

A regular meeting of the Groves City Council was held October 10, 2022 in the Groves City Council Chamber with Mayor Chris Borne, Mayor Pro Tem Rhonda Dugas, Councilmember Rob Vensel, Councilmember Mark McAdams, and Councilmember Paul Oliver in attendance. Mayor Borne called the meeting to order and welcomed the attendees. Councilmember McAdams led the prayer and pledge of allegiance.

**APPROVE THE MINUTES OF THE SEPTEMBER 26, 2022 CITY COUNCIL MEETING:** Councilmember Rob Vensel moved to approve the minutes of the September 26, 2022 City Council meeting as written and Councilmember Mark McAdams seconded. Mayor Borne asked for discussion and there was none. Motion passed unanimously.

**APPROVE THE MINUTES OF THE SEPTEMBER 12, 2022 AND SEPTEMBER 26, 2022 PUBLIC HEARING MEETINGS:** Councilmember Rob Vensel moved to approve the minutes of the September 12, 2022 and September 26, 2022 Public Hearing Meetings and Councilmember Paul Oliver seconded. Mayor Borne asked for discussion and there was none. Motion passed unanimously.

**RECEIVE MINUTES FROM THE OCTOBER 3, 2022 PLANNING AND ZONING COMMISSION MEETING:** Mayor Borne stated the minutes would be received into the record (copy attached).

Mayor Borne asked for reports and City Manager D.E. Sosa stated that he had one report regarding Phase II of the GLO Street Program. L & D Construction who was awarded this project is currently working on Bay, Allison and Woodlawn and in order to try and get all of this done we need to move Kent St to Phase II instead of Phase III. City Manager D.E. Sosa also stated that they will bring a list of streets for Phase III around Thanksgiving and those streets will finish up the GLO money for this year. Mayor Borne then asked for citizen comments and there were none.

**CONSIDER APPROVAL OF A REPLAT AT 6901 WASHINGTON BLVD. TO BE SUBDIVIDED:** Mayor Pro Tem Rhonda Dugas then made a motion to consider approval of a replat at 6901 Washington Blvd. to be subdivided and Councilmember Vensel seconded. Mayor Borne then stated that this is the same location that we held a Public Hearing for and that we have the minutes from the Planning and Zoning Commission Meeting stating their suggestions for this lot. There were no further questions and the motion passed unanimously.

**CONSIDER REAPPOINTMENT OF MIKE SIMON AS THE MUNICIPAL COURT JUDGE FOR THE CITY OF GROVES:** Councilmember Mark McAdams made a

motion to consider reappointment of Mike Simon as the Municipal Court Judge for the City of Groves and Councilmember Vensel seconded. Mayor Borne then asked Judge Simon how many years has he served as the Municipal Court Judge for the City of Groves and Judge Simon responded 16 years. There were no further questions and the motion passed unanimously.

**CONSIDER APPOINTING MARK DEROUEN AS RELIEF MUNICIPAL COURT JUDGE FOR THE GROVES MUNICIPAL COURT:** Councilmember Rob Vensel made a motion to consider appointing Mark DeRouen as relief Municipal Court Judge for the Groves Municipal Court and Councilmember Mark McAdams seconded. Mayor Borne then asked Mr. DeRouen if this is something he would be willing to accept and Mr. DeRouen stated he would be honored to do so. There were no further questions and the motion passed unanimously.

**CONSIDER SETTING A DATE AND TIME FOR A WORK SESSION TO DISCUSS THE OLD SIMS SCHOOL PROPERTY ON 25<sup>TH</sup> ST:** Mayor Pro Tem Rhonda Dugas made a motion to consider setting a date and time for a Work Session to discuss the Old Sims School Property on 25<sup>th</sup> St. and Councilmember Oliver seconded. Council discussed and all agreed upon October 18, 2022 at 5:30 p.m. Motion passed unanimously.

**CONSIDER APPROVAL OF ORDINANCE 2022-15, DENYING ENTERGY TEXAS, INC.'S STATEMENT OF INTENT AND APPLICATION FOR AUTHORITY TO CHANGE RATES FILED ON JULY 1, 2022:** Mr. Monk presented proposed Ordinance 2022-15, reading the caption as follows: "An Ordinance by the City of Groves, Texas, denying Entergy Texas, Inc.'s Statement of Intent and application for authority to change rates filed on July 1, 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." Councilmember Rob Vensel made a motion to consider approval of Ordinance 2022-15, denying Entergy Texas, Inc.'s statement of intent and application for authority to change rates filed on July 1, 2022 and Councilmember Oliver seconded. Mayor Borne then asked if other cities were also doing this and Mr. Monk stated that he believes they are. There were no further questions and the motion passed unanimously.

**CONSIDER UNITED STATES ENVIRONMENTAL PROTECTION AGENCY GENERAL NOTICE LETTER AND INFORMATION REQUEST RELATED TO STALKE LAKE CANAL SUPERFUND SITE PURSUANT TO CERCLA SECTION 104(e), 42 U.S.C. SEC. 9604(e):** City Attorney Brandon P. Monk then stated that as part of the

nexus summary from the EPA in this information request that we received the statement "The City owns four parcels adjacent to the Star Lake Ditch and Jefferson Canal. For nearly 70 years, the City has conducted various contaminating activities on these parcels, including: treatment and storage of drinking water, gasoline and diesel storage, and vehicle washing, fueling, maintenance, repair and storage. From 1954 through at least 1956 and possibly until 1965, the City discharged untreated sanitary wastes proximate to Star Lake and Molasses Bayou." Mr. Monk then stated there is mention of a specific chemical called Alum which is a suspected chemical that the City may have discharged. Mr. Monk also stated that at this time this is just an information request from the EPA, the current request for information is due on October 19, 2022. Mayor Pro Tem Dugas then asked Mr. Monk if the October 19<sup>th</sup> date is the 30 days from receipt and Mr. Monk stated that it is not. City Attorney Brandon P. Monk then stated that the 30 days is actually passed and we had had a call with the EPA and discussed with them that when the City received the notice it was received by another parliament, so we did not know the date of receipt for that particular notice. Mr. Monk then stated that the EPA suggested the easiest thing to do is to agree to an information response date so we did and it was put in writing. Mayor Pro Tem Dugas then asked how we would deliver the information when ready and City Attorney Brandon P. Monk suggested we use certified mail and also send electronically. Mayor Pro Tem Rhonda Dugas then asked if the EPA is saying that we absolutely violated this and Mr. Monk stated that they are not. There were no further questions.

INVOICES: City Manager D.E. Sosa presented invoices for payment totaling \$356,736.64 as follows:

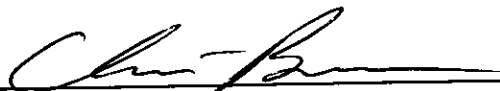
A & J Engine Service Inc.	15,000 pound lift for the Garage.	6,000.00
Brenntag Southwest, Inc.	Sodium Hydroxide for Water Plant.	12,651.80
City of Port Arthur	Landfill fees. (8/26/22 – 9/23/22).	15,295.00
Delta Industrial Service And Supply Inc.	PPE new boots to replace damaged boots. New gear for replacement for Grove and Nelson.	6,262.32

DXI Industries Inc.	Chlorine for Water Plant.	6,321.00
DXI Industries Inc.	SO2 and CL2 for Wastewater Plant. (September Order).	8,626.20
Epic Engineering, LLC	Scada work and Clearwell level Indicator.	7,010.38
Greenscapes Six, LLC	Twelve Oaks Improvement Project. (Kent Drainage).	51,690.00
Greenscapes Six, LLC	Woodlawn Drive & Kent Avenue concrete curb ribbon replacement.	138,323.50
Lower Neches Valley Authority	Raw water purchased.	24,611.35
Republic Services	Use of Republic Truck and driver for garbage pickup while City Trucks were down.	6,240.00
Republic Services	Commercial dumpster collection for Sept. 2022.	6,252.84
Rush Truck Centers	Parts, repairs and diagnostics for Garbage Truck.	5,447.00
S & R Consulting	Engineering fees for Kent Drainage.	7,500.00
Silsbee Ford	New pickup truck for animal control.	36,241.20
SW Electric Supply INC	Changing of the outside lights at the Police Station.	5,939.59
The Fred Millers Stores	Water plant commercial mower to replace 17 year old mower that cannot be repaired.	12,323.86

Councilmember Vensel moved to approve payment of the invoices totaling \$356,736.64 and Councilmember McAdams seconded. Mayor Pro Tem Dugas then asked if the lift for the garage is a two post and Public Works Director Troy Foxworth said that it is. Councilmember McAdams then asked for an update on the Garbage Truck repairs and City Manager D.E. Sosa stated that we have one that is running fine, another that should be ready in the morning, the third is waiting on a transmission and the last one is waiting on the replacement of the heads or an engine. Mayor Borne then asked about the new truck for animal control and if it is was in the old budget and City Manager D.E. Sosa stated that it was last budget but was just delivered. There was no further discussion and the motion passed unanimously.

Mayor Borne asked for Councilmember comments and Mayor Pro Tem Dugas stated that she enjoyed National Night Out. Mayor Pro Tem Dugas then asked if we can discuss our savings plan for the City on the next agenda and Councilmember Vensel seconded that.

There was no further business and Mayor Borne adjourned the meeting at 5:25 p.m.

  
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Mayor

ATTEST:  
  
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City Clerk