

A regular meeting of the Groves City Council was held August 26, 2024, in the Groves City Council Chamber with Mayor Chris Borne, Mayor Pro Tem Mark McAdams, Councilmember Paul Oliver, Councilmember Rhonda Dugas and Councilmember Pete Konidis in attendance. Mayor Borne called the meeting to order and welcomed the attendees and news media. Ken Lofton from the local VFW then led the prayer and pledge of allegiance.

Mayor Borne asked if there were any reports and there were none.

Mayor Borne then called for citizen comments and Barbara Edington of 3800 Russell stated that she would like to make sure a couple of questions get answered regarding item number 14 on the agenda. Mrs. Edington wanted to know if the County Tax Assessor was called and asked as to why they are not compliant with the Texas Tax Code. Mrs. Edington also wanted to know if the Texas State Comptroller was called and asked if the City of Groves did not have to comply with the Texas Tax Code. Mrs. Edington also stated that she will continue asking questions because for years the City has been noncompliant. There were no further citizen comments.

DELIBERATE AND ACT TO APPROVE THE MINUTES OF THE AUGUST 5, 2024, SPECIAL MEETING: Councilmember Konidis moved to approve the minutes of the August 5, 2024, Special Meeting as written and Councilmember Oliver seconded. There was no discussion and the motion passed unanimously.

DELIBERATE AND ACT TO APPROVE THE MINUTES OF THE AUGUST 12, 2024, CITY COUNCIL MEETING: Councilmember Oliver made a motion to deliberate and act to approve the minutes of the August 12, 2024, City Council Meeting and Mayor Pro Tem McAdams seconded. There were no questions and the motion passed unanimously.

DELIBERATE AND ACT ON ESTABLISHING A DATE FOR A JOINT PUBLIC HEARING WITH THE PLANNING AND ZONING COMMISSION TO RENEW SPECIFIC USE PERMITS FOR GAME ROOMS LOCATED AT 6900 32ND ST., 2600 MAIN AVE., 2610 MAIN AVE., AND A SPECIFIC USE PERMIT FOR PHASE II OF LADY LUCK RV RESORT: Councilmember Dugas made a motion to deliberate and act on establishing a date for a Joint Public Hearing with the Planning and Zoning Commission to renew specific use permits for game rooms located at 6900 32nd St., 2600 Main Ave., 2610 Main Ave., and a specific use permit for Phase II of Lady Luck RV Resort with a recommended date of September 23, 2024. Councilmember Oliver seconded. There were no questions and the motion passed unanimously.

DELIBERATE AND ACT ON A RESOLUTION TO SUPPORT SOUTH EAST TEXAS REGIONAL PLANNING COMMISSION – METROPOLITAN PLANNING ORGANIZATION'S EFFORT TO REDESIGNATE AND EXPAND ITS PLANNING AREA BOUNDARIES TO ACCEPT JASPER COUNTY: Mayor Pro Tem McAdams made a motion to deliberate and act on a Resolution to support South East Texas Regional Planning Commission – Metropolitan Planning Organization's effort to redesignate and expand its planning area boundaries to accept Jasper County. Councilmember Dugas seconded. Bob Dickinson from South East Texas Regional Planning Commission thanked Council and the City Manager for putting this Resolution on the agenda. Mr. Dickinson stated that they are just expanding their planning boundaries from three to four counties. Mayor Borne asked City Attorney Brandon P. Monk if he needed to read the resolution and Mr. Monk stated that it is already covered in the agenda item. There were no further questions and the motion passed unanimously.

DELIBERATE AND ACT ON AN ORDINANCE REGARDING THE CITY OF GROVES' TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS PROVIDING EMPLOYEES WITH FIVE-YEAR VESTING: Councilmember Konidis made a motion to deliberate and act on an ordinance regarding the City of Groves' Texas Municipal Retirement System benefits providing employees with five-year vesting. Mayor Pro Tem McAdams seconded. City Manager Kevin Carruth stated that as we discussed during the budget process, one of the ways we can most economically try to be competitive with our surrounding communities in recruitment of employees is to lower our vesting from 10 years to 5 years. Mr. Carruth then stated as discussed during the budget process this will run around \$19,000. Mr. Carruth also explained that most of the communities around us are at 10-year vesting but they also have a 7% contribution rate on TMRS. Mr. Carruth then informed Council trying to compete with a 7% contribution rate is considerably more expensive than going to 5-year vesting. Councilmember Konidis asked if anyone does a 5-year vesting and a 7% contribution rate. Mr. Carruth stated that most of the state is that way but the little pocket in Southeast Texas is a little different. Mr. Carruth also stated that TMRS doesn't offer 10-year vesting anymore. Mayor Borne asked if the initial cost of \$18,865 was put into the FY 2024-2025 budget and City Manager Kevin Carruth stated that is correct. Mr. Carruth stated the contribution rate increases due to the possibility of people retiring earlier. There were no further questions and the motion passed unanimously.

