

Regular City Council Meeting
Monday, September 20, 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 Alicia Dasch, Heather Overman and Ryan Richard. A quorum was present.

Councilmembers Absent: None.

Staff Present: Charlie Funderburk, City Manager; Bob McCleave, City Attorney; Susan Britt, Development Services Director; Shane Parris, Storm Water Manager; Tim Gillette, Operations 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. He welcomed former Mayor Steve Hamilton and thanked Mayor Pro Tem Matchunis for filling in last month for his own absence due to a kidney stone.

ITEM 1 SPECIAL PRESENTATION

A. Constitution Week Proclamation

Mayor O'Neal read the proclamation and presented it to Janet Hamilton, Daughter of the American Revolution.

ITEM 2 PUBLIC COMMENTS

1. Barbara Wilson, 1031 Woodlake Lane, spoke regarding the deer population and aggressive behavior she has witnessed. City Manager Funderburk spoke regarding DNR's survey in 2015, DNR processes, and an upcoming survey.

ITEM 3 APPROVAL OF MINUTES

There were no changes to the Regular Council Meeting minutes of August 16, 2021, and they were approved.

ITEM 4 COMMITTEE APPOINTMENT

A. Board of Zoning Appeals

City Manager Funderburk noted the top nominee from Council was Jim Andrus.

MOTION

Councilmember Richard motioned to elect Jim Andrus to the Board of Zoning Appeals, seconded by Mayor Pro Tem Matchunis and approved unanimously.

ITEM 5 COMMITTEE REPORTS

A. Economic Development Commission

Mayor Pro Tem Matchunis noted the EDC met on August 23rd and discussed business license fees in comparison to neighboring communities, incentive programs for new businesses, a subcommittee formation for hospitality and retail options, the Donnie Shell Golf Tournament, and ARP funds in the amount of \$54 million for York County. He noted the next meeting will take place on Sept 27th.

B. Planning Commission

Councilmember Dasch noted the last meeting was on September 13th, and they discussed previous recommendations for Storm Water, Accessory Dwelling units, requiring public meetings on development, and she announced the next meeting on Oct. 4th.

C. Tega Cay Forever Foundation

Councilmember Overman noted the Foundation did not meet formally, but the fundraising committee did meet informally to discuss the brick and bench fundraiser for Tega Cay Forever and Catawba Park.

ITEM 6 UNFINISHED BUSINESS

A. 2nd Reading of an Ordinance to Provide for the Budgets of the City of Tega Cay for the Fiscal Year Commencing October 1, 2021, and Ending September 30, 2022, to Provide for the Receipt and Expenditure of Funds, and Other Matters Related Hereto

Mayor O'Neal stated this is the second and final reading of an Ordinance necessary to set the budgets for fiscal year 2021-2022 that were presented by the City Manager during the required public hearing. There is no millage increase included in the coming fiscal year.

MOTION

Councilmember Overman motioned to approve the 2nd Reading of an Ordinance to Provide for the Budgets of the City of Tega Cay for the Fiscal Year Commencing October 1, 2021, and Ending September 30, 2022, to Provide for the Receipt and Expenditure of Funds, and Other Matters Related Hereto, seconded by Councilmember Richard and approved unanimously.

B. Discussion Regarding Compensation and Classification Study

Mayor O'Neal explained this item was tabled previously as there were questions regarding the survey on the Municipal Association website and whether there was a need to do this. He noted they will hear from a representative from the Archer Group who conducted our last Compensation and Classification Study. Ms. Rita Archer presented information on their recent proposal submitted and described their processes to determine appropriate compensation and classifications for the various employment positions. Mayor Pro Tem Matchunis asked how long the study would take and Ms. Archer noted approximately 20-26 weeks. Council discussion ensued on the process details. Council gave consensus to the City Manager for him to decide whether to move forward with the study.

ITEM 7 NEW BUSINESS

A. Planning Commission Recommendations as it Relates to Storm Water Ordinance and Policy Amendments

Mayor O'Neal stated at the August 16th Council meeting, Chris Leonard, Planning Commission Chair presented a set of recommendations regarding potential changes to the stormwater ordinance and policy direction from Council. Currently, the Commission is asking Council for their discussion and consideration of the proposed recommendations and direction as to drafting a potential ordinance amendment. He then invited Mr. Shane Parris, the City's Storm Water Manager, to speak. He noted Planning Commission's recommendations and noted how the recommendation, if implemented, would have an impact on the City and future developments.

B. Consideration of a Letter of Credit and Performance, Labor and Materials Surety Agreement for Windhaven, Phase 2

Mayor O'Neal explained at a Special Meeting on July 12, 2021, the Planning Commission approved the Final Plat for Windhaven Phase 2 contingent upon approval of a Letter of Credit and Performance, Labor, and Materials Surety Agreement by Council. Included in your packet is a letter from the developer's engineer certifying certain improvements have been installed and includes an Opinion of Probable Cost to complete the required infrastructure. The required improvements are intended to be bonded by a Letter of Credit in the amount of \$1,830,722.24. The City Engineer has also submitted a letter, which is included in your packet, concurring with the amount stated in the developer's Opinion of Probable Cost.

