



TOWN COUNCIL REGULAR MEETING

Wednesday, March 20, 2024 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
Place 3 MaryAnn Pahmiyer
Place 4 Margo Nielsen
Place 5 Laura McCorkle

STAFF PRESENT

Stephanie Garcia, City Secretary
Steven Robertson, Comptroller
Johnny Davis, Building Official
Ty Gerstenberger, Police Chief
Hal George, Town's Attorney

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.

No one came forward.

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 February 21, 2024.
2. **Discuss/Approve/Disapprove** the January 2024 financials
3. **Discuss/Approve/Disapprove** Mayor Cole's February credit card statement.

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** the Certification of Unopposed Candidates for the May 4, 2024 election.

Motion made by Place 5 McCorkle, Seconded by Place 2 Garis the Certification of Unopposed Candidates for the May 4, 2024, election.

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

5. **Discuss/Approve/Disapprove** the Order of Cancellation for the May 4, 2024 election.

Mayor Cole read the item also informing the Council the Town of Fulton's election is officially cancelled. Alderwoman Pahmiyer confirmed that the candidates cannot be sworn in until after the May 4, 2024 election.

Motion made by Place 5 McCorkle, Seconded by Place 4 Nielsen the Order of Cancellation for the May 4, 2024 election.

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

6. **Discuss/Approve/Disapprove** Ordinance No. 318, An Ordinance Authorizing Holiday Pay; Repealing Ordinances in Conflict; providing for severance and an effective date.

Mayor Cole read the item and informed the Council of the necessity for the ordinance regarding clarification of the holiday pay for the Town's employees.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 3 Pahmiyer Ordinance No. 318, An Ordinance Authorizing Holiday Pay; Repealing Ordinances in Conflict; providing for severance and an effective date.

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

7. **Discuss/Approve/Disapprove** a variance regarding the size of the signage to be used at 105 S. Fulton Beach Road, Fulton, Texas.

Mayor Cole read the item and informed the Council of the request for the variance. Mark Pullin on behalf of 5D introduced himself and gave a brief explanation of the vision of the owner. Alderwoman McCorkle verified which side of the property the opening would be on and noted that trailers could enter off of second street.

Mary Clare Kane requested to address the Council and discussed her opinions on the variance. She feels that the signage would be quite large on the Fulton Beach Road and noted that the trailers could enter off of second street.

Mayor Cole discussed the size of the signage and how much of a variance would need to be given to be compliant with the Town's sign ordinance. Alderwoman Nielsen asked about the hardship of not having the circular hanging piece.

Mr. Pullin informed the Council that to have the width needed for the sign they would need to also have the height approved. He stated they could remove the large circular hanging emblem.

Alderman Loflin stated that he is not in favor of the height. There were more questions and discussion regarding the necessity of the 14' height. Alderwoman Nielsen asked whether it would be windstorm rated. Mr. Pullin confirmed that it would be.

Mr. Pullin will submit a new rendering for Council's consideration.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis denying the request of the variance regarding signage at 105 S. Fulton Beach Road, Fulton, Texas by Marcorp Media, LLC and 5D Tavern.

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

8. **Discuss/Approve/Disapprove** R_02_2024 Resolution of the Town of Fulton suspending the April 4 2024 effective date of AEP Texas Inc.'s requested rate change to permit the town time to study the request and to establish reasonable rates; approving cooperation with the cities served by AEP Texas and authorizing intervention in AEP Texas Inc.'s requested rate change proceedings before the commission; hiring Lloyd Gosselink attorneys and consulting services to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

Mayor Cole read the item and informed the Council that this is an annual resolution. Mr. George, Town attorney, gave a brief explanation of the resolution and noted there is no cost to the Town for the representation of the rate suspension.

Motion made by Place 5 McCorkle, Seconded by Place 3 Pahmiyer to approve R_02_2024 Resolution of the Town of Fulton suspending the April 4 2024 effective date of AEP Texas Inc.'s requested rate change to permit the town time to study the request and to establish reasonable rates; approving cooperation with the cities served by AEP Texas and authorizing intervention in AEP Texas Inc.'s requested rate change proceedings before the commission; hiring Lloyd Gosselink attorneys and consulting services to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.

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.

OPEN SESSION

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

ANNOUNCEMENTS

9. Mayor's Update.

GFOA award – Steven Robertson, Town's comptroller, informed the Council that the Town was honored with the award for significant achievements after Hurricane Harvey and gave an overview of the award. He also noted that only six (6) towns receive this award.

Maintenance – Mayor Cole informed the Council that contractors will continue cement stabilization and priming through this week, March 18 – 22, 2024. She noted citizens should be sure to follow the signs and flaggers and to prevent damage to vehicles, be sure to keep your speed below 10 mph.

Fulton Convention Center – Mayor Cole shared that the interior of the building has been repainted.

Police Department – Chief Gerstenberger shared that it has been busy and he received the first report from Oysterfest for a juvenile fight. Officer Brake will attend the next meeting so that he can be introduced.

10. The next Regular Fulton Town Council Meeting will be held Wednesday, April 3, 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 Place 3 Pahmiyer, Seconded by Place 4 Nielsen 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 6:31 p.m.

Kelli Cole, Mayor

Stephanie Garcia, City Secretary