

**City Council Minutes**  
**December 16, 2025**

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 16, 2025, at 6:00 pm in Council Chambers, 933 Middleton Street with Mayor Butler presiding.

**PRESENT:**

**Michael C. Butler, Mayor**  
**Annette Dees Grevious**  
**Jerry Hannah**  
**Jordan E. Hawkins**  
**Dr. Kalu Kalu, Mayor Pro Tem**  
**L. Zimmerman Keitt**

**ABSENT:**

**Sandra P. Knotts**

Public Hearing 1 Consideration of an ordinance for a Zoning District Map change from A-1, Residential, Single-Unit District to O-I, Office Institutional Residential District for property belonging to City of Orangeburg located at 1895 Columbia Road TMS# 0174-17-08-005.000. There was no one to speak at Public Hearing 1.

Public Hearing 2 Consideration of an ordinance for a Zoning District Map change from A-2, Residential, Multi-Unit District to B-1, General Business District for property belonging to Paragon Development of SC LLC located at 237 Maxcy Street TMS# 0173-15-14-034.000.

Mr. Williams Green stated, "I looked at the property on Maxcy Street. I do not think it is a good idea to put student housing there. I think Council would do better by working with the citizens in that area to develop their properties to bring up to code and do what they must do to remain there because once you change it, it will be conflict between the students and the residents. Today I spoke with a lady that lives in the area that said the neighbors are not aware of student housing going on Maxey Street. There is a very small sign posted and if you did not know what you were looking for, you would miss it. Also, children play at the playground as I have seen them there."

Mr. Eric Byrd, Paragon Development, 2874 Columbia Road stated, "This is an attempt to solve two problems. The first is to renovate and revitalize this area. This is a tri-plex that we are using for the purpose of student housing and the second issue is trying to address student housing that SCSU needs. It is a triplex that must be rezoned for student housing. It is a triplex where students would have their own bedroom, closet and bathroom. Students desperately need those types of accommodation which was the purpose of trying to bring housing on that street. It is also consistent with the other housing on Clarendon and Lovell Streets."

Public Hearing 3 Consideration of an ordinance for a Zoning District Map change from A-2, Residential, Multi-Unit District to B-1, General Business District for property belonging to Paragon Development of SC LLC located at 245 Maxcy Street TMS# 0173-15-14-033.000. There was no one to speak at Public Hearing 3.

A motion was made by my Mayor Pro Tem Kalu, seconded by Councilmember Grevious to amend the agenda to delete Item #7 third reading of an ordinance amending Chapter 2 (Administration) of the City code by amending Section 2-1.2 (Election procedure for Mayor and Councilmembers) to provide for the nomination of candidates for Mayoral and Council Candidates by petition. The motion was unanimously approved.

Mayor Butler and Council presented a proclamation to SCSU Football Coach Chennis Berry and staff on their historic achievement in winning the 2025 HBCU National Championship and for their outstanding contributions to the university and the community.

A motion was made by Councilmember Keitt seconded by Councilmember Grevious to approve December 2, 2025, minutes. The motion was unanimously approved.

Mr. William Green addressed Council concerning the change in City Election process requiring candidate petitions. He stated, "On May 7 and May 19, 2019, I presented to the County and the City to create an anti-bullying law in Orangeburg. Also, in 2019 Councilmembers that are still on Council, Michael C. Butler, Liz Zimmerman Keitt, Jerry Hannah and Sandra Knotts and the other two Councilmembers that are no longer on Council voted unanimously to remove petitions for the candidate election process. Why are we going backwards to having candidates go in the community to get petitions in order to be on the City election ballot for Mayor or Council. Everyone is talking about this. No one can understand it."

Councilmember Grevious stated, "Council voted at the beginning of the meeting to delete this Item #7 on the agenda. The matter is now null and void because Council has removed it from the agenda which means we are no longer considering petitions be required at this time."

Assistant City Administrator Williams addressed Council concerning second reading of an ordinance for consideration of a Zoning District Map change from A-1 Residential, Single-Unit District to O-I, Office Institutional Residential District for property belonging to the City of Orangeburg located at 1895 Columbia Road TMS# 0174-17-08-005.000. She stated, "This was recommended by the Planning Commission at the November 20 meeting, and the Planning Commission meeting minutes are in your packets. This is a house located on Columbia Road that is owned by the City of Orangeburg. If you are facing the house to the left and across the street is commercial property. The City currently has the property for sale and wanted to rezone the property to make it more like the commercial properties surrounding it."

A motion was made by Councilmember Grevious, seconded by Mayor Pro Tem Kalu to approve second reading of an ordinance for consideration of a Zoning District Map change from A-1 Residential, Single-Unit District to O-I, Office Institutional Residential District for property belonging to the City of Orangeburg located at 1895 Columbia Road TMS# 0174-17-08-005.000. The motion was unanimously approved.

Assistant City Administrator Williams addressed Council concerning second reading of an ordinance for consideration of a Zoning District Map change from A-2 Residential, Multi-Unit District to B-1, General Business District for property belonging to Paragon Development of SC, LLC located at 237 Maxcy Street TMS# 0173-15-14-034.000. She stated, "For Items #4 and #5 237 and 245 Maxey Street, Paragon Development are requesting for both lots to be rezoned from A-2 Residential Multi-Unit District to B-1, General Business District to accommodate student housing. I realize there has been a lot of discussion regarding rezoning from A-2 to B-1 which would essentially open the property to future commercial development. As a suggestion, Council could consider rezoning the properties to A-3 Residential General Business District which would allow Paragon to move forward with the development and not open the property for any other business development in the area. In other words, if Paragon decided not to develop for student housing, since that area has already been zoned B-1, it would open that area for any other commercial development in a residential area. To accommodate Paragon Development so that they can move forward with the student housing and not open it up for any other development changing the designation from B1 to A3 would accommodate them."

Councilmember Hawkins asked, "This is a question for our attorney. In your opinion does that constitute spot zoning if that was to go to B-1 instead of A-3?"

City Attorney Kozlarek stated, "I am not aware of any case in South Carolina that has ever determined that a rezoning constitutes spot zoning. I know that there is a lot of material that has been submitted over several years from various organizations that talk about the size of less than two acres. If the Council looks at the area in which the zoning is occurring and determines that the use of the property or the zoning of the property and its potential use is at least consistent with areas around it, then, to me, that would not be spot zoning simply because the zone itself is changed that is not the only factor. If that were the case, any time a local government were to do a comprehensive plan for example, comprehensive plans have a future use map typically included in them. There could never be a change within that future use map unless it were immediately adjacent to something that would also have to be changed. So, you would always be running the risk that a half-acre lot that was rezoned would be spot zoning if it was on the other side of something that had not been rezoned yet. That is probably not as direct an answer as Council may like but given the area in which this redevelopment is occurring, it seems as though this is part of

the corridor that is changing and the use of this property, not just the zoning of the property seems to be at least consistent with what else is going on in that area.”

Councilmember Hannah asked, “Is there a difference in the tax rate of the changes you are recommending?”

City Attorney Kozlarek stated, “Regardless of the zoning, the use of the property if it is for rental property, would be a 6% assessment ratio. If it were owner occupied residential, that would be assessed at 4%.”

Councilmember Hawkins asked, “With the Planning Commission already approving the rezoning to B1, General Business, would it have to go back to the Planning Commission to change to A-3?”

Assistant City Administrator Williams stated, “According to the zoning official, it would not because Council would make the final decision.”

Councilmember Hawkins asked, “Did we have much opposition on changing it? Has anyone reached out to the church across the street?”

Assistant City Administrator Williams stated, “No, only one person attended the Planning Commission public hearing stating she was there to receive more information. No, we have not reached out to the church. I have the information that Councilmember Grevious requested concerning how many residences are on the street. There are approximately 45 lots that touch Maxey Street. There are 30 structures on these properties that are made up of 27 single-family houses and 10 units are vacant. There are two churches and one church is vacant. There is one five-unit apartment building on that street. There are 22 households on that street.”

Councilmember Grevious asked, “How many students do you plan to occupy the space?”

Mr. Eric Byrd, Paragon Development stated, “There will be 18 students.”

