



# TOWN COUNCIL REGULAR MEETING

Wednesday, April 17, 2024 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 4 Margo Nielsen  
Place 5 Laura McCorkle

#### ABSENT

Place 2 Chris Garis Place  
Place 3 MaryAnn Pahmiyer

#### STAFF PRESENT

Stephanie Garcia, City Secretary  
Alyssa Hendricks, Administrative Assistant  
Steven Robertson, Comptroller  
Matt Olenick, Director of Operations  
Ty Gerstenberger, Police Chief  
Robert Brake, Police Officer  
Hal George, Town's Attorney

Mayor Cole called the meeting to order at 6:02 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.*

Patrick Kane: Mr. Kane introduced himself and thanked Matt Olenick and the team for their work on the large street and drainage project. He informed the Council that he would like to speak on the budget and planning and zoning items. Mr. Patrick reviewed his thoughts on the increases in the budget items. Mr. Kane also discussed his concerns with dissolving the planning and zoning commission.

Mary Clare Kane: Mrs. Kane also discussed her concerns regarding dissolving the planning and zoning commission.

Rebecca Johnson: Mrs. Johnson introduced herself as the chairman of the planning and zoning commission and discussed the willingness of the members to continue to serve. She discussed her concerns and overviews of the process of the planning and zoning transactions. Mrs. Johnson asked that the item be reconsidered.

Jeff Hutt: Mr. Hutt introduced himself and indicated that he agreed with the opinions of the citizens heard before him. He further discussed his concerns and ideas.

Gwen Wendell: Ms. Wendell introduced herself and addressed the Council regarding the planning and zoning commission. She is one of the newest members of the commission. Ms. Wendell also discussed her concerns with dissolving the commission.

## **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.*

- 1. Discuss/Approve/Disapprove** minutes of the Regular Meeting held on March 20, 2024.
- 2. Discuss/Approve/Disapprove** the February 2024 financials.
- 3. Discuss/Approve/Disapprove** Mayor Cole's March credit card statement.

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

Voting Yea: Mayor Pro Tem Loflin, Place 4 Nielsen, Place 5 McCorkle

## **ITEMS FOR CONSIDERATION**

- 4. Discuss/Approve/Disapprove** Ordinance No. 319 Amending Ordinance No. 314 Adopting the 2023-2024 Budget in several funds in accordance with the attached exhibit.  
Mayor Cole read the item and informed the Council that last year we adopted the no new revenue tax rate ("NNR") and the over 65 exemption, sometimes called the tax freeze, and explained the process. Mayor Cole called on Steven Robertson, the Town's Comptroller, to discuss the same. Mr. Robertson gave an overview of how the tax freeze affects the NNR for the Town and the citizens. He also stated that Mayor Cole intends to propose the NNR again

for the next year. Mr. Robertson discussed what that additional income would be used for, mainly being items that the Town has struggled to implement in the past. Chief Gerstenberger informed the Council that the upgrades to the software for the police department were also mandated by the State, and that our police department is working with the Rockport police department to keep our costs down. Alderwoman Neilson asked Mr. Robertson about the wage increase that Mr. Kane mentioned. Mr. Robertson explained that there was not a wage increase it was the salary of the new bookkeeper being moved to the general fund.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 5 McCorkle to approve Ordinance No. 319 Amending Ordinance No. 314 Adopting the 2023-2024 Budget in several funds in accordance with the attached exhibit.

Voting Yea: Mayor Pro Tem Loflin, Place 4 Nielsen, Place 5 McCorkle

5. **Discuss/Approve/Disapprove** a joint resolution of Aransas County, Texas, the Town of Fulton, Texas, the City of Aransas Pass, Texas, the Aransas County Navigation District, and the City of Rockport, Texas, creating the Stormwater Management Technical Committee; providing an effective date; and finding and determining that the meeting at which this resolution is passed is open to the public as required by law.

Mayor Cole read the item and informed the Council that this resolution will join the Town with the other local entities to help oversee the stormwater and drainage in the cities and the county. Matt Olenick, Director of Operations, attended the meeting and stated he feels it is a good idea. This will ensure that all entities follow the same rules and keep everyone on the same page and requirements.

