

A regular meeting of the Groves City Council was held March 1, 2021 in the Groves City Council Chamber with Mayor Chris Borne, Mayor Pro Tem Sidney Badon, Councilmember Rhonda Dugas, Councilmember Mark McAdams and Councilmember Paul Oliver in attendance. Mayor Borne called the meeting to order and welcomed the attendees. Councilmember McAdams led the opening prayer and pledge of allegiance.

APPROVE THE MINUTES OF THE FEBRUARY 1, 2021 CITY COUNCIL MEETING: Councilmember Dugas moved to approve the minutes of the February 1, 2021 City Council meeting as written and Councilmember McAdams seconded. Mayor Borne asked for questions and there were none. Motion passed unanimously.

Mayor Borne asked for reports or citizen comments.

PRESENTATION OF THE 2020 RACIAL PROFILING REPORT: City Marshal Norman Reynolds presented the 2020 Racial Profiling Report, which is an annual report required by the State. The Racial Profiling Report has been done since 2003 and in 2011 the Groves Police Department began submitting the data online to the Texas Commission on Law Enforcement. During those years the numbers collected by the Groves Police Department verify that there has never been a disproportionate number of stops, searches or arrests of minorities.

PRESENTATION OF THE 2020 UCR CRIME REPORT: Marshal Reynolds presented the 2020 UCR Crime Report. 2020 numbers compared to 2019 numbers are as follows: Murder- 2020/1, 2019/0; Rape- 2020/6, 2019/7; Robbery- 2020/12, 2019/9; Aggravated Assault- 2020/75, 2019/68; Burglary- 2020/54, 2019/58; Theft- 2020/232, 2019/215; Auto Theft- 2020/35, 2019/31. Marshal Reynolds stated that the City's crime statistics for the last three years have been the lowest over the past 19 years reported. Mayor Borne asked if COVID had contributed to the number of crimes and Marshal Reynolds stated that it had been a contributing factor. Mayor Borne asked if the number of police officers had increased and Marshal Reynolds responded that the department has 23 officers when fully staffed. The number of officers is currently 22. The City Council gave the department two additional officers a few years ago. Mayor Borne remarked that crime is trending downward with more officers and Marshal Reynolds agreed. Councilmember Dugas asked if the Police Department offers self defense classes for women and Marshal Reynolds stated not at this time, but it is something that could be looked into. Mayor Borne thanked Marshal Reynolds for the reports.

REPORT REGARDING THE WATER LEAK ADJUSTMENT PROCESS: City Manager D.E. Sosa stated that the City has a normal policy and procedure for adjustments due to water leaks and is amending this policy for leaks due to the ice storm only. Director of Finance Lamar Ozley outlined the City's water leak policy under "normal" circumstances and also the temporary amending of the policy regarding leak adjustments for burst pipes during the recent ice storm (copy attached). Councilmember McAdams asked how the citizens are being notified of this policy. Mr. Ozley stated that they are being notified as they ask. Mr. Sosa stated that the information will be posted on the City's website if the Council is in agreement. Councilmember Dugas requested that the information be posted on Facebook also. Mayor Borne asked if there were any objections to amending the leak adjustment process and there were none.

Mayor Borne asked for citizen comments. Pat Reeves of 4320 Cleveland thanked the City water plant operators for how quickly they restored water service to the City following the recent ice storm. Larry Mannino of 4100 Grant reported that his son's truck had been stolen recently and that the Groves police had located the vehicle within 15 minutes of it being reported. He thanked the City and police department for having four patrol cars on duty at night. Mr. and Mrs. John Brown of 5961 Mire both voiced concerns about the possibility of a duplex being built in the 5900 block of Mi

RECEIVE THE MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING OF FEBRUARY 22, 2021: Mayor Borne stated that the minutes would be received into the record. Minutes are as follows: "The City of Groves Planning and Zoning Commission met in the Public Works building, 4925 McKinley, on Monday, February 22, 2021 at 6:00 p.m. to consider the request for the property listed herein. 1. To consider the request from Corey Beenen, to subdivide his property into two separate lots. The lot described as LT 3, Block 21 Pecan Groves; 6415 Washington Blvd.

Members present were Rodney Pacetti, Chris Crain, Rod Hatch, and Secretary to the Commission, Don Pedraza. Mr. Pedraza opened the meeting at 6:00 p.m. with request from Mr. Beenen and called for a roll call. Absent members: Gilbert Hernandez and Michael Presley. Let the records indicate a quorum was met. One item of business.

Item of Business: 1. Mr. Pacetti asked Mr. Beenen what his plans are for subdividing of his lots. Mr. Beenen replied that he might build or sell. Mr. Pacetti asked Don Pedraza if the lots will meet the requirements of lot size and what zoning district it

falls under. Mr. Pedraza replied that both lots will meet the required lot size and the district is single family. Mr. Pacetti asked for a motion: Mr. Crane made a motion to approve replat. Mr. Hatch seconded the motion. The commissioners voted to approve replat and ask for the City Council to review motion. With no further business, the meeting was adjourned at 6:03 p.m."

CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CITY OF PORT ARTHUR TO ASSIST PORT ARTHUR WITH GARBAGE PICKUP AS NEEDED: Mr. Sosa stated that this item was presented to the Port Arthur City Council several weeks ago and that Groves has assisted Port Arthur in the past, most recently in 2017 following Hurricane Harvey. The agreement would not apply to trash pickup—only garbage, and Groves would charge what FEMA allows. The agreement would only apply to the Tuesday route in Highland Heights, Wednesday's route in Port Acres, and Thursday's route in Griffing Park. Mayor Borne asked for a motion and none was made. Item died due to lack of a motion.

CONSIDER APPROVAL OF A REPLAT FROM ONE LOT TO TWO LOTS AT 6415 WASHINGTON BLVD: Building Official Don Pedraza addressed the Council and explained that Corey Beenen was requesting to separate one lot into two lots. The lot runs from Washington to Capitol and is zoned single family. Both lots will meet the minimum required lot size. Mr. Pedraza stated that Mr. Beenen understands that only single family homes can be built on the lots. Councilmember McAdams moved to approve the replat from one lot to two lots at 6415 Washington Blvd. and Mayor Pro Tem Badon seconded. Mayor Borne asked City Attorney James Black to explain the rules for replats and the City Council's authority. Mr. Black stated that when the Planning and Zoning Commission receives a request for a replat or a request for a subdivision, they are planning. The City Council has the authority to approve a replat, however if the property is zoned correctly for the request, the Council's approval is only administrative. The developer plats the subdivision and the City insures that it falls within the required zoning. Under state law you have to replat one lot into two lots in order to build a second structure on it. Approving the replat has nothing to do with the zoning. Council has the ability to deny a replat and if you go to court you have to show why you denied the request. If it falls in the appropriate zoning you should approve the replat. Mayor Borne asked Mr. Pedraza if the two lots meet the City's minimum requirement of 7,200 sq. ft. Mr. Pedraza stated that they do, as they are 7,200 sq. ft. and 7,250 sq. ft. Mr. Pedraza reported that the lots are zoned as R-1 and water and sewer are available on each side of Washington and Capitol. Motion passed unanimously.

INVOICES: City Manager D.E. Sosa presented invoices for payment totaling \$365,107.97 as follows:

Brenntag	Polymer for water treatment (24,240.30; 25,920).	50,160.30
Buna Electric	Rebuild and Rewind on Taft #6 (9,860) and Georgia #4 (6,541) pumps.	16,401.00
Durotech, Inc.	New Fire Station construction – January payment.	203,141.40
Matco Tools	Matco Big Truck Scanner w/diagnostic module.	8,595.63
Republic Svc.	Dumpster and sludge disposal.	6,707.78
Tyler Technologies	Incode software subscriptions (System Maintenance, Court, Financials, hardware annual fees).	65,101.86
Wathen, Deshong & Junckner, LLP	City Auditor – 1 st payment.	15,000.00

Councilmember McAdams made a motion to approve payment of the invoices totaling \$365,107.97 and Councilmember Dugas seconded. Mayor Borne asked if some of the items are annual expenses and Mr. Sosa stated that the payment to Tyler Technologies for Incode is a yearly expense, as is the payment to the City Auditor. Councilmember Oliver questioned the Matco Big Truck Scanner and Garage Superintendent John Spikes explained that this is a diagnostic tool that is used daily on truck repairs. Motion passed unanimously.

Mayor Borne asked for Councilmember comments. Councilmember McAdams thanked the Water Department for all they did during and after the recent freeze. Mr. Sosa recognized Public Works Director Troy Foxworth and his crew for their planning and execution of the plan to get water service restored to the City during and after the freeze. Mr. Sosa, Mayor Borne, and Councilmember McAdams thanked the Fire and Police Departments for their efforts during the storm and Mayor Borne thanked Chief Billeaud and Mr. Sosa for keeping him informed throughout the crisis.

There being no further business, Mayor Borne adjourned the meeting at 5:38 p.m.



Mayor Borne

ATTEST:



City Clerk



**City of Groves
Memorandum**

Date: February 21, 2021

To: D. E. Sosa, City Manager

From: Lamar A. Ozley, Finance Director

Subject: Leak Adjustments for Burst Pipes During Recent Ice Storm

Due to the recent freezing weather event causing many residents' private water lines to burst, staff is recommending a temporary modification to the City's leak adjustment policy.

The 'normal' leak policy consists of the following:

- 1) A leak adjustment form must be filled out by the affected account owner and returned to the City within three months of the leak occurring;
- 2) The leak must be repaired;
- 3) Copies of any receipts from repairs are strongly encouraged;
- 4) The leak must be caused by a force majeure event;
- 5) The consumption history of the account will be reviewed to confirm a consumption increase and corresponding decrease after the repair;
- 6) Only the sewer portion of the bill be adjusted back to the historical normal average;
- 7) The water portion of the bill will still be due;
- 8) Any late fees over the term affected by the leak will be removed;
- 9) If the consumption does not decrease, then no adjustment will be made;
- 10) Regular payments on the account must continue;
- 11) If a leak adjustment form is turned in, it may delay disconnect for a large balance, but does not absolve the account owner from disconnect;
- 12) Account owners are allowed one leak adjustment per year.

Staff recommends temporarily amending the policy to include adjusting the water portion of the bill by 50% if the account owner incurred a leak directly caused by the freeze for the month of February, 2021 only, and all leak requests that fall under this temporary amendment must be submitted to the City by April, 2021.