A motion was made by Councilmember Keitt, seconded by Councilmember Grevious to approve second reading of an ordinance for consideration of a Zoning District Map change from A-2 Residential, Multi-Unit District to A-3, Residential/General Business District for property belonging to Paragon Development of SC, LLC located at 237 Maxcy Street TMS# 0173-15-14-034.000. The motion was unanimously approved.

Assistant City Administrator Williams addressed Council concerning second reading of an Ordinance for consideration of a Zoning District Map change from A-2 Residential, Multi-Unit District to B-1, General Business District for property belonging to Paragon Development of SC, LLC located at 245 Maxcy Street TMS# 0173-15-14-033.000. She stated, “This item is the same situation as the last item, Council could consider rezoning the properties to A-3 Residential General Business District which would allow Paragon Development to move forward with the development and not open the property for any other business development in the area.”

Councilmember Grevious asked, “Will there be an additional 18 students in this unit as well or does it encompass all of it?”

Mr. Eric Byrd, Paragon Development stated, “These are two adjacent small lots that are being combined to accommodate one building. There will be a total of 18 students.”

Councilmember Hawkins asked, “Would that allow the size that Paragon will have the density of population within those units.”

Assistant City Administrator Williams stated, “Yes, according to our zoning official.”

A motion was made by Councilmember Keitt seconded by Councilmember Grevious to approve second reading of an Ordinance for consideration of a Zoning District Map change from A-2 Residential, Multi-Unit District to A-3, Residential/General Business District for property belonging to Paragon Development of SC, LLC located at 245 Maxcy Street TMS# 0173-15-14-033.000. The motion was unanimously approved.

A motion was made by Councilmember Grevious, seconded by Councilmember Keitt to postpone second reading of an ordinance amending, restating, striking and replacing Chapter 12 of the City Code – Animal Control to the February 17, 2026, meeting. The motion was unanimously approved.

City Administrator Evering addressed Council concerning a resolution approving the City Administrator to negotiate and enter a contract with Yellowstone Landscaping for Parks and Recreation Landscaping Services. He stated, “I respectfully ask that we postpone this until the next meeting in January so we can do further inquiry.”

A motion was made by Councilmember Hawkins, seconded by Mayor Pro Tem Kalu to postpone the resolution for Parks and Recreation Landscaping services until the January 6, 2026, meeting. The motion was unanimously approved.

A motion was made by Councilmember Hawkins, seconded by Councilmember Keitt to appoint the following to 4 years terms ending January 2030: **Aviation Commission**, Debra Frederick-Pelzer, Kevin Bell, Colonel Richard Leonard; **Planning Commission**, Guy Best, Paula Payton, Jeanna Reynolds, Dr. Shirlan Moseley-Jenkins; **Board of Zoning Appeals**, George I. Buck (Lucky), Elaine Wright, Evelyn Brown, V. Lanard Huggins; **Building Board of Appeals**, Reverend Albert Shuler and Michael Stroman. The motion was unanimously approved.

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Grevious to appoint Councilmember Hawkins to the Fireman’s Inspection & Insurance Fund/Supervisory Board. The motion was unanimously approved.

A motion was made by Councilmember Hannah, seconded by Mayor Pro Tem Kalu to go into Executive Session concerning discussion of negotiations to proposed contractual agreements and/or the receipt of legal advice – SC Code Sec. 30-4-70(a)(2). a) S.C. Public Employee Benefit Authority (PEBA), b) Health Insurance Contract, c) Finance Department, d) Eskola LLC and e) Duke Energy of South Carolina. The motion was unanimously approved.

A motion was made by Councilmember Grevious, seconded by Councilmember Keitt to return to open session. The motion was unanimously approved.

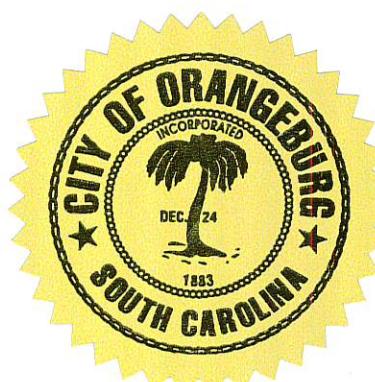
A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Keitt to approve a resolution to adopt Health Insurance Benefits for the employees of the City of Orangeburg effective January 1, 2026, and repealing any conflicting resolution or ordinance. The motion was unanimously approved.

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Grevious to adjourn the meeting. The motion was unanimously approved.

Respectfully submitted,

*Linda McDaniel*

Linda McDaniel  
City Clerk



## RESOLUTION

### **A RESOLUTION TO ADOPT HEALTH INSURANCE BENEFITS FOR THE EMPLOYEES OF THE CITY OF ORANGEBURG EFFECTIVE JANUARY 1, 2026 AND REPEALING ANY CONFLICTING RESOLUTION OR ORDINANCE**

**WHEREAS**, by Resolution of the Orangeburg City Council dated December 17, 2024 certain retirement and health insurance benefits of City employees were adopted; and

**WHEREAS**, the City by said Resolution retained and reserved the right to review, amend or change said benefits, with or without cause; and

**WHEREAS**, City Council has reviewed its present benefits and finds it is not presently necessary to amend or change the present health insurance benefits provided its employees and retirees, but reserves its rights to review, amend, discontinue, abolish or change said benefits in the future, with or without cause.

**NOW THEREFORE BE IT RESOLVED**, by City Council duly assembled this 16<sup>th</sup> day of December, 2025, that subject to the City's right in its discretion to amend, change, discontinue or abolish in whole or in part, the conditions, qualifications and requirements of all past, present and future employees of the City of Orangeburg, including retired and disabled employees of said City, (hereinafter referred to as "employees") as of January 1, 2026 to obtain health insurance benefits from the City are set forth and shown on Exhibit A attached hereto and made a part hereof by reference. The rates, benefits and conditions of eligibility as referenced therein shall be prospective and not retroactive. Said health insurance benefits shall be continuously reviewed and may be amended, changed, discontinued or abolished after each review.

**BE IT FURTHER RESOLVED**, that regardless of any prior review the health insurance benefits of employees shall be defined, revised, reviewed, established and adopted annually by resolution of the City of Orangeburg and its Department of Public Utilities.

**BE IT FURTHER RESOLVED**, that any amendment, change, discontinuation or abolishment shall be effective upon adoption by City Council and notice of same after adoption shall be provided to employees within forty-five (45) days after adoption.

The City of Orangeburg is committed to reviewing its personnel policies and procedures and its health insurance benefits as needed. Accordingly, the policies and benefits of employees are subject to review, amendment, change or abolishment at any time, at the discretion of City Council; thus benefits may be increased, decreased or abolished at any time, with or without cause.

Any term, condition or limitation contained in any existing ordinance or resolution in conflict with this Resolution is repealed in its entirety.

**RESOLVED BY** City Council duly assembled this 16<sup>th</sup> day of December, 2025.



Michael C. Ruth  
MAYOR  
John G. Jones  
James E. Johnson  
John W. Morris  
Liz Jones  
MEMBERS OF COUNCIL

ATTEST:

Hilda McDaniel  
CITY CLERK

## **THIS IS NOT A CONTRACT**

### **HEALTH INSURANCE BENEFITS CALENDAR YEAR 2026 Exhibit A**

**The within benefits may be increased, decreased or abolished at any time, with or without cause.**

Definitions:

“BCBS” is defined as BlueCross BlueShield of South Carolina.

“City” is defined as the City of Orangeburg, South Carolina, a municipal corporation.

“COBRA” means the Consolidated Omnibus Budget Reconciliation Act.

“Dental and Term Life”, collectively and individually, is defined as the insurance benefits provided by the City of Orangeburg and administered by BlueCross BlueShield (BCBS) of South Carolina and Companion Life. “Vision” coverage will be administered through Community Eye Plan (CEC), formerly Physicians Eye Care (PEP).

“Employees” are defined as all City of Orangeburg employees, including employees of the Department of Public Utilities.

“Dependent” is defined as an individual who is an employee’s spouse: Is a lawful spouse or; a former spouse who is required to be covered by a divorce decree. Dependent is also defined as an employee’s child: Is a child under the age of 26 which includes a natural child, adopted child, foster child, stepchild, or child for whom an employee has custody or legal guardianship unless child has other federal or state insurance coverage. The term “child” also includes an incapacitated dependent, a child who is on a medically necessary leave of absence, a child of a divorced or divorcing employee who, under a qualified medical child support order, has a right to enroll under the employer’s group health plan. The term “child” does not include the spouse of an eligible child. Under the Patient Protection and Affordable Care Act and the Health Coverage and the Education Reconciliation Act, a child does not include an individual who is eligible for other employer sponsored coverage if the group health plan is grandfathered plan beginning for plan years before January 1, 2015.

“Health Insurance Benefits” are defined as medical, hospitalization and prescription drug benefits available to active full-time employees and their dependents of the City and provided by the City of Orangeburg and administered by insurance providers under contract with the City.

“HSA” is defined as a Health Savings Account or a type of savings account that lets you set aside money on a pre-tax basis to pay for qualified medical expenses.

“PPO” is defined as the non-High Deductible Health Plan.

“HSA” plan is the 2025 Preferred Blue High Deductible Health Plan administered by BlueCross BlueShield of South Carolina.

“PPO” plan is the 2025 Preferred Blue Plan administered by BlueCross BlueShield of South Carolina.

“TERI” is defined as the Teacher and Employee Incentive Program administered by the South Carolina Retirement System.

#### **Active Employees**

##### **Active Full Time Employees**

The City of Orangeburg (hereinafter referred to as “City”) will provide medical, hospitalization, prescription drug, dental and vision insurance and (\$15,000) term life insurance to active full-time employees (as defined within the Personnel Handbook) with 100% of the premiums paid by the City. The insurance is offered through providers chosen by the City. New full time employees are eligible to be covered at the beginning of the month following 30 days of continuous employment. Terminated employees are only covered until their last day of employment. Councilmembers, City Administrator, Manager of the Department of Public Utilities, and the City Attorney are considered active full-time employees for purposes of qualifying for health insurance benefits.

##### **Dependents of Active Full Time Employees**

Dependents, as defined by the insurance providers, are eligible for dependent Health Insurance Benefits, with the City contributing up to the following dollar amounts towards the premium costs and the employee paying all additional costs and premiums, including any future increases:

\$ 276.93 per month for spouse coverage for the BCBS PPO plan  
\$ 241.00 per month for spouse coverage for the BCBS HSA plan  
\$ 191.81 per month for children coverage for the BCBS PPO plan  
\$ 166.90 per month for children coverage for the BCBS HSA plan  
\$ 383.02 per month for family coverage for the BCBS PPO plan  
\$ 333.26 per month for family coverage for the BCBS HSA plan

The above City contributions to the dependent portion of the premium are capped as of January 1, 2013.

Dependent Dental, Vision and Companion Term Life (\$5,000) insurance may be obtained with the employee paying 100% of the premium cost. Dependents of new employees are eligible to be covered at the beginning of the month following 30 days of continuous employment of the employee. Dental and Vision for dependents of terminated employees are only covered until their last day of employment of the employee. Dependent premiums for Dental, Vision and Companion Term Life Insurance (\$5,000) are as follows:

Dental:

\$ 35.00 per month for spouse coverage for the Dental plan  
\$ 45.00 per month for children coverage for the Dental plan  
\$ 81.00 per month for family coverage for the Dental plan

Vision:

\$ 10.00 per month for spouse coverage for the Vision plan  
\$ 12.00 per month for children coverage for the Vision plan  
\$ 20.00 per month for family coverage for the Vision plan

Companion Term Life Insurance (\$5,000):

\$ 1.00 per month for any number of dependents covered under the Companion Term Life Insurance

Dependents of current active full-time employees are eligible to be added or dropped during the City's annual enrollment period or as defined by law. All dependent coverage will be subject to the then terms and conditions of the City's benefit package being offered to dependents and the terms and conditions of the insurance policy or policies of the then insurance provider.

Employees who select medical coverage under the BlueCross BlueShield HSA plan will forfeit all other benefits referred to herein, but will receive the following amounts deposited each payroll period into their Health Saving Account (hereinafter referred to as "HSA" account).

