



Regular City Council Meeting
Monday, July 12, 2021
Philip T. Glennon Center – Council Chambers
15077 Molokai Drive, Tega Cay, SC

Councilmembers Present: Mayor David O’Neal, Mayor Pro Tem Gus Matchunis, and Councilmembers Heather Overman and Ryan Richard. A quorum was present.

Councilmembers Absent: None.

Electronic Attendance: Councilmember Alicia Dasch

Planning Commission Members Present: Chairman Chris Leonard, Commission Members Matt DeWitt, Jason Pitcock, Michelle Nance and Nick Amico. A quorum was present.

Staff Present: Charlie Funderburk, City Manager; Joseph Shook, Communications Manager; Janet Broome, IT Director; and Katie Poulsen, Municipal Clerk.

The public and media were duly notified of the date, time and place of the meeting.

Mayor O’Neal called the regular Council meeting to order at 7:00 p.m., led the Pledge of Allegiance and held a moment of silence.

MOTION

Mayor O’Neal motioned to move the Public Safety Recognition to item 1 and move Public Comments after the Budget Presentation, seconded by Mayor Pro Tem Matchunis and approved unanimously.

ITEM 2 SPECIAL PRESENTATION

A. Public Safety Recognition

Fire Chief Glyn Hasty presented a Public Safety Recognition certificate to Rashad Conwell for his recent heroic acts in notifying a family their house was on fire. The family presented a check to Mr. Conwell from a GoFundMe page in gratitude for his life-saving actions.

ITEM 1 PUBLIC HEARING (Joint Public Hearing with Planning Commission)

A. Rezoning of Tax Map Numbers 652-00-00-085 and 652-00-00-091 from RD-I in the County to Stonecrest PDD in the City as part of a 100 Percent Annexation Petition

Planning Commission Chairman Chris Leonard detailed the proposed rezoning of two properties to a commercial designation within the Stonecrest Planned Development District. He explained the property’s location and proposed zoning. Chairman Leonard opened the floor for public comments.

PUBLIC COMMENTS

1. Brian McCoy, 1952 Woodfield Road, Rock Hill, SC, Tara Plantation HOA Attorney, recounted a lawsuit in 2010 with the Tara Plantation HOA and these property owners. The lawsuit was regarding whether or not these properties were considered part of the Tara Plantation HOA and subject to the covenants therein.
2. Doug Straight, 1642 Old Tara Lane, opposed the rezoning and referenced the Dairy Queen development.
3. Ed Fritz, 2423 Winding Trail and Tara Plantation HOA Treasurer, opposed the rezoning and noted a petition that was signed by 58 of 65 residents.

Chairman Leonard closed the public hearing.

ITEM 2 SPECIAL PRESENTATION

B. FY21-22 Budget Presentation

City Manager Funderburk presented the FY21-22 Budgets. Discussion ensued on trash and recycle fees and next steps of approval for the budget. The Mayor stated he was concerned about the budget due to COVID; however, he was pleased the budget turned out quite well.

ITEM 3 PUBLIC COMMENTS

No comments were made.

ITEM 4 APPROVAL OF MINUTES

There were no changes to the Regular Council Meeting minutes of June 21, 2021, and the Special Meeting of June 29, 2021, and they were approved.

ITEM 5 COMMITTEE REPORTS

A. Economic Development Commission

Mayor Pro Tem Matchunis stated the Commission met on June 28th and there was a quorum. The group discussed Business Incubator Program details, formed a committee to check on homebased businesses already located within Tega Cay to see if they would be interested in moving their business into a building, and working with Retail Strategies on specific types of businesses to recruit.

B. Planning Commission

Councilmember Dasch noted the regular July meeting was canceled in lieu of a Special Meeting and Joint Public Hearing being held tonight during Council's regularly scheduled meeting. She explained Commissioner liaison activities continue, as well as work on the Bike/Ped prioritization list and Stormwater ordinance projects. The Planning Commission plans to present a recommendation to Council on the Stormwater project at the August Council meeting.

C. Tega Cay Forever Foundation

Councilmember Overman noted the Foundation met on June 7th. Southern Builders is installing silt fencing, clearing, and will hopefully start grading next week. She encouraged people to purchase a brick for Catawba Park as there are only 1,062 bricks being sold for a limited time.

ITEM 6 UNFINISHED BUSINESS

A. 2nd Reading of an Ordinance Amending Chapter 2, Article 5, Divisions 2 and 3 of the City's Code of Ordinances (Purchasing, Budget and Fiscal Control Policy)

Mayor O'Neal noted this is the 2nd and final reading of an ordinance to update the City's Code of Ordinances in reference to purchasing, budget and fiscal control policies. City Council gave a favorable 1st reading to this ordinance at the June 21st meeting.

MOTION

Councilmember Richard motioned to approve the 2nd Reading of an Ordinance Amending Chapter 2, Article 5, Divisions 2 and 3 of the City's Code of Ordinances (Purchasing, Budget and Fiscal Control Policy), seconded by Mayor Pro Tem Matchunis and approved unanimously.

ITEM 7 NEW BUSINESS

A. Consideration of a Performance, Labor and Materials Surety Agreement and Reduction of a Letter of Credit for Windhaven, Phase 1

Mayor O'Neal stated the engineer for Lennar Corporation has submitted a request for a reduction in the original surety for the completion of the infrastructure for Windhaven Phase 1. The original Letter of Credit, issued on May 27, 2020, was in the amount of \$1,447,368.75. The reduced amount requested is \$317,937.50 which constitutes a reduction of \$1,129,431.25.

MOTION

Mayor Pro Tem Matchunis motioned to approve the Reduction of a Letter of Credit for Windhaven Phase 1 contingent upon approval of the form and substance of the LOC by the City Attorney, seconded by Councilmember Overman and approved unanimously.

B. City Communication Policy

The City's current Communication Policy was developed and approved in 2013, prior to having a Public Information Officer for the City. Now that we have that position and because it is good to review policies like this from time to time due to ever evolving communication platforms, staff is requesting that we consider this updated policy. The City's attorney has reviewed the document and informed the City Manager he has no legal concerns with the document. Mayor O'Neal asked what the major change was in the policy. City Manager Funderburk noted all communications will be funneled through Joseph Shook as the City's PIO.

MOTION

Councilmember Overman motioned to approve the updated City Communication Policy, seconded by Councilmember Richard and approved unanimously.

C. Resolution Appointing Chief Municipal Judge

Mayor O'Neal announced Judge Justin Bice has submitted his 90-notice for termination of his contract effective August 26th, 2021. This resolution appoints Donna DeRado as the City's Chief Municipal Judge to fill the unexpired term of Judge Bice through September 30, 2023.

MOTION

Mayor Pro Tem Matchunis motioned to approve the Resolution appointing Donna DeRado as the Chief Municipal Judge and to fill the unexpired appointment vacancy, seconded by Councilmember Dasch and approved unanimously.

D. Consideration of Approval of Easements Necessary for the Duke Energy Power Enhancement Project

Mayor O'Neal noted Councilmember Dasch works for Duke Energy and is recusing herself from this item. He then stated during Council's May City Council meeting, Duke Energy gave a presentation on their proposed enhancement project that is slated to begin this fall. As part of that enhancement project, they need easements from the City which our City Manager will discuss. City Manager Funderburk gave an overview noting this action will give Duke Energy Right-of-Access allowing them to come onto the City's property to begin work. He detailed the locations where work will take place and noted the City will work with Duke Energy to communicate interruptions in the usage of the sidewalk and portions of the walking trails.

MOTION

Councilmember Richard motioned to approve right of entry by Duke Energy and their assigns onto City property for the purposes of enhancing the reliability of the power supply to the City and authorize the City Manager to execute all necessary documents related to this project once approved as to their form and substance by the City Attorney, seconded by Mayor Pro Tem Matchunis and approved unanimously (4-0 with Councilmember Dasch's recusal).

ITEM 8 CITY MANAGER'S REPORT

City Manager Funderburk reported on the following: July 4th celebration success and thanking staff for their hard work, excitement of the upcoming fiscal year, meeting with Gale Scroggs, FMHS, and other schools to get the Coffee Bean Program started, MASC Annual Meeting this coming week, and his upcoming vacation.

ITEM 9 COUNCIL COMMENTS

Councilmember Richard thanked Police and Fire and shared his appreciation of City Manager Funderburk and staff.

Councilmember Dasch thanked staff and Charlie for 4th of July, shared gratitude for Charlie and his work on the budget, she noted the budget is better each year, and was thankful requests and projects were able to be worked in. Lastly, she thanked Council for accommodating her virtual attendance.

Councilmember Overman noted it was a wonderful 4th of July and thanked staff for a great job.

Mayor Pro Tem Matchunis thanked everyone on staff for 4th of July and the hard work on the budget. He shared his excitement for the upcoming year and Catawba Park. He shared Mick Mulavaney noted on a recent podcast that the 4th of July is one of his favorite holidays and his favorite celebration of this holiday is Tega Cay's.

Mayor O'Neal shared this year's 4th of July was unbelievable. He stated it was a great time and he did not know how anyone could go out of town of the 4th of July weekend.

**ITEM 10 ADJOURNMENT
MOTION**

There being no further business, Mayor O'Neal motioned to adjourn, seconded by Councilmember Richard and it was approved unanimously.

The meeting was adjourned at 8:07 p.m.



APPROVED

David L. O'Neal

David L. O'Neal, Mayor

APPROVAL DATE: August 16, 2021

Respectfully Submitted,

Katie Poulsen

Katie Poulsen, Municipal Clerk

Established 1982

Bonae Vitae