

**MINUTES OF MARCH 8, 2021  
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on March 8, 2021, pursuant to notice duly posted according to law. The following members were present:

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

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

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. Mayor Pro Tem Wahl then delivered the Invocation, Councilwoman Barks led the Pledge of Allegiance and Councilman Bell led the Texas Pledge.

***CITIZEN'S PARTICIPATION – MAYOR PRO TEM WAHL PRESIDING***

Mr. Kenny Burkhalter came forward to introduce himself to Council and to announce his candidacy for Council Position # 2.

***ANNOUNCEMENTS/CITY BUSINESS:***

None at this time.

***COMMITTEE REPORTS:***

***CONSENT AGENDA:***

**A. APPROVAL OF MINUTES OF FEBRUARY 22, 2021 REGULAR MEETING**

Mayor Surratt advised that a correction was made to the Minutes and provided prior to the meeting. Mayor Pro Tem Wahl made a Motion to accept the corrected Minutes as presented. Councilwoman Barks seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***OLD BUSINESS:***

***NEW BUSINESS:***

***Item # 210311 – Discussion and Possible Action – Zoning Commission Recommendation Request submitted by Brian Don Carlos of Claycomb Associates, Architects, on behalf of Lumberton ISD to encroach upon the north building setback to replace concrete on the existing driveway located on the north property line. The property is located at the Early Childhood Campus at 1020 S Main Street, in the E Duncan Survey, Abstract 14, Lumberton, Hardin County, Texas.***  
Mayor Pro Tem Wahl made a Motion to accept the Zoning Commission recommendation and approve the variance request at 1020 S. Main Street

(Lumberton ISD) as presented. Councilman Bell seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 210312 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Request submitted by David Brown to Replat Lot 1, Block 5 of Brookdale Garden Homes recorded in Volume 3, Page 181, Plat Records, Hardin County, Texas, to include Tract II, being a .0655 acre tract situated in the William Slade Survey, Abstract 454, Out of and Part of Common Area, Brookdale Garden Homes. The Property is located at 115 Moonmist, P# BGD5-1, I# 2015-60423 11/18/2015, Lumberton, Hardin County, Texas.**

Councilman Bell made a Motion to accept the Zoning Commission recommendation and approve the replat request at 115 Moonmist as presented. Mayor Pro Tem Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 210313 – Discussion and Possible Acton – Zoning Commission Recommendation**  
**Variance Request submitted by David Brown to allow Common Area to be deeded to him by the property owners of Brookdale Garden Homes Subdivision, making less Common area than is required for Garden Homes according to Section 42-40 of the City of Lumberton City Ordinances. The property is located at 115 Moonmist, Lot 1, Block 5, Brookdale Garden Homes, in the William Slade Survey, Abstract 454, Out of and Part of Common Area, Brookdale Garden Homes, P# BGD5-1, I# 2015-60423 11/18/2015 Lumberton, Hardin County, Texas.**

Councilman Maniscalco made a Motion to accept the Zoning Commission recommendation and approve the variance request at 115 Moonmist as presented. Councilman Bell seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 210314 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Variance Request submitted by Whiteley Oliver Engineering, LLC, on behalf of Greentree Enterprises, to drain Lots 15-19 and Lots 1-4, 20 and 21 to the rear of the property, of the conceptual layout of Heritage Highlands Subdivision. The property is located in the Francisco Arriola League, Abstract Number 2, Lumberton, Hardin County, Texas.**

Mayor Pro Tem Wahl made a Motion to accept the Zoning Commission recommendation and approve the variance request of the conceptual layout of Heritage Highlands subdivision as presented. Councilman Maniscalco seconded the Motion. Motion passed with four (4) for and Councilman Templeton and Councilman Bell voting against.

**Item # 210315 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Variance request submitted by Adam and Amy Wolfe to pour concrete to widen and extend the driveway within the north side building setback. The property is located at 6640 Llano Lane, Lot 3, Block 10, Westwood Heights Phase IV, Section A, 4-177-A P # WWHIV-10-3, I # 2017-79011 10/30/2017, Lumberton, Hardin County, Texas.**

Councilman Bell made a Motion to accept the Zoning Commission recommendation and approve the variance request at 6640 Llano Lane as presented. Mayor Pro Tem Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 210316 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Variance request submitted David and Jennifer Bonner to encroach upon their rear building setback line to pour concrete for a detached garage. The**

**property is located at 660 Jordan Drive in the Francisco Arriola League, Abstract 2, P# 2-69 Tract 56, 1 # 2014-45725 4/3/14, Lumberton, Hardin County, Texas.**

Councilman Maniscalco made a Motion to accept the Zoning Commission recommendation and approve the variance request at 660 Jordan Drive as presented. Councilwoman Barks seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***Item # 210317 – Discussion and Possible Action – Appoint Zoning Commission Members***

Mayor Surratt advised that there are two open seats on the Zoning Commission and Mr. Matthew Johnson and Mr. Darryl Ford have each expressed a desire to serve. Councilman Maniscalco made a Motion to appoint Matthew Johnson and Darryl Ford to the Zoning Commission. Mayor Pro Tem Wahl 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:***

None at this time.

***CITY MANAGER'S REPORT:***

City Manager, Steve Clark reported that the mosquito spraying will resume on March 15<sup>th</sup>.

Mr. Clark also reported that MK Constructors will begin the project of lining the Green's Branch ditch on March 22<sup>nd</sup> and LD Construction will begin the street project on April 5<sup>th</sup>. Both of these projects are part of the Hurricane Harvey CDBG grant.

***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 7:50 p.m.

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DON SURRETT  
MAYOR

ATTEST:

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SUSAN COLLINS  
CITY SECRETARY