DELIBERATE AND ACT TO APPROVE AN AGREEMENT WITH REVIZE, LLC, FOR WEBSITE SERVICES AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL NECESSARY DOCUMENTS: Councilmember Dugas made a motion to deliberate and act to approve an agreement with Revize, LLC, for website services and authorize the City Manager to negotiate and execute all necessary documents. Councilmember Oliver seconded. City Manager Kevin Carruth addressed Council stating that as it was discussed in the budget process was the need for a new website. The current website is over 10 years old and basic. Mr. Carruth also informed Council that Revize is the vendor that both Nederland and Port Neches uses. Mr. Carruth also stated that Revize will provide more transparency for the City, citizens will be able to find information more easily, they can also subscribe to agendas and other information, and staff will be able to maintain the site easier. Councilmember Dugas asked Mr. Carruth to explain the expense for the new website. Mr. Carruth stated the total cost would be \$19,250 with a 5-year term and the next 4 years would be \$2,500 a year. Revize also offers a 5-year payment plan for \$5,850 a year and what is budgeted for FY 2024-2025 is the payment for year one of a five-year term. Mr. Carruth stated that he is recommending the payment plan which would be \$5,850 a year instead of the big lump sum of \$19,250. There were no further questions and the motion passed unanimously.

HEAR AND DELIBERATE ON THE PRESENTATION OF RESPONSE TO TAX RATE NOTICE CONCERNS FROM THE AUGUST 19, 2024, CITY COUNCIL MEETING: Councilmember Konidis made a motion to hear and deliberate on the presentation of response to tax rate notice concerns from the August 19, 2024, City Council meeting and Councilmember Dugas seconded. City Manager Kevin Carruth stated that during the Public Hearing last week we had several questions raised about whether or not the Cities published notice about 2024 tax rates met all of the requirements of the Texas Tax Code. Mr. Carruth then stated that right after the meeting he started looking into those questions and the following morning staff pursued additional inquiries. Mr. Carruth informed Council what was found out is that the text in the format of the add is prescribed by Texas Tax Code Section 26.04. Mr. Carruth then explained the financial data is provided to the Tax Assessor Collector by the City and the Tax Assessor in turn inputs the said data into Tax Truth and Taxation Software, the software is developed by Linebarger Blair & Sampson, which is the largest law firm in the State of Texas that represents public entities. This software is also used by hundreds of counties, cities, school districts and appraisal districts in Texas. Mr. Carruth also explained that the software is programed to do all of the calculations, complete all the required forms, schedules and notices that are required by the statute in the State of Texas. The Tax Assessor Collector then sends

that notice to the City and the publications are required to be a quarter page but we published it as a half page which is twice as big as is required. The notice is also sent to the City in PDF form so it is not anything that can be edited. Mr. Carruth then stated that all of the data that was sent to the Tax Assessor Collector is accurate and all of the posting and public input requirements have been met.

Mr. Carruth then stated that the City Attorney reviewed the notices and they are all in compliance with tax code. Mr. Carruth then addressed one of Mrs. Edington's concerns was with the City listing the \$579,950 in the list of debts but it is listed because even though it is being paid by funds from the EDC, the ultimate security is still property tax and that is why it had to be listed. Mr. Carruth stated he wanted to highlight that the City published the notice that was given to them by the Tax Assessor Collector who are using the form that is prescribed to them by the State of Texas Comptrollers Office. City Attorney Brandon P. Monk stated that part of the confusion is coming from the fact that the statutory provisions that were looked at relate to obligations that were not the City's obligations. They were obligations of what Appraisal District and Tax Assessor Collector were to do and they performed those duties. Councilmember Dugas then reexplained the reasoning for the fire station debt being listed under city debts even though it is being paid with EDC funds. There was no further discussion on this item.

INVOICES: City Manager Kevin Carruth presented invoices for payment totaling \$116,097.88 as follows:

1. Brenntag Southwest, INC	Sodium Hydroxide for Water Plant.	\$8,199.03
2. Chameleon Industries	Polymer for Water Plant.	\$34,960.00
3. Lower Neches Valley Authority	Raw water purchased.	\$24,750.00
4. NewGen Strategies & Solutions	Utility Rate Consultant.	\$27,375.00
5. PVS DX INC.	CL2 and SO2 for Waste Water Plant.	\$9,861.60
6. Republic Services	Sludge disposal July 2024.	\$10,952.55

Councilmember Konidis made a motion to approve the invoice list for August 26, 2024 and Mayor Pro Tem McAdams seconded. Mayor Borne asked for questions and there were none. Motion passed unanimously.

Mayor Borne asked for Council comments. Councilmember Konidis commended the fire and police for saving citizens from a fire at an apartment complex. Councilmember Dugas informed the citizens that she has never lied or betrayed them. There were no further comments.

There was no further business and the meeting was adjourned at 5:37 p.m.



Mayor

ATTEST:



City Clerk

