planning Commission for the City Council to consider approving the following:
 - A. Request by Mr. Jimmie Chambers for approval of the preliminary/final re-plat of Helms Pioneer Second Addition, Block 5, Lots 3, 4, 5, 20, 23 and 24; and Block 6, Lots 1, 2, 3.

B. Request by Mr. Charles Black for approval of the preliminary/final re-plat of Brantley & Kind, Block A, Lots 9B 10A, 10B, and 11; and a lot size variance for a 37 feet x 120 feet lot.

10. Review & Consider:

Over 50% Variance Requests by the following:

- A. Mr. Eliud Guajardo for an interior side yard property line setback variance for the construction of an approximate 10' x 20' carport to be located at 607 Lincoln, River Road, Block 6, Lot 2.
- B. Ms. Monica Sedillo for a variance from the required 5' interior side yard setback to construct a home over a property line.

11. Review & Consider:

Resolution: A resolution of the Wharton City Council of the City of Wharton, Texas, designating Ms. Candyce Byrne, President of the Plaza Theatre, Inc. as being responsible for the applicant in dealing with the Texas Department of Agriculture for the purpose of participating in the Texas Department of Agriculture, Texas YES! Bootstrap Program and certifying that the applicant is eligible to receive program assistance.

12. Review & Consider:

Third Reading: Ordinance: An ordinance granting to CenterPoint Energy Resources Corp., DBA CenterPoint Energy Texas Gas Operations, the right, privilege and franchise to construct, install, extend, remove, replace, abandon, operate and maintain its facilities within the Public Rights-of-Way of the City of Wharton, Texas, for the transportation, delivery, sale and distribution of Natural Gas; Containing other provisions relating to the foregoing subject; providing for severability and providing an effective date.

13. Public Hearing:

Proposed annexation a 3.817 acre tract of land situated in the Randal Jones ½ League, Abstract 36, Wharton County, Texas owned by Lida C. H. Shryer Mills, George P. Shryer, Jr., Lida Patricia Shryer Broussard, Cathleen Clements Shryer Tilley, Neil Patton Broussard, Ann Elizabeth Thigpen

Watson, Matt Thigpen, and Gaye Ellen Broussard Wintersole.

- 14. Executive Session:** City Council may adjourn into an Executive Session in accordance with Sections 551.072 and 551.087 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:** Proposed Industrial District Agreement between the City of Wharton and Navasota Energy.
 - B. **Discussion:** Acquisition of property from Union Pacific Railroad Company for the City of Wharton Road Extension Project between FM 1301 and County Road 235.
- 15. Return to Open Session:** Action on items discussed in Executive Session:
- A. **Review & Consider:** Proposed Industrial District Agreement between the City of Wharton and Navasota Energy.
 - B. **Review & Consider: Resolution:** A resolution of the Wharton City Council approving a transaction agreement for acquisition of approximately 4.78 acres from Union Pacific Railroad and authorizing the Mayor of the City of Wharton to execute all documents related to said agreement.
- 16. Review & Consider:** City of Wharton Solid Waste Disposal and Collection Services:
- A. **Ordinance:** An ordinance awarding an exclusive franchise contract within the City of Wharton, Wharton County, Texas, to Waste Management for the collection and disposal of solid waste, authorizing the Mayor of the City of Wharton to execute the contract, setting forth general specifications, and establishing rates for the collection of solid waste.
 - B. **Resolution:** A resolution amending the agreement between Waste Management and the City of Wharton for the operation of a transfer

