



MINUTES
City Council
February 10, 2026
1371 WEST FM 550 - McLendon-Chisholm, Texas 75032 5:30 PM

COUNCIL PRESENT: Mayor Bryan McNeal
Council Member Donald Goodwin
Council Member Arik Towry
Council Member Rich Dean
Mayor Pro Tem Jerry Brewer
Council Member Dennis London
Council Member John Powers

STAFF PRESENT: Fabrice Kabona, City Manager
Angela Jennings, City Secretary
Peyton Sherman, City Planner
Eddie Stough, Fire Chief
Michael Halla, City Attorney
Jeff White, Finance Director
Rockwall County Sheriff's Deputy

1. CALL TO ORDER

Mayor Bryan McNeal called the meeting to order at 5:30 and adjourned the council into executive session.

2. EXECUTIVE SESSION

The City Council for the City of McLendon-Chisholm, Texas, reserves the right to convene into executive session at any time during the course of this meeting to discuss any of the matters listed, as authorized by Texas Government Code, Chapter 551, §551.071(2) - Consultation with attorney.

Mayor McNeal reconvened the General session at approximately 6:30 pm. There was no action taken as result of Executive Session

2.1. Consultation with attorney to discuss a site plan for a 1.5 acre lot generally located at the southeast corner of FM 550 and State Highway 205. Rockwall CAD Property ID 101321, designated as Block 1, Lot1-R and zoned a Planned Development District with city limits of the City of McLendon-Chisholm.

2.2. Consultation with attorney to discuss the Willow Creek Public Improvement District.

3. INVOCATION AND PLEDGE

Council Member John Powers leads the council in the invocation. Council and Audience recite both US and Texas pledges.

4. RULES OF DECORUM

5. PROCLAMATIONS

**Jerry Brewer, Mayor Pro Tem, reads the proclamation for Teen Dating Violence Awareness Month.
Women in Need representative speaks a moment on the importance of having a place for these young people to go and feel safe.
She thanks the council for the proclamation and for their support.**

5.1. Teen dating Violence Awareness Month

6. PUBLIC HEARING

There is no public hearing.

7. CITIZEN COMMENTS

Brian Berry - spoke on item 8.3. Questions why item is on the consent agenda. Mr. Berry wants to speak on the site plan and point out a few things. 2023 a site plan was approved with 2 conditions: 1 was an egress off of state hwy 205, reference of landscape concerns, and SUP required state there would be no window for food to pass thru. 10 Months later a final plat hearing Dec 2023 meeting with 2 conditions with unanimous approval, 1st condition was to comply with the fire access lane before a Certificate of Occupancy would be issued, also 2, taking out all reference to drive thru restaurant. A few months ago, signed a ministerial change to the site plan does not mean the previous conditions are ignored or do not apply.

Mr. Smitz - Attorney for the Poloni's . States the plat was approved 2 years ago and is in conformance with the plat that was approved. He read Mr. Halla's email and stated this project has been held up for no apparent reason. He states that this should be left on the consent agenda.

8. CONSENT AGENDA

The mayor addresses Mr. Halla and points out that just because an email from Mr. Halla states that an item should be on the consent agenda does not mean the item can not be pulled off consent by the council. Mr Halla agrees that is correct. Council , as governing body has the right to pull and discuss if they deem necessary.

Mayor ask if anyone wants anything pulled from the consent agenda.
Council Member Donald Goodwin make a motion to pull 8.3 from consent agenda
Council Member Dennis London seconds the motion
Motion passes and item it pulled for discussion.

Motion made to approve the remaining consent agenda items
Made by Mayor Pro Tem Brewer
Seconded by Council Member John Powers
Motion passes unanimously.

8.1. Consider approving minutes for Jan 13, 2026 City Council Meeting

8.2. Consider approval of a resolution authorizing and creating the Willow Creek Public Improvement District in accordance with Chapter 372 of the Texas Local Government Code; resolving other matters incident and related thereto; and providing an effective date.

8.3. Discuss and consider approval of a site plan for a 1.5 acre lot generally located at the southeast corner of FM 550 and State Highway 205. The Rockwall County Property IDis 101321 and designated as Block 1, Lot 1-R and zoned as a Planned Development District within the City of McLendon-Chisholm.

8.4. Quarterly Report

Fire Dept Report

Code Enforcement

Burgess Construction Consultants

Sheriff Report

CWD Reports - Oct. Only. Nov and Dec not available.

Animal Control Report

Financial Reports

9. ITEMS FOR DISCUSSION

Mayor read 8.3. but adjourns council into Executive session prior to council making a motion to discuss the item. Councils adjourns into executive session at 6:50 PM

Mayor and council adjourn from Executive Session and reconvene general meeting at 7:45

Action taken as a result of executive session:

Council Member Arik Towry Makes a motion to approve the site plan referred to in 8.3 with the subject to the same conditions attached to the plat, namely the applicant must comply with the fire lane being created before a certificate of occupancy will be issued.

Motion was seconded by Dennis London.

Mayor McNeal opens the item up for discussion.

Mayor McNeal asks City Attorney and Fire Chief to elaborate on this question. Does the site plan has anything to do with the plat application that required a fire lane access before issuing the CO.

City Attorney, Michael Halla, answers by saying that typically the plat and site plan are all part of the same process. He states that he considers the site plan and the plat all the same thing. He also states that the site plan carries the same conditions that were put on the plat approval.

Mayor then verifies that being said, the fire lane would be the access that leads out towards the west. He asks Chief Stough to comment.

Chief Stough explains that prior to the plat being approved, there was a condition that there be a fire lane access that led out to the west and he recommends that

still be the case in the site plan approval.

Council Member London ask the Chief what the difference is in the current site plan and the approved plat.

Chief states that the difference is the access to the west attaching to FM 550.

Council Member Towry states that the 205 Corridor is very important. He went back to all the meetings and looked at the contingencies that were put into the approvals and he feels it is important to make sure those are upheld not only for this property but for future development as well.

Mayor Pro Tem Brewer asks the Chief what steps the developer will have to go through.

Chief states they will have to through the normal permitting procedures, review process as normal.

Council Member Goodwin, says he is done a lot of reading and it looks as if everytime this comes back, it doesn't meet what was asked before. It appears that the

fire lane has been moved on the current site plan. He clarifies with council that the contingency that is being attached to this approval is a fire lane out from the west of the property.

Cheif states that it is the easement we routinely refer to as the Brookshires easement that is between Mr. Berry's property and Mr. Polani's property. Out the back of Mr. Polani's property. Council Member Goodwin asks why the fire lane was put in that location for clarification. Chief explains that it is there because the plat was approved according to that specific location.

Council Member Powers states that it is very uncomfortable to be in the position to approve something that is located in the most prominent part of the city that have these contingencies. Mr. Halla, city attorney, states since the plat was approved we need to approve the site plan, but we can do that with the same conditions that were connected to the plat.

The mayor ask chief about the grease trap, since one of the stipulations is no restaurant why is there still a grease trap. Chief says the grease trap is not in the correct place at this point and it may have been a clerical error and not removed.

Fabrice Kabona, City Manager, lets mayor know that he received a message from the developer that the greasetrap would be used by future tenants, ie.. donuts shop, coffee shop, etc. Mayor states that they do not have a voice at the moment and continues. On 2/22/2023 the site plan was approved and now we have an existing approved site plan the applicant has modified. I notify Mr. Polani a few days ago and asked that he come it and talk to us about what we are trying to do in the 205 corridor. I was answered, along with many others, by his attorney

refusing the invitation for discussion. In several conversations that took place previously these conditions were discussed and I believe that they need to be upheld.

Council Member Towry also points that on the site plan it shows 5 units and on the elevation it shows 7 doors /units. Its just a small detail but I would like to know what that is.

Peyton Sherman, city planner states that there is no restaurant use granted in the site plan. In answering Mr. Towry, city planner states that if they decide to change the use, they would have to go through planning and zoning and back to the council to do that. Fabrice verifies they would have to go back through P & Z.

Council Member Dennis London points out all the small details and well as the Fire Lanes and wants to make sure there are no assumptions we are basing our decision on. Do we have all the facts?

Chief jumps in and explains there are always a few assumptions that have to be made until the properties are built out. That is why we are requiring cross access easements allowing passage from one business to the next to keep from having access on and off of Hwy 205 into each business.

The Mayor points out that all the current developers have come in to discuss what they want to do and to help make their project compliant with the city vision. Mr. Polani's attorney has stated they will come it after the project is approved so again the Mayor extends an invitation to Mr. Polani to come in and talk to himself and city staff about this project as soon as possible.

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| RESULT: | APPROVED 6-1 |
| MOTIONED BY: | Council Member Towry |
| SECONDED BY: | Council Member London |
| FOR: | 6 |
| AGAINST: | 1 |
| ABSTAIN: | None |

- 9.1. Receive a presentation from Dillon Morgan Consulting, Inc. for Strategic Planning Services

Presentation by Dillion Morgan Consulting.

Council Member London asked if we had not done something else similar to this. Jeff White stated that was something that was done in reference to the Heritage Center.

Council Member Arik Towry states he sees the value in having a plan moving the city forward.

Council Member Jerry Brewer ask about the meetings with council individual meetings and asked about group meetings as well. Mr. Dillion explains what the reasoning for having both individual and group meetings

Council Member Rich Dean ask about the length of the process. Mr. Dillion explains that with this being the first time, it will be a simple approach to getting to an organized vision. Mr. Kabona speaks up and points out that when he first came onboard with the city, this was something he heard from several of you. Also, this is something that will allow staff to have a direction and know exactly what the council wants and gives you a clear way to gauge how well staff is doing toward the city goals.

Council Member Goodwin points out we have just recently had a survey done and that some would say it was not statistically significant. Mr. Dillion points out that the way the survey is delivered to the citizens can sometimes be the difference.

He tells the council how the company will go about getting the information out to the citizens. Council Member Goodwin ask Mr. Kabona if this is something that we will bring back to the council once we have the cost of the service. Mr Kabona states that although this is below the threshold of what staff can approve, he will make sure that the council knows what those cost are.

Mayor takes a 5 minute recess at 8:33 PM

- 9.2. Discuss and consider a resolution accepting the Annual Audited Financial Statements for the Fiscal Year ended September 30, 2025, as prepared by the City's independent auditors MCPA, PC.

City Auditors give a presentation on the Annual Audited Financial Statements for the Fiscal Year ending Sept. 30, 2025. He just gives the council a few items to think about including the city PIDs. He then offers to answer any questions.

Mayor Pro Tem Jerry Brewer ask about the investment review policy mentioned in the report. Mr. White, Financial Director, states we do have a policy that states it should be review once every year.

Council Member Goodwin says he will probably have questions once he gets all the way through.

Council Members Dean and Powers both that them for their work.

Mayor ask the question about the PID statement that the auditor mentioned.

There was a short conversation about some of the things mentioned and auditor said he would be happy to sit down with them to talk about some of the issues he is seeing in future growth. He ends by saying that taking on the liability of the infrastructure can be hugh.

- 9.3. Discuss and consider an ordinance amending Chapter 8"Offenses and Nuisances" by adding Article 8.11, "Irrigation and Water Conservation", and prohibiting water waste by irrigation systems that irrigate or discharge water

onto impervious surfaces or allow excess irrigation runoff to flow away from the property being irrigated.

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| RESULT: | APPROVED |
| MOTIONED BY: | Council Member Goodwin |
| SECONDED BY: | Council Member Towry |
| FOR: | 7 |
| AGAINST: | 0 |
| ABSTAIN: | None |

City Manager, Mr. Kabona gives the staff report and tells the council how/why this ordinance came about. He then refers back to Council Member Towry who idea it was to put the ordinance in place.

Council Member London says thank you for taking the time to bring this to council. It is something that he feels has needed to be done.

Council Member Towry stated his reasoning behind the ordinance and said he was a little surprised to see we did not have the ordinance to begin with Mayor Pro Tem Brewer asked a question about the fine. It stated 1-500 dollars. How is the fine or amount to be defined. Mr Halla explains that it will be a window fine set by the judge.

Council Member Rich Dean , Donald Goodwin and John Powers all say thank you for the ordinance. Mr. Powers also believes that this will help prompt people to do the right thing.

10. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

The City Council will have an opportunity to address items of community interest including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of McLendon-Chisholm; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of McLendon-Chisholm that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of McLendon-Chisholm; and announcements involving an imminent threat to the public health and safety of people in the City of McLendon-Chisholm that has arisen after posting the agenda.

Mayor adjourns council into executive session at 9:00PM on Attorney Michael Halla's advice.

9:30 PM Mayor reconvenes general session .

CM Dennis London reminds public that the city is still looking for volunteers for several board positions.

Mr. Goodwin also reiterates the boards positions that have not yet been filled. Angela Jennings, City Secretary, announces that city secretaries office will be open Friday Feb 13 from 8-5 to accept applications to put your name of the ballot for the upcoming elections.

Jerry Brewer announces that he is resigning from the City Council due to a provision in the Charter that will not allow someone sitting on council to remain if they are running for a different office. He then announces he will be running for Mayor of McLendon-Chisholm.

Mayor states to Mr. Brewer that it has truly been an honor to serve with him on the council.

11. ADJOURN

Meeting is adjourned at 9:33 PM.

[MIN_SIGNATURES]