

**MINUTES OF APRIL 12, 2021
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on April 12, 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 Maniscalco led the Texas Pledge.

CITIZEN'S PARTICIPATION – MAYOR PRO TEM WAHL PRESIDING

Ms. Kristen Romero came forward to introduce herself to Council and to announce her candidacy for LISD School Board.

ANNOUNCEMENTS/CITY BUSINESS:

None at this time.

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF MARCH 22, 2021 REGULAR MEETING AND APRIL 1, 2021 WORKSHOP MEETING

Councilman Bell made a Motion to accept the Minutes as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

OLD BUSINESS:

Item # 210411 – Discussion and Possible Action – Resolution / Agreement with Industrial Development Corporation Approving an Advancement of Funds

Councilman Maniscalco made a Motion to approve the Resolution / Agreement with Industrial Development Corporation approving an Advancement of Funds as presented. Councilman Templeton seconded the Motion. Motion passed with four (4) for and Mayor Pro Tem Wahl and Councilman Bell voting against.

NEW BUSINESS:

Item # 210412 – Discussion and Possible Action – Award Bid – Disposition of Surplus Property
Mayor Pro Tem Wahl made a Motion to award the bid(s) for the sale of Surplus Property as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 210413 – Discussion and Possible Action – Request Submitted by Chuck King, King Homes to accept the streets and drainage facilities of Woosley Palms Phase II-B located in the J.F. Callihan Survey, Abstract No. 588, Lumberton, Hardin County, Texas

Mayor Surratt expressed concern about accepting streets in subdivisions that are still being developed. Much discussion followed including the issue that a fence is currently in place within the City right of way at the end of a sidewalk. Further discussion explained that the fence poses no obstruction to the sidewalk as it is today. However, the fence must be removed if/when the adjoining property is developed, and the required sidewalk is installed. Councilman Bell then made a Motion to accept the streets and drainage facilities of Woosley Palms Phase II-B as presented. Mayor Pro Tem Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 210414 – Discussion and Possible Acton – Zoning Commission Recommendation
Variance request submitted by Frank Randazzo to encroach upon the north building setback line to within 20’ of the property line as well as to encroach upon the south building setback line to within 20’ of that property line to pour concrete for parking for his restaurant. He would also like to encroach upon the rear building setback line to within 20’ of the rear property line for the excess parking. The Property is located at 358 N LHS Drive, AB 2, F Arriola Survey, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission recommendation and approve the variance request at 358 N. L.H.S. Drive as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 210415 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Frank Randazzo to construct the excess parking in the rear with rock instead of asphalt or concrete as required in Section 50-340 of the City of Lumberton, Texas City Ordinances. The Property is located at 358 N LHS Drive, AB 2, F Arriola Survey, Lumberton, Hardin County, Texas.

Mr. Randazzo Withdrew this request. No further action taken or required.

Item # 210416 – Discussion and Possible Action – Zoning Commission Recommendation
Request submitted by Chad Carpenter to replat Lot 1A Hooks Road Place Volume 4, Page 216, Plat Records into Lots 1B, 2B and 3B Hooks Road Place, S.K. Van Meter League, A-53. The property is located at 110 Hooks Road, Lumberton, Hardin County, Texas.

Mayor Pro Tem Wahl made a Motion to accept the Zoning Commission recommendation and approve the replat request at 110 Hooks Road contingent upon the removal of the existing home and providing confirmation thereof before the replat will be signed by the City. Councilman Bell seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 210417 – Discussion and Possible Action – Zoning Commission Recommendation

Request submitted by Calvin Gauthier of S&C Builders to replat lots 2 and 3 of the Minor Plat of S&C Builders Subdivision No. 2 located at 210 and 230 Kings Row, in the S.K. Van Meter League, Abstract No. 53, Lumberton, Hardin County, Texas

Councilman Maniscalco made a Motion to accept the Zoning Commission recommendation and approve the replat at 210 and 230 Kings Row as presented. Mayor Pro Tem Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 210418 – Discussion and Possible Action - First Reading – An ordinance amending the City of Lumberton’s Code of Ordinances, Chapter 40 – Streets, Sidewalks and other Public Places, Article V - Driveways and Culverts, for clarity and compliance with the City’s standards and specifications

City Attorney, Curtis Soileau came forward to present this item. Mr. Soileau advised that the changes were a result of the items discussed during the recent Workshop meeting. Mr. Soileau then highlighted some of the changes including the provision that the City Engineer(s) will prepare a Driveway Design and Paving Detail Standards with specifications and sketches. Mr. Soileau also advised that either concrete or asphalt will be allowed in R-3 (Manufactured Housing Dwelling District) zoned areas, where all subdivisions, R-1 & R-2 zoned areas must be concrete only. Mr. Soileau also detailed the non-compliance penalty section, specifically the fine for failing to apply for or to comply with the permit requirements. Mr. Soileau then addressed the issue of requiring concrete on exceptionally long driveways. He asked Council to consider possibly allowing asphalt to be placed at the end of the concrete and extend on to the house. Mr. Soileau stated that he could amend the Ordinance to include the following exception “for driveways exceeding 75 feet, the first 75 feet *must* be concrete, and the remainder may be asphalt”. After much further discussion, Councilman Maniscalco made a Motion to accept the First Reading Amending Chapter 40 as presented and amended. Councilman Bell seconded the Motion. Motion passed with five (5) for and Councilwoman Barks 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:

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. Councilman Templeton seconded the Motion. Motion passed unanimously with six (6) for and none (0) against. The meeting adjourned at 8:55 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY