

City Council Members

Nancie Bailly
Marie Middleton
Philip Loving
Roland Agrella
Arthur Fuhrmann

The City of Liverpool
Regular City Council Meeting Minutes
8901 CR 171, Liverpool, TX
January 2, 2024, AT 6:30 PM
Mayor, Ric Bogue

Hours of Operation
Mon-Thurs 8:00am – 5:00pm
Friday 8:00am – Noon
www.cityofliverpooltexas.com

CALL TO ORDER- Mayor Ric Bogue called the meeting to order at 6:30 PM

INVOCATION & PLEDGE OF ALLEGIANCE-

- Invocation was rendered by Council Member Marie Middleton
- Pledge of Allegiance was led by Council Member Marie Middleton

ROLL CALL- Catherine Long called attendance.

- All Council Members in attendance

APPROVAL OF MINUTES FROM PREVIOUS MEETING- The minutes for December 5, 2023, and December 11, 2023, were approved.

- Motion made by Council Member Marie Middleton to accept the minutes from the December 5th and 11th meeting
- 2nd by Council Member Nancie Bailly
- All approved

UNSCHEDULED VISITORS & COMMENTS - None

CLOSED MEETING/EXECUTIVE SESSION

The City Council of the City of Liverpool, Texas, reserves the right to meet in a closed council session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

No Closed Meeting/Executive Session was called.

REGULAR AGENDA

NEW BUSINESS – Discussion and Possible Action may be taken on the following:

- a. Allen, Boone, Humphries, Robinson, LLP Attorneys At Law – Petition for release of property in the ETJ.

City Secretary, Catherine Long, stated that the petition had been sent to City Attorney, Chris Duncan, who could not be present due to family emergency, but had sent a statement for her to read regarding the petition. She read the statement as follows: "Under a new law, property owners have the automatic right to be released from the ETJ. I (Chris Duncan) have reviewed the Petition and supporting documentation from CIRE II LP. The petition and documentation submitted in this case is insufficient and should not be granted. The petition and accompanying documentation fail to establish that it is a request by at least 50% of the owners of the property as required by statute." Catherine Long stated that she had sent the Resolution of Denial (Resolution 2023-H) in the Council meeting packet. The council agreed that they did not want to release any property from the ETJ.

-Council Member Philip Loving made a motion to adopt Resolution 2023-H to deny the petition for release of the ETJ.
-2nd by Council Member Roland Agrella
-All Approved

- b. Melissa Shinde – Requesting to close dedicated roadways on property located at the corner of Calhoun Street and St. Phillips Street.

Melissa Shinde presented a map and stated that the road that she wanted to ask to be abandoned are Wharton Street, Johnson Street, and St. Anne. She stated that she just bought all the property on both sides of these roads. She also stated that the people that own property by the dedicated roads St. Anne and Pearl have access from Pearl Street, therefore she felt that the roads in question should be abandoned and given to her. She stated that the road easements were 100 feet and that took up a lot of her property. She wants to build a house potentially where the dedicated roadways are. She stated that part of the dedicated roadway on one of the roads has already been abandoned according to Brazoria County's Cad maps. Council member Nancie Bailly stated that Council will not give up any easements. The rest of the Council agreed with Council Member Nancie Bailly. Mayor Ric Bogue stated that the reason for not abandoned or giving the easements away, is that in the future, the roads may be put in, that it probably wouldn't be in his time, but we never know if maybe someday there a subdivision could be put in and the roads would be needed. Melissa Shinde stated that she will be paying taxes on the 100' easements. Mayor Ric Bogue informed her that she would not be paying taxes on the easement, because they are owned by the city, not her. Melissa Shinde was informed that if she had documentation that the roadways were already abandoned, that she could bring that documentation to Council so that it can be given to the City Attorney to look at; or she could put down the \$1000 to start the process to try and close the roadway easements.

-Motion was made by Council Member Roland Agrella to deny the request to close/abandoned Wharton Street, Johnson Street, and St. Anne.
-2nd by Council Member Nancie Bailly
-All Approved

- c. Sal Achille – Requesting permission to move a tiny home (704 sq. Ft.) onto his property at located at 528 Treasure, the lot is 1.9 acres.

Mr. Achille was not present.

-No action was taken.

- d. Basel Mujarkesh – Requesting to place a manufactured home on property located at 2104 1st Street.

Mr. Mujarkesh was not present.

-No action was taken.

