

**NOTICE OF MEETING OF THE  
GOVERNING BODY OF  
CITY OF WHARTON**

Notice is hereby given that a Regular meeting of the governing body of the City of Wharton will be held on the 27th day of August 2012 at 7:00 p.m., at 7:00 p.m. located at 120 East Caney Street

Wharton, Texas, at which time the following subjects will be discussed, to-wit: See Attached Agenda

Dated this 24th day of August 2012.

By: 

**Domingo Montalvo, Jr., Mayor**

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Wharton is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall in Wharton, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on August 24, 2012, at 4:30 p.m., and remained so posted continuously for at least 72 hours preceding the schedule time of said Meeting.

The City of Wharton City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available at the primary entrance. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (979) 532-4811, Ext. 225 or by FAX (979) 532-0181 at least two (2) days prior to the meeting date.

**BRAILLE IS NOT AVAILABLE.**

Dated this 24th day of August 2012.

**CITY OF WHARTON, TEXAS**

By: 

**Paula Favors, City Secretary**

**AGENDA**  
**CITY OF WHARTON**  
**Regular City Council Meeting, City Hall**  
**7:00 p.m., Monday, August 27, 2012**

1. **Call to Order – Opening Devotion – Pledge of Allegiance.**
2. **Roll Call and Excused Absences.**
3. **Public Comments.**
4. **Wharton Moment.**
5. **Proclamation:** Proclaiming Tuesday, August 28, 2012 as the Wharton Babe Ruth 14 year Old All Star Team Day in the City of Wharton, Texas.
6. **Review & Consider:** City Manager's submission of the City of Wharton, Texas, proposed budget for the fiscal year October 1, 2012 to September 30, 2013.
7. **Review & Consider:** Setting a public hearing date for the City of Wharton, Texas, proposed budget for the fiscal year October 1, 2012 to September 30, 2013.
8. **Review & Consider:** Reading of the minutes from the regular meetings held July 9, 2012 and July 23, 2012 and the special meeting held July 16, 2012.
9. **Review & Consider:** City of Wharton Financial Report for the month of July 2012.
10. **Review & Consider:** Request by Timothy & Brenda Muzyka, Property Owners, for City Council to consider abandoning the alley located behind 708 Walnut/508 Avenue A; Barbee, Block 6, Lot 1.
11. **Review & Consider:** Request by Mr. Johnnie Gonzales, Commander of the American Legion Post 87, for the City Council to consider waiving any and all permit fees associated with the roof replacement of the American Legion Hall located at 400 Croom.
12. **Review & Consider:** Request by Mr. Jeremy L. Curtis, Arkitekton, LLC on behalf of St. James Missionary Church of Jesus

Christ, for an Over 50% Variance for a 14'6 ½" rear property line set back variance from the required 20' rear property line setback requirement to construct a commercial building at Wharton A. Jackson Block, 60A, Lot 10; 818 Mattie Street, Wharton, Texas.

13. **Review & Consider:** Request by Ms. Tonya Hill, Property Owner of Barbee, Block 11, Lot 6; 501 Walnut Street, for approval for the temporary placement of a recreational vehicle (RV) or travel trailer to be occupied during the final repairs of the home damaged due to fire.
14. **Review & Consider:** Request by Mr. Edwin W. Kostka, Jr. for a preliminary/final plat of the Subdivision of Lot 24M being the subdivision of a 3.021 ac. Tract of Land situated in the Randal Jones ½ League, Abstract No. 36, Wharton County, Texas.
15. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving an amendment to the Land Lease Agreement between the City of Wharton and Wharton Tractor and authorizing the Mayor of the City of Wharton to execute the agreement.
16. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving a contract amendment to the Fixed Based Operators Hangar Lease Agreement between the City of Wharton and The Dynasty Group and authorizing the Mayor of the City of Wharton to execute the contract amendment.
17. **Review & Consider:** City of Wharton Sidewalk Accessibility and Historic Streetscape Project, Texas Department of Transportation Contract CSJ # 0913-09-049:
- A. Bid Tabulation.
  - B. **Resolution:** A resolution of the Wharton City Council rejecting the bids received for the City of Wharton Sidewalk Accessibility and Historic Streetscape Project, Texas Department of Transportation Contract CSJ # 0913-09-049.

18. **Review & Consider:** City of Wharton Grant Application to the Criminal Justice Division for Houston-Galveston Area Council for funding for the SMART Moves Program:
- A. **Resolution:** A resolution of the Wharton City Council rescinding Resolution No. 2012-08.
  - B. **Resolution:** A resolution of the Wharton City Council ratifying the submission of an application to the Criminal Justice Division of the Governor's Office for funding.
19. **Review & Consider:** City of Wharton West Nile Virus Aerial Spraying:
- A. **Resolution:** A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton, as the Emergency Management Director for the City of Wharton, to authorize aerial spraying for mosquitoes to protect the health of the citizens of Wharton.
  - B. **Resolution:** A resolution of the Wharton City Council authorizing the Mayor of the City of Wharton to execute an agreement with Farm and Ranch Aerial Services, Inc. for Mosquito Control Services.
20. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council of the City of Wharton, Texas, establishing guidelines and criteria for granting tax abatement in a reinvestment Zone created in the City of Wharton, Texas.
21. **Review & Consider:** **Resolution:** A resolution of the Wharton City Council approving and ratifying the City Manager's execution of an interlocal agreement with the Texas Municipal League – Intergovernmental Employee Benefits Pool (TML-IEBP) for medical, long-term disability, life, accidental death and dismemberment; and Assurant Employee Benefits for voluntary dental coverage for City employees.
22. **Review & Consider:** **Ordinance:** An ordinance amending the City of Wharton Code of Ordinances, Chapter 86, Utilities and Services, Article I in General; Providing that a violation of the ordinance or any part of the Code as

adopted hereby shall constitute a penalty upon conviction of a fine; Providing a savings clause and revoking all ordinances or parts of ordinances in conflict herewith only to the extent same are in conflict herewith otherwise provided herein.

- 23. Review & Consider:** City of Wharton City Council  
Boards, Commissions, and Committees:
- A. Beautification Commission.
  - B. Holiday Light Decorating Chairman.
  - C. Wharton Economic Development Corporation Board of Directors.
- 24. Executive Session:** City Council may adjourn into an Executive Session in accordance with Section 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:** City Manager's Performance Evaluation.
- 25. Return to Open Meeting:** Action on items discussed in Executive Session:
- A. Review & Consider:** City Manager's Performance Evaluation.
- 26. Review & Consider:** City Council Committees, Boards and Commission's Reports:
- A. Wharton Economic Development Corporation meeting held July 16 and August 20, 2012.
  - B. Wharton Regional Airport Board meeting held August 7, 2012.
  - C. Beautification Commission meeting held August 8, 2012.
  - D. City Council Finance Committee meeting held August 9, 2012.
  - E. Building Standards Commission meeting held August 16, 2012.
- 27. Review & Consider:** Status Report on City of Wharton Projects.

**28. City Manager's Reports:**

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| A. City Secretary/Personnel.                       | I. Legal Department.           |
| B. Code Enforcement.                               | J. Municipal Court.            |
| C. Community Services Department<br>/Civic Center. | K. Police Department           |
| D. Emergency Management.                           | L. Public Works Department.    |
| E. E.M.S. Department.                              | M. Water/ Sewer Department.    |
| F. Engineer/Planning Department.                   | N. Weedy Lots/ Sign Ordinance. |
| G. Facilities Maintenance Department.              | O. Wharton Municipal Pool.     |
| H. Fire Department.                                | P. Wharton Regional Airport.   |

**29. Adjournment.**