

**MINUTES OF MAY 11, 2020
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on May 11, 2020, pursuant to notice duly posted according to law. The following members were present:

Don Surratt	-	Mayor
Lynette Barks	-	Councilwoman
Kenneth Wahl	-	Councilman
Sharon Spears	-	Councilwoman
David Maniscalco	-	Councilman
Dan Bell	-	Councilman

And absent:

Steve Templeton	-	Mayor Pro Tem
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Also present were City Manager Steve Clark, Police Chief Danny Sullins, City Attorney Curtis Soileau, City Secretary Susan Collins. Due to the COVID-19 Pandemic, no guests were present.

Mayor Surratt called the Meeting to order at 7:30 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.

****** OATH OF OFFICE – NEWLY RE-ELECTED MEMBERS ******

City Attorney, Curtis Soileau came forward to administer the Oath of Office to the newly re-elected members. No further action taken or required.

CITIZEN’S PARTICIPATION – COUNCILMAN WAHL PRESIDING

None at this time.

ANNOUNCEMENTS/CITY BUSINESS:

None at this time.

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF MARCH 23, 2020 REGULAR MEETING

Councilman Wahl made a Motion to approve the Minutes as presented Councilwoman Spears seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

OLD BUSINESS:

NEW BUSINESS:

Item # 200511 – Appoint 2020-’21 Mayor Pro Tem

Mayor Surratt stated that a Council member is appointed each year to serve as the Mayor Pro Tem, he then asked Councilman Wahl to consider serving as Mayor Pro Tem. Councilman Bell made a

Motion to appoint Councilman Wahl as the 2020-'21 Mayor Pro Tem. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 200512 – Discussion and Possible Action – Second Meeting in May

Mayor Surratt advised that the fourth Monday in May falls on the Memorial Day holiday, therefore, the second meeting must be rescheduled. Mayor Pro Tem Wahl made a Motion to reschedule the second meeting in May for 7:00 p.m. Tuesday May 26, 2020. Councilwoman Spears seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 200513 – Discussion and Possible Action – Zoning Commission Recommendation
Variance Request submitted by Ben & Chastity Dunham to encroach upon
their east side setback line to within three feet of the property line to widen
and extend their existing driveway. The property is located at 7660
Rosewood***

***Drive, Lot 32, Block 5, Boykin Place Unit 3, AB 53, S K VanMeter Survey,
P# BOY-PL-5-32, 1# 2013-41469-09/30/2013, Lumberton, Hardin County,
Texas***

Councilman Bell made a Motion to accept the Zoning Commission Recommendation and grant the variance request at 7660 Rosewood Drive as presented, stating that the three-foot measurement would be taken from the property line *not* the fence line. Mayor Pro Tem Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 200514 – Discussion and Possible Action – Zoning Commission Recommendation
Zone Change Request submitted by Terri L. Varner of Chambers Property
Investments, LLC to rezone the remaining portion of her property past the
250' zone line from R-1 (Residential Single-Family Site-Built Homes) to C-2
(Commercial Community Business District). The property is located at 330***

N.

***L.H.S. Drive, Lot 2 of the Minor Plat of Crosby Addn, P# 2-55-B,
1 # 2014-50151 9/30/14, Lumberton, Hardin County, Texas***

Mayor Pro Tem Wahl made a Motion to accept the Zoning Commission Recommendation and grant the zone change request at 330 N. L.H.S. Drive as presented. Councilman Bell seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 200515 – Discussion and Possible Action – Zoning Commission Recommendation
Variance Request submitted by Joshua and Deidra Porter to construct a
shared access drive from W. Walton over and across 1382 W. Walton to
connect to his land-locked property. The property is approximately 1.412
acres of land out of the A.L. George 2.997-acre trace in the northeast portion
of the J. Walea Survey, Abstract No. 490, Lumberton, Hardin County, Texas***

Councilman Bell made a Motion to accept the Zoning Commission Recommendation and grant the variance request at 1382 W. Walton as presented, contingent upon approval of the following: 1) Metes and Bounds; 2) a permanent Easement Agreement between the owners of Lots 2 & 3; and 3) a Maintenance Agreement. Mayor Pro Tem Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 200516 – Discussion and Possible Action – Zoning Commission Recommendation
Zone Change Request submitted by Tyler Hodgkinson and Chad Havens to
rezone property from R-1 (Residential Single-Family Site-Built Homes) to C-
2 (Commercial Community Business District). The property is located at 111
N. L.H.S. Drive, Lot 3, Block 1, Cavens Cove as per Plat 4-207-A, P# CCV-1-3,
1# 1766/63 03/17/2010, Lumberton, Hardin County, Texas***

Councilman Bell made a Motion to accept the Zoning Commission Recommendation and grant the zone change request at 111 N. L.H.S. Drive as presented. Councilman Bell added that with this approval, he would like to remind the developers to be “good neighbors” and address any drainage issues brought before them. Mayor Pro Tem Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 200517 – Discussion and Possible Action – Zoning Commission Recommendation
Zone Change Request submitted by Tyler Hodgkinson and Chad Havens to
rezone property from R-1 (Residential Single-Family Site-Built Homes) to C-
2 (Commercial Community Business District). The property is located at 121
N. L.H.S. Drive, Lot 4, Block 1, Cavens Cove as per Plat 4-207-A, P# CCV-1-4,
1# 1766/63 03/17/2010, Lumberton, Hardin County, Texas***

Mayor Pro Tem Wahl made a Motion to accept the Zoning Commission Recommendation and grant the zone change request at 121 N. L.H.S. Drive as presented. Councilwoman Spears seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 200518 – Discussion and Possible Action – First Reading – Ordinance 20-1241
Amend Code of Ordinances Chapter 50 – Zoning, to provide for regulations
for Game Rooms within the corporate limits of the City of Lumberton and
related matters***

Councilman Bell made a Motion to accept the First Reading – Ordinance 20-1241 to provide for Game Room regulations as presented. Mayor Pro Tem Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 200519 – Discussion and Possible Action – First Reading – Ordinance 20-1242 Amend
Code of Ordinances Chapter 50 – Zoning, to provide for regulations for
Sexually Oriented Businesses within the corporate limits of the City of
Lumberton and related matters***

Mayor Pro Tem Wahl made a Motion to accept the First Reading – Ordinance 20-1242 to provide for regulations for Sexually Oriented Businesses as presented and corrected to add C-1 areas to Section C (3). Councilwoman Spears seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 2005110 – Discussion and Possible Action – Interlocal Agreement with Hardin County
for the Purpose of FEMA Hazard Mitigation Grant Lumberton Detention
Pond (TDEM HMGP AWARD 4332-232)***

Mayor Pro Tem Wahl made a Motion to approve the Interlocal Agreement as presented. Councilman Bell seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 2005111 – Discussion and Possible Action – First Reading – Ordinance 20-1243
US Highway 96 (Main Street) Reduced Speed***

Mayor Surratt stated that the speed limit on FM 421 is currently 55 m.p.h. and should be included in this ordinance. Councilman Bell made a Motion to accept the First Reading – Ordinance 20-1243 with the correction to include FM 421. Mayor Pro Tem Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

MONTHLY REPORTS:

March and April reports from the Permit Department, Police Department and Library were reviewed and discussed at this time.

MAYOR’S REPORT:

None at this time.

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, Mayor Pro Tem 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 8:11 p.m.

DON SURRATT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY