



# TOWN COUNCIL REGULAR MEETING

Wednesday, June 04, 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/PRAYER**

### 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.*

### 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.

### 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.

### 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** 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.

## **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**

5. Mayor's Update.
6. The next Regular Fulton Town Council Meeting will be held Wednesday, June 18, 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, May 30, 2025, 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**

# PROCLAMATION

A Proclamation to Establish Rockport-Fulton and Aransas County as the “Ecosystem Capital of the Texas Gulf Coast” and Proclaim June 20, 2025, as Sustainable Ecotourism Day

**Whereas**, Rockport-Fulton and Aransas County have a heritage of individuals and organizations working to preserve and restore natural habitats to support wildlife and the ecosystem, and

**Whereas**, residents such as Connie Hagar, the Bird Lady of Texas, promoted the area as a birdwatcher’s paradise on the Central Flyway for migration, and Educator Martha McLeod’s Youth Birding Program at Rockport-Fulton ISD, and

**Whereas**, Sporting and Wildlife Artists, Jack Cowan, Herb Booth, Al Barnes, Steve Russell, and Kent Ullberg, created artwork that celebrated the wonders of nature and the enjoyment of hunting and fishing, and helped create environmental organizations that passed significant conservation legislation that protected Aransas County’s natural resources, and

**Whereas**, organizations like Aransas Bird and Nature Club, Aransas County Aquarium, Aransas County Navigation District-Save Little Bay, Aransas First Land Trust, Aransas Pathways, Aransas National Wildlife Refuge, Bent Oaks Conservancy and Rookery, Coastal Conservation Association - Aransas Bay Chapter, Ducks Unlimited, Flatsworthy, International Crane Foundation-Rockport, Keep Aransas County Beautiful, Mission-Aransas National Estuarine Research Reserve-Bay Education Center, Texas A&M AgriLife Extension Office, Texas Master Naturalist-Mid-Coast Chapter, Texas Parks and Wildlife, and Wings Rescue Center focus on protection and education of unique habitat like wetlands, shorelines and woodlands and preservation of wildlife, and

**Whereas**, Aransas County celebrates nature with annual events including Arbor Day, Babes on the Bay, Hummerfest, and Oysterfest as economic drivers and conservation events, and Rockport has been designated a “Tree City USA,” for 25 years, and

**Whereas**, Rockport-Fulton has become an innovative leader in oyster farming and restoring reefs through collaboration with the Sink Your Shucks Program and the Harte Research Center, and

**Whereas**, the Rockport Cultural Arts District has promoted Art in Nature, sustainable economic development and nature tourism, produced film documentaries about Rockport-Fulton’s legendary art colony and sporting artists, Charlie Bellaire and his lifetime advocacy for environmental issues, and is leading a Sustainable Ecosystem Summit June 20, 2025, to increase community awareness and outreach.

**NOW THEREFORE, BE IT RESOLVED** that the Aransas County Commissioners Court hereby proclaims Rockport-Fulton as the Ecosystem Capital of the Texas Gulf Coast and June 20, 2025, as the Sustainable Ecotourism Day for Rockport-Fulton and Aransas County.

Executed and adopted on the 4th day of May 2025.

\_\_\_\_\_  
Kelli Cole, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Garcia, City Secretary



## TOWN COUNCIL REGULAR MEETING

Wednesday, May 21, 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 5 Laura McCorkle

##### ABSENT

Place 4 Margo Nielsen

##### STAFF PRESENT

Stephanie Garcia, City Secretary  
Robert Brake, Officer

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 greeted the Council and informed them the Historical Society is gathering historical pictures that depict Aransas County. She asked if anyone had pictures from the time of 1999 or later that they would like to share contact with the History Society.

## **SWEARING IN ELECTED/APPOINTED COUNCIL MEMBERS**

1. Swear in Elected/Appointed Officials: Christopher Garis, Place 2; MaryAnn Pahmiyer, Place 3; and Margo Nielsen, Place 4.

Mayor Cole read the item and the City Secretary, Stephanie Garcia, swore in Chris Garis, Place 2; and MaryAnn Pahmiyer, Place 3. The City Secretary will swear Margo Nielsen, Place 4 at a later date.

## **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 7, 2025.
3. **Discuss/Approve/Disapprove** the April 2025 financial report.

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 5 McCorkle

## **ITEMS FOR CONSIDERATION**

4. **Discuss/Approve/Disapprove** Ordinance 324 an ordinance amending Ordinance 206 and Chapter 50, Article III, area and setback standards, Fulton town code relating to minimum side yard setbacks in residential; repealing ordinances in conflict; providing for severance; and providing for publication

Mayor Cole read the item and informed the Council that this is an update to our ordinance to bring it current with the State of Texas requirements. Alderwoman McCorkle inquired as to why the Town had setbacks at seven (7) foot. Alderman Loflin addressed her question and discussed the reasoning for the seven (7) foot side yards in the past.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis Ordinance 324 an ordinance amending Ordinance 206 and Chapter 50, Article III, area and setback standards, Fulton town code relating to minimum side yard setbacks in residential; repealing ordinances in conflict; providing for severance; and providing for publication.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, 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 informed the Council that the Town is currently working to have a three (3) foot fence placed at Fulton Park between the park and harbor for safety. She indicated that the combined project with Aransas County and the General Land Office is ongoing. This project will address street repairs and drainage on the east side of the Town. Mayor Cole mentioned the Memorial Day service at Veterans Park in Rockport at 11 a.m. on Monday. The Town offices will be closed Monday, May 26, 2025, in observance of Memorial Day.

Robert: Officer Brake informed the Council that he issued a criminal trespass warning to a man that was sleeping at the harbor.

6. The next Regular Fulton Town Council Meeting will be held Wednesday, June 4, 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 Place 5 McCorkle, Seconded by Place 2 Garis to adjourn the meeting.  
Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 5 McCorkle

The meeting was adjourned at 6:11 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 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. It does not include an individual's storage of a spare battery as long as such 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**

\_\_\_\_\_  
**Kelli Cole, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Stephanie Garcia, City Secretary**

**TOWN OF FULTON, TEXAS**  
**RESOLUTION NO. R-03-2025**

**A RESOLUTION OF THE TOWN OF FULTON ADOPTING THE ARANSAS COUNTY  
2025 HAZARD MITIGATION ACTION PLAN.**

WHEREAS, the Town of Fulton recognizes the threat that natural hazards pose to people and property within the Town of Fulton; and

WHEREAS, the County of Aransas has prepared a multi-hazard mitigation plan, hereby known as Aransas County 2025 Hazard Mitigation Action Plan, in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Aransas County Hazard 2025 Mitigation Action Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Fulton from the impacts of future hazards and disasters; and

WHEREAS, adoption by the Town Council demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Aransas County 2025 Hazard Mitigation Action Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF FULTON, TEXAS, THAT:**

The Town Council adopts the Aransas County Hazard 2025 Mitigation Action Plan. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

ADOPTED by a vote of \_\_\_\_ in favor and \_\_\_\_ against, and \_\_\_\_ abstaining, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

By: \_\_\_\_\_  
Kelli Cole, Mayor

ATTEST: By: \_\_\_\_\_  
Stephanie Garcia, City Secretary