



# TOWN COUNCIL REGULAR MEETING

Wednesday, January 18, 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 3 MaryAnn Pahmiyer  
Place 4 Carl Biesenbach  
Place 5 Jayne Robertson

#### STAFF PRESENT

Stephanie Garcia, City Secretary  
Hal George, Town Attorney  
John Harrell, Police Chief  
Matt Olenick, Director of Operations

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.*

Mary Clare Kane informed the Council that she would like to recognize Matt Olenick, Director of Operations for his contacting her promptly and giving a thorough explanation of work and road closure.

## 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 December 19, 2022.

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

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Biesenbach, Place 5 Robertson

## ITEMS FOR CONSIDERATION

2. **Discuss/Approve/ Disapprove** Resolution R-01-2023; a Resolution Regarding Dates of Town Council Meetings; Repealing Rules to the Contrary; and Providing an Effective Date.

Mayor Cole explained the meetings have to frequently be changed due to holidays, etc. Chris Garis had concerns regarding the date due to his schedule.

Motion made by Place 4 Biesenbach, Seconded by Mayor Pro Tem Loflin to approve Resolution R-01-2023; a Resolution Regarding Dates of Town Council Meetings; Repealing Rules to the Contrary; and Providing an Effective Date as presented.

Voting Yea: Mayor Pro Tem Loflin, Place 3 Pahmiyer, Place 4 Biesenbach, Place 5 Robertson  
Voting Nay: Place 2 Garis

3. **Discuss/Approve/Disapprove** Ordinance No. 307; an Ordinance Amending Sec. 48-44, City Code Relating to Septic Tank Systems; Providing a Penalty; Providing a Repealer; Providing a Severance; Providing for Publication and Effective Date.

Mayor Cole gave a brief explanation of the item. Matt Olenick, Director of Operations explained the few changes to the ordinance and that this change would keep sewer from pressurizing into the houses.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 5 Robertson to approve Ordinance No. 307; an Ordinance Amending Sec. 48-44, City Code Relating to Septic Tank Systems; Providing a Penalty; Providing a Repealer; Providing a Severance; Providing for Publication and Effective Date as presented.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Biesenbach, Place 5 Robertson

4. **Discuss/Approve/Disapprove** Ordinance No. 308; an Ordinance Amending Section 6-90, City Code, to Define Livestock and Require Livestock to be Confined and Not Run Free; Proving a

Penalty; Repealing All Ordinances in Conflict; Providing for Severability' Providing for Publication; and Providing an Effective Date.

Mayor Cole read the ordinance and explained that a citizen had a horse that was roaming free and was approached multiple times by a neighbor regarding the horse entering their property. The neighbor was later struck by the horse because it was not contained. There were discussions among the Council regarding safety, etc.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 3 Pahmiyer to approve Ordinance No. 308; an Ordinance Amending Section 6-90, City Code, to Define Livestock and Require Livestock to be Confined and Not Run Free; Proving a Penalty; Repealing All Ordinances in Conflict; Providing for Severability' Providing for Publication; and Providing an Effective Date as presented.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Biesenbach, Place 5 Robertson

**5. Discuss/Approve/Disapprove** donating surplus computer equipment to ACE Computer Services.

Mayor Cole informed the Council of the old equipment that has been replaced and now needs to be disposed of.

Motion made by Place 4 Biesenbach, Seconded by Place 3 Pahmiyer to approve donating surplus computer equipment to ACE Computer Services as presented.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Biesenbach, Place 5 Robertson

## **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**

6. Mayor's Update: Beginning to perform needed updates to the Fulton Convention Center as approved in the Town's current budget.

Mayor Cole explained the necessity of the Convention Center's floor being redone and sealed. She mentioned that the windows have also been repaired and the Town is looking into having the building painted. Mayor Cole informed the Council that Jayne Robertson submitted her resignation due to moving out of the country. Her resignation will be valid in eight days from

her submittal. Mayor Cole indicated that the filing for a place on the ballot for the 2023 election is now open and will remain open until February 17, 2023.

7. Announcement of the next Regular Fulton Town Council Meeting.

The next Town Council meeting will be Wednesday, February 1, 2023.

**EXECUTIVE SESSION - PUBLIC NOTICE** is given that the Town Council may elect to go into executive session at any time during the meeting in order to discuss any matters listed on the agenda when authorized by the Open Meetings Act, Chapter 551, Texas Government Code. If the Council elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the Mayor. The Council may deliberate and take action in open session on any issue that may be discussed in executive session.

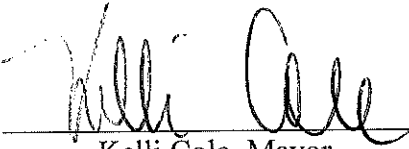
**ADJOURNMENT**

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

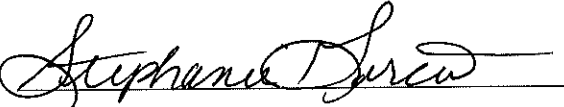
Motion made by Place 2 Chris Garis, Seconded by Mayor Pro Tem Loflin.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Biesenbach, Place 5 Robertson

Meeting adjourned at 6:11 p.m.



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Kelli Cole, Mayor



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Stephanie Garcia, City Secretary