

**MINUTES OF SEPTEMBER 12, 2022
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on September 12, 2022, pursuant to notice duly posted according to law. The following members were present:

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

And absent:

Also present were City Manager Steve Clark, 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. Pastor Phillip Reed delivered the Invocation, Councilman Burkhalter led Pledge of Allegiance and Councilman Maniscalco led the Texas Pledge.

**** Proclamation – Peripheral Artery Disease (PAD) Awareness Month ****

Mr. Douglas Salisbury came forward to accept the Proclamation. Mr. Salisbury spoke on the warning signs of this condition and thanked Council for their support.

CITIZEN’S PARTICIPATION – COUNCILMAN MANISCALCO PRESIDING

Ms. Sharon Clark came forward to address Council at this time. Ms. Clark stated that there is a serious problem with aggressive dogs running at large in her neighborhood. Chief Sullins then instructed Ms. Clark to take a picture of the aggressive animals and contact his department.

Ms. Jennifer Harris came forward to voice her concerns *against* the Murphy Oil alcohol variance request.

Ms. Debbie Hanna came forward to advise Council of her proposed Senior Living development. Ms. Hanna stated that she will present her proposal to the Zoning Commission and Council in October.

ANNOUNCEMENTS/CITY BUSINESS:

None at this time.

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF AUGUST 22, 2022, WORKSHOP MEETING AND REGULAR MEETING

Councilman Burkhalter made a Motion to accept the Minutes as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

OLD BUSINESS:

NEW BUSINESS:

**Item # 220911 – Discussion and Possible Action – Request from Murphy Oil USA
90 North L.H.S. Drive for a Variance to the 300’ Minimum Distance
Regulations for the Sale of Alcoholic Beverages near a Public School**

Councilman Maniscalco made a Motion to approve the Variance request at Murphy Oil USA, 90 North L.H.S. Drive as presented. Councilwoman Cline seconded the Motion. Motion passed with four (4) for and Councilman Burkhalter (1) against.

**Item # 220912 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Mark and Bobbie Camille to encroach upon
their south, rear building setback line, to within 7 ½’ of the rear property line,
to build a 14’ x 20’ accessory building. The property is located at 194 E
Chance, Lot 2A, S&C Builders Minor Plat, S/D, #2, Abstract 53, in the S K
Van Meter Survey, P#53-167-A, I# 2021-117622 8/5/2021, Lumberton, Hardin
County, Texas**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 194 E. Chance as presented. Councilman Burkhalter seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item # 220913 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Ridley McKinley, of Ridley McKinley
Construction, LLC, to drain the rear of the property as well as the west side of
the property to the drainage ditch located west of this lot. The property is
located at 1790 Kala’s Circle, Lot 269, Copper Point, Phase 8, Abstract 46, in
the R C Rogers Survey, P#CPT8-269, Lumberton, Hardin County, Texas**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 1790 Kala’s Circle as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item # 220914 – Discussion and Possible Action – Zoning Commission Recommendation –
Request submitted by Darcy Rohrbach, on behalf of Mary Ann Graham, to
replat Lot 2 of the Wade Graham Addition No. 1, Volume 4, Page 218A, Plat
Records Hardin County, Abstract 14, in the E Duncan Survey, P#14-6,
I#2014-47774, 1102 Alma, Lumberton, Hardin County, Texas**

Councilman Burkhalter made a Motion to accept the Zoning Commission Recommendation and approve the replat of 1102 Alma as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item # 220915 – Discussion and Possible Action – Zoning Commission Recommendation –
Request submitted by Kevin Boykin, of Boykin Homes and Land Sales,
to approve the Preliminary Plat of Copper Point, Phase 3, a 11.868-acre
subdivision, Abstract Number 46, in the R C Rogers Survey, Lumberton,
Hardin County, Texas**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the Preliminary Plat of Copper Point, Phase 3 as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item # 220916 – Discussion and Possible Action – Zoning Commission Recommendation –

Request submitted by Kevin Boykin, of Boykin Homes and Land Sales, to approve the Preliminary Plat of Copper Point, Phase 4, a 13.420-acre subdivision, Abstract Number 46, in the R C Rogers Survey, Lumberton, Hardin County, Texas

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the Preliminary Plat of Copper Point, Phase 4 as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item # 220917 – Discussion and Possible Action – Resolution – Authorizing Submission of SH-Bullet-Resistant-Shield Grant Program

Councilman Maniscalco made a Motion to approve the Resolution Authorizing Submission of SH-Bullet-Resistant-Shield Grant as presented. Councilman Burkhalter then asked Chief Sullins how many shields are being requested. Chief Sullins advised that he hopes to get twenty of the shields. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) 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:

**** This Item was Moved to the beginning of the meeting****

Proclamation – Peripheral Artery Disease (PAD) Awareness Month.

CITY MANAGER'S REPORT:

City Manager, Steve Clark advised that the Christmas Tree Lighting at the FM 421 City Park is scheduled for Friday December 2nd and this year will include various Food Trucks.

POLICE CHIEF'S REPORT:

Chief Sullins reported that the Homecoming Parade was held last weekend and the route was reversed from the previous years' which seemed to be a smoother "flow" with an easier dismissal.

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, Councilwoman Cline made a Motion to adjourn the meeting. Councilman Burkhalter seconded the Motion. Motion passed unanimously with five (5) for and none (0) against. The meeting adjourned at 7:38 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY