CITY OF CHARLESTON
West Virginia

Council Member – 12th WARD

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Finance Committee, Chair
Parking Committee, Chair
Parks and Recreation Committee

AGENDA
FINANCE COMMITTEE MEETING
UNTIL FURTER NOTICE, MEETINGS WILL BE MADE AVAILABLE TO THE PUBLIC VIA ZOOM AND CIVICCLERK
Monday, July 6, 2020
6:30 PM

***Join via internet:**
https://us02web.zoom.us/j/89544000103?pwd=ekRwNEkxQWJVa3dzVUVBbDJYM0pGQT09Password:
password: 678056
***Join via Telephone: (312) 626-6799 or (929) 436-2866**
Webinar ID: 895 4400 0103
***Join via CivicClerk: https://charlestonwv.civicclerk.com**

I. DISCUSSION:

a. Approval of Previous Minutes 6-15-2020

II. RESOLUTIONS:

a. ~~Resolution No. 349-20 - Authorizing the Mayor to submit a substantial amendment to the City of Charleston's 2019 Annual Action Plan to the U.S. Department of Housing and Community Development~~

b. Resolution No. 350-20 – Purchase of Bituminous Concrete

c. Resolution No. 351-20 – Purchase of Portland Cement Concrete

d. Resolution No. 352-20 – Purchase of Road Salt

e. Resolution No. 353-20 – Purchase of various Aggregate

f. Resolution No. 354-20 – Feasibility Study for the Recycling Program

g. Resolution No. 355-20 – Authorizing the Mayor or City Manager to enter into a Road Paving Contract

h. Resolution No. 356-20 - Authorizing settlement of pending disputed claims against the City in the matter known as Freda Gilmore v. City of Charleston, et al., as recommended by the City Solicitor.

i. Resolution No. 357-20 - Authorizing the Mayor and City Manager to take all necessary steps to loan or donate the Kanawha Riflemen Memorial monument to a West Virginia history museum and requesting the Charleston Historic Landmarks Commission to prepare a proposal regarding a new monument and other historical markers necessary to present the history of Ruffner Park in a historically accurate manner.

III. <u>THE AGENDA WAS AMENDED 7-1-2020</u>

MINUTES
FINANCE COMMITTEE MEETING
6:30 P.M., JUNE 15, 2020
A/V CONFERENCE ROOM*

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Finance to order at 6:30 p.m., June 15, 2020, in the Audio/Visual Room in City Hall*.

A silent roll was taken by the Clerk and a quorum was established. The following committee members were present:

Joseph Jenkins, Chair
Bobby Reishman, Vice Chair
Brent Burton
Mary Beth Hoover
Will Laird
Keeley Steele

*In response to the COVID-19 pandemic, the meeting of the Finance Committee was conducted electronically. The meeting was made available to the public as a live stream via Zoom and CivicClerk (per the agenda).

I. DISCUSSION:

a. Approval of Previous Minutes - Councilmember Reishman asked for unanimous consent to dispense with the reading of the minutes for the June 1, 2020 meeting and that they be approved as distributed. There was no objection and the minutes were approved.

II. RESOLUTIONS:

a. Resolution No. 342-20 - Adopting the proposed Fiscal Year 2020-2021 Coliseum & Convention Center budget as indicated on the attached document.

Be it Resolved by the Council of the City of Charleston, West Virginia:

The proposed Fiscal Year 2020-2021 Coliseum & Convention Center budget is adopted as indicated on the attached document.

City Manager, Jonathan Storage, added that the Board of Directors approved the budget on June 4, 2020. Betty Tinney added that this was a difficult budget to put together given the current circumstances. They looked at what events they could expect to host over the next fiscal year; the first 6 months are expected to be very slow, and hopefully rebound the second half of the year. Every effort has been made to cut utility and salary expenses, including eliminating 4 currently vacant positions. Additionally, there is a furlough plan for the first quarter for 5 employees associated with events.

Councilmember Steele confirmed that the "rental" lines are revenue line items.

Storage added that there will be a General Fund Operating subsidy of $570,000, a General Fund Healthcare subsidy of $200,000, a General Fund Debt Service Transfer of $530,000 and a General Fund Coal Several of $170,000.

Councilmember Jenkins asked if there will be enough revenue in the current budget to cover current costs due to the loss of large events like the State Basketball Tournament, and how will it impact next year's budget. Tinney replied that the Convention Center was having a banner year until the COVID-19 pandemic. They have had to draw more subsidies than anticipated, currently $564,000.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 342-20 approved.

