

**MINUTES  
CITY COUNCIL – CITY OF JOSEPHINE  
REGULAR MEETING/PUBLIC HEARING  
NOVEMBER 12, 2024**

Mayor Jason Turney called the meeting to order at 6:00 p.m.

Council members present: Mayor Turney, Doug Ewing, Brad Ahlfinger, Alex Esquivel, Dr. Pam Sardo and Gary Chappell.

Pledge of Allegiance led by Mayor Turney.

Invocation – Dr. Pam Sardo.

**Citizen Comments**

Marcela Maleh has a rental property in Magnolia, and she has concerns about the water rates being expensive. She has moved into DeBerry and without the MUD tax, her rates are still expensive.

Jane Ridgway – spoke about the differences between the Atmos Energy Franchise agreement and SiEnergy Franchise Agreement.

Barbara Hamilton – asked the Council how many of them have left the country since the election.

Jose Aldana – lives in Magnolia and has concerns about the water billing and does not feel like it is correct. It has been very inconsistent.

Doug Ewing made a motion to approve the Consent Agenda. Seconded by Gary Chappell. All in favor, the motion passed.

**Open Public Hearing Regarding the Creation of a Public Improvement District at 6:14 p.m.**

1. Conduct a Public Hearing regarding the creation of Morgan Farms Public Improvement District in accordance with Chapter 372, Local Government Code.

Robert Miklos, attorney for the developer was present to explain and answer questions. There were no questions.

2. Close Public Hearing at 6:16 p.m.

3. Discuss and consider adoption of a Resolution of the City of Josephine, Texas, authorizing and creating the Morgan Farms Public Improvement District in accordance with Chapter 373 of the Texas Local Government Code; Providing for Related Matters; and providing an effective date.

Dr. Sardo had questions about items in the resolution about the estimated costs of the authorized improvements and apportionment of costs \$23,000,000, and about the Tax Increment Financing (TIF). Robert Miklos answered these questions. This development agreement does not have a TIF, and it will be zero. There is also no Tax Increment Reinvestment Zone (TIRZ), this is also zero. The question came up about who will be managing the PID. The city administers this, but we have P3Works to take care of administering the PID.

Andre Ayala – Financial Advisor with Hilltop Securities was present to answer any questions.

Andre explained that the city hired P3Works, a third-party firm to help administer the PID as needed. They get paid from the assessment on the land to cover their fees.

Doug Ewing made a motion to adopt a resolution of the City of Josephine, Texas, authorizing and creating the Morgan Farms Public Improvement District in accordance with Chapter 373 of the Texas Local Government Code; Providing for Related Matters; and providing an effective date. Seconded by Brad Ahlfinger. Alex Esquivel and Gary Chappell in favor, Dr. Sardo opposed. Four in favor, one opposed, the motion passed.

Open Public Hearing – 1.10 acres located in the ABS A0709 JOHN PENNINGTON SURVEY, TRACT 52 also known at 507 E. Cook St., Josephine, Texas at 6:22 p.m.

1. Receive public comments regarding a zoning change request for 1.10 acres from SF-1 (Single Family Residential) to C – General Commercial Business other than Retail.

Linda Jangula – Murray Manor

She would like to know what kind of commercial business this would be.

2. Close Public Hearing at 6:25 p.m.

Mayor Turney asked how many letters had been sent out regarding the zoning change. Six letters were sent to property owners within 200 feet and only one letter was received back which was from Eugene and Linda Jangula not in support of the zoning change.

Dr. Sardo asked if this could be delayed for a month until the owner could be here.

Planning & Zoning Chairman spoke and explained that a zoning change is simply a change in the use. It will still have to come back to the Planning & Zoning and the Council with a concept plan. Once the owner decides what they may want to have there, it will still have to go to our engineer and be approved.

Alex Esquivel made a motion to adopt an ordinance amending the Comprehensive Zoning Map of the City of Josephine to grant a change in zoning for 1.10 acres as recommended by the Planning and Zoning Commission on October 17, 2024. Seconded by Gary Chappell. All in favor, the motion passed.

Update from Project Manager Ethel Huggins representing AGCM regarding the Community Center, Public Safety Building and City Hall Annex projects.

**Public Safety Building – Summary of Work this Period:**

Earthwork/Site Grading/Building Pad – 97%.

Foundation – 48%.

Structural Steel – 18%.

Plumbing – 7%.

**Major Activities Achieved this Period:**

Completed all concrete placements.

Large crane on-site, ready for vertical construction.

On track with anticipated timelines.

**Community Center – Summary of Work this Period:**

**Drywall – 70%**

**Glass Storefront – 80%.**

**Electrical & Fire Alarm – 83%.**

**Major Activities Achieved this Period:**

**New windows installed.**

**Interior sheetrock prepared for mud application.**

**Exterior masonry work in progress.**

**City Hall Annex Building – Summary of Work this Period:**

**Inside demolition – 100%.**

**Windows & Doors – 95%.**

**Major Activities Achieved this Period:**

**Interior fixtures (plumbing & electrical installed).**

**Interior finishes (flooring, casework, paint) applied.**

**Exterior paint and storefront windows/doors completed.**

**Doug Ewing made a motion to accept the AGCM report. Seconded by Alex Esquivel. All in favor, the motion passed.**

**Change Order for the Public Safety Building – Ryan Rosborough AGCM.**

**This change order will address the following:**

- 1. Originally, the city planned to install all the utilities to the building – domestic water, fire service, sanitary sewer and storm water. This money was set aside for city/owner installed utilities. It has come to their attention that owner installed utilities and contractor installed utilities should be separated. This is not increasing the project costs; it is just moving money that was set aside to the contractor installed utilities.**
- 2. TxDot has come back and asked that the size of the drainage culverts be doubled in size.**
- 3. The exercise room on the back of the building was glass and is being switched to a roll up door.**

**Doug Ewing made a motion to approve the change order for the Public Safety Building for \$346,921.00. Seconded by Brad Ahlfinger. All in favor, the motion passed.**

**Item E – Atmos Franchise Agreement was moved to after the Executive Session.**

**Monthly engineering report from Dunaway/DBI – Jacob Dupuis.**

**Doug Ewing made a motion to accept the report from Dunaway/DBI. Seconded by Brad Ahlfinger. All in favor, the motion passed.**

**Monthly engineering report from Kimley-Horn and Associates – Elizabeth Livergood.**

**Doug Ewing made a motion to accept the report from Kimley-Horn and Associates. Seconded by Brad Ahlfinger.**

**Presentation from Kimley-Horn and Associates, Inc. regarding the conceptual drainage improvement study, findings, and recommendations for improvements.**

**No action was taken.**

**Ordinance to accept the 2024 Tax Roll for the city.**

**Brad Ahlfinger made a motion to adopt an ordinance to accept the 2024 Tax Roll for the City of Josephine as submitted by Kenneth L. Maun, Tax Assessor Collector for Collin County. Seconded by Doug Ewing. Alex Esquivel and Gary Chappell in favor. Dr. Sardo abstained.**

**Communication devices for City Council.**

**Gary Chappell made a motion for the city to purchase cell phones and laptop computers for the City Council. Seconded by Doug Ewing. Opposed by Brad Ahlfinger. Four in favor, one opposed, the motion passed.**

**Covered Applications and Prohibited Technology Policy.**

**Gary Chappell made a motion to approve the Covered Applications and Prohibited Technology Policy as required by state law. Seconded by Alex Esquivel. All in favor, the motion passed.**

**Waverly Estates – Final Plat Phase 2. Jacob Dupuis.**

**Gary Chappell made a motion to approve the Final Plat for Waverly Estates Phase 2. Seconded by Doug Ewing. All in favor, the motion passed.**

**Waverly Estates – Final Plat Phase 3. Jacob Dupuis.**

**Brad Ahlfinger made a motion to approve the Final Plat for Waverly Estates Phase 3. Seconded by Alex Esquivel. All in favor, the motion passed.**

**Interlocal Agreement – Collin County – Parks and Trails Master Plan Project.**

**Alex Esquivel made a motion to approve the Interlocal Agreement between Collin County and the City of Josephine regarding the Josephine Parks and Trails Master Plan Project accepting a matching grant in the amount of \$67,000. Seconded by Brad Ahlfinger. All in favor, the motion passed.**

**The city was not awarded the grant for the Food Truck Park.**

**Josephine Community Development Corporation – Kevin Christensen.  
Shade structures for the City Park for \$91,000.**

**This was moved to after Executive Session.**

**Budget Amendments for FYE 09/30/24 – Melissa Stillwell.**

**Alex Esquivel made a motion to approve the Budget Amendments for FYE 09/30/24. Seconded by Brad Ahlfinger. Opposed by Dr. Sardo. Four in favor, one opposed, the motion passed.**

**Christmas Festival Event – possibility of adding a Chamber of Commerce Parade – Dr. Sardo.**

**Dr. Sardo presented a map of the parade route and there were some concerns about where the parade would end in the same area that vendors for the Christmas Festival would be unloading, and food vendors would be parked waiting to move into their spaces. Dr. Sardo offered to shorten the**

parade and change the ending place. The Council felt like they did not get enough notice on this to have it this year.

Alex Esquivel made a motion to include the Chamber of Commerce Parade in the Christmas Event. There was no second to the motion.

Mayor Turney said that next year he will recommend that the parade be held on the same day as the Christmas Festival next year and this needs to be worked out and city staff involved. He feels that the city staff will need to be more involved to help make it a success.

Dr. Sardo mentioned that she did bring this up in October of last year regarding a St. Patrick's Day Parade and it was turned down.

Set a date for a Special Meeting to Canvass the results from the November 5, 2024, Special Election.

Brad Ahlfinger made a motion to set the date for the Special Meeting to Canvass the results on Monday, November 18, 2024, at 4:00 p.m. Seconded by Doug Ewing. All in favor, the motion passed.

Recess Regular Meeting at 8:38 p.m.

Executive Session at 8:39 p.m.

Pursuant to Local Government Code Section 551.072 (Discussing purchase, exchange, lease, or value of real property), the City Council will adjourn into Executive Session (close meeting).

1. Discuss High Meadow Estates Utility Easements.

Brad Ahlfinger did not go into Executive Session due to a conflict of interest.

Pursuant to Local Government Code Section 551.071 – (Private consultation with the city attorney).

Brad Ahlfinger was called into Executive Session after item 1 was finished.

2. Discuss passage of the two ballot propositions regarding sales tax.
3. Franchise Agreements.

Adjourn Executive Session at 8:53 p.m.

Reconvene Regular Meeting at 8:54 p.m.

The Council went back to Item E – Atmos Franchise Agreement.

Doug Ewing made a motion to table this until the December Council meeting. Seconded by Gary Chappell. All in favor, the motion passed.

The Council went back to Item O – JCDC Shade Structures for the City Park.

Doug Ewing made a motion to table this to a later date. Seconded by Gary Chappell. Opposed by Dr. Sardo. Four in favor, one opposed, the motion passed.

Alex Esquivel made a motion to authorize the City Administrator to appropriate the funds and proceed as discussed in Executive Session. Seconded by Doug Ewing. Brad Ahlfinger abstained from voting due to a conflict of interest. Motion passed.

**Requests by Council Members for a future agenda.**

**Brad Ahlfinger would like to have a report on testing the water meters to check that the meters are working correctly due to complaints being received.**

**Brad Ahlfinger said he likes the idea of the shade structures for the park, and he would like to have the information to possibly do this later.**

**Dr. Sardo would like to have a discussion regarding the proximity of wastewater treatment plants in future MUDs that are close together at some point.**

**Gary Chappell made a motion to adjourn at 9:02 p.m. Seconded by Alex Esquivel. All in favor, the motion passed.**

**ATTEST:**

**Patti Brooks, City Secretary**

**APPROVED BY:**

**Jason Turney, Mayor**