



**TOWN COUNCIL JOINT PUBLIC
HEARING AND REGULAR MEETING**
Wednesday, September 04, 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
Hal George, Town Attorney
Ty Gerstenberger, Chief
Johnny Davis, Building Official

Mayor Cole called the meeting to order at 6:01 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.

CLOSE REGULAR MEETING

Mayor Cole closed the Regular Meeting at 6:01 p.m.

OPEN PUBLIC HEARING

Mayor Cole opened the Public Hearing at 6:01 p.m.

1. The purpose of this hearing is to discuss a request by OCB Development LLC for a Rezoning Permit from commercial and R-1 to planned development for the property located at 4131-4159 Hwy 35 N, Fulton, TX 78358.
Mayor Cole read the purpose of the public hearing and asked Darrin Shandley with OCB Development LLC to give the Council an overview of the plan. He explained that the property is in two zones as of now, residential and commercial. They would like it rezoned into a planned development. The developer is working to facilitate a higher end product that would

include a homeowner's association, office, pool, and common areas. Mr. Shandley indicated that the lots will be sold individually, and the owners cannot live in a building they build on site. The intent is to have RVs; however, the owner can build a garage on the property as well. It was noted that the RVs cannot be over ten (10) years old. Alderwoman Neilsen had questions regarding a variance. Mayor Cole explained they do not need a variance to rezone the property a planned development. Alderwoman Neilson also noted it be helpful to see a more detailed plan for each area. The Mayor noted they have worked on the tree plan to keep as many trees as possible.

Mary Clare Kane addressed the Council and noted she feels that if the Town grants the rezoning to a planned development, the developer should give the Town something. She suggested nice landscaping in the area that will face the highway.

Russell Cole addressed the Council and indicated he felt this addition to the Town of Fulton would be welcomed. The property has been vacant for many years, and this would bring additional revenue to the Town.

Alderman Loflin had a question regarding the sewer lines. Brandi Karl with J. Schwarz and Associations indicated that the sewer will be gravity fed and the areas are deep enough to support this. She noted that the sewer and water lines have been shifted so not to affect the other subdivisions. Alderman Loflin also indicated that the roads will be wide enough to accommodate emergency vehicles.

Rebecca Johnson asked for clarification in the difference between a planned unit development and a planned development. Mayor Cole explained there is not a planned unit development in the Town. This definition is noted in the ordinance; however, the Town only has planned developments. It was noted that TXDot will only allow one road in the planned development. Mrs. Johnson asked for a start and finish estimate. Mr. Shandley indicated they would start as soon as they could after approval and the project will take four to six months to complete.

CLOSE PUBLIC HEARING

Mayor Cole closed the Public Hearing at 6:16 p.m.

OPEN REGULAR MEETING

Mayor Cole opened the Regular Meeting at 6:16 p.m.

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.

Mary Clare Kane thanked the maintenance team for mowing in front of Seven Palms. She also indicated she feels there needs to be some work performed on Fulton Beach Road.

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 August 21, 2024 and the minutes of the Special Budget Workshop Meeting held on August 26, 2024.

Motion made by Place 5 McCorkle, Seconded by Place 3 Pahmiyer 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

- 3. Discuss/Approve/Disapprove** the revision to Chapter 5, Compensation of the Town of Fulton Personnel Policy revising the longevity pay cap from \$1,200.00 to \$1,500.00.

Mayor Cole read the item and gave a brief explanation regarding the change. Alderwoman Neilson asked for further explanation of the longevity pay. Mayor Cole addressed her question.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 5 McCorkle to approve the revision to Chapter 5, Compensation of the Town of Fulton Personnel Policy revising the longevity pay cap from \$1,200.00 to \$1,500.00.

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

- 4. Discuss/Approve/Disapprove** candidates for the Texas Municipal League Intergovernmental Risk Pool Board of Trustee Election of Places 11 – 14.

Mayor Cole read the item and informed the Council that this is a yearly process. She noted the suggested choices. The Council did not have any changes to the suggestions.

Motion made by Place 3 Pahmiyer, Seconded by Mayor Pro Tem Loflin to approve the candidates for the Texas Municipal League Intergovernmental Risk Pool Board of Trustee Election of Places 11 – 14.

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

5. Mayor's Update.

Mayor Cole noted the Town will be continuing to work with Aransas County on the GLO road and drainage project that will address our east side roads.

Alderwomen Pahmiyer and McCorkle discussed the upcoming Neighborhood Watch which will be held September 10, 2024, 6:00 p.m. at the Fulton Convention Center.

6. The next Regular Fulton Town Council Meeting will be held Wednesday, September 18, 2024, beginning at 6:00 pm.

Mayor announced the date and time of the next meeting.

ADJOURNMENT

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

Motion made by Place 2 Garis, Seconded by Mayor Pro Tem Loflin 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.

Kelli Cole, Mayor

Stephanie Garcia, City Secretary