

**MINUTES OF FEBRUARY 13, 2023
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on February 13, 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
	Dan Bell	-	Mayor Pro Tem
And Absent:	Kimberly Cline	-	Councilwoman
	David Maniscalco	-	Councilman

Also present were City Manager Steve Clark, City Attorney Curtis Soileau, Police Chief Danny Sullins, City Secretary Susan Collins, Secretary Darla Harrington, 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. Councilman Wahl delivered the Invocation, and Boy Scout Pack 9 led the Pledge of Allegiance and the Texas Pledge.

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 JANUARY 23, 2023 REGULAR MEETING

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

OLD BUSINESS:

NEW BUSINESS:

Item # 230211 – Discussion and Possible Action – Zoning Commission Recommendation

Request submitted by Costorde LLC, on behalf of Patricia Mossburg, to replat lots 3,4 and 5 of the Final Plat of Park Central. The property is located at 285 Country Lane and 206 South LHS Drive, Abstract No. 46 in the R.C. Rogers Survey, and Abstract No. 14 in the Elisha Duncan League, Lumberton, Hardin County, Texas

Mayor Pro Tem Bell made a Motion to accept the Zoning Commission Recommendation and approve the replat request at 285 Country Lane and 206 South LHS Drive as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with five (5) for and none (0) against

Item # 230212 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Costorde LLC, on behalf of Patricia Mossburg, to encroach upon the East side building setback line by 16’ to pour concrete for a driveway. The property is located at 285 Country Lane and 206 South LHS Drive, Abstract No. 46 in the R.C. Rogers Survey, and Abstract No. 14 in the Elisha Duncan League, Lumberton, Hardin County, Texas

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and approve the driveway variance including the canopy for a total of sixteen feet into the set-back at 285 Country Lane and 206 South LHS Drive as presented. Mayor Pro Tem Bell seconded the motion. Motion passed unanimously with five (5) for and none (0) against.

Item # 230213 – Discussion and Possible Action – Zoning Commission Recommendation
Zone change request submitted by Education First to re-zone approximately 0.5 acre at the Northwest corner of parcel 11568 from R-1 Single Family to C-2 Community Business District. The property is located at 199 South LHS Drive, Abstract No. 46, in the R.C. Rogers Survey, P# 46-9-X, I# 2021-114609 05/07/2021, Lumberton, Hardin County, Texas

Councilman Burkhalter made a Motion to accept the Zoning Commission Recommendation and approve the zone change request at 199 South LHS Drive as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item # 230214 – Discussion and Possible Action – Zoning Commission Recommendation
Request submitted by Julie Boothman to move a lot line with a Replat. The property is located at 7696 Cobblestone Terrace, Lots 36 & 37, Block 6, Boykin Place Unit 4, Abstract 53, S K VanMeter, P# BOY-PL-6-37, I# 2013-35209 02/04/2013, Lumberton, Hardin County, Texas

Mayor Pro Tem Bell made a Motion to accept the Zoning Commission Recommendation and approve the replat request at 7696 Cobblestone Terrace as presented. Councilman Burkhalter seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item # 230215 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Thaddeus Jones to encroach upon his North side building setback line to within 4’ of the property line, as well as 9’ from the rear property line to build a 20 x 20 accessory building. The property is located at 5750 Lexington Circle, Lot 6 Block 11, Abstract 21, C. A. Felder League, P# SG-11-6, I# 2021- 112419 03/15/2021, Lumberton, Hardin County, Texas

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 5750 Lexington Circle to within five feet of the of the side setback and nine feet from the rear as presented. Councilwoman Barks seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item # 230216 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Ivan Hernandez to encroach upon his North side building setback line, to within 2’ of the property line, to pour concrete to extend his driveway. The property is located at 232 Cody Lane, Woosley Palms, Phase Five, Abstract #588, in the J. F. Callihan Survey, Abstract No. 588, Lumberton, Hardin County, Texas

Mayor Pro Tem Bell made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 232 Cody Lane as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item # 230217 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Mark Bounds to divide his property into three lots with a Replat. Two of the lots would not meet the minimum 75’ lot requirement. The property is located at 276 East Chance, Lot 1A Dixon Estates P# 53-138-D HCAD# 19385, I# 2020-101158 01/13/2020, Lumberton, Hardin County, Texas

Mayor Pro Tem Bell made a Motion to approve the revised variance request of three lots each with the required 9,000 square foot minimum as well as a minimum of seventy feet of road frontage as presented. Councilman Burkhalter seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item # 230218 – Discussion and Possible Action – Zoning Commission Recommendation
Request submitted by Kurt & Michelle Balla to divide their property with a Replat. The property is located at 370 Fletcher Road, Lot 2 Blk 1 Fletcher Place S/D-Minor Plat P# FP-2 I# 2020-105114 6/24/2020, Lumberton, Hardin County, Texas

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and approve the replat request at 370 Fletcher Road as presented. Mayor Pro Tem Bell 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:

None at this time.

POLICE CHIEF’S REPORT:

Chief Sullins submitted the Annual Contact Report (formerly Racial Profiling Report) and is pleased to report that there have been no profiling complaints filed against the Department.

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 Burkhalter made a Motion to adjourn the meeting. Councilwoman Barks seconded the Motion. Motion passed unanimously with five (5) for and none (0) against. The meeting adjourned at 7:52 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY