

**MINUTES OF MARCH 9, 2020
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on March 9, 2020, pursuant to notice duly posted according to law. The following members were present:

Don Surratt	-	Mayor
Lynette Barks	-	Councilwoman
Steve Templeton	-	Mayor Pro Tem
Kenneth Wahl	-	Councilman
Sharon Spears	-	Councilwoman
David Maniscalco	-	Councilman

And absent:

Dan Bell	-	Councilman
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Also present were City Manager Steve Clark, Police Chief Danny Sullins, City Attorney Curtis Soileau, City Secretary Susan Collins, Zoning Clerk Anita Price and other guests (see attached Guest Register).

Mayor Surratt called the Meeting to order at 7:00 p.m. noting that a quorum was present, and meeting was duly called and posted in accordance with the Texas Open Meetings Act. Councilman Wahl then delivered the Invocation, Councilwoman Barks led the Pledge of Allegiance and Councilman Maniscalco led the Texas Pledge.

CITIZEN'S PARTICIPATION – MAYOR PRO TEM TEMPLETON PRESIDING

None at this time.

**** PROCLAMATION – Child Abuse Prevention Month ****

Ms. Cindy Milstead, came forward to address Council at this time. Ms. Milstead provided statistics such

as there are approximately 120 kids in foster care and approximately 365 completed investigations in Hardin County alone. Ms. Milstead then accepted the Proclamation and thanked Council for their continued support.

ANNOUNCEMENTS/CITY BUSINESS:

None at this time.

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF FEBRUARY 24, 2020 REGULAR MEETING

Mayor Pro Tem Templeton made a Motion to approve the Minutes as presented Councilwoman Barks seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

OLD BUSINESS:

Item # 200311 – Discussion and Possible Action – Second Reading – Ordinance 20-1240 –

Game Room Ordinance

City Attorney, Curtis Soileau advised there have been no changes since the first reading. Mayor Pro Tem Templeton made a Motion to approve the Second Reading – Ordinance 20-1240 – Game Room Ordinance as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

NEW BUSINESS:

Item # 200312 – Discussion and Possible Action – First Reading – Ordinance 20-1241 – Incremental Franchise Fee Agreement

Councilman Wahl made a Motion to accept the First Reading – Ordinance 20-1241 – Incremental Franchise Fee Agreement as presented. Councilwoman Barks seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 200313 – Discussion and Possible Action – Zoning Commission Recommendation – Variance Request Submitted by Manuel and Debra Zurita to Pour Concrete to widen and extend their existing driveway to within 4’ of their North side property line. The property is located at 1420 Kala’s Circle, Lot 25, Copper Point, Phase 1, P# CPT-25, 1#2019-95330 6/3/2019, Lumberton, Hardin County, Texas

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and grant the variance request at 1420 Kala’s Circle as presented. Councilman Maniscalco seconded the Motion. Motion passed with five (5) for and Mayor Pro Tem Templeton (1) against.

Item # 200314 – Discussion and Possible Action – Zoning Commission Recommendation – Variance Request Submitted by Kevin Boykin to drain the rear of Lot 78 to

the

adjacent storm water drain on the southwest corner of the property. The property is located at 1295 Miss Kyndall, Lot 78, Copper Point Phase 2, P# CPT2-78, Lumberton, Hardin County, Texas

Mayor Pro Tem Templeton made a Motion to Deny the variance request at 1295 Miss Kyndall as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 200315 – Discussion and Possible Action – Zoning Commission Recommendation – Variance Request Submitted by Kevin Boykin to drain the rear of Lot 79 to the adjacent storm water drain on the northwest corner of the property. The property is located at 1305 Miss Kyndall, Lot 79, Copper Point Phase 2, P# CPT2-79, Lumberton, Hardin County, Texas

Mayor Pro Tem Templeton made a Motion to Deny the variance request at 1305 Miss Kyndall as presented. Councilwoman Spears seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 200316 – Discussion and Possible Action – Zoning Commission Recommendation – Variance Request Submitted by Shawn Haley of Haley Homes, LLC to

construct

a cul-de-sac that will exceed the maximum 800’ length in a proposed

subdivision.

The property is located at 218 S. Village Creek Parkway, in the S.K. VanMeter League, Abstract 53, Lumberton, Hardin County, Texas

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and grant the variance request at 218 S. Village Creek Parkway as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 200317 – Discussion and Possible Action – Zoning Commission Recommendation – Variance Request Submitted by NISHA International, Inc. (Lumberton Chevron) to encroach upon rear setback lines to within 7'-10' of the rear property line to enlarge the existing commercial building at that location. The property is located at 1335 S. Hwy 96, in the E Duncan Survey, AB 14, P# 14-64-C, 1# 2019-92172 1/31/2019, Lumberton, Hardin County, Texas

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and grant the variance request at 1335 S. Hwy 96 contingent upon the review and approval of the drainage plans. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 200318 – Discussion and Possible Action – Zoning Commission Recommendation – Zone Change Request Submitted by J.J. Walla for Delta Refractories, from R-1 to I-1 for proper use of the property. The property is located at 618 S. Village Creek Parkway, AB 14, E Duncan Survey, P# 14-117-A, Tract 11B, Lumberton,

Hardin

County, Texas

Councilwoman Spears made a Motion to accept the Zoning Commission Recommendation and grant the zone change request at 618 S. Village Creek Parkway as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 200319 – Discussion and Possible Action – Zoning Commission Recommendation – Request Submitted by Michael Lee to replat his property. The property is located at 5238 Bryan Lane, Lot 11, Block D, Beaumont Colony South, P# K33-D-11, 1# 2016-65312 06/01/2016, Lumberton, Hardin County, Texas

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and approve the replat of property at 5238 Bryan Lane as presented. Mayor Pro Tem Templeton seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

MONTHLY REPORTS:

Reports from the Permit Department, Police Department and Library were reviewed and discussed at this time.

MAYOR'S REPORT:

Proclamation – Child Abuse Prevention Month

** This item was moved to the beginning of the meeting. **

Mayor Surratt reported that he attended the Southeast Texas Regional Planning Commission (SETRPC) meeting along with Mr. Scott Ayres, TxDOT and discussed the proposed changes to Highway 96/Main street. Mr. Ayres advised that, at this time, they are considering restriping the highway rather than installing a raised median.

CITY MANAGER'S REPORT:

None at this time.

POLICE CHIEF'S REPORT:

None at this time.

EXECUTIVE SESSION:

Council did not enter into closed Executive Session.

ACTION ON EXECUTIVE SESSION ITEMS:

None at this time.

PERSONNEL:

ITEMS FOR FUTURE AGENDA:

None at this time.

ADJOURNMENT:

There being no further business, Councilman Wahl made a Motion to adjourn the meeting. Councilwoman Barks seconded the Motion. Motion passed unanimously with six (6) for and none (0) against. The meeting adjourned at 7:36 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY