

A regular meeting of the Groves City Council was held September 12, 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 and then Mr. Kenny Wayne Lofton of the local VFW 4820 post led the prayer and was then joined by Chris Mikas and Mr. Nate Campbell for the pledge of allegiance.

APPROVE THE MINUTES OF THE AUGUST 29, 2022 CITY COUNCIL MEETING AND THE AUGUST 29, 2022 PUBLIC HEARING: Councilmember Rob Vensel moved to approve the minutes of the August 29, 2022 City Council Meeting and the August 29, 2022 Public Hearing as written and Mayor Pro Tem Dugas seconded. Mayor Borne asked for questions and there were none. Motion passed unanimously.

Mayor Borne asked for reports and we did have a report from Chief Billeaud regarding a house fire that occurred on Saturday, September 10th at around 3:30 p.m. at 7051 Live Oak in Groves. Chief Billeaud then said we had a volunteer firefighter go down with what they thought was heat exhaustion and he was transferred to the Medical Center. Once they made it to the Medical Center they found out it was not heat exhaustion but he was having trouble keeping his oxygen up and was then transferred to UTMB in Galveston. Chief Billeaud then stated that the firefighter is off of the ventilator now and is starting to show improvements and they do not suspect any permanent damage. Chief then asked everyone to keep him in their prayers. Mayor Borne asked if there were any questions and there were none.

Mayor Borne then asked if there were any citizen comments and Trevor Noyola of 2330 Little John St. stated that since he was appointed to the Planning and Zoning Commission it has been brought to his attention that his residency in Groves has been questioned and he would like to clarify this issue. Mr. Noyola stated that his grandfather passed away 6 years ago and he helps look after his grandmother when needed who lives in Bridge City. Mr. Noyola then presented Mayor Borne certified documents to prove his residency is in fact in Groves, Texas. Mayor Borne then thanked Mr. Noyola for his comment and then asked if there were any other citizen comments and there were none.

CONSIDER SETTING A DATE FOR A WORK SESSION TO DISCUSS THE FOOD TRUCK ORDINANCE: Mayor Pro Tem Dugas made a motion to consider setting a date for a work session to discuss the Food Truck Ordinance and Councilmember McAdams seconded. Mayor Pro Tem Dugas then stated that she contacted the other Councilmembers individually and it was agreed upon that the best date would be this Thursday September 14, 2022. Mayor Pro Tem Dugas then amended the motion to

consider setting a date for a work session to discuss the Food Truck Ordinance on September 14, 2022 at 5 p.m. and Councilmember Oliver seconded. There were no further questions and the motion passed unanimously.

CONSIDER ADOPTION OF FY 2022-2023 MAINTENANCE AND OPERATIONS TAX RATE OF \$0.582381 / \$100 BY RECORD VOTE: Councilmember Rob Vensel made a motion to consider adoption of FY 2022-2023 maintenance and operations tax rate of \$0.582381 / \$100 by record vote and Councilmember McAdams seconded. Councilmember Oliver then asked Finance Director Lamar Ozley to explain what the maintenance and operations tax rate consist of. Mr. Ozley then stated that the maintenance and operations tax rate is basically money from property taxes that pay for the salaries and the basic operations of the City. Mr. Ozley also stated that the interest and sinking tax rate is the debt service the City has and when you put the two together then that becomes the tax rate that everyone sees on their property tax bill. Mayor Borne asked if there were any more questions and there were none. Motion passed with Mayor Chris Borne, Mayor Pro Tem Rhonda Dugas, Councilmember Mark McAdams, Councilmember Paul Oliver and Councilmember Rob Vensel all in favor of and no Councilmembers were opposed of the adoption.

CONSIDER ADOPTION OF FY 2022-2023 INTEREST AND SINKING TAX RATE OF \$0.053543 / \$100 BY RECORD VOTE: Councilmember Rob Vensel made a motion to consider adoption of FY 2022-2023 interest and sinking tax rate of \$0.053543 / \$100 by record vote and Councilmember McAdams seconded. Mayor Borne then asked if there were any questions and there were none. Motion passed with Mayor Chris Borne, Mayor Pro Tem Rhonda Dugas, Councilmember Mark McAdams, Councilmember Paul Oliver and Councilmember Rob Vensel all in favor of and no Councilmembers were opposed of the adoption.

