

**MINUTES OF AUGUST 8, 2022
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on August 8, 2022, pursuant to notice duly posted according to law. The following members were present:

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

And absent:

Lynette Barks	-	Councilwoman
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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 7:33 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, Mayor Surratt led Pledge of Allegiance and Councilwoman Cline led the Texas Pledge.

***** Item # 2208110 – Resolution Supporting Alabama-Coushatta Tribe in Support of H.R. 2208*****

CITIZEN’S PARTICIPATION – MAYOR PRO TEM BELL PRESIDING

None at this time.

ANNOUNCEMENTS/CITY BUSINESS:

None at this time.

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF JULY 25, 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:

NEW BUSINESS:

Item # 220811 – Discussion and Possible Action – Zoning Commission Recommendation

Variance request submitted by David and Jackie Maniscalco to drain the water at the back of their lot, to the rear of the property. It is the natural flow for water drainage for that lot. They are also building a swimming pool at this time.

The property is located at 3 Taft, Lot 2, Brushy Creek, Abstract 36, in the A Lancaster Survey, P# 36-7-L, I# 873/330, Lumberton, Hardin County, Texas

Mayor Pro Tem Bell made a Motion to accept the Zoning Commission recommendation and approve the variance request at 3 Taft Avenue as presented. Councilwoman Cline seconded the Motion. Motion passed with five (5) for and Councilman Maniscalco abstaining.

Item # 220812 – Discussion and Possible Action – Zoning Commission Recommendation – Request submitted by James Garrett Landers to rezone his property from C-2 (Community Business District) and R-1 (Single-Family Site-Built Homes District) to entirely R-1 (Single-Family Site-Built Homes District). The property is located at 1570 W Walton Road, Lot 8, Block D, Beaumont Colony South, Abstract 395, P# K33-D-8, I# 2021-118332, Lumberton, Hardin County, Texas

Councilman Maniscalco made a Motion to accept the Zoning Commission recommendation and approve the rezone request at 1570 West Walton Road as presented. Mayor Pro Tem Bell seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220813 – Discussion and Possible Action – Zoning Commission Recommendation – Request submitted by Tiffany Thelen of KCG Industrial, on behalf of Henry Adams, of Adams Family Real Estate, to rezone property from R-1 (Single-Family Site-Built Homes District) to C-2 (Community Business District). The property is located at 337 S Main Street, Abstract 53, in the S K Van Meter League, P# 53-232-B, I# 2014-51001 11/3/14, Lumberton, Hardin County, Texas

Councilman Burkhalter made a Motion to Table this item at this time. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against. A Workshop Meeting will be held at 5:30 p.m. on Monday August 22, 2022.

Item # 220814 – Discussion and Possible Action – Zoning Commission Recommendation – Variance request submitted by Clay Dennis of Aster Management, to drain his water with the natural flow to the rear of the property. The property is located at 102 Greenbriar, Lot 6 of Greenbriar Subdivision, Abstract 53, in the S K Van Meter League, P# CL19-5, Lumberton, Hardin County, Texas

Mayor Pro Tem Bell made a Motion to accept the Zoning Commission recommendation and approve the variance request for drainage at 102 Greenbriar as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220815 – Discussion and Possible Action – Zoning Commission Recommendation – Variance request submitted by Clay Dennis of Aster Management, to waive the sidewalk requirement for this property. The property is located at 102 Greenbriar, Lot 6 of Greenbriar Subdivision, Abstract 53, in the S K Van Meter League, P# CL19-5, Lumberton, Hardin County, Texas

Mayor Pro Tem Bell made a Motion to DENY the request as presented. Sidewalks **will be** required along Village Creek Parkway; however, *no* sidewalk is required on Greenbriar as that is not a major thoroughfare, and the entire subdivision is grand-fathered. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220816 – Discussion and Possible Action – Zoning Commission Recommendation – Request submitted by Chuck King of King Homes, to approve the Preliminary Plat of Woosley Palms Phase Six, Block 8, Lots 1-14, Block 9, Lots 19-21 and Phase Seven, Block 9, Lots 1-18, Abstract No. 588, in the J F Callihan Survey, Lumberton, Hardin County, Texas

Councilman Wahl made a Motion to accept the Zoning Commission recommendation and approve the Preliminary Plat of Woosley Palms Phase Six as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220817 – Discussion and Possible Action – Zoning Commission Recommendation – Request submitted by Calvin Gauthier of S&C Builders, to approve the replat of Lot 1 of Lambright Acres, Volume 4, Page 117-A PRHC, Abstract No. 14, in the Elisha Duncan League, into Lambright Acres Lot 1A and Lot 1B, Abstract No. 14, in the Elisha Duncan League, Lumberton, Hardin County, Texas

Councilman Maniscalco made a Motion to accept the Zoning Commission recommendation and approve the replat of Lot 1 of Lambright Acres as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220818 – Discussion and Possible Action – First Reading – Ordinance 22-1268 – Decline Entergy Rates

Mayor Pro Tem Bell made a Motion to accept the First Reading – Ordinance 22-1268 – Decline Entergy Rates as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 220819 – Discussion and Possible Action – First Reading – Ordinance 22-1269 – Adopting Regulations for Camping on Public Areas and Private Property to be Codified Under Chapter 35 – Parks and Recreation, Section 35-2, Requiring a Camping Permit for Certain Camping Activities, and Imposing a Penalty for a Violation of Same

City Attorney, Curtis Soileau presented this item explaining that any person wishing to camp must first obtain a permit from the Police Chief at least 48 hours prior to the camping activity. After much discussion, Mr. Soileau advised that he would amend the language to read “Police Chief or his designee” for the permit approval process. Mayor Pro Tem Bell then made a Motion to accept the First Reading – Ordinance 22-1269 – Adopting Regulations for Camping on Public Areas and Private Property as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item # 2208110 – Discussion and Possible Action – Resolution – Supporting Alabama-Coushatta Tribe in Support of H.R. 2208

*** This item was moved to the beginning of the meeting. ***

Councilwoman Cline read a Resolution supporting the Alabama-Coushatta Tribe in support of H.R. 2208. Ms. Yolanda Poncho and Mr. Merv Johnson then came forward to receive the Resolution and thank Council for their support.

Councilman Wahl made a Motion to accept the Resolution supporting the Alabama-Coushatta Tribe in support of H.R. 2208 as presented. Councilman Maniscalco seconded the Motion. Motion passed with five (5) for and Councilwoman Cline abstaining.

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:

Chief Sullins introduced Officer Greg Mouton thanking him for his recent act of kindness to a person in need and for his assistance in a drug-bust.

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. Councilman Burkhalter seconded the Motion. Motion passed unanimously with six (6) for and none (0) against. The meeting adjourned at 8:18 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY