

**MINUTES OF AUGUST 12, 2024
CITY OF LUMBERTON**

A Regular Meeting of the City Council of the City of Lumberton was held at 7:00 p.m. on August 12, 2024, pursuant to notice duly posted according to law. The following members were present:

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

And absent:

Joey Schoen	-	Mayor Pro Tem
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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 7:00 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, Councilwoman Barks led the Pledge of Allegiance, and Councilman Maniscalco led the Texas Pledge.

CITIZEN'S PARTICIPATION - COUNCILWOMAN BARKS PRESIDING

None at this time.

ANNOUNCEMENTS/CITY BUSINESS:

COMMITTEE REPORTS:

CONSENT AGENDA:

A. APPROVAL OF MINUTES OF JULY 22, 2024 REGULAR MEETING

Councilman Maniscalco made a Motion to accept the minutes as presented. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

OLD BUSINESS:

None at this time.

NEW BUSINESS:

Item #240811 – Discussion and Possible Action – Zoning Commission Recommendation
Variance request submitted by Scott Hood to encroach upon his rear building setback line to within 10’ of the rear property line to build a 20X20 accessory building. The property is located at 5360 Lexington Circle, Block 2, Lot 11, Stonegate Subdivision, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission recommendation and approve the variance to allow the 20x20 accessory building to be placed within 10’ of the rear property line. Councilman Bell seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item #240812– Discussion and Possible Action – Zoning Commission Recommendation
Request submitted by Brady Harris to rezone his property past the 250’ C-2 zone line, from R-1 (Single-Family Site Built Homes District) to C-2 (Community Business District). The property is located at 195 S LHS Drive, Tract 2, Abstract 46, in the R C Rodgers Survey, Lumberton, Hardin County, Texas.

Councilman Maniscalco made a Motion to accept the Zoning Commission recommendation and approve the request to rezone the property past the 250’ C-2 zone line from R-1 to C-2. Councilwoman Barks seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item #240813 – Discussion and Possible Action - Zoning Commission Recommendation
First Reading – Ordinance #24-1282 – amendments to the City Lumberton Code of Ordinances Chapter 50 (Zoning), Article III – District Regulations:

- **Sec. 50-2 - Definitions**, to include in the definition of “accessory building” an additional example such as swimming pool rooms
- **Sec. 50-538 - Use and location of outdoor kitchens**, to adopt permitting requirements
- **Sec. 50-539 - Regulations of carports and other similar structures**, to adopt height regulations and permitting requirements

Councilman Bell made a Motion to accept the Zoning Commission recommendation and approve the First Reading – Ordinance #24-1282 amending **Sec. 50-2, Sec. 50-538, and Sec. 50-539**. Councilman Wahl seconded the Motion. Motion passed unanimously with six (6) for and none (0) against.

Item #240814 – Discussion and Possible Action – Discussion and Possible Action – First reading
Ordinance #24-1283 amendments to the City of Lumberton’s Fee Schedule, to include permit fees for a carport, massage establishment and outdoor kitchen, and to reauthorize the City’s Building Permit Fees in accordance with Texas Local Gov’t Code §214.908.

Councilman Bell made a Motion to approve the First Reading of Ordinance #24-1283 amendments to include permit fees for carports, massage establishments, and outdoor kitchens, and to reauthorize the City’s Building Permit Fees in accordance with Texas Local Gov’t Code Section 214.908. Councilwoman Cline seconded the Motion. Motion passed unanimously with six (6) 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:

Mayor Surratt announced that South East Texas Regional Planning Commission and Metropolitan Planning Organization is going to redesignate and expand its planning area boundaries to include Jasper County. They have asked that the City adopt a Resolution to accept the South East Texas Regional Planning Commission Metropolitan Planning Organization's redesignation and expansion of the planning area boundaries to accept Jasper County for membership and inclusion in the organization's regional transportation planning process.

CITY MANAGER'S REPORT:

City Manager Steve Clark reported that he had had a meeting with Chick-fil-A representatives, TXDOT, and the engineers regarding the issues pertaining to the drainage on the property. He felt like it was a successful meeting and that all the issues have been resolved.

POLICE CHIEF'S REPORT:

Chief Sullins discussed the per diem rate stating that the City has not changed its rates in many years. He spoke with the Hardin County Judge and was told that the county follows the US General Services Administration guidelines. After some discussion it was determined that the City Manager, at his discretion, was directed to set the per diem rates according to GSA guidelines.

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 six (6) for and none (0) against. The meeting was adjourned at 7:21 p.m.

DON SURRATT

MAYOR

ATTEST:

DARLA HARRINGTON
CITY SECRETARY