

**MINUTES OF JULY 8, 2024
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on July 8, 2024, pursuant to notice duly posted according to law. The following members were present:

Don Surratt	-	Mayor
Lynette Barks	-	Councilwoman
Joey Schoen	-	Mayor Pro Tem
Kenneth Wahl	-	Councilman
Kimberly Cline	-	Councilwoman
David Maniscalco	-	Councilman
Dan Bell	-	Councilman

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

Mayor Surratt called the Meeting to order at 7:10 p.m. noting that a quorum was present, and meeting was duly called and posted in accordance with the Texas Open Meetings Act. Pastor Philip Reed delivered the Invocation, Councilwoman Barks led the Pledge of Allegiance, and Councilman Bell led the Texas Pledge.

CITIZEN'S PARTICIPATION - MAYOR PRO TEM SCHOEN PRESIDING

None at this time.

ANNOUNCEMENTS/CITY BUSINESS:

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF JUNE 24, 2024 REGULAR MEETING

Councilman Wahl 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:

None at this time.

NEW BUSINESS:

Item #240711 – Discussion and Possible Action – Approve City of Lumberton Industrial Development Corporation – FY 2024-'25 Operating Budget

Councilman Maniscalco made a Motion to approve the City of Lumberton Industrial Development Corporation Budget for FY 2024-'25 for \$3,266,200.00. Mayor Pro Tem Schoen seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #240712– Discussion and Possible Action – Appoint / Re-Appoint Industrial Development Corporation Directors

Councilman Maniscalco made a Motion to re-appoint the following Industrial Development Corporation Directors for a two-year term effective August 17, 2024: *Randy Hicks, Shannon McDaniel, and Wayne Thomas*. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #240713– Discussion and Possible Action – Zoning Commission Recommendation Variance request submitted by Travis Kelley to encroach upon the side setback line to pour concrete for a remodel. The property is located at 1220 Pinehill Lane Abstract No. 53, S. K. VanMeter League, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation and approve the variance request with the understanding that Mr. Kelley cannot encroach upon the side set back any closer that two and a half (2 ½) feet from the property line. Therefore, the concrete must be cut back two and a half (2 ½) feet from the property. Councilman Maniscalco seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #240714 – Discussion and Possible Action – Zoning Commission Recommendation Variance request submitted by Travis Kelley to encroach upon the side setback line to replace an old carport with a new carport. The property is located at 1220 Pinehill Lane Abstract No. 53, S. K. VanMeter League, Lumberton, Hardin County, Texas.

Councilman Wahl made a Motion to accept the Zoning Commission Recommendation recommendation to approve the variance request with the stipulation that the gutters, eaves, and roof could not be closer than two and a half (2 ½) feet from the property line, and that the water must drain to the front. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #240715 – Discussion and Possible Action - Zoning Commission Recommendation Request submitted by Debbie Hanna, founder of Restorations Ranch and Senior Natural Living, LLC, to amend the Minor Plat of Restorations Ranch and Senior Natural Living Development dated 8/16/2023. The property is located in the M W Bumstead Survey, in the Charles A Felder League, Abstract No. 21, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission recommendation and approve the amendment to the Minor Plat. Councilman Maniscalco seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #240716 – Discussion and Possible Action – Zoning Commission Recommendation Request submitted by Debbie Hanna, founder of Restorations Ranch and Senior Natural Living, LLC, to rezone the entire Lot 2 of the proposed Amended Plat of Restorations Ranch and Senior Natural Living Development to C-2. The property is located in the M W Bumstead Survey in the Charles A Felder League, Abstract No. 21, Lumberton, Hardin County, Texas.

Mayor Pro Tem Schoen made a Motion to accept the Zoning Commission recommendation and approve the request to rezone Lot 2 of the proposed amended Minor Plat. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item #240717 - Discussion and Possible Action - Zoning Commission Recommendation
Variance request, submitted by Debbie Hanna, founder of Restorations Ranch and Senior Natural Living, LLC, to Section 50-338 (b)(1) that requires an 8' opaque fence around the C-2 zoned property adjacent to R-1 zoned residential areas. The property is located in the M W Bumstead Survey in the Charles A Felder League, Abstract No. 21, Lumberton, Hardin County, Texas.

Councilman Bell made a Motion to accept the Zoning Commission Recommendation to approve the variance request and omit the 8' opaque fence around the C-2 zoned property adjacent to R-1 zoned residential area. However, the opaque fence is still required to be put around the entire facility. Councilman Wahl seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against.

Item # 240718 - Discussion and Possible Action - Zoning Commission Recommendation
Variance request submitted by James Abshire, of Abshire Building Group, to approve the revised Preliminary Plat and construction plans for River Birch Phase III. The property is located at Abstract No. 46, Rogers R. C. Survey, Lumberton, Hardin County, Texas.

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

Item #240719 - Discussion and Possible Action - Zoning Commission Recommendation
Variance request submitted by Kurt Nolen to build a 24'X40' RV/carport to within 30 inches of his east side property line. The property is located at 164 Beechwood Drive, Lot 16, Abstract 493, Lumberton, Hardin County, Texas.

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

Item #2407110 – Discussion and Possible Action – Zoning Commission Recommendation
Variance submitted Kurt Nolen to drain the runoff from the east side of his carport to the rear of the property. The property is located at 164 Beechwood Drive, Lot 16, Abstract 493, Lumberton, Hardin County, Texas.

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

Item #2407111 - Discussion and Possible Action – Zoning Commission Recommendation
Request submitted by Jack Brumley to replat Lot 1 of the Minor Plat of Alpha Center Subdivision. The property is located at 863 and 871 S Main Street, Lot #1, in the Elisha Duncan League, Abstract No. 14, Lumberton, Hardin County, Texas.

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

the request to replat Lot 1 of the Minor Plat, subject to the easement extending to Lot 2. Mayor Pro Tem Schoen 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 and discussed at this time.

MAYOR'S REPORT:

None at this time.

CITY MANAGER'S REPORT:

City Manager Steve Clark announced that Daniels Construction is predicting that the new Event Center should be completed in October.

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 Wahl made a Motion to adjourn the meeting. Councilwoman Cline seconded the Motion. Motion passed unanimously with seven (7) for and none (0) against. The meeting was adjourned at 8:15 p.m.

DON SURRETT
MAYOR

ATTEST:

DARLA HARRINGTON
CITY SECRETARY