



# TOWN COUNCIL REGULAR MEETING

Wednesday, July 02, 2025 at 6:00 PM  
Fulton Council Chambers, 201 N. 7th Street

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## AGENDA

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### CALL TO ORDER

**PLEDGE OF ALLEGIANCE – U.S. Flag and Texas Flag**

**OBSERVE A MOMENT OF SILENCE/PRAAYER**

### 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.*

### 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 June 4, 2025.
- 2. Discuss/Approve/Disapprove** the May 2025 financial report.

### ITEMS FOR CONSIDERATION

- 3. Discuss/Approve/Disapprove** Ordinance No. 325, an Ordinance relating to battery energy storage; repealing ordinances in conflict; providing for severance; providing a penalty; and providing for publication.
- 4. Discuss/Approve/Disapprove** revisions to Job Titles and Pay Ranges.
- 5. Discuss/Approve/Disapprove** the hiring and paying of a hourly wage during attendance at the police academy; making employment contingent upon successful completion of the academy and obtaining a Texas peace officer license; and authorizing the Mayor to negotiate and execute an employment agreement.

## **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**

6. Mayor's Update.
7. The next Regular Fulton Town Council Meeting will be held Wednesday, July 16, 2025, beginning at 6:00 pm.

**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**

## **NOTICE**

*This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/729-5533 or by email at [citysec@fultontexas.org](mailto:citysec@fultontexas.org) for further information. Braille Is Not Available. The Town of Fulton reserves the right to convene into Closed Session under Government Code 551.071-551.074 and 551-086.*

## **CERTIFICATION**

*I certify that the above notice of meeting was posted at Town Hall, 201 N. Seventh Street, Fulton, Texas, on Friday, June 27, 2024, at 4:00 p.m., and at the U.S. Post Office located at 301 Cactus Street, Fulton, Texas. I further certify that the following News Media were properly notified of this meeting as stated above: The Rockport Pilot.*

**/S/ Stephanie Garcia, City Secretary**



## TOWN COUNCIL REGULAR MEETING

Wednesday, June 04, 2025 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  
Ty Gerstenberger, Chief

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.*

No one came forward.

## PROCLAMATION

1. Proclamation to establish Rockport-Fulton and Aransas County as the "Ecosystem Capital of Texas Gulf Coast" and Proclaim June 20, 2025, as Sustainable Ecotourism Day.

Mayor Cole read the Proclamation and claimed June 20, 2025, Sustainable Ecotourism Day. Jennifer Day introduced herself and gave an explanation to the Council of what the Proclamation represents and the events of the day.

## 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 May 21, 2025.

Motion made by Place 2 Garis, Seconded by Place 5 McCorkle to approve the Consent Agenda 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** Ordinance No. 325, an Ordinance relating to battery energy storage; repealing ordinances in conflict; providing for severance; providing a penalty; and providing for publication.

Mayor Cole read the item and informed the Council how this item came to her attention. Alderman Garis stated that he agrees with the Ordinance; however, feels that the language needs to be more defined. Hal George, Town's attorney, will look into the revisions. The Council agreed to postpone the item.

Motion made by Place 2 Garis, Seconded by Place 5 McCorkle to postpone Ordinance No. 325, an Ordinance relating to battery energy storage; repealing ordinances in conflict; providing for severance; providing a penalty; and providing for publication to a later date.

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

4. **Discuss/Approve/Disapprove** Resolution No. R-03-2025, a Resolution of the Town of Fulton adopting the Aransas County 2025 Hazard Mitigation Plan. The Aransas County Hazard Mitigation Plan Update addresses natural hazards that affect the area and the goal of the Plan Update is to minimize or eliminate the long-term risk to human life and property from known hazards through effective mitigation.

Mayor Cole read the item. Stephanie Garcia, City Secretary, discussed the resolution and informed the Council that each entity involved in the mitigation plan is adopting the same resolution.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis to approve the Resolution No. R-03-2025, a Resolution of the Town of Fulton adopting the Aransas County 2025 Hazard Mitigation Plan. The Aransas County Hazard Mitigation Plan Update addresses natural hazards that affect the area and the goal of the Plan Update is to minimize or eliminate the long-term risk to human life and property from known hazards through effective mitigation.

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.*

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**

- 5. Mayor's Update.

Mayor Cole informed the Council that the cabanas at the beach park are in need of repair. The Town’s maintenance team is removing the cabana tops and will be replacing them. Mayor Cole explained this is in the best interest of our citizens and visitors.

Aldерwoman Pahmiyer shared that the Linda S Castro preservation park is coming together. They are going to add signage, pave the road, update the ADA path, and extend the weather protection.

Aldерwoman McCorkel inquired to the beginning of the large project on Highway 35. Mayor Cole informed the Council that the developer has received a tree permit and has a plan for the replacement of trees. There was also discussion regarding the approval of the drainage for the project.

- 6. The next Regular Fulton Town Council Meeting will be held Wednesday, June 18, 2025, beginning at 6:00 pm.

Mayor Cole 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 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 6:17 p.m.

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Kelli Cole, Mayor

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Stephanie Garcia, City Secretary

**ORDINANCE NO. 325**

**AN ORDINANCE RELATING TO BATTERY ENERGY STORAGE;  
REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERANCE;  
PROVIDING A PENALTY; AND PROVIDING FOR PUBLICATION**

WHEREAS, battery storage within the Town limits constitutes a nuisance and threat to the health, welfare and safety of the citizens; and

WHEREAS, battery storage within the confines of the Town creates a danger of fire or explosion and is a threat to the health, welfare and safety of the citizens; and

WHEREAS, the Town Council finds that storage of batteries within the Town should be banned for the protection of the health, welfare and safety of the citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OR FULTON:

Section 1. "Battery energy storage facility" includes lithium-ion battery energy storage and a facility or equipment used to support the commercial operation of lithium-ion battery energy storage, including an underground or aboveground electrical transmission or communications line, or an electric transformer. It also includes other types of batteries that are high energy storage of electrical energy. This does not include an individual's or business's storage of spare batteries, including those intended for emergency power systems such as uninterruptible power supplies (UPS), portable power stations, solar battery backups, or generator-start batteries, provided such storage does not constitute a threat.

Section 2. It shall be unlawful for any individual, partnership, firm company, corporation or entity to own, have, maintain, construct or develop a battery energy storage facility within the Town of Fulton.

Section 3. All previously adopted rules, regulations, policies, and ordinances in conflict with this Ordinance are hereby repealed.

Section 4. If any provision, section, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void , or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the Town Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provision of this Ordinance are declared severable for that purpose.

Section 5. Any person partnership, firm company, corporation or entity who violates this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject

to a fine not exceeding five hundred dollars (\$500.00). Each day a violation of this Ordinance occurs shall constitute a separate offense. The culpable mental state required by Chapter 6.02, Texas Penal Code, is specifically negated and dispensed with and a violation is a strict liability offense.

Section 6. This Ordinance shall be published by publishing the caption thereof in the official newspaper with a statement that the public may view the Ordinance in the Office of the City Secretary. This Ordinance shall take effective upon its publication.

**PASSED** and **APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

**TOWN OF FULTON**

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**Kelli Cole, Mayor**

**ATTEST:**

\_\_\_\_\_

**Stephanie Garcia, City Secretary**

TOWN OF FULTON  
 JOB TITLES & PAY RANGES

Effective 7-3-25

<b>POSITION TITLE</b>	<b>QTY</b>	<b>PAY RANGE</b>
<u>SALARY POSITIONS</u>		
CITY SECRETARY / MUNICIPAL COURT CLERK	1	\$60,000 -- \$85,000
POLICE CHIEF	1	\$60,000 -- \$85,000
COMPTROLLER	1	\$30,000 -- \$45,000
PIER/VISITOR CENTER MANAGER	1	\$32,500 -- \$45,000
BOOKKEEPER	1	\$32,000 -- \$55,000
PATROL SERGEANT	1	\$45,000 -- \$62,000
<u>HOURLY POSITIONS</u>		
POLICE OFFICER	5	\$20.00/HR -- \$28.00/HR
DIRECTOR OF OPERATIONS	1	\$30.00/HR -- \$39.00/HR
BUILDING OFFICIAL / CODE ENFORCEMENT	1	\$18.00/HR -- \$27.00/HR
SEWER MAINTENANCE	1	\$16.50/HR -- \$21.00/HR
SEWER SUPERVISOR	1	\$19.00/HR -- \$26.00/HR
GENERAL MAINTENANCE	2	\$16.00/HR -- \$20.00/HR
PIER ATTENDANT	4	\$11.00/HR -- \$15.00/HR
CONVENTION CENTER COORDINATOR	1	\$18.00/HR -- \$26.00/HR
ADMIN ASSISTANT / EVIDENCE TECH	1	\$19.00/HR -- \$26.00/HR
POLICE CADET	1	\$15.00/HR -- \$20.00/HR
TOTAL POSITIONS	23	

Revised 7-2-25