

**MINUTES OF FEBRUARY 14, 2022
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on February 14, 2022, 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
Dan Bell	-	Councilman

And absent:

David Maniscalco	-	Mayor Pro Tem
------------------	---	---------------

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 7:00 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 Pledge of Allegiance and Councilwoman Cline led the Texas Pledge.

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 JANUARY 24, 2022 REGULAR MEETING

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

OLD BUSINESS:

Item # 220211 – Discussion and Possible Action – Second Reading – Ordinance 22-1260 – Regulating Speed on US 69 and Curve Feeder Road Connecting US 69 & US 96

Councilman Bell made a Motion to accept the Second Reading – Ordinance 22-1260 – Regulating Speed on US 69 and Curve Feeder Road Connecting US 69 & US 96 as presented. Councilwoman Barks seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

NEW BUSINESS:

Item # 220212 – Discuss and Possible Action – Zoning Commission Recommendation – Variance request submitted by Jeff Brushaber of DJM Contractors on behalf of MST Properties, to encroach upon their east side building setback line to within

3.41’ of the property line to pour concrete to widen and extend their existing driveway. The property is located at 6910 Woodridge Drive, Lot 11 Block 10 Westwood Heights Phase IV, Section A Plat 4-177-A, P # WWHIV 10-11, Lumberton, Hardin County, Texas

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 6910 Woodridge Drive as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220213 – Discussion and Possible Action – Zoning Commission Recommendation – Variance request submitted Veronica Payton to encroach upon the east rear building setback line to within 5’ of the rear property line to install a 12’ x 20’ accessory building in the back yard. The property is located at 6620 Georgetown Lane, Lot 3, Block 11, Westwood Heights, Phase V, Section 1, P# WWHV-11-3, 1 # 2021-116452 06/30/2021, Lumberton, Hardin County, Texas

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and approve the variance request for an accessory building on skids at 6620 Georgetown Lane as presented. Councilman Burkhalter seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220214 – Discussion and Possible Action – Zoning Commission Recommendation – Request submitted by April Bell to divide her property into 2 lots by Minor Plat, with neither lot having the required 75’ of road frontage as per City Ordinance Section 42-15. The property is located at 151 Bamboo Lane, AB 53, located in the S K VanMeter Survey, P# 53-159 Tract 65, Lumberton, Hardin County, Texas

Councilman Bell made a Motion to accept the Zoning Commission Recommendation and approve the Minor Plat at 151 Bamboo Lane as presented. Councilwoman Barks seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220215 – Discussion and Possible Action – Zoning Commission Recommendation – Proposed amendment to the City of Lumberton Code of Ordinances Chapter 50 (Zoning), Section 50-332 to exclude single family residence dwellings as a permitted use in the C-2 Community Business District

Councilman Bell made a Motion to accept the Zoning Commission Recommendation and approve the first reading of the proposed amendment to Chapter 50 (Zoning) Section 50-332 to exclude single family residence dwellings in the C-2 Community Business District as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220216 – Discussion and Possible Action – First Reading – Ordinance 22-1261 – Decline Entergy Rates

Councilman Bell made a Motion to accept the First Reading – Ordinance 22-1261 – Decline Entergy Rates as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220217 – Discussion and Possible Action – First Reading – Ordinance 22-1262 – Amending Definitions and Regulations of Animals found in Chapter 4 and Prohibiting Exotic and Wild Animals within the City Limits

City Attorney, Curtis Soileau advised that the animal Ordinance has not been reviewed in several years and, as the ability to obtain exotic/wild animals is becoming more accessible, those animals should be named. Mr. Soileau explained the changes in detail as well as clarifying the definition of “harboring” and the inclusion of non-venomous reptiles to the “Pets” section. After further discussion including the impact these changes would have on functions like the Village Creek Festival or the Public Library (as they often have an Exotic Bird and Reptile demonstration to end their Summer Reading Program). Councilman Bell made a Motion to accept the First Reading Ordinance 22-1262 as presented with the addition of a provision for a Specific Use Permit. Councilman Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220218 – Discussion and Possible Action – First Reading – Ordinance 22-1263 – Correcting a Technical Error Found in Chapter 34, Section 49(h)

City Attorney, Curtis Soileau discovered that Chapter 34, Section 49(h) erroneously references the City of Beaumont rather than the City of Lumberton. Councilwoman Barks made a Motion to accept the First Reading – Ordinance 22-1263 – Correcting a Technical Error as presented. Councilwoman Cline 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 review and discussed at this time.

MAYOR’S REPORT:

None at at this time.

CITY MANAGER’S REPORT:

City Manager, Steve Clark reported that construction has begun on both the Skate Park and Splash Pad at the FM 421 City Park.

POLICE CHIEF’S REPORT:

2021 Annual Contact Report

Chief Sullins stated that he is happy to report that, once again, there have been no complaints of Racial Profiling filed against the department.

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 7:56 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY