

**MINUTES OF NOVEMBER 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 November 14, 2022, pursuant to notice duly posted according to law. The following members were present:

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

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 7:16 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, Mayor Surratt led Pledge of Allegiance and Councilman Maniscalco led the Texas Pledge.

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

None at this time.

***ANNOUNCEMENTS/CITY BUSINESS:***

City Manager, Steve Clark announced that the City Christmas Tree Lighting will be held at the FM 421 Park on Friday, December 2<sup>nd</sup>.

Chief Sullins reported the Annual Lighted Christmas Parade will begin at 7:00 p.m. on Thursday December 1<sup>st</sup> and this year the routes are reversed with the parade beginning at the Primary School and ending at Parkway Life Church.

***COMMITTEE REPORTS:***

***CONSENT AGENDA:***

**A. APPROVAL OF MINUTES OF OCTOBER 24, 2022 REGULAR MEETING**

Councilman Maniscalco made a Motion to accept the Minutes as presented. Mayor Pro Tem Bell seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

***OLD BUSINESS:***

***NEW BUSINESS:***

***Item # 221111 – Discussion and Possible Action – Zoning Commission Recommendation  
Zone change request submitted by Dan Priest to rezone his property from R-1  
(Single-Family Dwelling District) to C-2 (Community Business District). The***

**property is located at 317 S Main Street, Tract 140, Abstract 53, in the S K VanMeter Survey, P#53-230, I# 2012-33951, Lumberton, Hardin County, Texas**

Mayor Pro Tem Bell made a Motion to approve the Zone Change request from R-1 to C-2 at 317 S. Main Street as presented. Councilman Maniscalco seconded the Motion. Motion passed with four (4) for and Mayor Surratt voting against.

***Item # 221112 – Discussion and Possible Action – Zoning Commission Recommendation***  
**Zone change request submitted by Blue Sky Interests, LTD. to rezone their property from R-1 (Single-Family Dwelling District) to C-2 (Community Business District). The property is located on S Main Street, PIDN# 12981, Tract 124, Abstract 53, in the S K VanMeter Survey, P# 53-229, I#2019-97250 8/9/2019, Lumberton, Hardin County, Texas. They would also like to rezone the connecting property from R-1 to C-2, PIDN# 78464, Lot 1, Minor Plat of McDaniel Acres Plat, Abstract 53, in the S K VanMeter Survey, P# 53-150-A, I# 2020-105654 07/13/2020, Lumberton, Hardin County, Texas**

Mayor Pro Tem Bell made a Motion to approve the Zone Change request from R-1 to C-2 on South Main Street as presented. Councilman Maniscalco seconded the Motion. Motion passed with four (4) for and Mayor Surratt voting against.

***Item # 221113 – Discussion and Possible Action – Zoning Commission Recommendation***  
**Variance request submitted by Bobby and JoAnn Wegner to construct a swimming pool in their side yard encroaching upon the rear building setback lines. The property is located at 125 Emerald Drive, located in the Brookdale Garden Homes Subdivision, Abstract 468, Lot 2, Block 2, P# BDG2-2, Lumberton, Hardin County, Texas.**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and DENY the variance request at 125 Emerald Drive as presented. Mayor Pro Tem Bell seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

***Item # 221114 – Discussion and Possible Action – Zoning Commission Recommendation***  
**Request submitted by Nicholas & Jamie Halliburton to build a 1500 square feet accessory building on their property, instead of the maximum requirement of 800'. The property is located at 210 Holmes Road, Lot 4A, Abstract 14, in the E Duncan Survey, Homewood Addition, P# HWA-3, I# 2018-84914 05/08/2018, Lumberton, Hardin County, Texas**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and DENY the variance request at 210 Holmes Road as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

***Item # 221115 – Discussion and Possible Action – Zoning Commission Recommendation***  
**Request submitted by CND Signs, on behalf of Take 5 Oil Change, to install a wall sign that is 4'10" instead of the maximum requirement of 4'. The property is located at 123 S LHS Drive, Lot 1B, Block 1, Soaring Dove Place, Abstract 2, in the Francisco Arriola League, and Abstract 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 sign variance request at 123 South L.H.S. Drive as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

***Item # 221116 – Discussion and Possible Action – Zoning Commission Recommendation***  
**Request submitted by Ricky Martinez Catfish Cabin to paint a sign on the roof**

**of the building. The property is located at 192 S LHS Drive, Abstract 46, in the R C Rogers Survey, P#46-8-XE, I# 1009/694, Lumberton, Hardin County, Texas**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and and DENY the sign variance request at 192 South L.H.S. Drive as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item # 221117 – Discussion and Possible Action – Zoning Commission Recommendation  
Request Variance request submitted by Whiteley Oliver, LLC., on behalf of Bobbie Bodle, to replat a portion of Lot 1 into Lots 1D & 1E, Bodle Estates, Abstract No. 36, in the A Lancaster Survey and Abstract No. 21, in the Charles A. Felder Survey, Lumberton, Hardin County, Texas. Neither lot will meet the required 75’ road frontage, Lumberton, Hardin County, Texas**

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance and replat request as presented. Mayor Pro Tem Bell seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item # 221118 – Discussion and Possible Action – Zoning Commission Recommendation  
Request submitted by Mike Colton to approve the Final Plat of Allen Street Townhomes, Lot 1, Block 1, Abstract 53, in the S K VanMeter Survey, P# 53-191, Tract 115, 1#2019-97595 08/23/2019, Lumberton, Hardin County, Texas**

Mayor Pro Tem Bell made a Motion to accept the Zoning Commission Recommendation and approve the Final Plat of Allen Street Townhomes as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item # 221119 – Discussion and Possible Action – Resolution – Approve Hazard Mitigation Plan**

City Manager Steve Clark advised that this Resolution is necessary to be eligible for any disaster funding. Mayor Pro Tem Bell made a Motion to accept the Resolution – Approve Hazard Mitigation Plan as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item # 221110 – Discussion and Possible Action – Update on Candlestick / Williams Road Connection Project**

Mr. Troy Whitehead, Schaumburg & Polk came forward to present this item. Mr. Whitehead provided a project estimate of \$390,773.50 and advised that he is ready to advertise and begin the bid process. Councilwoman Cline made a Motion to accept Mr. Whitehead’s estimate and move forward with the bid process. Councilman Maniscalco seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item # 221111 – Discussion and Possible Action – Second Meeting in December**

Mayor Pro Tem Bell made a Motion to reschedule the second meeting in December to be held during the annual employee Christmas Dinner on Wednesday December 7<sup>th</sup> at 6:30 p.m. in the LISD Performing Arts Center. Councilman Maniscalco 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:**

None at this time.

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

City Manager, Steve Clark reported that the owner of the proposed Collision Repair shop is moving forward with plans to locate a shop on Main Street and will provide approximately 26 jobs.

***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, Councilwoman Barks made a Motion to adjourn the meeting. Councilwoman Cline seconded the Motion. Motion passed unanimously with five (5) for and none (0) against. The meeting adjourned at 7:45 p.m.

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DON SURRETT  
MAYOR

ATTEST:

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SUSAN COLLINS  
CITY SECRETARY