

A regular meeting of the Groves City Council was held March 28, 2022 in the Groves City Council Chamber with Mayor Chris Borne, Mayor Pro Tem Rhonda Dugas, Councilmember Mark McAdams, Councilmember Paul Oliver and Councilmember Rob Vensel 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 MARCH 14, 2022 CITY COUNCIL MEETING: Councilmember Rob Vensel moved to approve the minutes of the March 14, 2022 City Council Meeting as written and Councilmember Mark McAdams seconded. Mayor Borne asked for discussion and there was none. Motion passed unanimously.

PRESENTATION OF A PROCLAMATION DESIGNATING RYAN HEARN AS THE 2021 GROVES FIREMAN OF THE YEAR: Mayor Borne issued a Proclamation designating March 28, 2022 as Ryan Hearn Day.

Mayor Borne asked for reports. City Manager D.E. Sosa stated that he had one report. Mr. Sosa stated that there was a request for an update from Council on the park on Hagaboom. He stated that he would go over some highlights. There are three major reasons for the development of this property, (1) To replace the property that was lost with the sale of Lyndenmayer Park. (2) To contribute to the life skills development of our youth. (3) To bring visitors from all over the three-county area to Groves where we hope they will most likely purchase food, drinks, etc. On May 6, 2016 the City executed a lease for 31.7 acres off of Hagaboom Rd, that lease expires December 31, 2025. Mr. Sosa also stated that we have a 10-year renewal option which would take the lease until December 31, 2035. On August 13, 2018 the City subleased 19.92 acres to PNGYFA, and that sublease was approved by the City on October 1, 2018. The original reason for the City to obtain this property was to replace the practice softball fields that were lost with the sale of Lyndenmayer park. He also stated that the City partnered with the PNGYFA to clear and work on the football and softball fields together with each paying 50 percent of the clearing and shaping costs which was \$40,000 each. City Manager D.E. Sosa also stated that early in the project we were notified by DD 7 that we would need a drainage permit. Arceneaux and Gates donated their time to prepare and do the associated field work and engineering to obtain the DD 7 drainage permit. The PNGYFA will open their 2022 season on these fields. Councilmember Mark McAdams then asks who takes care of the maintenance. City Manager D.E. Sosa stated that we take care of our maintenance and PNGYFA will take care of theirs. Councilmember McAdams also asked why did they decide to go with wood, and Mr. Sosa said that PNGYFA would like to take advantage of the traffic on Hagaboom and sell the 4x8 advertisements that you see on Twin City Highway with the Soccer Fields. Mayor Pro Tem Dugas asked how much of our funds have been spent on this project and Mr. Sosa stated

that it is less than \$50,000. Councilmember Paul Oliver asked if there are any plans for lighting, and Mr. Sosa stated that anything added in the future would be up to PNGYFA. Mayor Borne then asked for any other questions and there were none.

Mayor Borne then asked for citizen comments. Patrick Reeves of 4320 Cleveland Ave stated that what he has been seeing in the City of Groves is beautiful. He also stated that all Council is doing a good job and that it seems like everyone clicks.

APPROVE INTERLOCAL AGREEMENT WITH JEFFERSON COUNTY TO ALLOW PRECINCT 2 TO ASSIST THE CITY WITH 2022 STREET PROGRAM:

Councilmember Rob Vensel made a motion to approve the interlocal agreement with Jefferson County to allow precinct 2 to assist the City with the 2022 street program and Mayor Pro Tem Rhonda Dugas seconded. City Manager D.E. Sosa stated that this is a normal operational item that we do every year. Precinct 2 helps us with our street program and we have to have an interlocal agreement to make this legal. Mayor Chris Borne asked if this is for their labor and equipment and Mr. Sosa stated that is correct. There was no further discussion and the motion passed unanimously.

DISCUSS AND CONSIDER DISCOUNTING THE PNGISD BUILDING PERMIT FEE 66 % FOR THE SCHOOL TO BE BUILT ON CLEVELAND AVENUE IN GROVES:

City Councilmember Rob Vensel made a motion to discuss and consider discounting the PNGISD building permit fee 66% for the school to be built on Cleveland Avenue in Groves and Councilmember McAdams seconded. City Manager D.E. Sosa stated that the current permit price is \$133,090 and to discount is as you did the last time which was 66% would be a reduction of \$87,839.40 leaving a final permit fee of \$45,250.60. Mr. Sosa also stated that Council earlier in the year went ahead and capped the planning review fee at \$2,500 and that stays the same. Mr. Bergeron was at the meeting to represent the school. Mayor Borne asked when construction is going to start on that and Mr. Bergeron stated that they are doing civil right now. Mayor Borne asked if there were any other questions and there were none. Motion passed unanimously.

AUTHORIZE EDC REIMBURSEMENT PAYMENT OF \$10,000 TO MATT TELLER FOR EDC ELIGIBLE IMPROVEMENTS TO 6115 39TH ST: Councilmember Rob Vensel made a motion to authorize EDC reimbursement payment of \$10,000 to Matt Teller for EDC eligible improvements to 6115 39th St. and Mayor Pro Tem Rhonda Dugas seconded. Mayor Borne asked if the EDC went over all of the paperwork that was brought in and if everyone was in agreeance. Mayor Pro Tem Dugas and

Councilmember Vensel stated that they were. Mayor Borne asked if there were any other questions and there were none. Motion passed unanimously.

AUTHORIZE EDC REIMBURSEMENT PAYMENT OF \$12,500 TO GEORGE GEISEL (PIZZA ARTISTA) FOR ELIGIBLE EDC IMPROVEMENTS TO 3814 MAIN AVE. Mayor Pro Tem Dugas made a motion to authorize EDC reimbursement payment of \$12,500 to George Geisel (Pizza Artista) for eligible EDC improvements to 3814 Main Ave and Councilmember Paul Oliver seconded. Mayor Borne asked if George paid for this or if the owner of the strip mall paid for it. City Manager D.E. Sosa stated that George paid for it. Mayor Borne asked if there were anymore questions and there were none. Motion passed unanimously.

CONSIDER APPROVAL OF AN APPLICATION FOR HOTEL OCCUPANCY TAX REVENUE FUNDS TO BE USED FOR THE GROVES KNIGHTS OF COLUMBUS 15TH ANNUAL ESTELLE AND ALLEN FETTERS GOLF TOURNAMENT:

Councilmember Mark McAdams made a motion to consider approval of an application for Hotel Occupancy Tax Revenue Funds to be used for the Groves Knights of Columbus 15th Annual Estelle and Allen Fetter Golf Tournament and Councilmember Vensel seconded. Councilmember Mark McAdams asked if we should put the amount in there for \$2,000 Mayor Borne stated that we should and he amended the motion and Councilmember Rob Vensel seconded that amendment. Mayor Borne asked City Manager D.E. Sosa if this is something we have done in the past and Mr. Sosa stated yes, we have collaborated many years with the KC for this golf tournament. Representative Leroy from the KC stated that this has been done for about the last 10 years. Mr. Leroy stated that most of the citizens do not even know where the Fetter Center is, or even know what it's about. The KC's have been the driving force in keeping this center open and it provides care for this area with helping the families of mentally and physically challenged adults. The caretakers can drop them off at the center and are able to go and pay bills, run errands etc. Mayor Borne asked for questions and there were none. Motion passed unanimously.

AUTHORIZE INCREASE IN WAGE AND SALARY PLAN FOR POSITIONS THAT REQUIRE CDL: Mayor Pro Tem Dugas made a motion to authorize an increase in wage and salary plan for positions that require CDL and Councilmember Mark McAdams seconded. City Manager D.E. Sosa stated that he has Mike Tentrup here tonight and he can answer any questions you have. Mr. Sosa also stated that he would recommend that Council approves this item, it is something that will help us keep and maintain our current employees. Mike Tentrup stated that in the past how

all City's would operate would be to hire employees off the street, they were inexperienced but we would train them up and they become valuable employees. We would hire them, train them on their CDL and then they would get that CDL. Mr. Tentrup stated that in February the federal government changed the rules so now you have to go to a school that is about 3 months long and about 5 hours a day. The only local schooling is through Lamar, so basically you don't have time to work, you just go to school. This school training costs a little over \$2,000 to attend. Mr. Tentrup stated that our old way of getting people hired, training them and moving on is no more. He stated that we are basically trying to stop the bleeding now, we don't want to lose the current employees that we have because use to if we lost someone with a CDL we could hire someone and get them trained up within 4 months at the most. Mr. Tentrup then stated that now it could be 6 months to a year because there is already a waiting list for these classes because there are so few of them. Mayor Borne asked with this new law how many current positions have been affected, and Mr. Tentrup stated that as of now we only have 2 employees that do not have their CDL. Mayor Borne then asked who is going to be responsible for the payment of the class and Mr. Tentrup said that they have not decided on that yet. Mr. Tentrup stated that they are not changing the pay scale but bumping up anyone who has a CDL already at least steps. Mayor Borne asked that in order to accommodate this increase are we going to leave two positions vacant and Mr. Tentrup said that is correct. Mayor Borne then asked how is that on manpower as far as running shorthanded and Mr. Tentrup said that we are having problems filling the positions anyways, we just don't have the applicants. Mayor Pro Tem Dugas then stated that all the things that are involved with this issue have not been completely worked out yet and Mr. Tentrup stated that is correct, this is just the first step. Councilmember Oliver asked how soon before this pay increase takes effect and the HR Director Stephanie Gaspard stated it would be next payday. Mayor Borne asked if there were any other questions and there were none. Motion passed unanimously.

CONSIDER APPROVAL OF RESOLUTION 2022-01 RECOGNIZING THE GROVES PROFESSIONAL FIREFIGHTERS ASSOCIATION LOCAL 1905 AS THE EXCLUSIVE BARGAINING AGENT FOR THE GROVES FIRE DEPARTMENT: City Attorney James Black presented proposed Resolution No. 2022-01, reading the caption as follows: "A Resolution of the City Council of the City of Groves, Texas, recognizing the Groves Professional Firefighters Association, Local 1905, as the exclusive bargaining agent with the City of Groves for the members of the Groves Fire Department pursuant to section 174.101 of the Texas Local Government Code

Councilmember Mark McAdams moved to approve proposed Resolution No. 2022-01 recognizing the Groves Professional Firefighters Association Local 1905 as the Exclusive Bargaining Agent for the Groves Fire Department. Councilmember Paul Oliver Seconded and Mayor Borne asked for questions. There were no questions and the motion passed unanimously.

CONSIDER APPROVAL OF ORDINANCE 2022-03 AMENDING THE QUALIFICATIONS FOR THE PLANNING AND ZONING COMMISSION: City Attorney James Black presented proposed Ordinance No. 2022-03, reading the caption as follows: "An Ordinance amending the Code of Ordinances of the City of Groves, Texas, by amending "Chapter 2, Administration, Article II. Planning and Zoning Commission, Section 2-17. Qualifications of Members" by revising said section to change the qualifications of members to remove the Taxpayer requirement and to require residency in the City for a six (6) month period before appointment; providing a savings clause; providing for Codification; and providing and effective date." Councilmember Mark McAdams moved to approve proposed Ordinance No. 2022-03 amending the qualifications for the Planning and Zoning Commission and Councilmember Rob Vensel seconded. Mayor Chris Borne then asked for questions. Mayor Pro Tem Dugas stated that this was a discussion on the March 14th City Council Agenda. She stated to refresh everyone's memory, she did research on qualifications for Mayor, Councilmembers, City Marshall, Board of Adjustments, EDC Directors and Candidates. Mayor Pro Tem Dugas then stated out of all of these Boards the only one that requires you to be a tax payer is the Planning and Zoning Commission. Mayor Pro Tem Dugas then showed Council and City Attorney James Black what she had written for the Section 2-17. Qualification of Members. Councilmember Paul Oliver then asked Mr. Black if he put the wording together for the proposed Ordinance 2022-03, and he responded yes. Councilmember Oliver also asked Mr. Black if he had seen the proposed wording from Mrs. Dugas and he stated that he had not at the time of writing the proposed Ordinance. Mr. Black then explained the reason he had written the Ordinance this way. He stated the section of the Code we are changing is 2-17 which is the qualifications of the Planning and Zoning Commission and that's all it deals with. Mr. Black then stated the only thing we were doing is remove tax payer requirements and to add that you must reside in the City for 6 months prior to their appointment. Mr. Black also stated that the reason he did not consider adding the other language that Mayor Pro Tem Dugas had suggested is because that comes from the Charter of the City but these are the Code of Ordinances.

The Code of Ordinances the Council can change but the Charter is voted on by the citizens, and the qualifications for Mayor and Councilmen are in the Charter. Mayor Pro Tem Dugas stated that if we make the qualifications as she has them written then it would make it the same all the way around between the Mayor, City Council, City Marshall and Board of Adjustments. Mr. Black stated that it would not be incorrect to write it as Mrs. Dugas has suggested, it would just be a surplus and not necessary. Mayor Pro Tem Dugas said the reason she wants it written as she suggested is because it spells the qualifications out more and so there is no questions about what exact qualifications are needed. Mr. Black stated that when we write ordinances or any kind of statute we try to keep it as simple as we can because they are complicated enough. Mayor Borne then stated to Mr. Black that the qualifications are the same but you just said it in less words and Mr. Black responded yes.

Mayor Borne then asked Mayor Pro Tem Dugas what problems does she see with the way City Attorney James Black has written the ordinance. She then stated that she thinks if we spell it out to be very plain and clear then there would be no questions. Mayor Borne then stated that we appoint them so if we have a question about it then we shouldn't appoint them. Mayor Borne then stated right now we have a motion and a second to approve Ordinance 2022-03, do we have any other questions. Councilmember Rob Vensel stated that the main thing we wanted to do is drop the taxpayer requirement and add the 6 month residency of the City of Groves. Councilmember Paul Oliver then asked Mr. Black if the wording he used in the proposed Ordinance 2022-03 basically covers everything Mrs. Dugas spelled out and Mr. Black responded yes. Mayor Pro Tem Dugas then made a motion to table the item and Councilmember Vensel seconded. Motion to table passed with Mayor Pro Tem Dugas, Councilmember McAdams, Councilmember Vensel and Councilmember Oliver for the tabling of the item and Mayor Borne against.

AUTHORIZE CITY MANAGER D.E. SOSA TO SIGN INTERGOVERNMENTAL CONTRACT BETWEEN JEFFERSON COUNTY, TEXAS AND THE CITY OF GROVES: City Manager D.E. Sosa stated that this is a jail contract that was presented at the beginning of the year but has not been approved through council. Port Neches and Nederland have already approved it. This contract basically changes the amount to a \$75 maximum and if any prisoner that Groves brings in stays less than 24 hours then it is broken down into 4 (6 hour) segments. That means if they stay half a day it would be \$18.75 times 2, if they stay $\frac{3}{4}$ of a day then it would be \$18.75 times 3 and if they stay a whole day then the maximum would be \$75. It is all the City of Groves would pay, the second day they would be on the County. Councilmember Mark McAdams moved to authorize City Manager D.E. Sosa to sign

Intergovernmental Contract between Jefferson County, Texas and the City of Groves. Councilmember Rob Vensel seconded. Motion passed unanimously.

CONSIDER APPROVAL OF ORDINANCE 2022-04 SUSPENDING THE RATES PROPOSED BY TEXAS GAS SERVICE COMPANY'S GAS RELIABILITY INFRASTRUCTURE PROGRAM: City Attorney James Black presented proposed Ordinance No. 2022-04, reading the caption as follows, "Ordinance of the City of Groves, Texas suspending the rates proposed by Texas Gas Service Company's ("TGS" OR "Company") Gas Reliability Infrastructure Program ("Grip") filing made with the City of February 10, 2022; finding that the meeting complies with the open meetings act; making other findings and provisions related to the subject, and declaring an effective date."

Mayor Pro Tem Rhonda Dugas made a motion to consider approval of Ordinance 2022-04 suspending the rates proposed by Texas Gas Service Company's Gas Reliability Infrastructure program and Councilmember Paul Oliver seconded. Motion passed unanimously.


INVOICES: City Manager D.E. Sosa presented invoices for payment totaling \$63,281.06 as follows:

Heil of Texas	Hopper hood kit, Retainer Teeth and Installation on garbage truck.	8,981.06
Pump Solutions	Vertical turbine motor repair.	9,000.00
Soutex Surveyors Inc.	Engineering for curb and drainage Improvements on Woodlawn (20,300) And Kent (25,000).	45,300.00

Councilmember McAdams moved to approve payment of the invoices totaling \$63,281.06 and Councilmember Vensel seconded. Mayor Borne asked for Questions. Mayor Borne then asked if the engineering for Woodlawn and Kent is through GLO or our normal street program. Mr. Sosa stated that it is our normal street program. Motion passed unanimously.

Mayor Borne asked for Councilmember comments. Mayor Pro Tem Dugas commented on how nice the grand opening of the Fire Station was. She wanted to thank the company's that came out to help with this grand opening. She also wanted to thank everyone who came out for the John Spikes memorial.

There was no further business and Mayor Borne adjourned the meeting at 6:12 p.m.


Mayor

ATTEST:



City Clerk