

**MINUTES OF JANUARY 9, 2023  
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on January 9, 2023, 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
David Maniscalco	-	Councilman
Dan Bell	-	Mayor Pro Tem
And absent:		
Kimberly Cline	-	Councilwoman

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 7:11 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, and local Boy Scout, Jack Thibodeaux led Pledge of Allegiance and the Texas Pledge.

***CITIZEN'S PARTICIPATION – MAYOR PRO TEM BELL PRESIDING***

None at this time.

***ANNOUNCEMENTS/CITY BUSINESS:***

Mayor Surratt announced that today is Law Enforcement Appreciation Day and he would like to extend his Thanks to Chief Sullins and his department.

***COMMITTEE REPORTS:***

***CONSENT AGENDA:***

**A. APPROVAL OF MINUTES OF DECEMBER 12, 2022 PUBLIC HEARING AND REGULAR MEETING**

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

***OLD BUSINESS:***

***NEW BUSINESS:***

***Item # 230111 – Discussion and Possible Action – Zoning Commission Recommendation Request submitted by Mark Alston to rezone his property from C-1 (Neighborhood Business District) with 14 hours of operation to C-2 (Community Business District) with 24 hours of operation. The property is approximately .77 acres located at 526 North LHS Drive, Abstract 499, located in the James***

**Walea Survey, Block A, Tract 1, P# 490-1-R, Lumberton, Hardin County, Texas**

Mayor Pro Tem Bell made a Motion to accept the Zoning Commission Recommendation and DENY the rezone request at 526 North LHS Drive as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 230112 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Request submitted by Mark Alston to change the rear building setback line from the required 50’ to 20’ with the 20’ green space included within the setback line. The property is approximately .77 acres located at 526 North LHS Drive, Abstract 499, located in the James Walea Survey, Block A, Tract 1, P# 490-1-R, Lumberton, Hardin County, Texas**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and DENY the variance request at 526 North LHS Drive as presented. Mayor Pro Tem Bell seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 230113 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Variance request submitted by John Rollins, on behalf of Chris Arnaud, to divide this property into two lots with a replat. The property is located at 380 Fletcher Lane, Lot 1, Block 1, Abstract 454, of the Fletcher Place Minor Plat, P # FP-1, Lumberton, Hardin County, Texas.**

Mayor Pro Tem Bell made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 380 Fletcher Lane as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 230114 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Variance request submitted by Roger Baird to divide this property into two lots. Neither of these lots will have a 75’ road frontage. The property is located at 107 Harrell Drive, Abstract 2, in the Francisco Arriola Survey, Lumberton, Hardin County, Texas**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 107 Harrell Drive contingent upon a *Joint Easement/Maintenance Agreement* being submitted with the plat. Mayor Pro Tem Bell seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 230115 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Request submitted by Marty Guidry to encroach upon the east side building setback line to within 1’ to 2’ of the property line, to pour concrete for a new construction driveway the property is location at 112 Temporary Lane, Abstract 53, in the S K VanMeter Survey, Tract #'s 157 and 158, Lumberton, Hardin County, Texas**

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 112 Temporary Lane to within 2’ of the property line as presented. Councilman Burkhalter seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

**Item # 230116 – Discussion and Possible Action – Zoning Commission Recommendation**  
**Request submitted by Wal-Mart to construct a new wall sign that exceeds the 4’ requirement of City of Lumberton Ordinances, Section 50-567(1). This**

**sign**

**will also extend above the roofline of the building. The property is located at 100 North LHS Drive, Abstract 2, in the Francisco Arriola Survey, Tract 1A,**

**Lumberton, Hardin County, Texas**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the request to allow Wal-Mart to replace the existing sign letters and symbol in the exact location and dimension. Mayor Pro Tem Bell 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 reviewed and discussed at this time.

***MAYOR'S REPORT:***

Mayor Surratt introduced new employee Darla Harrington at this time.

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

City Manager, Steve Clark reported that we should be ready to advertise for bids on both the Candlestick/Williams Road and summer road projects soon.

Mr. Clark also reported that he hopes to begin construction on the proposed Event Center in March.

***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, 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 7:26 p.m.

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DON SURRETT  
MAYOR

ATTEST:

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SUSAN COLLINS  
CITY SECRETARY