



TOWN COUNCIL REGULAR MEETING

Wednesday, April 17, 2024 at 6:00 PM
Fulton Council Chambers, 201 N. 7th Street

AGENDA

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 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 March 20, 2024.
- 2. Discuss/Approve/Disapprove** the February 2024 financials.
- 3. Discuss/Approve/Disapprove** Mayor Cole's March credit card statement.

ITEMS FOR CONSIDERATION

- 4. Discuss/Approve/Disapprove** Ordinance No. 319 Amending Ordinance No. 314 Adopting the 2023-2024 Budget in several funds in accordance with the attached exhibit.
- 5. Discuss/Approve/Disapprove** a joint resolution of Aransas County, Texas, the Town of Fulton, Texas, the City of Aransas Pass, Texas, the Aransas County Navigation District, and the City of Rockport, Texas, creating the Stormwater Management Technical Committee; providing an effective date; and finding and determining that the meeting at which this resolution is passed is open to the public as required by law.

- 6. Discuss/Approve/Disapprove** Ordinance No. 320 enacting new speed limits for the streets and alleys that are not an officially designated or marked highway or road of the state highway system; repealing ordinances in conflict; providing for severance; providing a penalty; and providing for publication.
- 7. Discuss/Approve/Disapprove** Ordinance No. 321 an Ordinance Repealing Ordinance No. 248, Providing for Town Council to Act as Planning and Zoning Commission and Board of Adjustment; Substituting Town Council for Planning and Zoning Commission in any Ordinance or Code Provision; Validating All Actions Heretofore Taken; Repealing Ordinances in Conflict; Providing for Severance; Providing a Penalty; and Providing for Publication.

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

8. Mayor's Update.
9. The next Regular Fulton Town Council Meeting will be held Wednesday, May 1, 2024, 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 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, April 12, 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, 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

Kelli

Item 3.



Final Details for Order #112-0132381-2982635

Order Placed: February 12, 2024
Amazon.com order number: 112-0132381-2982635
Order Total: \$574.75

Shipped on February 13, 2024	
Items Ordered	Price
12 of: GiftExpress 72 pack Mardi Gras Beads Necklace, Pearl Beaded Necklace, Mardi Gras Throws, Party Beads Costume Necklaces	\$22.99
Sold by: GiftExpress (seller profile) Product question? (Ask Seller)	
Condition: New	
Shipping Address: TOWN OF FULTON 201 N 7TH STREET FULTON, TX 78358 United States	Item(s) Subtotal: \$275.88 Shipping & Handling: \$0.00 ----- Total before tax: \$275.88 Sales Tax: \$0.00 -----
Shipping Speed: One-Day Shipping	Total for This Shipment: \$275.88 -----

Shipped on February 13, 2024	
Items Ordered	Price
13 of: GiftExpress 72 pack Mardi Gras Beads Necklace, Pearl Beaded Necklace, Mardi Gras Throws, Party Beads Costume Necklaces	\$22.99
Sold by: GiftExpress (seller profile) Product question? (Ask Seller)	
Condition: New	
Shipping Address: TOWN OF FULTON 201 N 7TH STREET FULTON, TX 78358 United States	Item(s) Subtotal: \$298.87 Shipping & Handling: \$0.00 ----- Total before tax: \$298.87 Sales Tax: \$0.00 -----
Shipping Speed: One-Day Shipping	Total for This Shipment: \$298.87 -----

Payment information	
Payment Method: Visa Last digits: 0064	Item(s) Subtotal: \$574.75 Shipping & Handling: \$0.00 -----
Billing address TOWN OF FULTON 201 N 7TH STREET FULTON, TX 78358 United States	Total before tax: \$574.75 Estimated Tax: \$0.00 -----

ORDINANCE NO. 319

AN ORDINANCE AMENDING ORDINANCE NO. 314 ADOPTING THE 2023-2024 BUDGET IN SEVERAL FUNDS IN ACCORDANCE WITH THE ATTACHED EXHIBIT

WHEREAS, the Town Council of the Town of Fulton adopted the 2023-2024 Budget by Ordinance 314; and

WHEREAS, said budget needs to be amended from time to time to reflect revenue fluctuations and to more accurately and realistically reflect the actual income and expenses of the Town;

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

Section 1. That Ordinance No. 314, Adopting the Budget for the 2023-2024 Fiscal Year, shall be amended and hereby is amended by making the changes in said Budget in accordance with the changes reflected in attached amended budget hereto and made a part hereof by this reference the same as if written herein.

Section 2. That this Ordinance was considered at a Regular City Council Meeting, open to the public and duly posted in accordance with State law.

PASSED this the 17th day of April, 2024, at a Regular Meeting of the Town Council of the Town of Fulton, Texas, there being a quorum present, by ____ Yeas and ____ Nays, and approved by the Mayor on the date set out.

TOWN OF FULTON

Kelli Cole, Mayor

ATTEST:

Stephanie Garcia, City Secretary

**TOWN OF FULTON
GENERAL FUND
AMENDED BUDGET
FISCAL YEAR 2023 - 2024**

Item 4.

	ACTUAL	ADOPTED BUDGET	AMENDED BUDGET		
	FY 2022-23	FY 2023-24	FY 2023-24	\$ Change	% Change
REVENUES					
TAXES					
400 · Ad Valorem Tax	424,481.56	439,784.80	524,239.05	84,454.25	19.20%
405 · Sales Tax	288,577.27	290,000.00	290,000.00	-	0.00%
410 · Franchise Fees	103,885.58	108,500.00	108,500.00	-	0.00%
415 · Mixed Beverage Tax	59,973.17	58,500.00	58,500.00	-	0.00%
TOTAL TAX REVENUE	876,917.58	896,784.80	981,239.05	84,454.25	9.42%
PERMITS					
420-1 · Building	43,596.19	22,500.00	37,500.00	15,000.00	66.67%
420-2 · Electrical	9,031.75	4,500.00	5,500.00	1,000.00	22.22%
420-3 · Vendor Permits	5,745.00	4,800.00	4,800.00	-	0.00%
420-4 · Gas	180.00	600.00	600.00	-	0.00%
420-5 · Mechanical	3,005.80	1,000.00	2,000.00	1,000.00	100.00%
420-6 · Misc.	453.00	600.00	600.00	-	0.00%
420-7 · Plumbing	5,299.50	1,500.00	3,500.00	2,000.00	133.33%
420-8 · Other Permits	1,085.00	1,500.00	1,500.00	-	100.00%
TOTAL PERMITS	68,396.24	37,000.00	56,000.00	19,000.00	51.35%
OTHER REVENUE					
425 · Interest Income	18,268.89	12,500.00	12,500.00	-	0.00%
451 · Reimbursements	-	-	-	-	-
460 · Cell Tower Lease	12,800.00	12,500.00	12,500.00	-	0.00%
TOTAL OTHER REVENUE	31,068.89	25,000.00	25,000.00	-	0.00%
TOTAL REVENUE	976,382.71	958,784.80	1,062,239.05	103,454.25	10.79%
EXPENDITURES					
ADMINISTRATIVE					
500 · Office Expense	12,554.58	9,500.00	11,000.00	1,500.00	15.79%
504 · Office Supplies	10,634.41	11,500.00	11,500.00	-	0.00%
505 · Telephone	7,984.00	9,000.00	9,000.00	-	0.00%
515 · Software & Subscriptions	22,563.61	22,500.00	22,500.00	-	0.00%
520 · Bank Chrgs. & Fees	466.76	300.00	300.00	-	0.00%
525 · Travel Expense	2,596.77	1,500.00	1,500.00	-	0.00%
530 · Education & Training	1,217.00	2,000.00	2,000.00	-	0.00%
565 · Postage	1,398.24	1,750.00	1,750.00	-	0.00%
553 · Internet/Website	6,420.64	5,000.00	5,000.00	-	0.00%
TOTAL ADMINISTRATIVE	65,836.01	63,050.00	64,550.00	1,500.00	2.38%

**TOWN OF FULTON
GENERAL FUND
AMENDED BUDGET
FISCAL YEAR 2023 - 2024**

Item 4.

	ACTUAL	ADOPTED BUDGET	AMENDED BUDGET		
	FY 2022-23	FY 2023-24	FY 2023-24	\$ Change	% Change
<u>CONTRACTS AND SERVICES</u>					
600 · Appraisal Services	11,935.07	12,710.85	12,710.85	-	0.00%
605 · Tax Collection Service	1,586.10	1,934.14	1,934.14	-	0.00%
615 · Insurance	54,924.51	39,500.00	44,200.00	4,700.00	11.90%
620 · Elections (Contingent)	10,739.03	11,000.00	30,000.00	19,000.00	172.73%
625 · Notices & Filings	1,804.93	3,500.00	3,500.00	-	0.00%
630 · Accounting Services	61,200.00	61,200.00	-	(61,200.00)	-100.00%
631 · Audit	18,594.00	27,000.00	32,200.00	5,200.00	19.26%
632 · Legal Services	36,000.00	36,000.00	36,000.00	-	0.00%
633 · Security	480.00	480.00	4,280.00	3,800.00	791.67%
634 · IT	6,911.50	5,500.00	24,200.00	18,700.00	340.00%
635 · Engineering & Planning	-	500.00	7,500.00	7,000.00	1400.00%
640 · Rockport Law Enforcement	60,000.00	60,000.00	60,000.00	-	0.00%
645 · Juvenile Case Mgmt	6,878.70	8,675.00	8,675.00	-	0.00%
650 · Animal Control	33,000.00	33,000.00	33,000.00	-	0.00%
656 · City/Co Communications	96,866.17	122,000.00	122,000.00	-	0.00%
657 · Alligence Medical Services	45,000.00	45,000.00	45,000.00	-	0.00%
658 · Aransas Co Health Dep - Permits	-	1,000.00	1,000.00	-	100.00%
659 · Permit Inspection Services	-	-	4,500.00	4,500.00	100.00%
TOTAL CONTRACTS AND SERVICES	445,920.01	468,999.99	470,699.99	1,700.00	0.36%
<u>GENERAL GOVERNMENT</u>					
535 · Special Events	3,461.69	1,250.00	3,000.00	1,750.00	140.00%
550 · Utilities - Water/Sewer	1,406.24	1,500.00	1,500.00	-	0.00%
552 · Utilities - Electricity	2,837.53	3,000.00	3,000.00	-	0.00%
557 · Utilities - Electricity	9,803.03	11,500.00	11,500.00	-	0.00%
559 · Fuel	5,100.00	5,500.00	5,500.00	-	0.00%
560 · Vehicle Maintenance	-	-	5,000.00	5,000.00	
700 · Repairs & Maintenance	15,970.33	15,000.00	20,000.00	5,000.00	33.33%
802 · Aquatic Park	7,000.08	-	-	-	0.00%
810 · Vol Fire Department	10,000.00	10,000.00	10,000.00	-	0.00%
TOTAL GENERAL GOVERNMENT	55,578.90	47,750.00	59,500.00	11,750.00	24.61%

**TOWN OF FULTON
GENERAL FUND
AMENDED BUDGET
FISCAL YEAR 2023 - 2024**

Item 4.

	ACTUAL	ADOPTED BUDGET	AMENDED BUDGET		
	FY 2022-23	FY 2023-24	FY 2023-24	\$ Change	% Change
<u>CAPITAL OUTLAY</u>					
710 · Streets & Drainage Maint	88,811.17	100,000.00	100,000.00	-	0.00%
705 · Street Signs	5,755.53	2,500.00	7,500.00	5,000.00	200.00%
TOTAL CAPITAL OUTLAY	94,566.70	102,500.00	107,500.00	5,000.00	4.88%
<u>PERSONNEL</u>					
900 · Gross Salaries	189,160.63	202,587.99	270,221.99	67,634.00	33.39%
905 · Payroll Tax	14,470.79	15,930.31	21,362.17	5,431.86	34.10%
910 · Health Insurance	30,174.48	51,531.55	51,531.55	-	0.00%
925 · TMRS	18,225.56	21,034.27	17,628.38	(3,405.89)	-16.19%
926 · Worker's Comp	4,149.63	4,636.37	2,801.89	(1,834.47)	-39.57%
927 · Uniforms	-	-	1,378.56	1,378.56	100.00%
TOTAL PERSONNEL	256,181.09	295,720.50	364,924.55	69,204.06	23.40%
TOTAL EXPENDITURES	918,082.70	978,020.48	1,067,174.54	89,154.06	9.12%
<u>OTHER FINANCING SOURCES (USES)</u>					
740 · Sewer Fund - Transfer In	100,000.00	155,000.00	155,000.00	-	0.00%
741 · Police Fund - Transfer out	(237,189.00)	(188,014.10)	(202,314.10)	(14,300.00)	7.61%
742 · Pier Fund - Transfer In	-	16,500.00	16,500.00	-	100.00%
743 · Hotel/Motel - Transfer In	-	14,250.00	14,250.00	-	100.00%
744 · Convention Cntr - Transfer In	-	21,500.00	21,500.00	-	100.00%
TOTAL	(137,189.00)	19,235.90	4,935.90	(14,300.00)	-74.34%
FUND BALANCE-BEGINNING OF YEAR	1,069,726.20	1,069,726.20	990,837.20		
OVER/(UNDER)	(78,889.00)	-	-		
FUND BALANCE-END OF YEAR	990,837.20	1,069,726.20	990,837.20		

**TOWN OF FULTON
DEBT SERVICE FUND
AMENDED BUDGET
FISCAL YEAR 2023 - 2024**

Item 4.

	ACTUAL	ADOPTED	AMENDED		
	FY 2022-23	FY 2023-24	FY 2023-24	\$ Change	% Change
REVENUES					
400 · Property Taxes	324,638.65	317,305.19	374,491.58	57,186.39	18.02%
TOTAL REVENUE	324,638.65	317,305.19	374,491.58	57,186.39	18.02%
EXPENDITURES					
DEBT SERVICE					
500 · Principal - Bank of America	185,000.00	200,000.00	200,000.00	-	0.00%
505 · Interest - Bank of America	66,823.37	44,452.69	44,452.69	-	0.00%
516 · Principal - Truist	55,000.00	60,000.00	60,000.00	-	0.00%
517 · Interest - Truist	15,966.25	12,852.50	12,852.50	-	0%
TOTAL DEBT SERVICE	322,789.62	317,305.19	317,305.19	-	0.00%
FUND BALANCE-BEGINNING OF YEAR	4,876.99	4,876.99	6,726.02		
OVER/(UNDER)	1,849.03	-	57,186.39		
FUND BALANCE-END OF YEAR	6,726.02	4,876.99	63,912.41		

**TOWN OF FULTON
POLICE FUND
AMENDED BUDGET
FISCAL YEAR 2023 - 2024**

Item 4.

	ACTUAL	ADOPTED BUDGET	AMENDED BUDGET		
	FY 2022-23	FY 2023-24	FY 2023-24	\$ Change	% Change
REVENUES				-	
<u>FINES & FEES REVENUE</u>					
400 · Fines & Fees	14,458.24	18,500.00	18,500.00	-	0.00%
415 · Misc. Income	350.35	150.00	150.00	-	0.00%
TOTAL FINES AND FEES	14,808.59	18,650.00	18,650.00	-	0.00%
<u>INTERGOVERNMENTAL</u>				-	
355 · SLFRF Grant Funds	-	-	36,000.00		
350 · State Designated Funds	554.65	600.00	600.00	-	0.00%
420 · The 100 Club	350.35	0.00	3,325.00	3,325.00	100.00%
TOTAL INTERGOVERNMENTAL	905.00	600.00	39,925.00	39,325.00	98.50%
EXPENDITURES				-	
<u>COURT</u>					
504 · Court - Licenses & Postage	200.00	250.00	250.00	-	0.00%
505 · Court Office & Postage	7,984.05	8,500.00	8,500.00	-	0.00%
510 · Court - Cost to State	5,830.39	6,000.00	6,000.00	-	0.00%
515 · Housing Prisoners	110.00	750.00	750.00	-	0.00%
TOTAL COURT	14,124.44	15,500.00	15,500.00	-	0.00%
<u>ADMINISTRATIVE</u>					
600 · Bank Charges	68.20	100.00	100.00	-	0.00%
610 · Continuing Ed & Seminars	980.45	600.00	600.00	-	0.00%
611 · Computer & Software	-	-	7,450.00	7,450.00	100.00%
615 · Insurance - Bond	150.00	150.00	150.00	-	0.00%
630 · Licenses/Dues/Subscriptions	449.60	300.00	300.00	-	0.00%
635 · Office & Postage	2,896.46	1,250.00	3,000.00	1,750.00	58.33%
650 · Equipment Expense	750.00	1,000.00	1,500.00	500.00	33.33%
655 · Supplies	-	0.00	750.00	750.00	100.00%
660 · Travel Expense	2,385.00	1,250.00	1,250.00	-	0.00%
665 · Vehicle Exp - Fuel	1,441.69	5,000.00	5,000.00	-	0.00%
670 · Vehicle Repairs & Maint	870.05	750.00	750.00	-	0.00%
706 · Crime Prevention - N Watch	463.25	500.00	500.00	-	0.00%
TOTAL ADMINISTRATIVE	10,454.70	10,900.00	21,350.00	10,450.00	48.95%
<u>CAPITAL OUTLAY</u>					
900 · Capital Outlay - Equipment	27,345.22	2,000.00	34,500.00	32,500.00	94.20%
901 · Capital Outlay - Vehicles	47,101.00	-	-	-	0.00%
902 · Capital Outlay - Software	-	-	12,500.00	12,500.00	100.00%
TOTAL CAPITAL OUTLAY	74,446.22	2,000.00	47,000.00	45,000.00	100.00%

**TOWN OF FULTON
POLICE FUND
AMENDED BUDGET
FISCAL YEAR 2023 - 2024**

Item 4.

	ACTUAL	ADOPTED BUDGET	AMENDED BUDGET		
	FY 2022-23	FY 2023-24	FY 2023-24	\$ Change	% Change
<u>PERSONNEL</u>				-	
800 · Salaries	108,923.00	127,215.20	127,215.20	-	0.00%
805 · Payroll Taxes	8,476.61	10,019.96	10,019.96	-	0.00%
810 · Health Insurance	5,144.35	25,765.78	25,765.78	-	0.00%
815 · TMRS	7,167.13	8,370.76	9,458.45	1,087.69	12.99%
816 · Worker's Comp	5,772.92	6,742.41	3,829.68	(2,912.73)	-43.20%
817 · Uniforms	2,422.08	750.00	750.00	-	100.00%
TOTAL PERSONNEL	137,906.09	178,864.11	177,039.07	(1,825.04)	-1.03%
TOTAL EXPENDITURES	236,931.45	207,264.11	260,889.07	53,624.96	25.87%
<u>OTHER FINANCING SOURCES (USES)</u>					
910 · General Fund - Transfer In	237,189.00	188,014.10	202,314.10	14,300.00	7.61%
FUND BALANCE-BEGINNING OF YEAR	-	-	15,066.10		
OVER/(UNDER)	15,066.10	-	-		
FUND BALANCE-END OF YEAR	15,066.10	-	15,066.10		

**TOWN OF FULTON
HOTEL/MOTEL TAX FUND
AMENDED BUDGET
FISCAL YEAR 2023 - 2024**

Item 4.

	<u>ACTUAL</u> FY 2022-23	<u>ADOPTED</u> BUDGET FY 2023-24	<u>AMENDED</u> BUDGET FY 2023-24	<u>\$ Change</u>	<u>% Change</u>
<u>REVENUES</u>					
400 · Hotel Occupancy Taxes	417,475.92	395,000.00	415,000.00	20,000.00	5.06%
405 · Interest Income	11,967.57	7,500.00	7,500.00	-	0.00%
TOTAL REVENUE	429,443.49	402,500.00	422,500.00	20,000.00	4.97%
<u>EXPENDITURES</u>					
525 · Bank Charges	-	200.00	200.00	-	100.00%
520 · Advertising & Promotion	25,000.00	25,000.00	25,000.00	-	0.00%
516 · Parks & Utilities	7,500.00	7,500.00	7,500.00	-	0.00%
600 · R-F Chamber of Commerce	50,000.00	50,000.00	50,000.00	-	0.00%
605 · Maritime Museum	5,000.00	5,000.00	5,000.00	-	0.00%
615 · Fulton Mansion	5,000.00	5,000.00	5,000.00	-	0.00%
620 · Oysterfest	35,000.00	35,000.00	35,000.00	-	0.00%
625 · AC Council on Aging	2,500.00	2,500.00	2,500.00	-	0.00%
655 · Daughters Rep Museum	10,000.00	10,000.00	25,000.00	15,000.00	150.00%
TOTAL EXPENDITURES	140,000.00	140,000.00	155,000.00	15,000.00	10.71%
<u>OTHER FINANCING SOURCES (USES)</u>					
900 · Convention Center - Transfer Out	(355,000.00)	(248,250.00)	(248,250.00)	-	0.00%
910 · General Fund - Transfer Out	-	(14,250.00)	(14,250.00)	-	100.00%
TOTAL	(355,000.00)	(262,500.00)	(262,500.00)	-	0.00%
FUND BALANCE-BEGINNING OF YEAR	505,125.00	505,125.00	439,568.49		
OVER/(UNDER)	(65,556.51)	-	5,000.00		
FUND BALANCE-END OF YEAR	439,568.49	505,125.00	444,568.49		

**TOWN OF FULTON
SEWER FUND
PROPOSED BUDGET
FISCAL YEAR 2023 - 2024**

Item 4.

