

**AGENDA**  
**CITY OF WHARTON**  
**Regular City Council Meeting, City Hall**  
**7:00 P.M., Monday, July 14, 2003**

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 of the regular meetings held June 9, 2003 and June 23, 2003 and the special meeting held June 30, 2003.
6. **Review and Consider:** Appointment to vacant City Council Position No. 6.
7. **Review & Consider:** Update on the City of Wharton Southern Pacific Railroad Depot Restoration Project.
8. **Review & Consider:** Update on the Beautification Commission Mural Painting Project.
9. **Review & Consider:** **Resolution:** A resolution approving the submission of an application for funding through the Texas Department of Agriculture / Office of Rural Community Affairs, Texas Capital Fund Real Estate Development / Infrastructure Grant Program for the Jr's Texas Best, LLC project.
10. **Review & Consider:** Request for variance by Mr. Wortham Smith, The Villages of Wharton, County located at 7100 Highway 59, 32.486 acre tract of land in the A. Jackson Timber League, Abstract 34, Wharton County, Texas, for a 0-foot (zero) front yard setback variance for the placement of a building.
11. **Review & Consider:** Recommendation from the Planning Commission:
  - A. Request by Mr. and Mrs. David Clayton for a front yard and interior side yard setback interior side yard setback variance for the installation of a 22 x 21 metal carport, located at 511 Lazy Lane, Mayfair, Block 11, Lots 9A and 10.
  - B. Request by Mr. Max L. Brod for a variance to place a 30 x 45 home over the interior property lines located at

2319 North Fulton, Ahldag Addition, Block 12, Lots  
12A-1-1 and 12A 1-1A.

12. **Review & Consider:** Request by Councilmember Darryl Darnell to discuss the City of Wharton Code of Ordinances regarding above-ground and in-ground swimming pools.
13. **Review & Consider:** City of Wharton Streetlight Project.
14. **Review & Consider:** **Resolution:** A resolution authorizing the Mayor of the City of Wharton to execute an agreement with Wal-Mart to comply with Texas Capital Fund requirements.
15. **Review & Consider:** **Resolution:** A resolution authorizing the Mayor of the City of Wharton to execute an agreement with Jones & Carter, Inc. for professional engineering services for the construction phase of the Texas Capital Fund Contract No. 722202 – Wal-Mart Supercenter Project.
16. **Review & Consider:** **Resolution:** A resolution authorizing the Mayor of the City of Wharton to execute an agreement with Panther Pipeline for the Texas Capital Fund Contract No. 722202 – Wal-Mart Supercenter Project.
17. **Review & Consider:** Recommendation from the City Council Finance Committee:
- A. Authorizing the City of Wharton to contract with Stephenson & Trlicek for the City of Wharton’s Annual Audit for Fiscal Year 2002 – 2003.
  - B. Authorizing Prudentia, Inc. to report EMS delinquent accounts to a credit bureau.
  - C. Authorizing the purchase of Municipal Court Computer System from the Technology Fund.
  - D. Authorizing the acceptance of credit cards for payments made to the City of Wharton Municipal Court.
18. **Review & Consider:** City of Wharton Street Sealcoating Project:
- A. Bid Tabulation.
  - B. **Resolution:** A resolution awarding the bid for the City of Wharton Street Sealcoating Project; Authorizing the Mayor of the City of Wharton to execute the agreement.

- 19. Review & Consider:** Request for Payments on City Construction Projects:
- A.** City of Wharton Wastewater Treatment Plant No. 2 Improvement Project Pay Request No. 7 – JTR Constructors, Inc.
  - B.** City of Wharton Wal-Mart SuperCenter Water & Sanitary Sewer Utility Extension Project Pay Request No. 1 – Uticon, Inc.
  - C.** City of Wharton Elevated water Storage Tank Rehabilitation Project Pay Request No. 5 – N. G. Painting, Inc.
- 20. Review & Consider:** **Resolution:** A resolution of the Wharton City Council accepting the donation of Block 59, Lots 15 and 16, City of Wharton, Wharton County, Texas by Ms. Dyann Nasso Perez to the City of Wharton.
- 21. Review & Consider:** Request from Wharton County Freedom Festival for 2004 festival costs, reimbursement.
- 22. Review & Consider:** City of Wharton Beautification Commission vacant positions.
- 23. Review & Consider:** Travel reimbursement for City Manager.
- 24. Executive Session:** City Council may adjourn into an Executive Session in accordance with Sections 551.072 and 551.074 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 Right-of-way for Drainage Projects.
  - B. Discussion:** Performance Evaluation of City Manager.
- 25. Return to Open Session:** Action on items discussed in Executive Session:
- A. Review & Consider:** Acquisition of Right-of-way for Drainage Projects.
  - B. Review & Consider:** Performance Evaluation of City Manager.

**26. Review & Consider:**

City Council, Committee, Commissions, and Boards Reports:

- A. Wharton Economic Development Corporation meeting held June 17, 2003.
- B. Building Standards Commission meeting held June 26, 2003.
- C. City Council Finance Committee meeting held June 26, 2003 and July 10, 2003.
- D. Mayor's Local Committee on People with Disabilities meeting held June 26, 2003.
- E. Planning Commission meeting held July 7, 2003.
- F. Wharton Regional Airport Board meeting held July 8, 2003.
- G. Consultant Selection Committee meeting held July 10, 2003.

**27. Adjournment.**