



# TOWN COUNCIL REGULAR MEETING

Wednesday, June 07, 2023 at 6:00 PM  
Fulton Council Chambers, 201 N. 7th Street

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## MINUTES

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### CALL TO ORDER

#### PRESENT

Mayor Kelli Cole  
Mayor Pro Tem Robert Loflin  
Place 2 Chris Garis  
Place 3 MaryAnn Pahmiyer  
Place 4 Margo Nielsen  
Place 5 Laura McCorkle

#### STAFF PRESENT

Stephanie Garcia, City Secretary  
Hal George, Town Attorney  
Matt Olenick, Director of Operations

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](mailto: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.*

Kathy Kane: Ms. Kane introduced herself and thanked the Town for the updated webpage and posting of the agenda packet. She also welcomed the new alderman.

Toby Kernan: Mr. Kernan introduced himself and briefly discussed his concerns regarding the Town enacting the ceiling freeze for residents.

Rebecca Johnson: Mrs. Johnson introduced herself and congratulated Mrs. Pahmiyer on her winning of the election. She discussed her request for an election recount, process and concerns.

## **SWEARING IN ELECTED/APPOINTED COUNCIL MEMBERS**

1. Swear in Elected/Appointed Officials: Christopher Garis, Place 2; MaryAnn Pahmiyer, Place 3; Margo Nielsen, Place 4; and Laura McCorkle, Place 5.

Stephanie Garcia, City Secretary, swore in the Council members.

## **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 May 17, 2023.
3. **Discuss/Approve/Disapprove** March and April 2023 financial report

Motion made by Mayor Pro Tem Loflin, Seconded by Place 5 McCorkle to approve the Consent Agenda items as presented.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

## **ITEMS FOR CONSIDERATION**

4. **Discuss/Approve/Disapprove** Resolution No. R-05-2023 A Canvassing the Returns of Election held May 6, 2023 for Place 3.

Motion made by Place 3 Pahmiyer, Seconded by Mayor Pro Tem Loflin to approve Resolution No. R-05-2023 A Canvassing the Returns of Election held May 6, 2023 for Place 3 as presented.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

5. **Discuss, Approve, Disapprove** the Construction Contract for Prairie Road Storm Sewer Replacement Project (FAIN Project #4332DRTP0000001) with Lester Contracting in the amount of \$468,790.00.

Craig Thompson with Hanson Professional Services introduced himself and gave a brief discussion of the upcoming project. The agreement has been amended to adjust for the rising costs since the original bidding. The original bid amount was \$468,790.00. Mr. Thompson also noted that the project is solely funded through FEMA.

Motion made by Place 3 Pahmiyer, Seconded by Place 4 Nielsen to approve the Construction Contract for Prairie Road Storm Sewer Replacement Project (FAIN Project #4332DRTXP0000001) with Lester Contracting.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

- 6. Discuss, Approve, Disapprove** approve Change Order No. 1 for Prairie Road Storm Sewer Replacement Project (FAIN Project #4332DRTXP0000001) in the amount of \$60,165.00.

Mr. Thompson with Hanson Professional Services also discussed the reasons for the change order, one being that it has gone beyond 90 days since the original bid. Another reason is that the cost of supplies has increased by \$60,165.00. Mr. Thompson reviewed the actual changes on the change order.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 5 McCorkle to approve Change Order No. 1 for Prairie Road Storm Sewer Replacement Project (FAIN Project #4332DRTXP0000001).

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

- 7. Discuss, Approve, Disapprove** the updated Fulton Convention Center Contract Agreement.

Mayor Cole overviewed the changes on the rental agreement.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 3 Pahmiyer to approve the updated Fulton Convention Center Contract Agreement.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

- 8. Discuss, Approve, Disapprove** the updated Fulton Convention Center Reservation Policy.

Mayor Cole overviewed the changes to the policy.

Motion made by Place 3 Pahmiyer, Seconded by Place 5 McCorkle to approve the updated Fulton Convention Center Reservation Policy.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

## **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**

### 9. Mayor's Update.

**Tax Ceiling:** Mayor Cole informed the Council and audience that an agenda item for the tax ceiling will be placed on the June 21, 2023 meeting.

**Maintenance:** Matt Olenick, Director of Operations indicated that the drainage and street project is 709% complete and all work is still in progress.

**Administration:** Mayor Cole mentioned that the Town is working to upgrade the technology in the Council chambers.

**Police Department:** Mayor Cole mentioned that Chief Harrell is out of town and that the Ty Gerstenberger the new officer will start on Monday, June 12, 2023.

**Pier:** Mayor Cole mentioned that the Town hired an additional attendant and reviewed the new summer hours.

### 10. The next Regular Fulton Town Council Meeting will be held Wednesday, June 21, 2023, beginning at 6:00 pm.

Mayor Cole announced the next meeting to be held Wednesday, June 21, 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 2 Garis to adjourn the meeting.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

The meeting was adjourned at 6:22 p.m.

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Kelli Cole, Mayor

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Stephanie Garcia, City Secretary