



TOWN COUNCIL REGULAR MEETING

Wednesday, May 17, 2023 at 6:00 PM
Fulton Council Chambers, 201 N. 7th Street

MINUTES

CALL TO ORDER

PRESENT

Mayor Kelli Cole
Mayor Pro Tem Robert Loflin
Place 2 Chris Garis
Place 3 MaryAnn Pahmiyer
Place 4 Carl Biesenbach

STAFF PRESENT

Stephanie Garcia, City Secretary
Hal George, Town Attorney
John Harrell, Chief of Police
Matt Olenick, Director of Operations
Steven Robertson, Comptroller

Mayor Cole called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE – U.S. Flag and Texas Flag

Mayor Cole led everyone in the pledges.

OBSERVE A MOMENT OF SILENCE/PRAAYER

Mayor Cole led everyone in a moment of silence.

CITIZENS TO BE HEARD (PUBLIC FORUM)

Public participation is valued and at this time, comments limited to three (3) minutes will be taken from persons who have signed the Speaker's Card located on the table inside the Council Chambers and delivered to the City Secretary before the meeting begins. Written comments received by submission to the City Secretary in person or emailed to citysec@fultontexas.org by 3:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Speaker's Card will have up to three (3) minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Toby Kernan: Mr. Kernan witnessed our Chief of Police pulling trash off of Highway 35 and thanked him for his efforts. Mr. Kernan provided a worksheet to the Council and discussed a tax ceiling for the

Town of Fulton residents. He mentioned the City of Rockport has a tax ceiling; however, the Town did not enact a tax ceiling when they passed the ordinance for the homestead. Mr. Kernan noted that he had spoken to the Aransas County Appraisal District and so had Mayor Cole.

Mary Clare Kane: Mrs. Kane also discussed the tax ceiling for their residents, the latest raise in the Town of Fulton's taxes, and expressed her concerns. She is also asking for a tax ceiling to be put in place. Mrs. Kane thanked Matt Olenick for cleaning off the road in front 7 palms after the last storm and indicated she felt the Town of Fulton should bill the developer for the clean up. Matt Olenick informed Mrs. Kane that the Town of Fulton did not perform that clean up. The developer did clean up the debris on the road after the storm without issue. Mrs. Kane indicated she was told it was the Town of Fulton and the Fulton Fire Department. Mr. Olenick corrected her and let her know he was only on the site to thank the developer and the Fire Department was never on the site.

Victor Contreras: Mr. Contreras indicated he had lost the election; however, does not intend to give up. He informed the Council that he felt his campaign signs were purposely damaged during the election and would like to see anyone caught damaging signs fined or receiving a citation. Mr. Contreras expressed that he felt targeted during the election by the destruction of his signs and everyone should be treated fairly.

PRESENTATION

1. Certificate of Appreciation to Brandi Mills.

Chief Harrell presented Brandi Mills with a Certificate of Appreciation from the Town of Fulton for her work as a 911 Dispatcher. Chief Harrell informed the Council and the public that Ms. Mills was a great asset to him and the citizens of Aransas County.

CONSENT AGENDA

All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

2. **Discuss/Approve/Disapprove** minutes of the Regular Meeting held on April 19, 2023.
3. **Discuss/Approve/Disapprove** February 2023 financial report.

Motion made by Place 4 Biesenbach, Seconded by Mayor Pro Tem Loflin to approve the Consent Agenda items as presented.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Biesenbach

ITEMS FOR CONSIDERATION

4. Canvass Votes from May 6, 2023 Election. Be it noted a recount has been requested.

Mayor Cole read the item and noted that there has been a recount requested. Mayor Cole asked the City Secretary to canvass the numbers provided by the Aransas County Election Administrator. The numbers were reviewed for each place on the Ballot.

5. **Discuss/Approve/Disapprove** Resolution No. R-05-2023 Canvassing the Returns of Election held May 6, 2023.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 4 Biesenbach to accept the Resolution No. R-05-2023 Canvassing the Returns of Election held May 6, 2023.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Biesenbach

6. **Discuss/Approve/Disapprove** declaring the Town of Fulton's 2005 Terex backhoe and 2004 crane truck as surplus property to be auctioned through TexasBid Surplus.

Mayor Cole read the item and asked Matt Olenick, Director of Operations for input. Mr. Olenick indicated that the equipment is out-of-date, no operational, and needs to be removed from the yard.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 3 Pahmiyer to approve the 2005 Terex backhoe and 2004 crane truck as surplus property to be auctioned through TexasBid Surplus.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Biesenbach

CLOSED SESSION

The Town Council may elect to go into closed session pursuant to Chapter 551, Government Code on any Agenda item where appropriate and particularly Sections 551.071 (consultation with attorney) and 551.074 (personnel matters), Government Code.

Council did not convene into Closed Session.

OPEN SESSION

Discuss/Approve/Disapprove any and all action necessary with regard to the preceding matter(s).

ANNOUNCEMENTS

7. Mayor's Update.

Maintenance: Mayor Cole informed the Council that the drainage and street project is 65% complete, the contractors are in the process of digging the ditches, and roadwork will begin in approximately a month. She also mentioned that the downtown street lights are currently out due to lightening and/or a surge. The parts have been ordered and lights will be fixed as soon as possible.

Police Dept.: Chief Harrell informed the Council that he has hired an officer from the hill country who will start in June this year. He indicated that there have been multiple thefts in area and warned the Council and citizens to utilize their cameras. Chief also shared that some elderly persons have been taken advantage of and he is working those cases.

FCC: Mayor Cole mentioned the new trash and waste receptacles made out of the same material as the benches have been purchased for the Convention Center.

Pier: Mayor Cole informed the Council that Derrick Construction is completing the maintenance on the pier. There had been delays due to weather/wind.

8. The next Regular Fulton Town Council Meeting will be held Wednesday, June 7, 2023, beginning at 6:00 pm.

Mayor Cole announced the next meeting to be held Wednesday, June 7, 2023 beginning at 6:00 pm.

ADJOURNMENT

There being no further business, Mayor Cole entertained a motion to adjourn.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 4 Biesenbach to adjourn the meeting.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Biesenbach

The meeting was adjourned at 6:25 p.m.

Kelli Cole, Mayor

Stephanie Garcia, City Secretary