	ACTUAL FY 2022-23	ADOPTED BUDGET FY 2023-24	AMENDED BUDGET FY 2023-24	\$ Change	% Change
REVENUES					
400 · Sewer Revenues	664,544.66	662,650.00	662,650.00	-	0.00%
405 · Sewer Tap Fees	4,200.00	4,500.00	4,500.00	-	0.00%
415 · Interest Income	12,505.63	9,500.00	9,500.00	-	0.00%
TOTAL REVENUES	681,250.29	676,650.00	676,650.00	-	0.00%
EXPENDITURES					
ADMINISTRATIVE					
510 · Telephone	2,429.71	3,500.00	3,500.00	-	0.00%
525 · Dues & Subscriptions	257.18	50.00	50.00	-	0.00%
540 · Bank Charges	10.32	200.00	200.00	-	0.00%
545 · Training / Seminars	1,521.05	1,000.00	1,000.00	-	0.00%
546 · Travel Expense	1,410.90	1,000.00	1,000.00	-	0.00%
547 · Uniforms	5,286.20	5,500.00	5,500.00	-	0.00%
TOTAL ADMINISTRATIVE	10,915.36	11,250.00	11,250.00	-	0.00%
OPERATING EXPENSES					
505 · Utilities	14,055.56	13,500.00	13,500.00	-	0.00%
515 · Supplies	9,910.73	11,500.00	11,500.00	-	0.00%
519 · Tractor Expenses	2,979.88	3,000.00	3,000.00	-	0.00%
520 · Vehicle Exp	3,799.46	5,000.00	5,000.00	-	0.00%
521 · Fuel	4,890.87	7,500.00	7,500.00	-	0.00%
600 · Wasterwater Treatment	185,803.84	210,000.00	200,000.00	(10,000.00)	-4.76%
618 · Preventive Maint	1,026.02	12,500.00	12,500.00	-	0.00%
620 · Repairs & Maint.	2,067.96	25,000.00	25,000.00	-	0.00%
621 · AC Transfer Station	910.80	1,500.00	1,500.00	-	0.00%
TOTAL OPERATING	225,445.12	289,500.00	279,500.00	(10,000.00)	-3.58%
PERSONNEL					
700 · Wages	110,198.10	109,435.44	119,647.84	10,212.40	9.33%
705 · Payroll Tax	8,718.15	8,704.88	9,486.12	781.24	8.97%
710 · Health Insurance	20,116.32	25,765.78	25,765.78	-	0.00%
711 · TMRS	7,251.03	11,415.04	11,415.04	-	0.00%
716 · Worker's Comp	4,958.91	5,578.86	3,748.61	(1,830.25)	100.00%
TOTAL PERSONNEL	151,242.52	160,900.00	170,063.39	9,163.00	5.70%
CAPITAL OUTLAY					
594 · Capital Outlay - Vehicles	43,500.00	-	45,000.00	45,000.00	100.00%
596 · Capital Outlay - Equipment	99,180.05	-	-	-	100.00%
595 · Capital Outlay - Sewer System	25,346.40	60,000.00	60,000.00	-	0.00%
TOTAL CAPITAL OUTLAY	168,026.45	60,000.00	105,000.00	45,000.00	75.00%
TOTAL EXPENDITURES	555,629.45	521,650.00	565,813.39	44,163.39	7.81%

**TOWN OF FULTON
SEWER FUND
PROPOSED BUDGET
FISCAL YEAR 2023 - 2024**

Item 4.

	ACTUAL FY 2022-23	ADOPTED BUDGET FY 2023-24	AMENDED BUDGET FY 2023-24	\$ Change	% Change
<u>OTHER FINANCING SOURCES (USES)</u>					
500 · GF Transfer Out - Admin	(100,000.00)	(155,000.00)	(155,000.00)	-	0%
501 · Surplus Property Proceeds	15,000.00			-	0.00%
TOTAL	(85,000.00)	(155,000.00)	(155,000.00)	-	0%
FUND BALANCE-BEGINNING OF YEAR	454,681.00	454,681.00	495,301.84		
OVER/(UNDER)	40,620.84	-	(44,163.39)		
FUND BALANCE-END OF YEAR	495,301.84	454,681.00	451,138.45		

RESOLUTION NO. _____

A JOINT RESOLUTION OF ARANSAS COUNTY, TEXAS, THE TOWN OF FULTON, TEXAS, THE CITY OF ARANSAS PASS, TEXAS, THE ARANSAS COUNTY NAVIGATION DISTRICT AND THE CITY OF ROCKPORT, TEXAS, CREATING THE STORMWATER MANAGEMENT TECHNICAL COMMITTEE; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, upon the adoption of this resolution to establish a Stormwater Management Technical Committee, the existing Stormwater and Floodplain Management Advisory Committee shall be dissolved; and

WHEREAS, all entities will be authorized to appoint, as may be required by the laws of the State of Texas, or deemed desirable by each entity, such boards, commissions, and committees as deemed necessary to carry out the functions and obligations of the entities; and

WHEREAS, by fostering unity and cooperation, the citizens of Aransas County may benefit from collaborative efforts maximizing resources, expertise and knowledge to better serve the community for reduced flood risks and overall enhanced community flood resilience.