- e. Leticia & Ernest Leal – Building permit for 1404 CR 192

Mrs. Leal stated that all the paperwork had been turned over to the City Secretary. City

Secretary Catherine Long stated that she had sent all the paperwork to the inspector, and that the inspector had approved it. The only thing that was in question was the driveway, that it was on someone else's property. Mayor Ric Bogue stated that there had been an issue with the septic. Mrs. Leal stated that the driveway and the septic issue was due to them going to the wrong property, but that it has been addressed and fixed. Mayor Ric Bogue informed Mrs. Leal that the City Inspector would have to do all the inspections, not a 3rd party one that the builder hires.

-Council Member Nancie Bailly made a motion to approve the building permit
-2nd by Council Member Roland Agrella
-All Approved

- f. Dave Madsen (Armour Homes) – Requesting to use easements at 9309 Avenue C – building permit as well

Mr. Madsen stated that he purchased 1 acre of property and that he wants to build 2 homes on the property, one on the front part of the property and one on the back part of the property, and that he wanted to use the easements to gain access to the 2nd home. Mayor Bogue informed Mr. Madsen that per ordinance, the property had to be 1 acre to building on. Mr. Madsen stated that he would like to have a copy of the ordinance. City Secretary, Catherine Long stated that she would email him a copy. Mr. Madsen then stated that there was no need to discuss the easement. Mr. Madsen then asked about the culvert, and if the work order had been sent to Brazoria County to have the culvert placed. City Secretary Catherine Long stated that it had been sent and that she believed that it went to Commissioner's Court on December 28th. He asked if the plastic culvert was ok. Drainage Commissioner, Brandon Middleton stated that he would prefer it be concrete, but if he had already purchased plastic, and it's 24 inches, that he was ok with it.

-No action was taken, due to Mr. Madsen resending his request.

- g. Moving current CDs with Hometown Bank to Texas Class.

City Secretary, Catherine Long, presented a spreadsheet with the current balances of the 2 accounts with Texas Class, and a spreadsheet with the 2 CDs from Hometown Bank on it. She stated that the 2 accounts with Texas Class had already made quite a bit of interest in less than a month. She stated that the 2 CDs did not mature until November, but that it may be worth taking the hit of withdrawing the money now and putting it in the accounts with Texas Class. The council stated that they would like to know what the penalty amount is for withdrawing early before deciding. Catherine Long stated that she would call and find out and have that information for them at the February meeting.

-Motion was made by Council Member Philip Loving to table until February for more information.
-2nd by Council Member Nancie Bailly
-All Approved.

OLD BUSINESS – Discussion and possible action may be taken on the following items:

- a. Right of way permits

City Secretary, Catherine Long stated that she sent each council member a copy of the ordinance (ordinance 2023-H) and application in the Council Meeting packet. And that she sent a copy to City Attorney, Chris Duncan. The city Attorney, Chris Duncan emailed back with the approval of the ordinance and application.

-Motion was made by Council Member Philip Loving to approve the ordinance 2023-H and application.

-2nd by Council Member Arthur Fuhrmann

-All Approved

b. Riverhaven dedicated roadway

City Secretary stated that she received an update from City Attorney, Chris Duncan, stating that he was working with the new Attorney that Mr. Ricketts has, and that he made it clear that Council is wanting to protect all the residence that live on Riverhaven. The new Attorney has an offer that he is working on and that it would be ready to be presented at the February meeting.

-No Action was taken

STAFF/COUNCIL REPORTS-

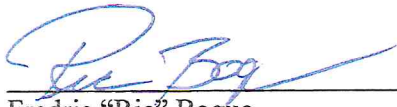
- Chief Nance reported the activity for the city's Police Department.
- Catherine Long reported the activity for the city's Finance Department/Water Dept.
- No one reported activity for fire department.
- Catherine Long reported the activity for the Town Hall Community.
- Council Member Arthur Fuhmann stated that there is a line that is crossing the road at his house that is hanging down that may need to be addressed. Council Member Marie Middleton asked if all the theft in the city was being addressed. She stated that she had been asked about it. Chief Nance stated that he is working on it, but that he has no real solid leads. He has an idea where the people are at that has stolen the trailer, and other things, but does not have anything concrete yet.
- Mayor Ric Bogue reported on water plant.
- Kim Calhoun reported activity for the city's Municipal Court

ADJOURNMENT-

- Motion by Council Member Roland Agrella to adjourn the meeting @ 7:35 p.m.
- 2nd by Council Member Nance Bailly
- All approved

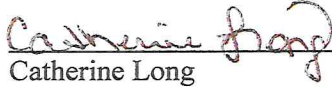
CERTIFICATION

I, Ric Bogue, Mayor, certify that these minutes are a true and correct record of the abovementioned council meeting.



Fredric "Ric" Bogue
Mayor

ATTEST:



Catherine Long
City Secretary