The City Attorney has prepared and submitted a Performance, Labor and Materials Surety Agreement for Council approval.

MOTION

Mayor Pro Tem Matchunis motioned to approve the Letter of Credit and Performance, Labor and Materials Surety Agreement for Windhaven, Phase 2, contingent upon receipt of the LOC in the form and substance suitable to the City Attorney and authorize the City Manager to execute said PLM Surety Agreement, seconded by Councilmember Dasch and approved unanimously.

C. Court Solicitor

Mayor O'Neal announced the City was notified by Jennifer Colton of her decision to resign her position as Tega Cay's Court Solicitor effective September 21, 2021 as she has been appointed as a Magistrate for the County. With this appointment, practicing law is prohibited and therefore, she has resigned her position with the City. The City advertised the position and received interest from Matthew Shelton who currently serves as a Senior Solicitor of the Sixteenth Circuit Solicitor's Office. After receiving a positive recommendation from Ms. Colton for Mr. Shelton, a review of his resume with extensive experience, and an interview, staff recommends Council enter into the agreement with Mr. Matthew Shelton for the City's Court Solicitor. The agreement's initial term is through September 30, 2024 with the option to renew.

MOTION

Councilmember Dasch motioned to approve the agreement with Matthew Shelton as the City's Court Solicitor and authorize the City Manager to execute the agreement, seconded by Councilmember Overman and approved unanimously.

City Manager Funderburk requested Council amend the agenda.

MOTION

Councilmember Overman motioned to change the agenda and flip flop 7e and 7d, seconded by Councilmember Dasch and approved unanimously.

E. Resolution Designating an Authorized Representative and Contact Person for Purposes of the American Rescue Plan Act of 2021

Mayor O'Neal shared the State is requiring that each Council appoint a specific contact and representative for the purposes of communication for the American Rescue Plan Act by way of resolution.

MOTION

Councilmember Richard motioned to adopt a resolution designating Bob Bartkin, the City's Finance Director, as the authorized representative and contact person for the purposes of the ARP Act, seconded by Mayor Pro Tem Matchunis and approved unanimously.

D. Proposed Allocation of American Rescue Plan Act Funds

Mayor O'Neal explained the American Rescue Plan Act went into law in March of 2021. Non-entitlement cities such as Tega Cay are to receive their allocation of the funds from the State instead of directly from the Federal Government. Tega Cay is set to receive \$5,643,061.29. The Federal Government has placed a great deal of limitations on how these funds can be spent and City Manager Funderburk presented his recommendation on the allocation of those funds. Council discussion ensued on where the funds will be spent.

MOTION

Councilmember Richard motioned to approve the City Manager's recommendation on the allocation of ARP funds as presented and further move to direct the City Manager to issue the one-time bonuses to all City employees in the net amount of \$1,500/employee from General Fund reserves at such time as bonuses are distributed to Public Safety employees from ARP funds, seconded by Councilmember Overman and approved unanimously.

ITEM 8 CITY MANAGER'S REPORT

City Manager Funderburk reported on the following: last concert of the year, a Catawba Park update, a phenomenal budget this year, Open House with Duke Energy for power upgrade project, the upcoming State of the Community Breakfast, and the Chamber hosted Candidate Forum on October 21.

ITEM 9 COUNCIL COMMENTS

Mayor O'Neal congratulated City Manager Funderburk and the City on being in the best financial shape it has ever been in and for being a well-run, fiscally balanced city.

Councilmember Richard thanked City Manager Funderburk and Department Heads for being willing to forgo their bonus to ensure their staff receives one but wanted to clarify the motion did read bonuses for all city employees.

Councilmember Dasch congratulated Jennifer Colton on her new position and welcomed Matthew Shelton to Tega Cay.

Councilmember Overman noted a great job to all of the coaches for a great kickoff weekend for Parks and Rec.

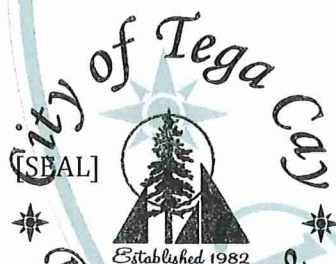
Mayor Pro Tem Matchunis noted the great news that there will be a candidate forum. The City budget is incredible and congratulations to staff on bonuses.

ITEM 10 ADJOURNMENT

MOTION

There being no further business, Councilmember Richard motioned to adjourn, seconded by Councilmember Overman and it was approved unanimously.

The meeting was adjourned at 9:00 p.m.



APPROVED:

David L. O'Neal

David L. O'Neal, Mayor

APPROVAL DATE: October 18, 2021

Respectfully Submitted,

Katie Poulsen

Katie Poulsen, Municipal Clerk