BE IT FURTHER RESOLVED AS FOLLOWS by the Aransas County Commissioners Court, the Town Council of the Town of Fulton, the City Council of the City of Aransas Pass, the Aransas County Navigation District Commissioners, and the City Council of the City of Rockport that the Stormwater Management Technical Committee (SMTC) is hereby established as follows:

Section 1: Core Values

The core values of the Stormwater Management Technical Committee are as follows:

1. Strive for technical excellence,
2. Maintain transparency between entities and with the public,
3. Seek optimal balance between drainage needs and water quality needs, and
4. Promote respect for the sovereignty of participating entities.

Section 2: Appointments

1. The Stormwater Management Technical Committee shall consist of five (5) voting members, who shall elect among themselves a chairman and provide a staff administrator as secretary.

2. The Chairman shall be appointed annually at the first meeting of the calendar year and shall preside over the meetings and call for votes as necessary.
3. The SMTC Secretary shall record and distribute meeting agendas and minutes to members of the committee.
4. Aransas County, the Town of Fulton, the City of Aransas Pass, The Navigation District, and the City of Rockport shall each appoint one (1) voting member and one (1) alternate each calendar year. Members may be reappointed annually until the need arises for a new member/alternate to be identified.
5. Appointees shall serve until replaced by their respective entities
6. Appointees and alternates shall have such technical knowledge so as to make specialized and complex storm water management decisions in the best interest of the community without regard for political boundaries.
7. Appointees shall provide, at minimum, quarterly reports to their respective political entities to ensure the work of the committee is consistent with each entity's goals and planning.

Section 3: Charge

1. The SMTC shall conduct, at minimum, monthly meetings to discuss relevant stormwater issues.
2. Establish a concise storm water management criteria document which will be adopted by all governmental entities and applied to all drainage projects in Aransas County.
3. Monitor progress and implementation of the county wide drainage plan including construction oversight and management.
4. Establish a prioritized list of Capital Improvement Projects (CIPs) based on scientific data to be adopted by all entities.
5. Develop a plan for the funding of CIPs in conjunction with the political entities.
6. Seek qualified, professional services as needed for design, construction, and consultation.
7. The SMTC shall develop a criteria to determine which drainage plans will require full committee review and which may remain under existing processes for informal/staff reviews in each jurisdiction.

ORDINANCE NO.: 320

AN ORDINANCE

ENACTING NEW SPEED LIMITS FOR THE STREETS AND ALLEYS THAT ARE NOT AN OFFICIALLY DESIGNATED OR MARKED HIGHWAY OR ROAD OF THE STATE HIGHWAY SYSTEM; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERANCE; PROVIDING A PENALTY; AND PROVIDING FOR PUBLICATION

WHEREAS, Section 545.356(b-1), Transportation Code, provides that the governing body of a municipality may declare a lower speed limit than the prima facie speed limit under certain conditions; and

WHEREAS, a lower speed limit than the prima facie speed limit may be set only for a highway, street, alley or part of a highway in the municipality that is not an officially designated or marked highway or road of the state highway system; and

WHEREAS, the Town Council of the Town of Fulton has determined that the prima facie speed limit on the streets and alleys of the Town for those streets that are in an urban district, are less than four lanes and are not a designated state highway should be adjusted; and

WHEREAS, the Town Council of the Town of Fulton has determined that the designated prima facie speed limits are unreasonable and unsafe on the above described streets and alleys in the Town of Fulton; and

WHEREAS, the Town Council of the Town of Fulton has determined that the reasonable and safe speed limit on the above described streets in the Town of Fulton is Twenty-Five (25) miles per hour; and

WHEREAS, the Town Council of the Town of Fulton has determined that the reasonable and safe speed limit on the above described alleys in the Town of Fulton is Fifteen (15) miles per hour; and

WHEREAS, the Town Council of the Town of Fulton has determined that establishing the speed limits herein is necessary for the protection of the health, safety and welfare of the citizens of the Town of Fulton.

