

**MINUTES OF JULY 10, 2023
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:04 p.m. on July 10, 2023, pursuant to notice duly posted according to law. The following members were present:

Don Surratt	-	Mayor
Lynette Barks	-	Mayor Pro Tem
Kenny Burkhalter	-	Councilman
David Maniscalco	-	Councilman
Dan Bell	-	Councilman

And absent:

Kenneth Wahl	-	Councilman
Kimberly Cline	-	Councilwoman

Also present were City Manager Steve Clark, City Attorney Curtis Soileau, Police Chief Danny Sullins, City Secretary Darla Harrington, Zoning Secretary Anita Price, Secretary Stephanie Constance, and other guests (see attached Guest Register).

Mayor Surratt called the Meeting to order at 7:04 p.m. noting that a quorum was present, and meeting was duly called and posted in accordance with the Texas Open Meetings Act. Mayor Surratt delivered the Invocation, Mayor Pro Tem Barks led the Pledge of Allegiance and Councilman Bell led the Texas Pledge.

CITIZEN'S PARTICIPATION – MAYOR PRO TEM BARKS PRESIDING

None at this time.

ANNOUNCEMENTS/CITY BUSINESS:

None at this time.

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF JUNE 26, 2023 REGULAR MEETING

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

OLD BUSINESS:

NEW BUSINESS:

**Item #230711 – Discussion and Possible Action – Zoning Commission Recommendation
Request submitted by Frederick Bartz to replat Lot 6 and Lot 7 into Lot
6A and Lot 7A to restructure the lots. The property is located at 930 Bryan
Lane, Block J, Abstract 426, in the H. Peace Survey, Beaumont
Colony South, Lumberton, Hardin County, Texas.**

Councilman Bell made a Motion to accept the Zoning Commission Recommendation and approve

the replat of Lot 6 and Lot 7 into Lot 6A and Lot 7A at 930 Bryan Lane as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with five (5) for and None (0) against.

Item #230712 – Discussion and Possible Action – Zoning Commission Recommendation
Request submitted by John Rollins to replat his property dividing it into three lots. The property is located at 380 Fletcher, Abstract 21, in the M W Bumstead Survey and Charles A Felder League, Lot 1, Block 1, Fletcher Place S/D, Minor Plat, P# FP-1, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation and approve the replat request at 380 Fletcher as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item #230713 – Discussion and Possible Action – Zoning Commission Recommendation
A variance request submitted by Mike Hawkins, of Hawkins Homes, to encroach upon the west side building setback line to within 2 feet of the property line to pour concrete for a driveway for a side garage. The entrance would be at the front of the lot. The property is located at 230 Sycamore Court, The Woods Subdivision, Lot 45, Abstract Number 53, in the S K VanMeter League, P# TWS-44, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance request to pour concrete for a driveway at 230 Sycamore Court as presented. Councilman Bell seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item #230714 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by DJM Contractors, LTD, to encroach upon the rear building setback line to within 5’ of the property line, to pour a 15’ x 15’ concrete slab for a pergola. The property is located at 220 Balsam Bend, The Woods Subdivision, Lot 16, Abstract Number 53, in the S K VanMeter League, P# TWS-15, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the variance request for a concrete slab for a pergola at 220 Balsam Bend. Councilman Bell seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item #230715 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Janis Jones to install a separate utility pole for an existing accessory building. The building is too far from the house. The property is located at 116 Church Loop, Tract S6, Abstract Number 14, in the Elisha Duncan Survey, P# 14-130, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission Recommendation and approve the request to install a separate utility pole at 116 Church Loop. Councilman Bell Seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

Item #230716 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Paul Stephenson, of Education First Federal Credit Union, to install 5’ tall wall signs for the bank logo, instead of the required 4’ tall wall sign, as per Section 50-567 (l) of the City of

Lumberton Ordinances. The property is located at 199 S LHS Drive, Abstract Number 46, in the R C Rodgers Survey, P# 46-9-X, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the variance request for a 5' tall sign at 199 N LHS Dr. Councilman Maniscalco seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item #230717 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Walmart to waive Section 50-553 for Off Street Parking for retail stores in buildings, for the new 4101 square foot addition, and have only 688 parking spaces. The property is located at 100 N LHS Drive, Tract 1A, Abstract Number 2, in the Francisco Arriola Survey, P# 2-10-A-2, Lumberton, Hardin County, Texas.**

Councilman Maniscalco made a Motion to accept the variance request for parking spaces at 100 N LHS Drive. Councilman Bell seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

**Item #230718 – Discussion and Possible Action – Zoning Commission Recommendation
King Homes, to approve the final plat for Woosley Palms Phase VI. The property is located at Abstract No. 588, in the J.F. Callahan Survey, Block 8, Lots 1-14, Block 9, Lots 19-21, Woosley Palms, Lumberton, Hardin County, Texas.**

Councilman Bell made a Motion to approve the final plat for Woosley Palms Phase VI as presented. Councilman Maniscalco seconded the Motion. Motion passed unanimously with five (5) for and none (0) against.

MONTHLY REPORTS:

Financial Reports

MAYOR'S REPORT:

None at this time.

CITY MANAGER'S REPORT:

City Manager Steve Clark asked Troy Whitehead to come forward to explain plans for a detention pond. Mr. Whitehead said that he had received a call from County Judge Wayne McDaniels informing him that the County had just received notice from TDEM to publicize the environmental public comment period and that the Notice was to be posted at City Hall for 30 days.

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 Burkhalter made a Motion to adjourn the meeting. Mayor Pro Tem Barks seconded the Motion. Motion passed unanimously with five (5) for and none (0) against. The meeting was adjourned at 7:33 p.m.

DON SURRATT
MAYOR

ATTEST:

DARLA HARRINGTON
CITY SECRETARY