CONSIDER ADOPTION OF FY 2022-2023 BUDGET BY RECORD VOTE: Councilmember Rob Vensel made a motion to consider adoption of FY 2022-2023 budget by record vote and Councilmember Oliver seconded. Mayor Pro Tem Dugas then stated that during one of the budget workshops it was proposed to take \$25,000 out of the EDC to use for a salary for a City employee. City Manger D.E. Sosa stated that no in fact it was a transfer of funds from the EDC to the general fund to cover what the general fund does to support the EDC which is some of the City Managers time, Finance Directors time and many other employees. Mayor Pro Tem Dugas stated that during the work session she had brought up that the EDC had not voted on this and it is EDC money. Mayor Pro Tem Dugas then stated that she in fact has

the minutes from the EDC Meeting where it was discussed that Mrs Dugas asked that "all checks granted and other EDC expenditures go before EDC Board for approval of future EDC applications be provided to Board Members". City Manager D.E. Sosa said that he assumed it would have been discussed amongst themselves and he apologizes for that and stated that he could put it on the next EDC agenda. Mayor Pro Tem Dugas stated that she would like that and then next year we need to make sure EDC votes on any changes ahead of time. Mayor Borne then asked if there were any other questions and there were none. Motion passed with Mayor Chris Borne, Mayor Pro Tem Rhonda Dugas, Councilmember Mark McAdams, Councilmember Paul Oliver and Councilmember Rob Vensel all in favor of and no Councilmembers were opposed of the adoption.

CONSIDER RATIFICATION OF PROPERTY TAX INCREASE REFLECTED IN THE FY 2022-2023 BUDGET: Councilmember Mark McAdams made a motion to ratify the property tax increase reflected in the FY 2022-2023 budget in accordance with LGC 102.007© and Councilmember Rob Vensel seconded. Mayor Borne then asked for questions and there were none. Motion passed with Mayor Chris Borne, Mayor Pro Tem Rhonda Dugas, Councilmember Mark McAdams, Councilmember Paul Oliver and Councilmember Rob Vensel all in favor of and no Councilmembers were opposed of the ratification.

CONSIDER APPROVAL OF ORDINANCE 2022-11, DECLINING TO APPROVE THE CHANGE IN RATES REQUESTED IN ENTERGY TEXAS INC.'S STATEMENT OF INTENT FILED WITH THE CITY ON AUGUST 31, 2022: City Attorney Brandon P. Monk presented proposed Ordinance 2022-11, reading the caption as follows: "An Ordinance by the City Council of the City of Groves, Texas, (or "City") declining to approve the change in rates requested in Entergy Texas, Inc.'s ("ETI" or "Company") Statement of Intent filed with the City on August 31, 2022, and finding and determining that the meeting at which this Ordinance was considered was open to the public and in accordance with Texas Law." Councilmember Rob Vensel made a motion to consider approval of Ordinance 2022-11, declining to approve the change in rates requested in Entergy Texas INC.'s statement of intent filed with the City on August 31, 2022 and Mayor Pro Tem Dugas seconded. There were no questions and the motion passed unanimously.

CONSIDER ADOPTION OF RESOLUTION 2022-03 APPROVING THE INVESTMENT POLICY FOR THE CITY OF GROVES, TEXAS: City Attorney Brandon P. Monk presented proposed Resolution 2022-03, reading the caption as follows: "A Resolution of the City Council of the City of Groves establishing a review

of the investment policy of the City of Groves and recording changes to the investment policy or investment strategies.” Councilmember Rob Vensel made a motion to consider adoption of Resolution 2022-03 approving the investment policy for the City of Groves, Texas and Councilmember Mark McAdams seconded. Mayor Borne asked if there were any questions and there were none. Motion passed unanimously.

CONSIDER ADOPTION OF RESOLUTION 2022-04 APPROVING THE 2022 CERTIFIED TAX ROLL FOR THE CITY OF GROVES, TEXAS: City Attorney Brandon P. Monk presented proposed Resolution 2022-04, reading the caption as follows: “A Resolution of the City Council of the City of Groves, Texas, Approving the 2022 Certified Tax Roll from the Assessor-Collector of taxes for Jefferson County, Texas, pursuant to the Texas Property Tax Code, Section 26.09.” Councilmember Rob Vensel made a motion to consider adoption of Resolution 2022-04 approving the 2022 Certified Tax Roll for the City of Groves, Texas and Mayor Pro Tem Dugas seconded. Mayor Borne asked if there were any questions and there were none. Motion passed unanimously.

CONSIDER APPROVAL OF ORDINANCE 2022-12 TO AMEND THE SOLID WASTE AND SEWER MAINTENANCE FEE STRUCTURES: City Attorney Brandon P. Monk presented proposed Ordinance 2022-12, reading the caption as follows: “An Ordinance amending chapter 27, “Utilities. Article II. “Rates and Charges” of the Code of Ordinances, City of Groves, Texas, by amending Section 27-27 “Solid Waste Rates and Charges”; Section 27-28.2 “Sewer Maintenance Fee”, revising said sections to adjust the solid waste, water and sewer rates; providing for a savings clause; providing for codification; and providing an effective date.” Councilmember Rob Vensel made a motion to consider approval of Ordinance 2022-12 to amend the solid waste and sewer maintenance fee structures and Councilmember Paul Oliver seconded. Mayor Borne asked if there were any questions and there were none. Motion passed unanimously.

CONSIDER APPROVAL OF THE ANNUAL APPROPRIATION ORDINANCE 2022-13 OF THE CITY OF GROVES, TEXAS FOR THE 2022-2023 FISCAL YEAR, APPROPRIATING FUNDS FOR DISBURSEMENT FOR THE VARIOUS PURPOSES AND USES OF THE CITY, PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE: City Attorney Brandon P. Monk presented proposed Ordinance 2022-13, reading the caption as follows: “Annual Appropriation Ordinance 2022-13 of the City of Groves, Texas for the 2022-2023 Fiscal Year, appropriating funds for disbursement for the various purposes and uses of the City, providing a

savings clause, and providing an effective date.” Councilmember Mark McAdams made a motion to consider approval of the Annual Appropriation Ordinance 2022-13 of the City of Groves, Texas for the 2022-2023 Fiscal Year, appropriating funds for disbursement for the various purposes and uses of the City, providing a savings clause, and providing an effective date. Mayor Pro Tem Dugas seconded. There were no questions. Motion passed with Mayor Chris Borne, Mayor Pro Tem Rhonda Dugas, Councilmember Mark McAdams, Councilmember Paul Oliver and Councilmember Rob Vensel all in favor of and no Councilmembers were opposed of the Ordinance.

CONSIDER APPROVAL OF ORDINANCE 2022-14 APPROVING THE TAX ASSESSMENT ROLLS FOR THE YEAR 2022, LEVYING AND ASSESSING TAXES FOR THE SUPPORT OF THE CITY OF GROVES AND THE MUNICIPAL GOVERNMENT THEREOF; APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; LEVYING AND ASSESSING OCCUPATION TAXES AND A HOTEL OCCUPANCY TAX; PROVIDING THE DATE FOR THE COLLECTION OF TAXES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE: City Attorney Brandon P. Monk presented proposed Ordinance 2022-14, reading the caption as follows: “An Ordinance approving the Tax Assessment Rolls for the year 2022, levying and assessing taxes for the support of the City of Groves and the Municipal Government thereof; apportioning each levy for specific purposes; and levying and assessing a Hotel Occupancy Tax; providing the date for the collection of taxes; providing a savings clause; and providing an effective date.” Councilmember Rob Vensel made a motion as follows “I move that the Property Tax Rate be Increased by the Adoption of a Tax Rate of \$0.635924 / \$100 which is effectively a 7.97 percent increase in the Tax Rate.” Mayor Pro Tem Dugas seconded. Mayor Pro Tem Dugas then asked about the percentages under 3A and Finance Director Lamar Ozley stated that those are for late fees and that they are set by the State. There were no other questions. Motion passed with Mayor Chris Borne, Mayor Pro Tem Rhonda Dugas, Councilmember Mark McAdams, Councilmember Paul Oliver and Councilmember Rob Vensel all in favor of and no Councilmembers were opposed of the Ordinance.

Mayor Borne then asked the City Attorney Brandon P. Monk if we need a 72 hour notice for the Work Session previously discussed he stated that we do need a 72 hour notice. Council decided that September 22, 2022 would work for everyone. Mayor Pro Tem Dugas then made a motion to amend her previous motion to consider setting a date for a Work Session to discuss the Food Truck Ordinance to change the

date to September 22, 2022 at 5 p.m. Councilmember Rob Vensel seconded. Motion passed unanimously.

CONSIDER APPROVING THE NEW EMPLOYEE HANDBOOK FOR THE CITY OF GROVES: Mayor Pro Tem Rhonda Dugas made a motion to consider approving the New Employee Handbook for the City of Groves and Councilmember Oliver seconded. Human Resource Director Stephanie Gaspard then addressed Council and gave a brief overview of this. Mrs. Gaspard stated that the current Handbook is almost 20 years old and is needing to be updated. A Handbook Committee which consisted of all Department Heads have been working on this for several months. Based on recommendation from TML the City engaged with Melissa Cranford with the Nesser, Ford and McDonald Law Firm. Melissa specializes with employment law and ensured us that this new handbook reflected all the required changes and updates. Mayor Borne asked if there were any questions and there were none. Motion passed unanimously.

INVOICES: City Manager D.E. Sosa presented invoices for payment totaling \$310,715.80 as follows:

Chameleon Industries	Polymer purchased.	34,040.00
City of Port Arthur	Sludge disposal and Landfill fees. (Partial July/August 2022).	19,050.00
DXI Industries Inc.	Wastewater Plant Chemicals (CL2 and SO2) (August order).	8,626.20
Epic Engineering	Replace Georgia #3 breaker, replace Level Indicator, install Georgia #5 Starter/overload. New breaker, level Indicator and starter/overload.	7,843.29
Fuelman	Gas and Diesel fuel for August 2022.	27,999.95
Greenscapes Six LLC	Concrete Curb ribbon replacement For Woodlawn Drive and Kent Ave. (Third payment).	147,528.00

Greenwaste Grinding	Grinding of greenwaste debris.	20,000.00
Heil of Texas	Parts for Solid Waste Trucks.	5,416.53
Lower Neches Valley Authority	Raw water purchased. (August).	20,748.93
Republic Services	Commercial dumpster collection. (August 2022).	6,570.58
Republic Services	Peace and Dignity Program- 2730 Berry, 4817 Harrison, 6420 Capitol, 3328 Pure Atlantic, 5600 39 th , 6528 Washington, 6040 Monroe, 4970 Wilson, 6487 39 th , 6398 Monroe, 3817 Milo, Monroe-Indian Springs, 6515 Kennedy, 5905 25 th .	6,896.32
Rural Pipe & Supply, INC.	Culverts for Stock on Yard & Drainage for Garfield.	5,996.00

Councilmember Mark McAdams moved to approve payment of the invoices totaling \$310,715.80 and Councilmember Rob Vensel seconded. Mayor Borne then asked for questions. Councilmember Rob Vensel then asked if both of our Garbage Trucks were up and running and City Manager D.E. Sosa stated that they were and they are expecting both backup trucks to be running within the next two weeks. Mayor Borne then asked how close are we getting on Kent and City Manager D.E. Sosa stated that Kent is actually done with the curb work itself but still have to do a final walkthrough. They started the drainage part of Kent this last Saturday so they still working on that. There were no other questions and motion passed unanimously.

Mayor Borne asked for Councilmember comments. Mayor Pro Tem Dugas stated that she would like to congratulate all of the ladies that won during the Pecan Festival Pageant and that it was really nice. Mayor Pro Tem Dugas then thanked Nederland for allowing us to borrow their Garbage Trucks. There were no further comments.

There was no further business and Mayor Borne adjourned the meeting at 5:55 p.m.



Mayor

ATTEST:



City Clerk