

**MINUTES OF MAY 8, 2023
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:05 p.m. on May 8, 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
Kimberly Cline	-	Councilwoman
Dan Bell	-	Mayor Pro Tem
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 7:05 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, Councilman Burkhalter led the Pledge of Allegiance and Mayor Pro Tem Bell led the Texas Pledge.

CITIZEN'S PARTICIPATION – MAYOR PRO TEM BELL PRESIDING

None at this time.

ANNOUNCEMENTS/CITY BUSINESS:

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF APRIL 24, 2023 REGULAR MEETING

Councilman Burkhalter made a Motion to accept the Minutes as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

OLD BUSINESS:

NEW BUSINESS:

Item #230511 – Discussion and Possible Action – Zoning Commission Recommendations

A request submitted by Chuck King, of King Homes, Inc., to encroach upon side building setback lines on corner lots within Woosley Palms Subdivision, to allow concrete to be poured for driveways. He is also requesting to drain the sides and a portion of the rear of the property, of those same lots, to the adjacent side street. The following are the lots requested:

Phase 1 Block 1

Lot 23-202 King Palms Way, Lot 24-203 Mandavilla Way,

Phase 1-Block 2

Lot 7-114 King Palms Way, Lot 8-103 Mandavilla Way, Lot 21-102 Mandavilla Way, Lot 22-103 Mallory Lane, Lot 35-102 Mallory Lane, Lot 36-103 Jordan Gage Lane, Lot 49-102 Jordan Gage Lane,

Phase 1 Block 3

Lot 1-202 Mandavilla Way.

Phase 2A-Block 3

Lot 4-100 Palmetto Palm Street,

Phase 2A Block 4

Lot 3-210 Mandavilla Way, Lot 4-201 Heather Lane, Lot 12-200 Heather Lane, Corrected

Phase 2B Block 5

Lot 7-314 Mandavilla Way,

Phase 3 Block 2

Lot 50-103 Pindo Palm Drive, Lot 65-100 Pindo Palm Drive,

Phase 3 Block 3

Lot 11-114 Palmetto Palm Street, Lot 14-203 Pindo Palm Drive,

Phase 3 Block 4

Lot 13-203 Tara Lane, Lot 22-202 Tara Lane, Lot 23-211 Pindo Palm Drive, Lot 36-204 Pindo Palm Drive,

Phase 5 Block 5

Lot 1-101 Canary Palm Drive,

Phase 5 Block 7

Lot 1-221 Cody Lane, Lot 14-220 Cody Lane,

Phase 5 Block 9

Lot 23-201 Canary Palm Drive,

Phase 6 Block 8

Lot 1-221 Coco Palms Lane, Lot 14-220 Coco Palms Lane,

Phase 7 Block 9

Lot 1-221 Sable Palm Lane, Lumberton, Hardin County, Texas.

Mayor Pro Tem Bell clarified that the variance was approved with the understanding that the driveways would be either on the side OR the front of the property. Councilman Maniscalco made a motion to accept the Zoning Commission’s recommendation and approve the variance presented. Councilman Wahl seconded the motion. Motion passed unanimously seven (7) for and none (0) against.

Item #230512 – Discussion and Possible Action – Zoning Commission Recommendation
A variance request submitted by BCS Lumberton, LLC. to encroach upon the rear building setback line of Lots 1 and 2, as well as the north side of Lot 2 and the south side of Lot 1 building setback lines, to pour concrete for parking and vehicle traffic to within 2’ of those property lines. They would also like to request a variance to pour common concrete for the interior lot line of Lots 1 and 2 for parking and vehicle traffic. The property is located at 309 N LHS Drive, Abstract 2, in the Francisco Arriola Survey.

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation and approve the variance requests to pour concrete for parking and vehicle traffic at 309 North L.H.S. Drive as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #230513 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by by Bennett Teer to encroach upon his rear building setback line to within 5’ 11” to construct an outdoor kitchen.

The property is located at 215 Riverstone Court, River Birch Phase II Section II-D, Lot 10 Block 18, P#RBPII-18-10, I# 2020-107507 9/16/2020, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance request at 215 Riverstone Court as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #230514 – Discussion and Possible Action – Zoning Commission Recommendation

A variance request submitted by Juan Martinez to encroach upon his rear building setback line to within 20’ of the rear property line to construct a 30’ x 24’ (720 square feet) accessory building, instead of the maximum 500 square feet building. The property is located at 6515 Woodridge Drive, Westwood Heights, Phase II, Section A, Lot 5, Block 5, P#WWH 5-5, I# 1778/54 06/24/2010, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance request to construct a 30x24’ accessory building as presented. Councilman Wahl seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #230515 – Discussion and Possible Action – Zoning Commission Recommendation

A variance request submitted by Lanny Smith to encroach upon his west side building setback line to extend and widen his existing driveway to within 6’ of that side property line. The property is located at 130 Sara Lane, Westchase Estates, Lot 16, P#WA-16, I# 1682/479, Lumberton, Hardin County, Texas.

Mayor Pro Tem Bell made a motion to accept the Zoning Commission Recommendation and approve the variance request as submitted. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #230516 – Discussion and Possible Action – Zoning Commission Recommendation

A request submitted by Curtis Bloodworth to amend the plat of Brushy Creek Estates II Lots 20 and 21, to move a lot line. The property is located at 20 John Loop, Brushy Creek Estates II, Lots 20 and 21, P#BC-EST-220-L, I# 2020-104218 5/20/2020, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the request to amend the plat at 20 John Loop as presented. Mayor Pro Tem Bell seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item # 230517 – Discussion and Possible Action – Zoning Commission Recommendation

A request submitted by Tenisha Hynes on behalf of Susan Alessi to amend the plat of Boykin West, Lots 4 and 5, to move a lot line. The property is located at 7720 Cobblestone Terrace, Boykin West, Lots 4 and 5, P# BW-2-4, I# 2017-79694 11/16/2014, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation to amend the plat to move a lot line at 7720 Cobblestone Terrace as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item # 230518 – Discussion and Possible Action – Zoning Commission Recommendation

A variance request submitted by Tenisha Hynes on behalf of Susan Alessi to encroach upon the interior lot line building setback lines for the concrete driveways to within 3.7’ and 9’ of that property line. The property is located at 7720 Cobblestone Terrace, Boykin West, Lots 4 and 5, P# BW-2-4, I# 2017-79694 11/16/2014, Lumberton, Hardin

County, Texas.

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation to encroach upon the interior lot line building setback lines for concrete driveways as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

MONTHLY REPORTS:

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

MAYOR'S REPORT:

Mayor Surratt announced that he and Councilman Wahl would be meeting on Wednesday, May 10th to canvass the election results.

CITY MANAGER'S REPORT:

City Manager, Steve Clark announced that the mandatory pre-bid conference for the new Event Center was well attended with nineteen general and sub-contractors present. Bids will be due on May 22, 2023 and should be ready for award in June.

POLICE CHIEF'S REPORT:

Chief Sullins gave an update that former Councilman Wayne McDaniel, Sr. will undergo heart-valve surgery on May 9, 2023. All prayers are welcome.

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. Councilman Wahl seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against. The meeting adjourned at 7:18 p.m.

DON SURRETT
MAYOR

ATTEST:

SUSAN COLLINS
CITY SECRETARY