

AGENDA
CITY OF WHARTON
Regular City Council Meeting, City Hall
7:00 p.m., Monday, October 13, 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 from the regular meetings held September 8, 2003 and September 22, 2003 and the special meeting held September 15, 2003.
6. **Review & Consider:** Request by Mr. Malvin Dunn to address the City Council regarding the City of Wharton Boat Ramp and Parking Area.
7. **Review & Consider:** Request by Ms. Mary Jane Dawson for City of Wharton water service at 415 Margaret Street and become a party to a contract with Mr. and Mrs. Albert Barnes.
8. **Review & Consider:** Request by Mr. Reginald Clay for City of Wharton Water Service at 437 Maude Street.
9. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council designating a City of Wharton Representative to serve on the Wharton County Central Appraisal District Board of Directors for the 2004 – 2005 Term.
10. **Review & Consider:** Wharton Economic Development Corporation:
 - A. Budget Amendments for Fiscal Year 2003-2004.
 - B. Year End Statements of Revenues and Expenses for Fiscal Year 2002-2003.
11. **Review & Consider:** Recommendation by the Mayor’s Local Committee on People with Disabilities for City Council approval to draft a local ordinance(s) regarding the enforcement of the American with Disabilities Act.

- 12. Review & Consider:** Request by Mr. Saim Eriskin, Ms. Carol J. Miller, and Ms. Katherine Warren to address the City Council regarding the following:
- A. City Charter Sections 15, 18, 19, 23, 26, 30, 33, 41, 43, & 49.
 - B. Wharton County Freedom Festival expenditures and profitability.
- 13. Review & Consider:** Request by Mr. Larry Sitka for a 20 feet front setback variance, 27 feet rear setback variance and a variance of 10 square feet from the required 150 square feet area for the placement of two off premise advertising signs on FM 102; abstract 34, Tract 86D RR, Acres 5.050.
- 14. Review & Consider:** Recommendation by the Planning Commission:
- A. Request by Mr. and Mrs. James Calhoun for a front yard setback variance for construction of a porch located at Mayfair, Block 4, Lots 7 and 8, 815 Merry Lane.
 - B. Request by Ms. Maria Carmen-Martinez and Mr. Frank Munoz for a variance to place a manufactured home at Washington Homes, Block 1, Lots 17B and 18B, 404 Washington Avenue.
- 15. Review & Consider:** Request by Mr. Kevin Svatek for an interior side and rear yard setback variance for the construction of a 30 x 40 feet storage building located at 323 Milburn Street, Wm. Kincheloe, Block 64A-1A, Wharton.
- 16. Review & Consider:** Request by Mr. Walter Garret, representing Macedonia Baptist Church, for a rear yard setback variance for the construction of a 25 x 53 feet addition to the church located at 1019 Spanish Camp Road, Wm. Kincheloe, Block 63, Lots 107, 108, 109, 109A, and 110.
- 17. Review & Consider:** Authorization by the City Council to solicit bids for the sale of City owned property located at 404 North Richmond Road (Business 59), Wharton, Block 29, Lots 7A, 7B, 7F, 8A.
- 18. Review & Consider:** Request by Mr. Steven Ward for the lease/purchase of City owned property located at Wharton, Block 57, Lot 14.

- 19. Review & Consider:** Amendments to the City of Wharton Subdivision Ordinance.
- 20. Review & Consider:** Request by City Staff to conduct emergency repairs to the City of Wharton Wastewater Treatment Plant No. 2 Inflow Sewer Line.
- 21. Review & Consider:** Request by Councilmember Domingo Montalvo, Jr. to attend the Summit of Hispanic Local Elected Officials (HELO) in San Antonio, Texas, October 17-18, 2003.
- 22. Review & Consider:** City of Wharton Hazard Mitigation Grant Program Floodproofing Project:
- A. Bid Tabulation.
 - B. **Resolution:** A resolution awarding a bid for the City of Wharton Hazard Mitigation Grant Program Floodproofing Project.
- 23. Review & Consider:** City of Wharton Construction Projects:
- A. Affiliation Agreement with Panther Pipeline – Additional Costs.
 - B. Civic Center Restroom Project – Third and Final Pay Request – Rath Plumbing Company.
 - C. Milam Pump Station – Pay Request No. 2 – Uticon, Inc.
 - D. Alabama Road and Nelson Lane Flap Gate Projects – Pay Request No. 3 – Uticon, Inc.
 - E. Wastewater Treatment Plant No. 2 Improvement Project – Pay Request No. 10 – JTR Constructors, Inc.
- 24. Review & Consider:** Update on the City of Wharton Notice of Intent to participate in the Division of Emergency Management Hazard Mitigation Grant Buyout Program - Disaster Declaration DR-1479 and setting a property owner application submittal deadline date.
- 25. Executive Session:** City Council may adjourn into an Executive Session in accordance with Section 551.071 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: Litigation – F. W. Walton, Inc.

26. Return to Open Session: Action on items discussed in Executive Session:

A. Review & Consider: Litigation – F. W. Walton, Inc.

27. Review & Consider: City Council, Committee, Commissions, and Boards Reports:

A. City Council Youth Advisory Commission meeting held September 20, 2003.

B. City Council Streets & Drainage Committee meeting held September 18, 2003.

C. Mayor's Local Committee on People with Disabilities meeting held September 25, 2003.

D. Wharton Regional Airport Board meeting held October 7, 2003.

E. Wharton Economic Development Corporation meetings held September 16, 2003 and October 1, 2003.

F. Planning Commission meeting held October 6, 2003.

28. Adjournment.