

**MINUTES OF AUGUST 23, 2021  
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on August 23, 2021, pursuant to notice duly posted according to law. The following members were present:

Don Surratt	-	Mayor
Lynette Barks	-	Councilwoman
Kenny Burkhalter	-	Councilman
Kenneth Wahl	-	Councilman
Kimberly Cline	-	Councilwoman
David Maniscalco	-	Mayor Pro Tem

And absent:

Dan Bell	-	Councilman
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Also present were City Manager Steve Clark, City Attorney Curtis Soileau, Police Chief Danny Sullins, City Secretary Susan Collins, 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 delivered the Invocation, Councilman Burkhalter led Pledge of Allegiance and Councilwoman Cline led the Texas Pledge.

***CITIZEN'S PARTICIPATION – COUNCILMAN MANISCALCO PRESIDING***

None at this time.

***ANNOUNCEMENTS/CITY BUSINESS:***

None at this time.

***COMMITTEE REPORTS:***

***CONSENT AGENDA:***

**A. APPROVAL OF MINUTES OF AUGUST 9, 2021 PUBLIC HEARING AND REGULAR MEETING**

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

***OLD BUSINESS:***

***Item # 210821 – Discussion and Possible Action – Second Reading – Ordinance Amending the City's Zoning Ordinance under Chapter 50, Division 2, Section 50-59 in conformity with Chapter 12.03(b) of the City of Lumberton's Home Rule Charter***

Councilman Wahl made a Motion to accept the Second Reading – Ordinance Amending the City's Zoning Ordinance Chapter 50, Division 2 Section 50-59 as presented. Councilman Burkhalter seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 210822 – Discussion and Possible Action – Second Reading – Ordinance Amending the City’s Zoning Ordinance under Chapter 50, Division 10, Section 50-475 – Section 50-477 providing Specific Use Permit approval conditions for relocated structures**

Councilwoman Cline made a Motion to accept the Second Reading – Ordinance Amending Chapter 50, Division 10 Section 50-475 – Section 50-477 as presented. Mayor Pro Tem Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 210823 – Discussion and Possible Action – Second Reading – Ordinance Amending Chapter 6 (Buildings and Building Regulations) requiring a contractor’s registration and contractor’s permit bond or commercial general liability insurance**

Mayor Pro Tem Maniscalco made a Motion to accept the Second Reading – Ordinance Amending Chapter 6 (Buildings and Building Regulations) as presented. Councilman Burkhalter seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**NEW BUSINESS:**

**Item # 210824 – Discussion and Possible Action – Memorandum of Understanding (MOU) between City of Lumberton and Lumberton Independent School District for School Resource Officers.**

City Attorney, Curtis Soileau advised that this is an agreement between the City and School District for School Resource Officers and that any further discussion on the details of the agreement should be held in closed Executive Session as it involves school security matters. Mayor Pro Tem Maniscalco made a Motion to accept the Memorandum of Understanding (MOU) as presented. Councilman Burkhalter seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 210825 – Discussion and Possible Action – Renewal of Contract / Collection Agreement between City of Lumberton and Lumberton Municipal Utility District**

Mayor Pro Tem Maniscalco made a Motion to renew the contract/collection agreement with Lumberton Municipal Utility District as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 210826 – Discussion and Possible Action – Land Purchase from Candlestick Baptist Church for the Purpose of Building a Road**

City Manager, Steve Clark advised that the Candlestick Baptist Church has agreed to sell the city an approximate fifty-foot portion of land at a cost of \$110,000.00 for the purpose of constructing a road to connect Candlestick and Williams Road. Councilman Wahl made a Motion to approve the land purchase from Candlestick Baptist Church in the amount of \$110,000.00 for the purpose of constructing a road. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 210827 – Discussion and Possible Action – Excavation Permit Request for FM 421 @ Temple Road – Nick Brocato**

Mr. Nick Brocato came forward to address Council at this time. Mr. Brocato is requesting Council approval to dig an approximate 30+-acre dirt pit on FM 421 at Temple Road. Mr. Brocato advised that this area has the specific type of material that is most desirable to his customers. Much discussion followed including drainage concerns due to the proximity of the proposed Longleaf

subdivision. City Attorney, Curtis Soileau added that the proposed Longleaf subdivision not only lies within the city limits of Lumberton, but also in Hardin County as well as Beaumont's extra-territorial jurisdiction (ETJ) and that all entities involved must approve any drainage plans. After much further discussion, Councilman Wahl made a Motion to Deny the excavation permit request as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

***MONTHLY REPORTS:***

Monthly Financial Reports were review and discussed at this time.

***MAYOR'S REPORT:***

Mayor Surratt reported that the Southeast Texas Regional Planning Committee held a Transportation meeting and allowed both in person and virtual attendance.

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

None at this time.

***POLICE CHIEF'S REPORT:***

Chief Sullins reported that he currently has two Officers out with COVID.

***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 8:07 p.m.

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DON SURRETT  
MAYOR

ATTEST:

  

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SUSAN COLLINS  
CITY SECRETARY