City of Charleston
Municipal Budget
FY 2021
Coliseum and Convention Center Revenue Summary

Rev. Code	Description	Actual FY 2019	Original FY 2020	FY 2020 YTD Amendments	Current FY 2020	YTD May Actual FY 2020	Estimated FY 2021
Operating Revenue							
358-00-0302	Rent	1,167,712	1,290,000		1,290,000	866,403	1,067,500
358-00-0304	Commissions	275,397	265,000		265,000	146,763	178,000
358-00-0307	Parking - Buildings & Lots	118,718	113,000		113,000	84,750	165,000
358-00-0311	Distinctive Gourmet	297,028	659,000		659,000	318,794	365,000
358-00-0312	Patron Services	161,615	170,000		170,000	114,327	138,000
358-00-0313	Security	67,624	69,000		69,000	34,825	51,000
358-00-0314	Advertising	342,375	375,000		375,000	295,950	310,000
358-00-0315	Spotlight Rental	11,930	8,000		8,000	3,971	7,500
358-00-0316	Power Usage	57,722	58,000		58,000	34,449	59,500
358-00-0317	Table Covers/Drapes	33,800	36,000		36,000	13,397	36,000
358-00-0318	Rent - PA System	15,960	15,000		15,000	6,725	15,000
358-00-0319	Staging	24,067	23,000		23,000	16,674	17,000
358-00-0320	Booth Rental	80,154	72,000		72,000	37,457	80,000
358-00-0321	Interest	10,017	5,000		5,000	6,435	5,000
358-00-0322	Piano Rental	1,495	1,500		1,500	640	1,500
358-00-0323	Table Rental	34,409	30,000		30,000	19,251	38,000
358-00-0324	Miscellaneous	20,221	19,000		19,000	12,817	18,853
358-00-0325	Building Damages	3,474	2,000		2,000	79	1,000
358-00-0326	Telephone Rental	7,718	7,000		7,000	2,600	5,000
358-00-0327	Audio/Visual Equipment	283,313	224,000		224,000	105,000	170,000
358-00-0328	Teletix	-	1,500		1,500	-	1,000
358-00-0329	Carpet Rental	19,761	22,000		22,000	4,995	24,000
358-00-0330	Drayage	1,679	2,000		2,000	301	1,000
	Total Operating Revenue	**3,036,191**	**3,467,000**	**-**	**3,467,000**	**2,126,602**	**2,754,853**
Non-Operating Revenue							
358-00-0331	CC Capital Improvement Fee	82,012	-		-	49,295	-
358-00-0341	Trf In/Gen. Fund - Debt Svc	528,591	615,000	(52,103)	562,897	473,804	530,000
358-01-0341	Trf In/Gen. Fund - Health Care	217,464	212,000		212,000	365,446	200,000
358-02-0341	Trf In/Gen. Fund - Other	560,000	973,000		973,000	511,000	570,000
358-03-0341	Trf In/Gen. Fund - Equipment	-	-		-	381,260	-
358-00-0342	Transfers In/Coal Severance	149,376	135,025	52,103	187,128	160,526	169,687
358-00-0343	Transfers In/Cap. Imp. Fund	36,688	-		-	69,500	-
358-00-0379	Gain/Loss from Sale of Assets	5,553	-		-	-	-
381-11-0000	Energy Rebates	135,024	123,000	-	123,000	83,935	7,500
Total - Non Operating Revenue		**1,714,708**	**2,058,025**	**-**	**2,058,025**	**2,094,765**	**1,477,187**
	Total Revenue	**4,750,898**	**5,525,025**	**-**	**5,525,025**	**4,221,367**	**4,232,040**

City of Charleston
Municipal Budget
FY 2021

Fund	402 Charleston Coliseum and Convention Center Fund	**Full Time Employees**	25
Department	910 CCCC/Municipal Auditorium		
Unit	01 CCCC Operations		

Expense Object		FY 2019 Actual	FY 2020 Original	FY 2020 YTD Amend.	FY 2020 Current	FY 2020 YTD May Actual	FY 2021 Proposed
Personal Services							
000-1-103	Salaries & Wages	1,414,873	1,588,226		1,588,226	1,151,644	1,306,148
000-1-104	FICA	102,609	121,499		121,499	83,765	99,920
000-1-105	Medical & Life Insurance	162,268	392,644		392,644	336,915	228,975
000-1-106	PERS	112,887	124,323		124,323	96,953	102,115
000-1-111	Dental & Optical Insurance	10,000	13,517		13,517	8,122	11,875
000-1-112	Employee Insurance Cont.	(54,716)	(58,360)		(58,360)	(44,796)	(55,250)
000-1-113	OPEB - Current	20,000	20,000		20,000	-	20,000
	Total Personal Services	**1,767,920**	**2,201,849**	**-**	**2,201,849**	**1,632,603**	**1,713,783**
Contractual Services							
000-2-211	Telephone	55,998	50,185		50,185	54,239	50,185
000-2-212	Printing	15,762	10,000		10,000	7,464	10,000
000-2-213	Utilities	737,883	770,000		770,000	539,024	650,000
000-2-214	Travel	6,979	8,150		8,150	2,667	-
000-2-215	Mtce & Repair - Bldg/Ground	34,405	40,000		40,000	15,984	15,000
000-2-216	Mtce & Repair - Equipment	44,915	40,000		40,000	19,847	10,000
000-2-218	Postage	189	700		700	58	500
000-2-219	Building & Equipment Rent	229,322	180,000		180,000	104,950	140,000
000-2-220	Advertising & Legal Pub	7,025	45,000		45,000	6,952	20,000
000-2-221	Training	1,819	3,000		3,000	1,840	3,200
000-2-222	Dues & Subscriptions	1,726	1,825		1,825	1,497	2,627
000-2-223	Professional Services	-	-		-	-	-
000-2-226	Insurance - WC & UC	12,953	28,087		28,087	10,527	24,425
000-2-227	Insurance - Liability	127,039	130,000		130,000	130,535	275,000
000-2-230	Contracted Services	685,838	761,595		761,595	537,409	515,702
	Total Contractual Services	**1,961,853**	**2,068,542**	**-**	**2,068,542**	**1,432,993**	**1,716,639**
Commodities							
000-3-341	Materials & Supplies	163,392	140,000		140,000	127,199	90,000
000-3-343	Gas, Oil & Tires	2,143	2,000		2,000	1,858	2,000
000-3-345	Uniforms	6,328	5,000		5,000	3,016	7,000
	Total Commodities	**171,863**	**147,000**	**-**	**147,000**	**132,073**	**99,000**
Contributions & Other							
000-6-671	Principal on Bonds	510,000	530,000		530,000	-	550,000
000-6-672	Interest on Bonds	187,762	173,888		173,888	138,090	149,618
000-6-674	Bond Service Charges	2,787	4,800		4,800	2,690	3,000
	Total Contributions & Other	**700,549**	**708,688**	**-**	**708,688**	**140,781**	**702,618**
	Total CCCC/Municipal Auditorium	**4,602,185**	**5,126,079**	**-**	**5,126,079**	**3,338,450**	**4,232,040**

City of Charleston
Municipal Budget
FY 2021

Fund 402 Charleston Coliseum and Convention Center Fund
Department 910 CCCC/Municipal Auditorium
Unit 01 CCCC Operations

Authorized Full Time Positions & Salary Schedule

FY 2020 Current Approved		
Title	**FLSA/Paygrade**	**FTE**
Executive Director	E/132	1
Assistant Director of Civic Center	E/124	1
Sales and Marketing Manager	E/121	1
Facility Superintendent	E/116	1
Business Manager Civic Center	E/115	1
Senior Event Coordinator	N-COMP/114	1
Safety & Security Coordinator	E/112	1
Events Coordinator	N-COMP/112	1
Technology Services Coordinator	N-COMP/113	1
Box Office Manager	E/111	1
Engineering Assistant	N-OT/111	1
Maintenance Technician	N-OT/109	7
Administrative Assistant I	N-OT/109	1
Office Support Specialist	N-OT/107	1
Accounting Clerk	N-OT/106	1
Facility Support Technician	N-OT/106	7
Box Office Assistant	N-OT/105	1
	Total	**29**

FY 2021 Proposed		
Title	**FLSA/Paygrade**	**FTE**
Executive Director	E/132	1
Assistant Director of Civic Center	E/124	1
Sales and Marketing Manager	E/121	0
Facility Superintendent	E/116	1
Business Manager Civic Center	E/115	1
Senior Event Coordinator	N-COMP/114	1
Safety & Security Coordinator	E/112	1
Events Coordinator	N-COMP/112	1
Technology Services Coordinator	N-COMP/113	1
Box Office Manager	E/111	1
Engineering Assistant	N-OT/111	1
Maintenance Technician	N-OT/109	7
Administrative Assistant I	N-OT/109	1
Office Support Specialist	N-OT/107	0
Accounting Clerk	N-OT/106	1
Facility Support Technician	N-OT/106	5
Box Office Assistant	N-OT/105	1
	Total	**25**

FY 2020 Current Approved	
Pay Type	**Amount**
Elected Wages & Salaries	-
Regular Wages & Salaries	1,191,226
Irregular Part Time (IPT)	345,000
Overtime	52,000
Tool Allowance	-
Total	**1,588,226**

FY 2021 Proposed	
Pay Type	**Amount**
Elected Wages & Salaries	-
Regular Wages & Salaries	981,148
Irregular Part Time (IPT)	285,000
Overtime	40,000
Tool Allowance	-
Total	**1,306,148**

Projected Capital Equipment Acquisitions

		FY 2021				FY 2022	FY 2023
Unit #	**Equipment**	**Direct Purchase**	**Lease Purchase**	**New Lease Payment**	**Total Lease Payment[1]**	**Estimate**	**Estimate**
	Total	-	-	-	-	-	-

[1]Total Lease Payment includes all payments from outstanding lease purchase cycles that will be paid in FY 2021.

b. Resolution No. 347-20 - Authorizing the Mayor or City Manager to contract with The Health Plan of Wheeling, West Virginia, to act as the City's third-party administrator ("TPA") for the purpose of administering the City's new Health Savings Account ("HSA") program associated with Public Employees Insurance Agency's ("PEIA") PPB Plan C.

   Be it Resolved by the Council of the City of Charleston, West Virginia:

   The Mayor or City Manager is authorized to contract with The Health Plan of Wheeling, West Virginia, to act as the City's TPA for the purpose of administering the City's new HSA program associated with PEIA's PPB Plan C.

Storage added that as a part of the City's new subsidized health plan C through PEIA, Health Savings Accounts provide a great an easy to use payment and savings mechanism for covered employees. HSAs are paired with a third-party administrator to ensure program quality, continuity, and rule compliance. On behalf of the City, Assured Partners solicited quotes from various HSA TPA service providers. The 3 vendors provided quotes were from The Health Plan of Wheeling, PayFlex of Omaha, Nebraska and Health Equity of Draper, Utah. THP, while not the lowest of the TPA providers, offered a price that is in line with the market rate. THP is currently the City's TPA provider for the City's Legacy Plan, which will continue to be administered for retiree benefits. THP has a great working relationship with our City staff and will be able to take on these duties with no upstart costs or delays.

Councilmember Burton abstained from voting as he is employed by AssuredPartners.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative with 1 abstention, Chairperson Jenkins declared Resolution No. 347-20 approved.

Consumer Driven Accounts
City of Charleston

	The Health Plan	Health Equity	PayFlex
Set Up Fees	Waive	HSA: Waived FSA: $250	Waived
HSA Administration Fees	$3.50	Stand Alone HSA: $2.25 If added with FSA then the HSA fee would be $0.00 (FSA admin fee still applies)	$2.50
FSA Administration Fees	$4.00	$3.85	$4.00
Limited FSA Administration Fees	$4.00	$2.00	$4.00
Combined Fees	$6.50 HSA/FSA	HSA, FSA and LPFSA Combined Fees: $5.85	HSA & Limited FSA $6.50
Allows Investments	Yes	Yes	Yes
Provides Debit Card	Yes	Yes	Yes
Implementation Timeline	30 Days	30 Days	60-90 Days
Disclaimers: Information provided above is based off of AssuredPartners understanding of the proposals provided. If there is a discrepancy, the actual proposal will prevail.			

c. Resolution No. 348-20 - Authorizing the Mayor or City Manager to enter into a runout agreement with The Health Plan of Wheeling, West Virginia, to administer health claims processed on or after July 1, 2020, that are associated with active employee coverages pursuant to the City's legacy self-insured health benefits program. The authorized agreement is attached as Exhibit A.

Be it Resolved by the Council of the City of Charleston, West Virginia:

The Mayor or City Manager is authorized to enter into a runout agreement with The Health Plan of Wheeling, West Virginia, to administer health claims processed on or after July 1, 2020, that are associated with active employee coverages pursuant to the City's legacy self-insured health benefits program. The authorized agreement is attached as Exhibit A.

Storage added that the purpose of the agreement is to allow for the close out of any remaining claims that come in as the City begins its new active employee insurance plan July 1, 2020. The terms are simply an extension of the existing agreement the City has with THP. The per month per employee cost of administering runout claims will be the same as the current plan.

Councilmember Burton abstained from voting out of an abundance of caution.

Councilmember Jenkins moved to approve the Resolution. Councilmember Ceperley seconded the motion. With a majority of members present recorded thereon as voting in the affirmative with 1 abstention, the Mayor declared Resolution No. 348-20 adopted.

ADDENDUM TO ADMINISTRATIVE SERVICES AGREEMENT

The Employer **City of Charleston** shall pay THP Insurance Co., as Claims Administration Supervisor, the following fees for administrative services:

Claims Run-out Administration

THP Insurance Co. agrees to perform claims run-out administration, as outlined in Section I., C., of the Administrative Services Agreement between THP Insurance Co. and the Employer for claims with dates of services from **7/1/2019** through **6/30/2020** for the following run-out periods:

Medical Claims Run-out Period 7/1/2020-6/30/2021

- **Fee: $10.00 PEPM 7/1/2020-12/31/2020 (based on enrollment as of 6/1/2020)**
- **Applies only to Active Employees**

CITY OF CHARLESTON	**THP INSURANCE CO.**
BY:_____	BY: Kit H. Lugg
TITLE:_____	TITLE: SENIOR VICE PRESIDENT
DATE:_____	DATE: 6/10/2020

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Resolution No. 348-20 approved.

d. Bill No. 7873 - A BILL to amend the Municipal Code of the City of Charleston, as amended, by adding thereto a new section, designated Section 2-164, and by amending and reenacting Section 54-103, Section 66-65, and Section 86-105, all relating to prohibiting insurance subsidies for retirees who were hired on or after July 1, 2020.

WHEREAS, other post-employment benefits ("OPEB") refers to benefits, other than pensions, that a state or local government provides to retirees; and

WHEREAS, costs associated with OPEB, sometimes referred to as OPEB liability, provide a great strain on governmental budgets and negatively impact the credit rating of governmental entities; and

WHEREAS, the State of West Virginia decided to end health insurance subsidies for all retirees who were hired on or after July 1, 2010, in order to reduce its OPEB liability; and

WHEREAS, Kanawha County decided to end health insurance subsidies for all retirees who were hired on or after July 1, 1986, in order to reduce its OPEB liability; and

WHEREAS, the City of Charleston's underfunded OPEB liabilities have resulted in downgrades to the City's issuer and lease revenue ratings from certain credit ratings agencies; and

WHEREAS, ending the insurance subsidy for future employees upon their retirement will help provide long-term stability to the OPEB liability of the City and allow future administrations to make increased investment in the City of Charleston;

Now, therefore, be it ordained by the Council of the City of Charleston:

That the Municipal Code of the City of Charleston, as amended, is amended by adding thereto a new section, designated Section 2-164, and by amending and reenacting Section 54-103, Section 66-65, and Section 86-105, all to read as follows:

Chapter 2 – ADMINISTRATION.
ARTICLE IV. – OFFICERS AND EMPLOYEES.
DIVISION 2. – BENEFITS.

Sec. 2-164. End of insurance subsidy for retirees who were hired on or after July 1, 2020.

Notwithstanding any provision of this code or City policy to the contrary, the City of Charleston is hereafter prohibited from paying any subsidy or any portion of the cost of insurance coverage for retired employees whose most recent hire date is on or after July 1, 2020. The City of Charleston shall update all relevant policies to ensure that employees hired on or after July 1, 2020, are not eligible for a health insurance subsidy or contribution when they retire, but that the employee may elect to maintain health

insurance coverage and pay the entire premium without any subsidy from the City of Charleston.

Chapter 54 – FIRE PREVENTION AND PROTECTION.
ARTICLE II. – FIRE DEPARTMENT.
DIVISION 3. – VACATION, OTHER LEAVE, DUTY HOURS, AND CALCULATION OF OVERTIME PAY.

Sec. 54-103. - Sick leave.

(a) Beginning January 1, 2015, each uniformed member shall be entitled to and granted sick leave with full pay. Such leave shall accrue at the rate of eight hours credited on the last day of each month during which the member has worked or has had leave credited for one or more tours of duty.
(b) When a member hired before July 1, 2020, retires, the member will have the privilege of converting up to 144 hours of sick leave accrued under subsection 54-103(a) on or after January 1, 2012, or any remaining unused sick leave accrued prior to January 1, 2012, whichever is greater, to insurance benefits based on the formula of 24 hours for one month single coverage insurance premium or 36 hours for one month family coverage insurance premium. Any sick leave accrued by a member under subsection 54-103(a) on or after January 1, 2012, that is not converted to insurance benefits to the extent permitted by this section shall be forfeited effective as of the date of the member's retirement or separation from employment.
(c) Sick leave shall be granted for the following reasons:
(1) Illness on the part of or injury to the member, incapacitating him or her for duty.
(2) Illness in the immediate family, i.e. spouse, child, father, mother, sister, brother, father-in-law and mother-in-law, of such a critical nature as to require the presence of the member. This provision shall not be construed to cover absences for the purpose of nursing or caring for members of the immediate family not declared by the attending physician to be critically ill.
(3) Exposure to contagious diseases and subsequent determination by competent medical authority that such member's presence on duty might jeopardize the health of others.
(d) After the equivalent of half of the annual sick leave has been used by the member, the member shall provide the fire chief with a certificate from the attending physician setting forth the nature and duration of any of the conditions which would entitle him to sick leave as provided in subsection (c) of this section. Failure to provide such certificate satisfactory to the fire chief shall result in the member's not being granted sick leave with pay, and may subject the member to discipline for an unexcused absence.
(e) The city manager may, in his or her discretion and at the request of the fire chief, advance additional leave necessary to avoid substantial hardship to any member, provided that all other accrued vacation, sick and personal contingency leave shall have first been exhausted.

(f) The fire chief shall also have the right to investigate or cause to be investigated the alleged illness of any member and, for good cause shown, not only to deny sick leave but also to take proper disciplinary action against any feigner or abuser.
(g) In the event of an emergency, as declared by the mayor, an attending physician's excuse may be required for any days missed; and during the emergency, the mayor may suspend, in whole or in part, any sick leave or personal contingency leave as permitted by subsections (a) and (c) of this section.
(h) For purposes of this section, a medical provider shall include a licensed physician, surgeon, chiropractor, psychologist, or dentist.

Chapter 66 – LAW ENFORCEMENT.
ARTICLE II. – POLICE DEPARTMENT.
DIVISION 2. – DUTY HOURS, HOLIDAYS AND OTHER LEAVE.

Sec. 66-65. - Sick leave.

(a) Beginning January 1, 2015, each uniformed member shall be entitled to and granted sick leave with full pay. Such leave shall accrue at the rate of eight hours credited on the last day of each month during which the member has worked or has had leave credited for one or more tours of duty.
(b) When a member hired before July 1, 2020, retires, the member will have the privilege of converting up to 96 hours of sick leave accrued under subsection 66-65(a) on or after January 1, 2015, or any remaining unused sick leave accrued prior to January 1, 2015, whichever is greater, to insurance benefits based on the formula of 16 hours for one month single coverage insurance premium or 24 hours for one month family coverage insurance premium. Any sick leave accrued by a member under subsection 66-65(a) on or after January 1, 2015, that is not converted to insurance benefits to the extent permitted by this section shall be forfeited effective as of the date of the member's retirement or separation from employment.
(c) Sick leave shall only be granted for the following reasons:
(1) Illness on the part of or injury to the member, incapacitating him for duty.
(2) Illness in the immediate family, i.e. husband, wife, child, father, mother, sister, brother, father-in-law and mother-in-law, of such a critical nature as to require the presence of the member. This provision shall not be construed as to cover absences for the purposes of nursing or caring for immediate family members not declared by the attending physician to be critically ill.
(3) Exposure to a contagious disease and subsequent determination by competent medical authority that the member's presence on duty might jeopardize the health of others.
(d) A member shall be required to furnish to the chief of police a certificate from the attending physician for all consecutive days of sick leave granted beyond three working days.
(e) After the equivalent of half of annual sick leave has been used in single-day events, a member shall furnish documentation from a physician or other medical provider

establishing reason for relief from duty for use of additional sick leave for single-day events.
(f) In cases of emergency, the chief of police may, at his discretion, grant advance sick leave up to 240 hours beyond that accumulated provided that all regularly earned sick and vacation leave has been used.
(g) The chief of police shall otherwise have the right to investigate or cause to be investigated the alleged illness of any member and, for good cause shown, to not only deny sick leave but also to take proper disciplinary action against any feigner or abuser.
(h) In the event of any emergency, as declared by the mayor, an attending physician's excuse may be required for any days missed; and, further, during such emergency, the mayor may suspend, in whole or in part, any sick leave as permitted by subsection (c) of this section.

Chapter 86 – PERSONNEL MANAGEMENT AND PRACTICES.
ARTICLE II. – NON-UNIFORMED PERSONNEL.
DIVISION 1. – PERSONNEL RULES AND ADMINISTRATIVE POLICIES ESTABLISHED.

Sec. 86-105. - Sick leave.

(a) *Sick leave accruals*: Full-time employees shall accrue sick leave with pay on the basis of eight hours for each calendar month of service. Sick leave shall accrue on the last day of each month. Part-time, seasonal, part-time elected, and certain appointed positions shall not accrue sick leave.
(b) *Maximum accrual*: Employees shall be permitted to carry over from year to year an unlimited amount of any unused sick leave.
(c) *Transfer/promotion*: Promotion, transfer or reassignment does not affect sick leave accrual or the amount of accrued by unused sick leave.
(d) *Separation*: Upon separation of employment other than retirement, all sick leave accrued by an employee shall be forfeited as of his or her last working day with the city. Consistent with this Code and the Personnel Rules and Administrative Policies, employees hired before July 1, 2020 who retire will be eligible to convert accrued but unused sick leave accrued into City health insurance benefits or credit for months of service in accordance with state law and West Virginia Public Employees Retirement System guidelines. Under no circumstances shall employees be paid accrued but unused sick leave upon separation.
(e) *Advance of sick leave*: In cases of emergency or in unforeseen circumstances, the city manager may, at his discretion and on a case-by-case basis, approve an advance of sick leave up to 240 hours provided that all accrued sick leave and vacation have been exhausted. Any employee who receives a sick leave advance shall be required to agree in writing to resolve any deficit in accrual resulting from the advance under terms and conditions approved by the city manager.

Storage added that OPEB stands for Other-post Employment Benefits and does not include retirement pensions. Principally, OPEB costs are associated with Employer subsidized healthcare costs upon retirement. The purpose of the bill is to align the City's OPEB liability policies with those of the County and the State. The City has a crushing OPEB liability. As it stands right now, the City's unfunded liability stretches beyond $300 million. This long-term debt must be carried on the City's books as a substantial liability. Up to this point, the City has taken no direct action to diminish it. The prior administration did take substantial action to address unfunded police and fire pensions, but nothing was done about OPEB liability. The City's large OPEB debt is a part of frequent discussions with the City Treasurer, outside auditors, and independent municipal bond assessors as a topic of concern. The Kanawha County Commission addressed this issue in 1986, and because of the Commission's action, it has negligible OPEB liabilities. The State of West Virginia addressed this in 2010. Any person hired by the City on or after July 1, 2020 will not receive a healthcare subsidy upon retirement. This is effectively already in place with the PEIA plans.

Councilmember Jenkins added that this will catch the City up with what many other municipalities, count and state governments have already done. He confirmed with Storage that if an employee retires and is hired under a different position, there hire date would reset and would be considered a new hire.

Councilmember Reishman moved to approve the Resolution. With a majority of members present recorded thereon as voting in the affirmative, Chairperson Jenkins declared Bill No. 7873 approved.

Councilmember Reishman motioned to adjourn the meeting.

Meeting adjourned.

Resolution No. 350-20

Introduced in Council: Adopted by Council:

July 6, 2020 _____

Introduced by: Referred to:

Joseph Jenkins Finance

Resolution No. 350-20 – Authorizing the Mayor or City Manager to purchase Bituminous Concrete (asphalt) from WV Paving, Inc. on an as needed basis at $76.50 per ton for Wearing Course Material Type 1; and $73.25 per ton for Patching and Leveling Material Type 1 to be used by the Public Works Department, as the result of a competitive bidding process.

Be it Resolved by the Council of the City of Charleston, West Virginia:

The Mayor or City Manager is authorized to purchase Bituminous Concrete (asphalt) on an as needed basis at $76.50 per ton for Wearing Course Material Type 1; and $73.25 per ton for Patching and Leveling Material Type 1 to be used by the Public Works Department, as the result of a competitive bidding process.

Bituminous Concrete for Public Works

Project No. 2020-014

Bid Opening: June 24, 2020 @ 11:00am

	WV Paving, Inc. 2950 Charles Avenue Dunbar, WV 25064 P: (304) 768-9733 rjohnson@wvpaving.com		
Wearing Course Material Type I, Item 401-2-1	$76.50 per ton		
Patching and Leveling Type I, Item 401-3-1	$73.25 per ton		
Successful Bidder	✓		

Resolution No. 351-20

Introduced in Council:	Adopted by Council:
July 6, 2020	
Introduced by:	Referred to:
Joseph Jenkins	Finance

Resolution No. 351-20 – Authorizing the Mayor or City Manager to purchase Portland Cement (concrete) from Hanson Ready Mix to be used by the Public Works Department on an as needed basis at the prices listed on the attached tabulation sheet, as the result of a competitive bidding process.

Be it Resolved by the Council of the City of Charleston, West Virginia:

The Mayor or City Manager is authorized to purchase Portland Cement (concrete) from Hanson Ready Mix to be used by the Public Works Department on an as needed basis at the prices listed on the attached tabulation sheet, as the result of a competitive bidding process.

Portland Cement Concrete for Public Works

Project No. 2020-16

Bid Opening: June 24, 2020 @ 11:00am

	Hanson Ready Mix 1105 9th Street Vienna, WV 26105 P: (304) 485-2191 Bradley.Rucker@lehighhanson.com		
(a) Full Load (unload in 30 minutes or less), per cubic yard, delivered to job site:			
Class A 3500# Concrete	$136.00		
Class B 3500# Concrete	$136.00		
Class C 2500# Concrete	$131.00		
Class D 2000# Concrete	$125.00		
Controllable Low Strength Material	$107.00		
(b) Partial Load Charge (if applicable)	$100.00		
(c) Unloading Charge past 30 minutes	$85.00		
(d) Cost of Adding Fiber to Concrete	$6.50		
Fuel Surcharge	$15.00		
Successful Bidder	✓		

Portland Cement Concrete for Public Works

Project No. 2020-16

Bid Opening: June 24, 2020 @ 11:00am

	Hanson Ready Mix		
(a) Full Load (unload in 30 minutes or less), per cubic yard, delivered to job site:			
Class A 3500# Concrete	$136.00		
Class B 3500# Concrete	$136.00		
Class C 2500# Concrete	$131.00		
Class D 2000# Concrete	$125.00		
Controllable Low Strength Material	$107.00		
(b) Partial Load Charge (if applicable)	$100.00		
(c) Unloading Charge past 30 minutes	$85.00		
(d) Cost of Adding Fiber to Concrete	$6.50		
€ Fuel Surcharge	$15.00		
Local Vendor Preference (4%)			
Successful Bidder with Local Preference Consideration			

Resolution No. 352-20

Introduced in Council: July 6, 2020

Introduced by: Joseph Jenkins

Adopted by Council:

Referred to: Finance

Resolution No. 352-20 – Authorizing the Mayor or City Manager to purchase road salt from Cargill, Inc. to be used by the Public Works Department on an as needed basis for snow and ice removal in the amount of $71.71 per ton, as the result of a competitive bidding process with local vendor preference consideration.

Be it Resolved by the Council of the City of Charleston, West Virginia:

The Mayor or City Manager is authorized to purchase road salt from Cargill, Inc. to be used by the Public Works Department on an as needed basis for snow and ice removal in the amount of $71.71 per ton, as the result of a competitive bidding process with local vendor preference consideration.

Purchase of Road Salt for the Street Department

Project No. 2020-013

Bid Opening: June 24, 2020 @ 11:00am

	Cargill, Inc.	Morton Salt, Inc.
	24950 Country Club Blvd., Suite 450	444 West Lake Street, Suite 3000
	North Olmsted, OH 44070	Chicago, IL 60606
	P: (800) 600-7258	P: (855)665-4540
	Salt_CusomerCareRoadSafety@Cargill.com	buyroadsalt@mortonsalt.com
Price Per Ton	$71.71	74.58
Successful Bidder	✓	

Purchas

	Cargill, Inc.
Price Per Ton	$71.71
Local Vendor Preference (4%)	
Successful Bidder with Local Preference Consideration	

e of Road Salt for the Street Department

Project No. 2020-013

Bid Opening: June 24, 2020 @ 11:00am

Compass Minerals America Inc.	Government MLO Supplies USA, Inc.
$71.32	$109.00

No Addendum

No Addendum

Morton Salt, Inc.
74.58

Resolution No. 353-20

Introduced in Council: July 6, 2020

Introduced by: Joseph Jenkins

Adopted by Council: _____

Referred to: Finance

Resolution No. 353-20 – Authorizing the Mayor or City Manager to purchase various classes and sizes of aggregate from Shamblin Stone, Inc. at the prices listed on the attached tabulation sheet, as the result of a competitive bidding process. The aggregate will be used by the Public Works Department on projects undertaken throughout Fiscal Year 2020-2021.

Be it Resolved by the Council of the City of Charleston, West Virginia:

The Mayor or City Manager is authorized to purchase various classes and sizes of aggregate from Shamblin Stone, Inc. at the prices listed on the attached tabulation sheet, as the result of a competitive bidding process. The aggregate will be used by the Public Works Department on projects undertaken throughout Fiscal Year 2020-2021.

Aggregate for Public Works

Project No. 2020-015

Bid Opening: June 24, 2020 @ 11:00am

	Shamblin Stone, Inc. 70 Dunbar Avenue Dunbar, WV 25064 P: (304) 766-7318 tmattox@wvpaving.com		
River Gravel:			
River Gravel #57	$28.20		
Masonry Sand	$25.65		
Dry Bed	$22.45		
Limestone:			
#2	No Bid		
#3	$26.05		
#57	$26.05		
#67	$26.75		
1 1/2" Crusher Run	$25.55		
#467	$26.05		
Plant Location Address:	70 Dunbar Avenue, Dunbar, WV		
Successful Bidder	✓		

Resolution No. 354-20

Introduced in Council: July 6, 2020

Introduced by: Joseph Jenkins

Adopted by Council:

Referred to: Finance

Resolution No. 354-20 – Authorizing the Mayor or City Manager to enter into an agreement with MSW Consultants in the amount of $35,300.00, for a feasibility study for the Recycling Program, as the result of a competitive bidding process.

Be it Resolved by the Council of the City of Charleston, West Virginia:

The Mayor or City Manager is authorized to enter into an agreement with MSW Consultants in the amount of $35,300.00 for a feasibility study for the Recycling Program, as the result of a competitive bidding process.

Feasibility Study for the Recycling Program

Project No. 2020-011

Bid Opening: June 15, 2020 @ 11:00am

		New/Gen Strategie and Solutions, LLC	**MSW Consultants**	**GT Environmental, Inc**
		8140 N Mopac Expy, Bldg 1, Ste 240	11875 High Tech Ave, Ste 150	2400 Corporate Exchange Dr. Ste 150
		Austin, TX 78759	Orlando, FL 32817	Columbus, OH 43231
		P: (512) 649-1254	p: (407) 380-8951	P: (614) 794-3570
		dyanke@newgenstrategies.net	jculbertson@mswconsultants.com	Rhansen@gtenvironmental.com
CRITERIA	Points Possible			
Cost Estimate	0-20	20	18	10
Proven ability to successfully meet all project milestones and complete project by contract deadline.	0-40	40	35	40
Experience in conducting Feasibility Studies.	0-20	12	19	15
Experience with Waste Management and Recycling Projects.	0-10	6	10	9
References from projects completed in the last five years.	0-10	10	10	10
Total Points	**100**	**88**	**92**	**84**
Project Total		$34,840.00	$35,300.00	$49,900.00
Project Completion		75	90	90
Successful Bidder			✓	

Resolution No. 355-20

Introduced in Council:	Adopted by Council:
July 6, 2020	
Introduced by:	Referred to:
Joseph Jenkins	Finance

Resolution No. 355-20 – Authorizing the Mayor or City Manager to enter into an agreement with Bear Contracting LLC in the amount of $1,471,800.00, for the City's Street Paving Project, as the result of a competitive bidding process with local vendor preference consideration.

Be it Resolved by the Council of the City of Charleston, West Virginia:

The Mayor or City Manager is authorized to enter into an agreement with Bear Contracting LLC in the amount of $1,471,800.00, for the City's Street Paving Project, as the result of a competitive bidding process with local vendor preference consideration.

Road Paving June 2020

Project No. 2020-017

Bid Opening: June 29, 2020 @ 11:00am

	Bear Contracting LLC	**WV Paving**	**MR Asphalt, Inc.**
	PO Box 1196	2950 Charles Avenue	148 Hunters Cove
	Bridgeport, WV 26330	Dunbar, WV 25064	Charleston, WV 25320
	P: (304) 326-0160	P: (304) 768-9733	P: (304) 988-3789
	murso@bear-contracting.com	ben.bragg@wvpaving.com	mrasphaltboggess@aol.com
Project Total	$1,471,800.00	$1,518,160.00	$1,593,900.00
Local Vendor Preference (4%)	(5,000.00) $1,466,800.00	(5,000.00) $1,513,160.00	(5,000.00) $1,588,900.00
Successful Bidder with Local Preference Consideration	✓		

Resolution No. 356-20

Introduced in Council:	Adopted by Council:
July 6, 2020	
Introduced by:	Referred to:
Joseph Jenkins	Finance Committee

Resolution No. 356-20- Authorizing settlement of pending disputed claims against the City in the matter known as Freda Gilmore v. City of Charleston, et al., Civil Action No. 2:20-cv-00022 in the United States District Court for the Southern District of West Virginia, as recommended by the City Solicitor.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That the City Council hereby authorizes and approves the settlement of pending disputed claims against the City by Freda Gilmore, as contained in Civil Action No. 2:20-cv-00022 in the United States District Court for the Southern District of West Virginia, in the amount of $80,000, as recommended by the City Solicitor. The City Council acknowledges that the settlement funds for Ms. Gilmore will be placed in trust for her benefit. The City Council authorizes the City Solicitor and City Manager to take all necessary steps to finalize resolution of the claims.

Resolution No. 357-20

Introduced in Council:	Adopted by Council:
July 6, 2020	
Introduced by:	Referred to:
Mary Beth Hoover	Finance

Resolution No. 357-20 - Authorizing the Mayor and City Manager to take all necessary steps to loan or donate the Kanawha Riflemen Memorial monument to the Craik-Patton House museum, the West Virginia State Museum, or another West Virginia history museum where it can be preserved and presented in historical context and requesting the Charleston Historic Landmarks Commission to prepare a proposal to the City regarding a new monument and other historical markers necessary to present the history of Ruffner Park in a historically accurate manner.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor and City Manager are authorized to take all necessary steps to loan or donate the Kanawha Riflemen Memorial monument to the Craik-Patton House museum, the West Virginia State Museum, or another West Virginia history museum where it can be preserved and presented in historical context.

And that the Charleston Historic Landmarks Commission is requested to prepare a proposal to the City regarding a new monument and other historical markers necessary to present the history of Ruffner Park in a historically accurate manner.