Motion made by Place 5 McCorkle, Seconded by Place 4 Nielsen the joint resolution of Aransas County, Texas, the Town of Fulton, Texas, the City of Aransas Pass, Texas, the Aransas County Navigation District, and the City of Rockport, Texas, creating the Stormwater Management Technical Committee; providing an effective date; and finding and determining that the meeting at which this resolution is passed is open to the public as required by law.

Voting Yea: Mayor Pro Tem Loflin, Place 4 Nielsen, Place 5 McCorkle

6. **Discuss/Approve/Disapprove** Ordinance No. 320 enacting new speed limits for the streets and alleys that are not an officially designated or marked highway or road of the state highway system; repealing ordinances in conflict; providing for severance; providing a penalty; and providing for publication.

Mayor Cole read the item and informed the Council of the necessity for the ordinance regarding making the speed limit on the Town of Fulton streets all the same.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 5 McCorkle to approve Ordinance No. 320 enacting new speed limits for the streets and alleys that are not an officially designated or marked highway or road of the state highway system; repealing ordinances in conflict; providing for severance; providing a penalty; and providing for publication.

Voting Yea: Mayor Pro Tem Loflin, Place 4 Nielsen, Place 5 McCorkle

7. **Discuss/Approve/Disapprove** Ordinance No. 321 an Ordinance Repealing Ordinance No. 248, Providing for Town Council to Act as Planning and Zoning Commission and Board of Adjustment; Substituting Town Council for Planning and Zoning Commission in any Ordinance or Code Provision; Validating All Actions Heretofore Taken; Repealing Ordinances in Conflict; Providing for Severance; Providing a Penalty; and Providing for Publication.

Mayor Cole read the item and began the discussion by informing the Council that on an average since the inception of the commission in 2012 there has been one meeting per year. She also stated that dissolving the commission does not eliminate the citizens being able to speak, there will continue be a public hearing wherein the citizens may voice their opinions, then the council will act on the decision. Mayor Cole noted that the planning and zoning commission makes their recommendation; however, the Council has the final decision. Hal George, the Town's attorney, also discussed the statements of the citizens and his opinion regarding the planning and zoning commission and council decisions. Alderwoman Neilson stated that she agrees with the citizens regarding additional public input.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 4 Nielsen to postpone Ordinance No. 321 an Ordinance Repealing Ordinance No. 248, Providing for Town Council to Act as Planning and Zoning Commission and Board of Adjustment; Substituting Town Council for Planning and Zoning Commission in any Ordinance or Code Provision; Validating All Actions Heretofore Taken; Repealing Ordinances in Conflict; Providing for Severance; Providing a Penalty; and Providing for Publication.

Voting Yea: Mayor Pro Tem Loflin, 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**

8. Mayor's Update.

Maintenance – Mayor Cole informed the Council that the asphaltting has begun and the contractors are working into the evenings. Matt Olenick stated that without unforeseen delays the project should be wrapped up by the end of April. Mr. Olenick also noted that the work on the east side of Prairie Street is not related to the large project and will be finalized in the coming weeks.

Playground – Mayor Cole informed the Council that the repair process has begun. The Town’s maintenance team will be removing the damaged rusted parts.

Police Department – Chief Gerstenberger introduced Officer Robert Brake. Officer Brake addressed the Council and thanked them for having him.

9. The next Regular Fulton Town Council Meeting will be held Wednesday, May 1, 2024, beginning at 6:00 pm.

Mayor Cole announced the next meeting date and time.

## **ADJOURNMENT**

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

Motion made by Mayor Pro Tem Loflin, Seconded by Place 5 McCorkle to adjourn the meeting.

Voting Yea: Mayor Pro Tem Loflin, Place 4 Nielsen, Place 5 McCorkle

The meeting was adjourned at 6:35 p.m.

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Kelli Cole, Mayor

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Stephanie Garcia, City Secretary