

TOWN OF FULTON

REGULAR MEETING MINUTES

Monday, November 21, 2022 @ 7:00 p.m.

Fulton Council Chambers, 201 N. 7th Street, Fulton, TX 78358

Present:

Kelli Cole, Mayor
Robert Loflin, Alderman
Mary Ann Pahmiyer, Alderwoman
Chris Garis, Alderman
Carl Biesenbach, Alderman
Jayne Robertson, Alderwoman

Staff Present:

Stephanie Garcia, City Secretary
Hal George, Town Attorney
John Harrell, Chief of Police
Joe Flores, Maintenance
Steven Robertson, Comptroller

NOTICE is hereby given that the Fulton Town Council will hold a Regular Meeting on Monday, November 21, 2022, at 6:00 p.m. at the Fulton Town Council Chambers, 201 North Seventh Street, Fulton, Texas. The following subjects will be discussed to wit:

1. **CALL TO ORDER**

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

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

Mayor Cole led everyone in the pledges.

3. **OBSERVE A MOMENT OF SILENCE/PRAAYER**

Mayor Cole led everyone in a moment of silence.

4. **CITIZENS TO BE HEARD (PUBLIC FORUM)**

“Public participation is valued and at this time, comments limited to three (3) minutes will be taken from the 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.”

No one came forward.

5. **PRESENTATION**

Commendation Award from Chief Harrell.

Chief Harrell introduced Town of Fulton employee Joe Flores. Chief Harrell informed the Council and audience that Mr. Flores found a wallet on Town property and it was successfully returned to the owner. Mr. Flores was recognized and thanked for his integrity and honesty.

6. **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.”

- A. **Discuss/Approve/Disapprove** minutes of the Regular Meeting held on October 3, 2022.
- B. **Discuss/Approve/Disapprove** Mayor Cole’s credit card statement.
- C. **Discuss/Approve/Disapprove** August 2022 financial reports.

Motion: *A motion was made by Chris Garis and seconded by Robert Loflin to approve the consent agenda item as presented. Motion carried unanimously.*

7. **ITEMS FOR CONSIDERATION:**

- A. Receive a report from Shelly Stuart, President/CEO, of the quarterly expenditures and activity for the HOT funds for the Rockport-Fulton Chamber of Commerce.

Mayor Cole introduced Beth Journey and Shelly Stuart with the Rockport-Fulton Chamber of Commerce. Mrs. Journey has been the interim President and Mrs. Stuart is the new incoming President. Mrs. Journey referenced the provided report and asked for questions. There were no questions at this time. She further discussed how Fulton is promoted with the HOT funds received by the Chamber of Commerce.

- B. **Discuss/Approve/Disapprove** the Rockport-Fulton Chamber of Commerce’s 2022 – 2023 Fulton Hotel Tax Proposed Budget.

Mayor Cole referenced the Rockport-Fulton Chamber of Commerce’s budget and asked for any questions. The Council did not have any questions. Mrs. Journey informed the Council that the full budget is in the annual report; however, it did not include the Town of Fulton’s portion which is what was presented tonight.

Motion: *A motion was made by Robert Loflin and seconded by Carl Biesenbach to approve the Rockport-Fulton Chamber of Commerce’s 2022 – 2023 Fulton Hotel Tax Proposed Budget as presented. Motion carried unanimously.*

- C. **Discuss/Approve/Disapprove** accepting the 2013 Chevrolet Tahoe gifted by Resolution of the City Council of Rockport Declaring Certain City Property Surplus and Authorizing the Disposition and Donation of said Property to Further a Public Purpose; and Establishing an Effective Date.

Mayor Cole informed the Council of the donation.

Motion: *A motion was made by Robert Loflin and seconded by Chris Garis to approve the acceptance of the 2013 Chevrolet Tahoe gifted by Resolution of the City Council of Rockport Declaring Certain City Property Surplus and Authorizing the Disposition and Donation of said Property to Further a Public Purpose; and Establishing an Effective Date. Motion carried unanimously.*

- D. **Discuss/Approve/Disapprove** Engagement Letter between Belt, Harris, Pechacek, Certified Public Accounts and the Town of Fulton for auditing services.

Mayor Cole reminded the Council that Beyer and Co. is retiring, and this is the company that purchased Beyer and Co. Steven Robertson gave additional information regarding the upcoming audit.

Motion: *A motion was made by Chris Garis and seconded by Carl Biesenbach to approve the Engagement Letter between Belt, Harris, Pechacek, Certified Public Accounts and the Town of Fulton for auditing services. Motion carried unanimously.*

- E. Discuss/Approve/Disapprove** Interlocal Cooperation Agreement Between Aransas County, Texas, the City of Rockport, Texas, the Town of Fulton, Texas, and the Aransas County Independent School District for Juvenile Case Management Services.

Mayor Cole informed the Council that the City of Rockport was making last minutes changes; therefore, she would like to postpone this item until a future meeting.

Motion: *A motion was made by Chris Garis and seconded by Carl Biesenbach to postpone the approval of the Interlocal Cooperation Agreement Between Aransas County, Texas, the City of Rockport, Texas, the Town of Fulton, Texas, and the Aransas County Independent School District for Juvenile Case Management Services. Motion carried unanimously.*

- F. Discuss/Approve/Disapprove** the Multi-Jurisdictional Interlocal Cooperating Agreement for the Application and Distribution of Disaster-Related Grant Funding.

Mayor Cole began informed the Council of the agreement. Chris Garis voiced concern regarding language in the agreement. Hal George, Town's attorney indicated that there is a 30-day cancellation clause within the agreement by all parties. It was noted that the Town was under an agreement with the County of Aransas previously and this is an updated agreement.

Motion: *A motion was made by Robert Loflin and seconded by Jayne Robertson to approve the Multi-Jurisdictional Interlocal Cooperating Agreement for the Application and Distribution of Disaster-Related Grant Funding. Motion carried unanimously.*

- G. Discuss/Approve/Disapprove** Ordinance No. 306, An Ordinance Relating to Office of Police Chief; Confirming the Appointment of Police Chief; Repealing Ordinances in Conflict and Providing for Severance.

Hal George explained that we are conforming with State law regarding the appointment of the Police Chief; therefore, an update to our Ordinance was necessary.

Motion: *A motion was made by Robert Loflin and seconded by Chris Garis to approve Ordinance No. 306, An Ordinance Relating to Office of Police Chief; Confirming the Appointment of Police Chief; Repealing Ordinances in Conflict and Providing for Severance. Motion carried unanimously.*

- H. Discuss/Approve/Disapprove** revisions to Section III of the Policy and Procedure Manual (Compensation and Benefits).

Mayor Cole informed the Council of the updates regarding changes to the policy to include our Police Chief and officer. Chris Garis inquired as to whether the policy could be updated regarding sick leave being withheld the first six months of employment. Mayor Cole indicated this is done because of a probation period for a new employee; however, the Mayor has the authority to override when needed. It was also noted new employees receive two personal days upon hire.

Motion: *A motion was made by Chris Garis and seconded by Maryann Pahmiyer to approve the revisions to Section III of the Policy and Procedure Manual (Compensation and Benefits). Motion carried unanimously.*

- I. **Discuss/Approve/Disapprove** Service Agreement between the Town of Fulton and Steven Robertson.

Motion: *A motion was made by Chris Garis and seconded by Carl Biesenbach to approve the Service Agreement between the Town of Fulton and Steven Robertson. Motion carried unanimously.*

- J. **Discuss/Approve/Disapprove** Service Agreement between the Town of Fulton and Kimberly McLain.
Chris Garis had a question regarding the bookkeeper receiving longevity pay. He suggested we update the policy to include contractors, when appropriate. There was discussion regarding same.

Motion: *A motion was made by Robert Loflin and seconded by Maryann Pahmiyer to approve the Service Agreement between the Town of Fulton and Kimberly McLain. Motion carried 4 yays, 1 nay.*

- K. **Discuss/Approve/Disapprove** revisions to Job Titles and Pay Ranges.
Mayor Cole indicated a revision to the Job Titles and Pay Ranges to include an administrative assistant for all departments.

Motion: *A motion was made by Robert Loflin and seconded by Chris Garis to approve the revisions to Job Titles and Pay Ranges. Motion carried unanimously.*

- L. **Discuss/Approve/Disapprove** revisions to Town of Fulton's organizational chart.
Mayor Cole indicated that the layout of the form has been revised to be clearer. Chris Garis suggested moving the coordinator and pier under the Mayor. There was discussion regarding same. It was noted that the chart would remain the same at this time.

Motion: *A motion was made by Chris Garis and seconded by Robert Loflin to approve the revisions to Town of Fulton's organizational chart. Motion carried unanimously.*

8. **CLOSED SESSION:**

Pursuant to Section 551.071, Government Code to deliberate potential litigation and Section 551.072, Government Code real estate matters.
Council did not convene into Closed Session.

9. **OPEN SESSION:**

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

10. **ANNOUNCEMENTS**

- A. Mayor's update. *Mayor had no new announcements.*
- B. The next Regular Fulton Town Council Meeting will be held Monday, December 5, 2022, at the Fulton Town Hall beginning at 6:00 p.m.
Mayor Cole informed the Council of the date and time of the next meeting.

11. **ADJOURNMENT**

There being no further business, Mayor Cole entertained a motion to adjourn. A motion was made by Chris Garis that the meeting stand adjourned. Carl Biesenbach seconded. Motion carried unanimously.

Meeting adjourned at 6:21 p.m.

Kelli Cole, Mayor

Stephanie Garcia, City Secretary