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

Section 1. That the predicate Whereas clauses above are hereby adopted as findings of the Town Council.

Section 2. That the speed limit on streets within the Town of Fulton, maintained by the Town of Fulton; that are in an urban district; that is a two-lane, undivided highway/street; and not a state highway is hereby established as Twenty-Five (25) miles per hour.

Section 3. That the speed limit on alleys within the Town of Fulton, maintained by the Town of Fulton is hereby established as Fifteen (15) miles per hour. For the purposes of this Ordinance, an alley shall be defined as the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel, having no legal or official name and of twenty (20') feet or less in width.

Section 4. All previously adopted rules, regulations, policies, and ordinances in conflict with this Ordinance are hereby repealed.

Section 5. 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 City 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 6. Any person 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 7. This Ordinance shall be published by publishing the caption thereof in the official newspaper with a statement 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 17th day of April 2024.

TOWN OF FULTON

Kelli Cole, Mayor

ATTEST:

Stephanie Garcia, City Secretary

ORDINANCE NO. 321

**AN ORDINANCE REPEALING ORDINANCE NO. 248;
PROVIDING FOR TOWN COUNCIL TO ACT AS PLANNING
AND ZONING COMMISSION AND BOARD OF ADJUSTMENT;
SUBSTITUTING TOWN COUNCIL FOR PLANNING AND ZONING
COMMISSION IN ANY ORDINANCE OR CODE PROVISION; VALIDATING ALL
ACTIONS HERETOFORE TAKEN; REPEALING ORDINANCES IN CONFLICT;
PROVIDING FOR SEVERANCE; PROVIDING A PENALTY; AND PROVIDING FOR
PUBLICATION**

WHEREAS, Ordinance No. 248, passed and approved by the Town Council of the Town of Fulton on August 21, 2012, established a Planning and Zoning Commission; and

WHEREAS, said Ordinance No. 248 established the duties of the Planning and Zoning Commission; and

WHEREAS, the Town Council of the Town of Fulton has determined that it will be more efficient and cost effective for the Town Council to assume the duties of the Planning and Zoning Commission; and

WHEREAS, establishing the Town Council to perform the duties of the Planning and Zoning Commission will further the health, safety and welfare of the citizens.

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

Section 1. Ordinance 248, passed and approved by the Town Council of the Town of Fulton on August 21, 2012, is hereby repealed in its entirety.

Section 2. From and after the effective date of this Ordinance, the Town Council of the Town of Fulton shall assume all the duties ascribed to the Planning and Zoning Commission in said Ordinance 248, and all the duties with regard thereto, including, but not limited to: planning, zoning, platting, permitting and granting of variances provided in State Law are assumed by the Town Council.

Section 3. Any Ordinance, Resolution, rule or regulation, and/or Code of Ordinances of the Town of Fulton that references the Planning and Zoning Commission are hereby amended to insert the Town Council in place of the Planning and Zoning Commission.

Section 4. Any and all actions, decisions or orders heretofore undertaken by the Planning and Zoning Commission are validated and confirmed as valid on behalf of the Town of Fulton. Any and all actions, motions, resolution, ordinances, zoning changes, special use permits, plats and/or variances heretofore granted, authorized or passed by the Town of Fulton Planning and Zoning Commission and/or Town Council are hereby ratified,

validated and of full force and effect unless such action has been or is on the date of passage of this Ordinance subject to challenge in an appropriate court of law.

Section 5. Any Ordinance, Resolution, rule or regulation and/or Code of Ordinances contrary to this Ordinance is hereby repealed to the extent of such conflict.

Section 6. If any provision, section, sentence, clause or phrase of this Ordinance, or the application of this Ordinance 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 or regulations contained herein, shall become inoperative or fail by reason of any constitutionality of any other portion hereof and all provisions of this Ordinance are declared severable for that purpose.

Section 7. A person violating any term or provision of the Town of Fulton Zoning Ordinance shall be guilty of a misdemeanor and subject to a fine not to exceed \$500.00 upon complaint and conviction. A person commits a separate offense for each day during which a violation is committed, or for possession of each item described under this Ordinance. 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 8. This Ordinance shall be published by publishing the caption hereof on two separate occasions in the official newspaper of the Town of Fulton.

PASSED AND APPROVED this the 17th day of April 2024.

TOWN OF FULTON

Kelli Cole
Mayor

ATTEST:

Stephanie Garza
City Secretary

