

**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 25th day of March 2013 at 7:00 p.m., at City Hall located at 120 E. Caney St. Wharton, Tx 77488

Wharton, Texas, at which time the following subjects will be discussed, to-wit: \_\_\_\_\_

See attached agenda

Dated this 21st day of March 2013.

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 March 21, 2013, 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 21 st day of March 2013.

**CITY OF WHARTON, TEXAS**

By: \_\_\_\_\_

Paula Favors, City Secretary

**AGENDA**  
**CITY OF WHARTON**  
**Regular City Council Meeting, City Hall**  
**7:00 p.m., Monday, March 25, 2013**

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 February 2013.
6. **Review & Consider:** Request by the Mr. David Copeland, Co-Chairman of the Wharton County Freedom Fest, Inc. (WCFF) Committee for the City Council to consider approving the following:
  - A. Authorization to hold the Annual Wharton County Freedom Fest event on June 28 and 29, 2013.
  - B. Use of Riverfront Park and waiver of park rental fee(s).
  - C. Assembly and disassembling of the City of Wharton Performance Stage at the corner of Houston Street and Burleson.
  - D. Assistance obtaining four (4) Port-O-Lets for Friday, June 28<sup>th</sup> and an additional six (6) for Saturday, June 29<sup>th</sup> utilizing City of Wharton Hotel/Motel tax revenue.
  - E. Assistance obtaining solid waste dumpsters and receptacles from Waste Corporation of America.
  - F. Waiver of the fees for the City of Wharton Temporary Permit for Possession and consumption of alcoholic beverages in City Parks.
  - G. Variance to the City of Wharton Code of Ordinances Chapter 54 Parks and Recreation Section 54-2 Park Property, Section 54-3 Hours of Operation, and Section 54-8 Operating or parking motor vehicles in parks.
  - H. Authorization to close the following streets:

1. Portions of Houston and Fulton Streets adjacent to the downtown square at 5:00 p.m. on Friday, June 28<sup>th</sup> through Saturday, June 29<sup>th</sup>
  2. Houston Street from Burleson to Elm on Saturday June 29<sup>th</sup>, (Sunday, if rain delayed) and use of the City of Wharton's wooden and metal barricades and caution tape.
- I. Funding for security through the City of Wharton Hotel/Motel Fund.
- J. Assistance from personnel from the Public Works and Facilities Maintenance Departments.
  
7. **Review & Consider:** **Resolution:** Approving an amendment to the Fire Fighters' Pension Contract between the Texas Emergency Services Retirement System and the City of Wharton.
  
8. **Review & Consider:** Utility Line Extension Request
  - A. Request by Stephen and Carolyn Wisnieski for Utility Service Agreement for Home Run Zone/Moonwalks-N-More Project at 1810 Stadium Road.
  
  - B. **Resolution:** A resolution of the Wharton City Council approving a Utility Service Agreement between the City of Wharton and Carolyn and Stephen Wisnieski for the project to be located at 1810 Stadium Road.
  
9. **Review & Consider:** Request by Public Works Department for purchase of 1997 Case Skid Loader from Texas Department of Transportation.
  
10. **Review & Consider:** Request by Bonnot-Pohler Real Estate Investments, LLC, Property Owner, for consideration and approval of the following Petition Requesting Annexation by Area Landowner:
  - A. Petition Requests to annex and extend present city limits to include the following property as part of the City of Wharton, Texas: a 1.007 acres tract of land, being Lot

1 of the Subdivision of Lot Twenty-four M (24M), according to the Plat thereof, recorded in Slide 3030, Plat Records, Wharton County, Texas, being more particularly described by metes and bounds in said Petition.

- B. **Ordinance:** An ordinance approving the annexation of the property to the City of Wharton, Wharton County, Texas, and that the boundary limits of the City of Wharton be extended to include the above described territory within the city limits of the City of Wharton, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall be entitled to all the rights and privileges of other citizens of the City of Wharton and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

11. **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:** Texas Tort Claim – RE: Gabriel Barron

B. **Discussion:** Claim–Mehralizadeh/Flores

12. **Return to Open Meeting:** Action on items discussed in Executive Session:

A. **Review and Consider:** Texas Tort Claim – RE: Gabriel Barron

B. **Review and Consider:** Claim – Mehralizadeh/Flores

13. **Review & Consider:**

Request by Mayor Domingo Montalvo, Jr. for City Council approval to attend the Alliance for I-69 Texas Board of Directors meeting in Washington, D.C., May 14-16<sup>th</sup>, 2013 and for travel expenses.

14. **Review & Consider:** Status Report on City of Wharton Projects.
15. **Review & Consider:** City Council, Committee, Commissions, and Boards Reports:
- A. Beautification Commission meeting held March 13, 2013.
  - B. Wharton Economic Development Corporation Board of Directors meeting held March 18, 2013.
16. **City Manager's Reports:**
- A. City Secretary/Personnel.
  - B. Code Enforcement.
  - C. Community Services Department /Civic Center.
  - D. Emergency Management.
  - E. E.M.S. Department.
  - F. Engineer/Planning Department.
  - G. Facilities Maintenance Department.
  - H. Fire Department.
  - I. Legal Department.
  - J. Municipal Court.
  - K. Police Department
  - L. Public Works Department.
  - M. Water/ Sewer Department.
  - N. Weedy Lots/ Sign Ordinance.
  - O. Fire Marshal Report
  - P. Wharton Regional Airport.
17. **Adjournment.**