\$1,800 annualized for active full-time employee coverage only  
\$2,160 annualized for active full-time employee and spouse coverage  
\$2,100 annualized for active full-time employee and children coverage  
\$2,220 annualized for active full-time employee and family coverage

Spouses of active full-time employees who are eligible for Health Insurance Benefits and/or Dental, Vision and Term Life with their employer(s), regardless of coverage limits or conditions, must select and obtain coverage under their employer's plan or plans before they can become eligible for coverage under any City plan which, if selected, will be secondary insurance.

Effective January 1, 2016, all employees and dependents over the age of 2 years which are covered by one the City's Health Insurance Benefits Plans will be entitled to use the employee clinic (if operational). All covered members who elect to use the clinic must conduct an initial health risk assessment. There is no charge for members covered by the BCBS PPO Plan. There is a required co-pay for members covered by the BCBS HSA Plan for non-preventative services as required by law.

Effective January 1, 2016 and thereafter; employees or any dependent of an employee covered by the City's Health Insurance Benefits who uses tobacco products shall be subject to a surcharge of \$50 per employee per month. An employee will be subject to this surcharge for the full calendar year if they or their dependent is a tobacco user during any part of the year. The employee is subject to repay the employer for this surcharge if they willfully disregard this rule or fail to properly notify employer.

Effective January 1, 2023 and thereafter; plan participants over the age of 18 and who are covered by the City's Health Insurance Benefits shall be required to participate in the City's wellness plan which requires the participant to undergo an annual Health Risk Assessment administered by a provider with whom the City contracts or the equivalent of same by participant's primary care provider, within the plan year. Plan participants over the age of 18 who fail to undergo a Health Risk Assessment shall be charged a \$50 per month surcharge in addition to the plan premium.

Effective January 1, 2017 and thereafter; active full-time employees covered by the City's Health Insurance Benefits shall be eligible for a City paid subsidy of \$5 per month for individual monthly dues and \$10 per month for family dues participation at the Orangeburg YMCA. Employees must agree to pay the YMCA dues through payroll deduction at the time of open enrollment and must maintain membership for the full calendar year.

Effective January 1, 2023 and thereafter; dental plan participants over the age of 18 and who are covered by the City's Health Insurance Benefits shall be required to participate in the City's wellness plan which requires the participant to undergo an annual dental assessment administered by a provider with whom the City contracts or the equivalent of same by participant's primary care provider, within the plan year. Plan participants over the age of 18 who fail to undergo a Health Risk Assessment shall be charged a \$50 per month surcharge in addition to the plan premium.

### **Eligibility for Post-Employment Benefits**

#### **Present Active Full Time Employees last hired prior to June 1, 1993**

These employees may be eligible for the continuation of Health Insurance Benefits and Dental and Vision insurance coverage if they meet one of the following:

- a. The employee has 15 years employment with the City and is over age 65.
- b. The employee has 20 years employment with the City and is over age 60.
- c. The employee has 25 years employment with the City.
- d. The employee has 25 years employment with the City Department of Public Safety.
- e. The employee has 28 years of service under the SC Retirement System; with at least 15 years of continuous employment with the City.
- f. The employee has 25 years of service under the SC Police Retirement System; with at least 15 years of continuous employment with the City.

#### **Present Active Full Time Employees last hired on or after June 1, 1993 and before January 1, 2010**

These employees may retire with the City and be eligible for continuation of Health Insurance Benefits and Dental and Vision if an employee meets the following condition.

- a. The employee works 25 years for the City.

#### **State of South Carolina TERI Retirement Program**

Years of employment with the City while participating in the TERI program are included in employee tenure calculation for Post-Employment Benefits eligibility.

#### **Active Full Time Employees Retired under the SC Retirement System or SC Police Retirement System**

Total years of City employment of an active full-time employee who has retired under either the SC Retirement System or the SC Police Retirement System are included in employee tenure calculation for Post-Employment Benefits eligibility.

### **Retirees with Post-Employment Benefits**

#### **Retiree Insurance**

The following benefits are not available to retirees who during employment with the City, ever made an election to the HSA Plan. The City will pay the entire cost of a retired employee's Health Insurance Benefits being provided active full-time employees of the City once the retired employee reaches the age of 60 and until the employee reaches the age of 65. Prior to reaching the age of 60, the employee must pay the full premium and cost of his or her Health Insurance Benefits being provided as an active full-time employee of the City. Retirees of the City will be allowed to participate in Dental and Vision insurance of the City if permitted by the insurance provider and provided the retired employee pays the full premium and cost of coverage.

Retirees over the age of 65 and/or their spouses over the age of 65 are eligible to receive any enhanced Medicare or Medicare supplemental plan being provided by the City. The City will pay up to \$100 per month towards an HRA for the retiree to be used for insurance coverage and/or for HRA approved medical expenses for the Retiree and /or spouse. The above City contributions are capped as of January 1, 2013. The City contribution of \$100 per month ends upon the death of the retired employee, however, the spouse may elect to remain on the enhanced Medicare or Medicare supplemental plan being provided by the City with the spouse responsible for paying the entire cost thereof.

The Retirees under the age of 65 are also eligible for the continuation of Health Insurance Benefits and Dental and Vision for dependents. The retiree will be responsible for the entire cost of the Health Insurance Benefits dependent coverage and the entire cost of the Dental and Vision retiree and dependent

coverage. Once the retiree attains the age of 65 years, the retiree may continue Dental and Vision coverage for both the retiree and dependents, but must pay the entire cost of any such coverage.

A Retiree must elect coverage at the time of retirement. Failure to make an election for available retiree, spouse or dependent coverage upon retirement shall constitute a waiver and forfeiture of all retiree Health Insurance Benefits, including Dental and Vision insurance provided by the City.

Retirees (excluding TERI employees) returning to full time employment with the City will be required to pay fifty (50) percent of premiums for employee coverage of Health Insurance Benefits, dental and vision insurance regardless of age of employee or other terms previously expressed in this paragraph.

Once a retiree attains the age of 65 and is no longer covered by the Group PPO Plan, the retiree's covered dependent(s) no longer qualify for Health Insurance Coverage other than Dental and or Vision benefits.

#### Spouses of Deceased Retirees

Spouses of deceased retirees, who are receiving Group PPO Health Insurance Benefits from the City at the death of a retiree, may continue the insurance coverage then in existence, and shall continue up to the age of 65 and shall pay the required premium while covered.

#### Retirees with No Post-Employments Benefits

##### Employees hired on or after January 1, 2010

These employees upon retirement or termination will not be provided and may not continue any benefits referred to herein, including without limitation, Health Insurance Benefits, and Dental, Vision and Term Life.

##### Election to HSA Plans

Current active full-time employees who elect to be covered under a City's HSA medical insurance coverage waive any future rights to be eligible for any benefits referred to herein, including without limitation, Health Insurance Benefits and Dental, Vision and Term Life upon termination of or retirement from employment. However, an employee may return to coverage under the standard PPO plan, however all post-employment benefits remain forfeited and shall not be reinstated.

#### Spouse & Dependents, over 65, of Active Full Time Employees, Who Would Qualify as a Dependent

Spouse and Dependents, over the age of 65, of active full-time employees are eligible for the standard dependent PPO insurance plan or the Medicare Advantage Plus plan. Spouses and dependents shall be subject to the same restriction for spouse eligibility referred to above if coverage is available at their place of work.

#### Active Full Time Employees on FMLA Leave or Long-Term Disability

The City will continue to pay the monthly health and dental insurance cost of an employee who is placed on long-term disability or Family Medical Leave for a period of three (3) months following the last month worked. Upon expiration of three (3) month the employee has the option of continuing health and/or dental coverage (COBRA) at his own expense for a period of 18 months or up to 29 months (if totally disabled as defined by the Social Security Administration). COBRA coverage ceases once the employee becomes eligible for Medicare or Medicaid.

Dependent medical, dental, vision and life insurance shall remain in force on dependents for a period of up to three (3) months starting with the month following the last month worked by the employee. The City will continue to pay the same portion of the dependent coverage in effect while the employee was an active full-time employee of the City. The employee will continue to pay his portion of the premium for dependent coverage. Dependents will have the same option as an employee of continuing coverage under COBRA after this three-month period.

The employee or dependent must make arrangements for the payment of the employee's portion of the health insurance benefits premiums for the three-month period to be paid weekly, semi-monthly, or monthly.

- If COBRA is elected after this three-month period, employee will make full premium payments the first of each month, payable to the City.