

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

A Regular Meeting of the City Council of the City of Lumberton was held at 7:05 p.m. on December 12, 2022, pursuant to notice duly posted according to law. The following members were present:

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

Also present were City Manager Steve Clark, City Attorney Curtis Soileau, Zoning Secretary Anita Price, Commissioner Matthew Johnson, City Engineer Troy Whitehead and other guests.

Mayor Surratt called the Meeting to order at 7:05 p.m. noting that a quorum was present, and the meeting was duly called and posted in accordance with the Texas Open Meetings Act. Councilman Wahl then delivered the Invocation, Councilwoman Barks led the Pledge of Allegiance and Councilwoman Cline led the Texas Pledge.

CALL TO ORDER: 7:05

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF DECEMBER 7, 2022 REGULAR MEETING

Councilman Burkhalter made a Motion to approve these minutes, Councilman Wahl seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against.

CITIZEN'S PARTICIPATION – MAYOR PRO TEM DAN BELL.

None at this time.

ANNOUNCEMENTS/CITY BUSINESS:

None at this time.

OLD BUSINESS:

None at this time.

NEW BUSINESS:

Item # 221221 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by GCVI Group, LLC, on behalf of Eddie Arnaud, to divide this property into 2 lots. Lot 1 would meet the 75’ road frontage requirement of the City of Lumberton, Lot 2 would not meet this requirement. The property is located at 430 S

Main Street, Tract 131, Abstract 53, in the S K VanMeter Survey, P# 53-280, l# 2014-49652 09/09/2014, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation to approve this request. Councilwoman Cline seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve this request.

Item # 221222 – Discussion and Possible Action – Planning & Zoning Recommendation on Commission positions that will expire on January 1, 2023. The expiring positions are: Co-Chairwoman Dana Hogg, Commissioner Roger Dillon, Commissioner Ryan Ard and Commissioner Darryl Ford.

Councilman Burkhalter made a Motion to accept the Zoning Commission Recommendation and to add that Joey Schoen will take the position held by Dana Hogg and Nate Shaw will take the position held by Darryl Ford. Councilman Wahl seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to accept this recommendation.

Item # 221223 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by Phillip Mattingly, to encroach upon the rear building setback line to within 5' of the rear property line to construct a 10'X14' accessory building. He would also like to encroach upon the east side building setback line to within 5' of the side property line. The property is located at 6950 Woodridge Drive, Lot 17, Block 11, Abstract 2, located in the Francisco Arriola Survey, Westwood Heights, Phase V, P# WWHV-11-17, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation to approve this variance request. Councilman Maniscalco seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve the variance request.

Item # 221224 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by Michael Ferguson, on behalf of Faith Assembly of God Church, to divide the Church property into two lots with a Minor Plat, to move the property line. The property is located at 190 Will Lane, Abstract 53, located in the S K VanMeter Survey, P# 53-326, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation to approve this request. Councilman Wahl seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve this request.

Item # 221225 – Discussion and Possible Action – Planning & Zoning Recommendation on a request submitted by Blue Wave Carwash to approve the amended plat of Lots 1 & 2, Block 1 into Lots 1A & 2A, Block 1, Abstract 14, located in the Elisha Duncan Survey. The property is located at 710 S Main Street, Lumberton, Hardin County, Texas.

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation to approve this request. Councilman Bell seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve this request.

Item # 221226 – Discussion and Possible Action – Planning & Zoning Recommendation on a variance request submitted by Blue Wave Carwash to encroach upon the east side setback line of Lot 2A, as well as the west side setback line of Lot 1A, to pour concrete for a common driveway, The Property is located at 710 S Main Street, Abstract 14, located in the Elisha Duncan Survey, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation to approve the variance request. Councilwoman Cline seconded the Motion.

Motion passed unanimously with seven (7) for and none (0) against to approve this variance request.

Item # 221227 – Discussion and Possible Action – Planning & Zoning Recommendation on a request submitted by James Abshire of Abshire Builders, to approve the Final Plat for River Birch Phase II, Section II-E, in the R.C. Rogers Survey, Abstract Number 46, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation to approve this request. Councilman Wahl seconded the Motion. Councilman Maniscalco asked Mr. Abshire if these roads were going to be kept up and repaired. He stated they would be. Councilman Bell asked about the three items that stated they would be addressed at the 2-year walk through. City Engineer Troy Whitehead stated they would be monitored. City Attorney Curtis Soileau suggested that the Abshires make a request of the City of Lumberton to allow the Lumberton Police Department to patrol the streets. There is a form to fill out to allow this.

Motion passed unanimously with seven (7) for and none (0) against to approve this request.

Item # 221228 – Discussion and Possible Action – Appoint / Re-Appoint Library Advisory Board Members.

Councilman Bell made a Motion to approve this request to appoint Anna Trahan to the Library Advisory Board, to serve the remainder of a two (2) year, unexpired term, previously held by Barbara Murphy, beginning on January 1, 2023 until term ending May 31, 2023. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against to approve this request.

MONTHLY REPORTS:

Reports from the Permit Department, Police Department and Library were reviewed and discussed at this time.

CITY MANAGER'S REPORT:

None at this time.

POLICE CHIEF'S REPORT:

None at this time.

EXECUTIVE SESSION:

None at this time.

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 seven (7) for and none (0) against.

The meeting adjourned at 7:40p.m.

DON SURRETT
MAYOR

ATTEST:

ANITA M PRICE
ZONING SECRETARY