

A regular meeting of the Groves City Council was held July 19, 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. He then led the prayer and pledge of allegiance.

APPROVE THE MINUTES OF THE JUNE 21, 2021 CITY COUNCIL MEETING AND THE JULY 7, 2021 SPECIAL MEETING: Mayor Pro Tem Badon moved to approve the minutes of the June 21, 2021 City Council meeting and the July 7, 2021 Special Meeting as written and Councilmember McAdams seconded. There was no discussion and the motion passed unanimously.

PRESENTATION OF A PROCLAMATION RECOGNIZING WILLIAMS FLORIST & GIFTS AS THE 2021 SMALL BUSINESS OF THE YEAR: Mayor Borne presented the proclamation to Alan and Prisci Davenport, owners of Williams Florist, and congratulated them as being named the 2021 Small Business of the Year as selected by the Groves Chamber of Commerce.

Mayor Borne asked for citizen comments and there were none.

RECEIVE THE MINUTES OF THE JUNE 14, 2021 PLANNING AND ZONING COMMISSION MEETING: Mayor Borne stated that the minutes would be received into the record as follows: "The City of Groves Planning and Zoning Commission met in the Public Works Building, 4925 McKinley, on Monday June 14, 2021, at 6:00 p.m. to consider the request for the property listed herein. 1. To consider the request from Dianne R. Deranieri to replat her property at 6538 Washington Blvd.; TR 19-A, 19-B, 19-C, and 19-D 0.6882 acre of land replat of all Lots 19, 20 and East 5' of N ½ of Lot 21, BLK 31 "The Groves" Pecan Groves into four separate parcels of land. Members present were Rodney Pacetti, Craig Plookhooy, Chris Crain, Alternates Rod Hatch and Mike Campise, Director of Neighborhood Services Don Pedraza. Mr. Pacetti opened the meeting and roll call was performed. Let the records indicate a quorum was achieved. Item of Business: 1. Mr. Pedraza submitted replat plan from Soutex for review by Commissioners. He informed the members that the zoning district is "SF", will be divided into four separate parcels of land and each lot meets the requirements acreage for that zone (7,200 sq. ft.) and fifty feet widths. 2. Mr. Robert Lee addressed the board; wanting to explain how the extra 5' was acquired. Previous owners wanted extra frontage for that side of their property. 3. Mr. Pacetti asked if there is any further need for discussion and then made a motion to approve replat by Soutex. A second from Mr. Craig Plookhooy. All commissioners unanimously voted Yes. With no further business, the meeting was adjourned at 6:15 p.m."

CERTIFY RESULTS OF THE PETITION ISSUED BY HADEN GROVE FOR GROVES' GOVERNING BODY TO ORDER AN ELECTION FOR THE ADOPTION OF THE FIRE AND POLICE EMPLOYEE RELATIONS ACT, TEXAS LOCAL GOVERNMENT CODE CHAPTER 174, FOR THE GROVES FIRE DEPARTMENT: City Clerk Kimbra Lowery read the certification results as follows: "I, Kimbra B. Lowery, City Clerk of the City of Groves, Texas do hereby certify that the petition for Groves' governing body to order an election for the adoption of the Fire and Police Employee Relations Act, Texas Local Government Code Chapter 174, for the Groves Fire Department, filed in my office on June 24, 2021 by Haden Grove contained 557 signatures, of which 547 were verified as adequate, complete signatures. The petition is sufficient to cause a special election to adopt the Fire and Police Employee Relations Act, Texas Local Government Code Chapter 174, for the Groves Fire Department. The election is to be held on the next uniform election date set forth by State law."

CERTIFY RESULTS OF THE PETITION ISSUED BY HADEN GROVE TO AMEND THE GROVES CITY CHARTER BY ADDING ARTICLE XIV, SECTION 4. COLLECTING BARGAINING IMPASSE: City Clerk Kimbra Lowery read the certification results as follows: "I, Kimbra B. Lowery, City Clerk of the City of Groves, Texas do hereby certify that the petition to amend the Groves City Charter by adding Article XIV, Section 4. Collective Bargaining Impasse, filed in my office on June 24, 2021 by Haden Grove contained 553 signatures, of which 548 were verified as adequate, complete signatures. The petition is sufficient to cause a special election to amend the Groves City Charter by adding Article XIV, Section 4. Collective Bargaining Impasse. The election is to be held on the next uniform election date set forth by State law."

CONSIDER APPROVAL OF A REQUEST TO SUBDIVIDE THE PROPERTY AT 6538 WASHINGTON BLVD. INTO FOUR (4) SEPARATE PARCELS OF LAND: City Manager D.E. Sosa stated that this item had been acted on by the Planning and Zoning Commission and that the survey was included in the Council's meeting packets. Building Official Don Pedraza explained that the owner plans to build four (4) single family homes on the lots, which are 7250 sq. ft. Councilmember McAdams made a motion to approve the request to subdivide 6538 Washington Blvd. into four separate lots. Mayor Pro Tem Badon seconded. Mayor Borne stated that the lots are 50' X 145' and Mr. Pedraza reported that one of the lots has an extra 5'. There were no questions and the motion passed unanimously.

NOTICE OF A SPECIAL ELECTION TO BE HELD ON NOVEMBER 2, 2021 IN THE CITY OF GROVES: Mayor Borne read the caption of the Notices as follows: "Notice of Special Election pursuant to a petition submitted to the City Clerk pursuant to Texas Local Government Code, Chapter 9, to amend the Charter of the City of Groves by adding Article XIV, Section 4, "Collective Bargaining Impasse" providing for binding arbitration." "Notice of Special Election pursuant to a petition submitted to the City Clerk for adoption of the Fire and Police Employee Relations Act, Texas Local Government Code, Chapter 174."

CONSIDER/APPROVE PROCUREMENT FOR ENGINEERING SERVICES FOR THE GLO INFRASTRUCTURE PROJECT 20-065-039-C120: Mr. Sosa stated that after completion of the last General Land Office Street Program, Groves had \$1.3 million left over. The City has talked with the GLO regarding keeping the funds and using it for another project. The GLO has approved use of the funds, but the City has to start over with the process of procuring engineering services.

Mayor Pro Tem Badon made a motion to approve procurement for engineering services for the GLO Infrastructure Project 20-065-039-C120 and Councilmember Dugas seconded. Mayor Borne asked Mr. Sosa if this is for hot mix streets and Mr. Sosa stated that was correct and that they will be turnkey streets. Mr. Sosa also explained that the City will get a bid for all of the streets that need to be done and move the ones that don't get done to the City Street Program. Motion passed unanimously.

CONSIDER APPROVAL OF AN ORDINANCE TO REZONE 6158, 6162, AND 6248 WARREN ST. FROM R-2 TO P-1: City Attorney James Black presented proposed Ordinance No. 2021-07, reading the caption as follows: "An ordinance amending the City of Groves Zoning Ordinance by changing the following described property, to-wit: 6158 Warren Street described as the north or front 200' of the west 100' of the east 200' of lot 17, Warren Addition (.460 acre); 6162 Warren Street described as the north 200' of the east 100' of lot 17, Warren Addition (100'X200'- .459 acre); and 6248 Warren Street described as the east 100' of lot 16, Warren Addition, in Groves, Jefferson County, TX 77619, from "R-2 District: one and two family residential district" to "P-1 District: Professional District"; providing that no other portions of said zoning ordinance shall be affected hereby; providing a savings clause; providing a penalty; providing for codification; providing for publication by publishing the caption only; and providing an effective date." Mayor Pro Tem Badon moved to approve Ordinance No. 2021-07, rezoning 6158, 6162, and 6248 Warren St. from R-2 to P-1, and Councilmember McAdams

seconded. Mayor Borne asked if this is for Oak Grove Nursing Home and Mr. Sosa stated that was correct. Motion passed unanimously.

CONSIDER APPROVAL OF AN ORDINANCE CALLING FOR A SPECIAL ELECTION TO BE HELD ON NOVEMBER 2, 2021 FOR THE PURPOSE OF ADOPTING THE FIRE AND POLICE EMPLOYEE RELATIONS ACT, TEXAS LOCAL GOVERNMENT CODE CHAPTER 174, FOR THE FIRE DEPARTMENT: City Attorney James Black presented proposed Ordinance No. 2021-08, reading the caption as follows: "An ordinance calling a Special Election, to be held within the city of Groves concurrently with the City of Groves General Election on the 2nd day of November, 2021, for the purpose of an election for the adoption of the Fire and Police Employee Relations Act, Texas Local Government Code, Chapter 174, by a vote for or against the following proposition, to-wit: "Adoption of the state law applicable to firefighters that establishes collective bargaining if a majority of the affected employees favor representation by an employees association, preserves the prohibition against strikes and lockouts, and provides penalties for strikes and lockouts..."

Councilmember McAdams made a motion to approve Ordinance No. 2021-08 calling for a Special Election for the purpose of adopting the Fire and Police Employee Relations Act, Texas Local Government Code Chapter 174, for the Fire Department. Mayor Pro Tem Badon seconded the motion and Mayor Borne asked for discussion. Councilmember Oliver asked what had brought this issue to the forefront. Mr. Sosa recognized Haden Grove, the initiator of the petition, and suggested that Mr. Grove answer any questions regarding the issue. Mr. Grove stated that police and firefighter associations throughout the state of Texas are doing the same thing by adopting the above referenced Fire and Police Employee relations Act. He remarked that the Groves firefighters have been wanting to do this. He also reported that Groves has a great Fire Chief (Lance Billeaud) and City administration, and that this is something that Nederland, Port Arthur, and Beaumont have. Councilmember Oliver asked why this was being done at this time. Mr. Grove responded that the firefighters' committee will negotiate with the City's committee and that the firefighters are wanting this because they do not know what the future holds. He also remarked that nobody had wronged the firefighters and that he was speaking on their behalf. Councilmember Oliver asked if the issue had to do with benefits or salary and Mr. Grove stated no, that it did not. Councilmember Dugas asked if this would mean that the firefighters could go on strike. Mr. Grove stated no, the firefighters would not leave the citizens, as it is against the law for fire and police to strike.

Robert Stephens of 5435 Whitaker remarked that the firefighters are trying to fix something that isn't broken, and that just because Beaumont did it that does not make it right. Mayor Borne stated that the citizens have a right to vote either way at election time. Motion passed unanimously.

CONSIDER APPROVAL OF AN ORDINANCE CALLING FOR A SPECIAL ELECTION TO BE HELD ON NOVEMBER 2, 2021 FOR THE PURPOSE OF AMENDING THE GROVES CITY CHARTER BY ADDING ARTICLE XIV, SECTION 4. COLLECTIVE BARGAINING IMPASSE: City Attorney James Black presented proposed Ordinance No. 2021-09 and read the caption as follows: "An ordinance calling a Special Election, to be held within the City of Groves concurrently with the City of Groves General Election on the 2nd day of November, 2021, for the purpose of an election pursuant to Texas Local Government Code, Chapter 9, to amend the Charter of the City of Groves by adding Article XIV, Section 4, "Collective Bargaining Impasse" providing for binding arbitration...." Councilmember McAdams moved to approve Ordinance No. 2021-09 calling for a Special Election for the purpose of amending the Groves City Charter by Adding Article XIV, Section 4. Collective Bargaining Impasse. Mayor Pro Tem Badon seconded and the motion passed unanimously.


INVOICES: City Manager D.E. Sosa presented invoices for payment totaling \$757,439.58 as follows:

Chameleon Ind.	Polymer for water treatment.	25,920.00
DXI	Chemicals for Wastewater Plant (9,280; 9,048.61; 3,080).	21,408.61
Durotech, Inc.	New Fire Station construction – June payment.	587,004.37
Fuelman	Gas and diesel fuel for June 2021.	21,703.43
Joiner Architects	New Fire Station construction – June payment.	64,518.98
Lawco	3 rd payment- recreation fields (split cost w/PNGYFA).	10,000.00
Pump Solutions	Submersible pump for Water Plant.	5,598.00
Precision Pump Systems	Pump for Wastewater Plant.	6,002.60
Republic Svc.	Sludge disposal- June 2021 (6,954); Peace and Dignity Program- 4748 Beaumont, 5711 Carolina, 3110 Lay, 2801 Oak, 6420 Val, 2745 Royal, 6415 Verde, 5501 W. Washington, 4432 Lawndale, Monroe/Indian Springs, 5905 25 th , 6115 39 th , 4448 Wilson, 3328 Pure Atlantic, 5252 Twin City, 3211 Canal, 2620 1 st (8,329.59).	15,283.59

Mayor Pro Tem Badon moved to approve the invoices totaling \$757,439.58 and Councilmember Dugas seconded. Mayor Borne asked for questions. Mayor Pro Tem Badon asked what the total cost for the work on the recreation fields was and Mr. Sosa stated it was \$80,000 with the City and the PNGYFA each paying \$40,000. Mayor Pro Tem Badon asked where those funds were coming from and Mr. Sosa stated that the \$40,000 was being paid out of the funds from the sale of Lindenmayer Park property. Motion passed unanimously.

Mayor Borne asked for Councilmember comments. Councilmember McAdams announced that the Southeast Texas Circle of Hope would be hosting a benefit for City employee Robert Garcia on Saturday, July 24th at First Baptist Church of Nederland. The Circle of Hope is an organization that assists different people with different needs.

There were no further comments and Mayor Borne adjourned the meeting at 5:32 p.m.



Mayor Borne

ATTEST:



City Clerk

