

A regular meeting of the Groves City Council was held January 8, 2024 in the Groves City Council Chamber with Mayor Chris Borne, Mayor Pro Tem Mark McAdams, Councilmember Rhonda Dugas, Councilmember Paul Oliver and Councilmember Pete Konidis in attendance. Mayor Borne called the meeting to order and welcomed the attendees. A representative from the local VFW 4820 post led the prayer and pledge of allegiance.

**APPROVE THE MINUTES OF THE DECEMBER 18, 2023 CITY COUNCIL MEETING AND PUBLIC HEARING:** Councilmember Pete Konidis moved to approve the minutes of the December 18, 2023 City Council Meeting and Public Hearing as written and Councilmember Paul Oliver seconded. Mayor Borne asked for questions and there were none. Motion passed unanimously.

Mayor Borne asked for reports and a representative from the local VFW 4820 gave a report on Operation Desert Storm. Mayor Borne asked if there were any other reports and there were none.

Mayor Borne then asked if there were any citizen comments and Donald Evans of 2610 2<sup>nd</sup> Avenue expressed his concerns with his water bill. Mr. Evans stated that he has spoken with other residents with the same problem and wants to know when can this issue be on the Agenda for discussion.

Kirk Hindew of 5430 Mockingbird Lane wanted to discuss the water bill for the First Baptist Church in Groves. Mr. Hindew presented Council with papers showing the last 22 months of water bills for the church. Mr. Hindew also would like answers as to why this bill has gone up so much.

Ruth Scott of 3017 Berry Avenue informed Council that a few years ago she also had a problem with a high-water bill and wishes Council would help figure out this problem with citizens water bills.

Chris Booker of 3126 Berry also spoke to Council about the same thing as the previous citizens that just spoken about, he also had a jump in his water bill that is unexplained.

There were no other citizen comments.

**HEAR AND DELIBERATE ON PRESENTATION FROM STATE REPRESENTATIVE CHRISTIAN MANUEL CONCERNING THE CITY OF GROVES, HOUSE DISTRICT 22, AND STATE OF TEXAS:** No motion was needed for this item. State Representative Christian Manuel then introduced himself to Council. Mr. Manuel

informed Council about his background, his committee assignments during the last legislative session, bills he authorized or sponsored, and his stand on certain issues. Mayor Borne thanked Mr. Manuel for reaching out to us and coming to speak.

**ANNUAL REVIEW OF BEER AND WINE PERMITS AND MIXED BEVERAGE PERMITS FOR ON-PREMISE CONSUMPTION AND CONSIDER RENEWAL OF THE PERMITS FOR 2024:** Mayor Pro Tem Mark McAdams made a motion to review the annual permits of Beer and Wine and Mixed Beverage for On-Premise Consumption and consider renewal of these permits for 2024. Councilmember Oliver seconded. Interim City Marshal Chris Robin then approached Council with several lists of police calls for the five businesses that were going to be discussed. Marshal Robin informed Council that the five businesses that are under consideration tonight are the same five businesses that currently have licensing for on-premise consumption. The businesses include Baytown Seafood, Columbus Club of Groves, Larry & Rita's Cajun Bar and Grill, Tony's Barbecue, and Colicha's Italian Restaurant. Marshal Robin informed Council that when these calls for service were reviewed not a single call was found to have any kind of violations what would warrant any type of problem with the selling of alcohol at these locations. Interim City Marshal Robin then looked at each call for service from all five locations with Council. Councilmember Dugas asked Marshal Robin if he is recommending that these five establishments get their licenses renewed and he responded yes. There were no further questions and the motion passed unanimously.

**CONSIDER AND APPROVE AN AMENDMENT TO CHAPTER 27 – UTILITIES, ARTICLE II. – RATES AND CHARGES, SEC. 27-6.1.- DELINQUENT ACCOUNT PROCEDURE TO AUTHORIZE THE CITY TO PERFECT A LIEN AGAINST THE REAL PROPERTY AND IMPROVEMENTS AS AN ALTERNATIVE COLLECTION METHOD TO DISCONTINUING SERVICE FOR MULTI-FAMILY DWELLINGS WITH DELINQUENT UTILITY BILLS:** Councilmember Konidis made a motion to consider and approve an amendment to Chapter 27 – UTILITIES, ARTICLE II. – RATES AND CHARGES, Sec. 27-6.1 – Delinquent account procedure to authorize the City to perfect a lien against the real property and improvements as an alternative collection method to discontinuing service for multi-family dwellings with delinquent utility bills and Councilmember Dugas seconded. City Attorney Brandon P. Monk then read the caption as follows: "An ordinance amending Chapter 27 – Utilities, Article II – Rates and Charges, Section 27-6.1 – Delinquent account procedure of the Code of Ordinances of the City of Groves; establishing utility liens and providing for the imposition of a lien on an owner's property, other than homestead and specifically excluded rental property; providing for an appeal and release of lien process;

providing for a presumption against property owners failing to meet minimum standards specified in Part II – Technical Ordinances, Chapter 28 – Buildings, Article V. – Dangerous Buildings and Structures, Section 28-27 of the Code of Ordinances; providing for codification; providing for publication by publishing the caption only; making findings of fact; and providing for an effective date.” City Manager Kevin Carruth informed Council that we have an apartment complex that has a pretty good size delinquent water bill and the City would typically disconnect service when this would happen however in this case the water is included with the rent. Mr. Carruth also informed Council that the City did not want to punish the tenants by turning their water off since it is not their fault the water bill is not being paid. City Attorney Brandon P. Monk then looked at other options the City had besides terminating service and that’s when it was decided to tune up the ability to place liens on properties. Mayor Borne then asked Mr. Monk if a lien was to be placed on a multi-family dwelling and they went to apply for building permits or were trying to sell the property, would we be able to enforce the lien? Mr. Monk stated that is correct.

Councilmember Dugas asked if this is primarily for apartment complexes and City Manager Kevin Carruth stated that is what led us down this road but this would apply to any non-homestead property. Mayor Pro Tem McAdams asked if this is something that the surrounding cities are also doing and Mr. Monk stated they are. Mr. Monk also informed Council that this is also authorized by state law, local government code sec. 552.0025. Councilmember Dugas then asked if a lien is put on a multi-family dwelling would it have to be approved by Council and Mr. Monk state that it would. There were no further questions and the motion passed unanimously.

INVOICES: City Manager Kevin Carruth presented invoices for payment totaling \$102,766.22 as follows:

1. DXI Industries, INC	Chlorine for Water Plant.	\$6,861.60
2. Lower Neches Valley Authority	Raw water purchased.	\$36,966.82
3. Republic Services, INC.	October 2023 commercial dumpster service.	\$9,267.10
4. Republic Services, INC.	November 2023 commercial dumpster service.	\$8,609.70



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| 5. Soutex Surveyors, INC. | Final payment for Engineering for 2022-2023 Pipe Bursting Program.    | \$14,261.00 |
| 6. Soutex Surveyors, INC. | No. 2 payment for Engineering services at Wastewater Treatment Plant. | \$26,800.00 |

Mayor Pro Tem Mark McAdams moved to approve payment of the invoices totaling \$102,766.22 and Councilmember Oliver seconded. Councilmember Dugas asked if everything is completed with the pipe bursting project and Mr. Carruth stated it was. There were no further questions and the motion passed unanimously.

Mayor Borne asked for Councilmember comments. Councilmember Dugas stated that she would like to remind all of the businesses in Groves wishing to apply with the EDC that it is free. Councilmember Oliver would like to put some kind of meeting together in the near future to discuss the water situations that were discussed by the citizens tonight. City Manager Kevin Carruth stated that he would like the system to work first, none of the situations that were discussed tonight have been brought to his office. There were no further comments.

There was no further business and Mayor Borne adjourned the meeting at 5:53 p.m.

  
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Mayor

ATTEST:

  
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City Clerk

