



## TOWN COUNCIL REGULAR MEETING

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

##### STAFF PRESENT

Stephanie Garcia, City Secretary  
Matt Olenick, Director of Operations  
Johnny Davis, Building Official  
Ty Gerstenberger, Police Chief  
Lucas Thompson, Police Officer  
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](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 informed the Council that the City of Rockport did rescind the increase and will refund the overcharge and credit to the citizen's accounts. She also mentioned that the lower rate was effective as of December 15, 2023, and the City of Rockport will do a true rate study. Ms. Kane mentioned that the singing cadets, an all-male choir for A&M, will perform at the Martha Luigi auditorium.

## 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 November 15, 2023.
2. **Discuss/Approve/Disapprove** Mayor Cole's October 2023 credit card statement.
3. **Discuss/Approve/Disapprove** the September 2023 financials.

Motion made by Place 3 Pahmiyer, Seconded by Place 2 Garis 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** variance request from Mary McGeein regarding the lot size and a replat of the property located at 306 San Antonio Street.

Mayor Cole read the item and asked Ms. McGeein to come up and speak to the Council. Ms. McGeein introduced herself and gave a brief explanation regarding her wishes to divide the lot. Alderwoman Margo Nielson commented on the layout of the house that she wants to put on it. Alderwoman Nielson noted that the draw-up of the second house may be too large for the lot. There was more discussion regarding the lot and house size including the large tree that will be kept.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis to approve the variance request from Mary McGeein regarding the lot size and a replat of the property located at 306 San Antonio Street.

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

5. **Discuss/Approve/Disapprove** request for use of roads from Janelle Weller, Assistant Tournament Director, for the 25th Annual Babes on the Bay Fishing Tournament.

Mayor Cole read the item and informed the Council that this is an annual request. Mayor Pro Tem Loflin inquired as to the access of the pier during the event. Mayor Cole stated that the event will not hinder access to the pier.

Motion made by Place 5 McCorkle, Seconded by Place 4 Nielsen to approve the request for use of roads from Janelle Weller, Assistant Tournament Director, for the 25th Annual Babes on the Bay Fishing Tournament.

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

6. **Discuss/Approve/Disapprove** Resolution No. R-12-2023 a Resolution of the Town of Fulton, Texas authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the Town's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of the resolution to legal counsel.

Mayor Cole read the item and informed the Council that Hal George had reviewed the resolution, and it is also an annual occurrence. Mr. George noted that there is no cost to the Town. Alderwoman McCorkle asked for further information regarding how the company represents the Town and Mr. George addressed her questions.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 3 Pahmiyer to approve Resolution No. R-12-2023 a Resolution of the Town of Fulton, Texas authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the Town's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of the resolution to legal counsel.

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

7. **Discuss/Approve/Disapprove** Ordinance 317 an ordinance regarding the Town of Fulton's Texas Municipal Retirement System benefits authorizing an increase to the employee contribution rate.

Mayor Cole read the item and explained that the Ordinance was being revised to use the form provided by TMRS. Mr. Robertson and Ms. Garcia also addressed the minor update to the TMRS form.

Motion made by Place 5 McCorkle, Seconded by Place 2 Garis to approve Ordinance 317 an ordinance regarding the Town of Fulton's Texas Municipal Retirement System benefits authorizing an increase to the employee contribution rate.

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

8. **Discuss/Approve/Disapprove** Contract for Election Services between the Elections Officer of Aransas County and the Town of Fulton for the May 4, 2024 General Election.

Mayor Cole read the item and discussed the cost of the election and the expense to the Town.

Motion made by Place 2 Garis, Seconded by Place 5 McCorkle to approve the Contract for Election Services between the Elections Officer of Aransas County and the Town of Fulton for the May 4, 2024 General Election.

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

**9. Discuss/Approve/Disapprove** the updating of fees on the Town of Fulton Fee Schedule.

Mayor Cole read the item and reviewed the changes.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 3 Pahmiyer to approve updating of fees on the Town of Fulton Fee Schedule.

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

Alderwoman Nielson and Alderman Garis had questions regarding inspection fees. Mayor Cole and Mr. Robertson addressed those questions. There was also discussion regarding vendor application fees for food trucks.

**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.*

The 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**

10. Mayor's Update.

Maintenance: Mayor Cole informed the Council that the work on Prairie Road was 95% completed. Alderwoman McCorkle asked Mr. Olenick about the time frame of work being done on the larger project as she received a call from a citizen. It was noted that the Texas General Land Office is still holding the needed documentation and it is hoped to begin work after the first of the year. Alderwoman Pahmiyer informed the Council that the additional money that was possibly coming through the COG has been rescinded.

Administration: Mayor Cole informed the Council that the Town has hired a part-time bookkeeper that will be in the office half a day for five (5) days a week. Mayor Cole also noted that the Notice to File for a Place on the Ballot dates are January 17, 2024 through February 16, 2024. The 2023 Christmas in Fulton event was a success.

Police Department: Chief Gerstenberger introduced Officer Lucas Thompson. Chief Gerstenberger informed the Council that the police department has started doing building

checks in the community. He shared that he contracted with an individual to help organize and enter the data base the Town of Fulton evidence room. Alyssa Hendricks is also helping with the evidence room and entries. Chief Gerstenberger noted that he is in the process of updating our reserve program and will have extra help.

Mayor announced the award from Government Finance Officer Association (“GFOA”) and asked Mr. Robertson to elaborate. Mr. Robertson noted how hard the Town has worked to put its fiscal matters in order after Hurricane Harvey. He also expressed how Mayor Cole has been a tremendous leader.

11. The next Regular Fulton Town Council Meeting will be held Wednesday, January 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 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 6:36 p.m.

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Kelli Cole, Mayor

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Stephanie Garcia, City Secretary