



## City Meeting/Work Session Minutes

Tuesday, December 12, 2023, 5:30pm

In-Person & YouTube Audio/Visual Conference

### **CALL MEETING TO ORDER**

The City Meeting of the City of District Heights was held on Tuesday December 12, 2023, In-person and YouTube Live broadcast. Mayor Miller called the meeting to order at 5:37 p.m.

### **QUORUM**

In attendance were Mayor Miller, Vice Mayor Harcourt, Comr. Janifer and Comr. Tilghman. Comr. Gomez arrived at 6:35pm. Also in attendance were David Street – City Manager, Starr Jefferson –City Clerk, Ronald Tarpley – Chief of Police, Cecelia Smith-Budd – Staff Accountant, Bradley Farrar – City Attorney, Michelle Watkins -Code Enforcement Supervisor, Lakeesha Washington -PW Deputy Director, Teresa Williams – Recreation Department Asst. Director

### **AGENDA ACCEPTANCE**

Vice Mayor Harcourt moved to approve the agenda for the December 12, 2023, City Meeting/Work Session and was seconded by Comr. Tilghman The motion passed a 3-0-1 vote (Comr. Gomez absent, MM abstained).

### **PUBLIC PARTICIPATION**

None

### **PRESENTATIONS:**

2023-2026 Ethics Commission Swearing Ceremony, Mayor Cynthia Miller

Susan Clark -Chair

Dianna Matthews - Secretary

Edwin Green

Bernice McCullough

Ron Waters

Catherine Williamson – Alternate

### **PEPCO: Grove to Talbert Transmission Rebuild Project**

Tony Ruffin, External Affairs Manager (PEPCO) presented to the Commission and residents the plans to rebuild 10.2 miles of critical transmission lines between Oak Grove substation in Upper Marlboro and Talbert substation in Brandywine by using updated technology.

The existing 230V transmission lines were originally built in 1968. The aging infrastructure is due for modernization to ensure continued resiliency. Concerns of increasing storm frequency and intensity is also addressed in the modernization.

There is no expected loss of service or cost incurred by the city.  
The project is expected to begin in June 2024.

### **INFORMATION ITEMS:**

Legislative Outlook: LA Perez

Tony Perez addressed the City Commission and residents to recap the legislative progress of the City of District Heights and introduced integral members of his team. Mr. Perez shared that the city financially saved approximately \$3,000 per month with Health Care changes through Kaiser Permanente.

Mr. Perez thanked District Heights and the Commission for its support of legislation to support zoning opportunities.

Dr. Renee Alston recapped the training done with City staff on identifying and securing grant opportunities and detailed the efforts of an RFQ for District Heights to work with a food distribution partner.

Mr. Perez informed that he and Dr. Alston were seeking K9, and equipment grants currently for the Police Department and encouraged the City and Department Heads to continue to review research funding opportunities.

### **CONSENT AGENDA**

David Street introduced the Consent Agenda Items to the Commission. The following 5 items were passed in the motion to approve the consent agenda:

Item 1 – City Holiday Calendar – Including the day before Thanksgiving as a half day.

Item 2 – Commission Chambers AV and Technology Update – A long overdue update to the meeting technology used for the City Meetings

Item 3 – TYMCO Sweeper – Using an existing contract of the Sheriff Association project in Virginia to obtain better pricing. The Sweeper will be purchased using ARPA dollars through a spending plan and include In-person training at the manufacturers facility to operate and maintain the equipment.

Item 4 – Approval of City Meeting Minutes 10/10/23 WS, 10/24/23 WS, 11/2/23 CM and 11/14/23 WS

Item 5 – Surplus of 2 Public Works Vehicles that are costly to maintain.

Vice Mayor Harcourt moved to approve the consent agenda for the December 12, 2023, City Meeting/Work Session.

Commissioner Janifer seconded the motion which carried a 4 -0- vote (Comr. Gomez absent).

### **DEPARTMENT REPORTS**

#### **Public Works- Lakeesha Washington, Deputy Director**

Vice Mayor Harcourt asked the Deputy Director of Public Works to address the plans for scheduling street sweeping.

Lakeesha Washington indicated that the department hopes to sweep city streets at least bi-weekly.

Commissioner Janifer inquired about the surplus items, whether they would be sold or go to auction. City Manager, David Street expressed that goal would be to

Report submitted.

**Treasury – Ceceila Smith Budd, Staff Accountant**

Commissioner Tilghman – Inquired why the grants receivable is at 0.00

Ms. Smith Budd explained that a \$0 grant amount indicated that the funds haven't been received. There is a strict process about how the grants are distributed. The grants are awarded and then issued based upon grant documents.

Report submitted.

**Human Resources – Nikki Pancho, Manager of HR**

Commissioner Tilghman inquired whether the job postings on the City website were still available and if not, could the Media Coordinator have them removed and the job postings updated.

Report submitted

**Senior Center – Katrina Polk, Director of Senior Services**

Report Submitted

**General Government – David Street, City Manager**

Report submitted.

**Code Enforcement Report- Michelle Watkins**

Report submitted.

**Police Department Report – Chief Ronald Tarpley**

Report submitted.

**Youth Services Bureau “YSB Report”- Ms. Katrina Emerson, Director of YSB**

Report submitted.

**ACTION ITEMS:**

**Action Item 6 -Contract Award: Design/Build Contract for Fiesta Place**

The City received 2 responsive bids on the design/build contract.

The total possible score was 105 and the staff recommended bidder scored the highest at 86 points.

City Manager, David Street shared with the Commission and residents that the contract redesigned itself as a design build contract and is employed by the same firm for architectural, design & construction services.

Commissioner Gomez arrived and elaborated on the RFP process that allowed Fiesta Gardens group to determine which contract was preferred.

City Manager, David Street shared the goal of delivery for the construction and completion in August 2024.

Commissioner Gomez moved that the City Commission approve the bid from DesignGreen LLC for Fiesta Place Gathering Place Design and Construction Services as provided in Attachment 1 and direct the City Manager to finalize and execute a contract not to exceed \$350,000, which was seconded by Commissioner Janifer and carried a 5-0 vote.

Vice Mayor Harcourt inquired about the final requirements needed before construction could begin. Mr. Street explained that Public Works Deputy Director, Lakeesha Washington had a site survey scheduled and upon the findings, would return to the Commission with the details of the findings and potential recommendations.

#### **Action Item 7 – Ordinance Introduction: Personnel Ordinance DH23-07**

City Manager, David Street and City Attorney, Bradley Farrar presented to the Commission and residents a new Ordinance which formalizes the setting and resourcing role of the Commission, the administrative role of the City Manager, and the operational role of the Office of Human Resources. Further, the proposed ordinance includes HR as a permanent City function/office taken together as a first step towards a collective bargaining environment.

Vice Mayor Harcourt shared concern that there was lack of language specifically for the Police Department.

City Attorney Bradley Farrar expressed that the missing component in the proposed Ordinance was that the Charter gives the Commission absolute authority over the Personnel system and that nuance needed to be taken up with the Charter Committee prior to moving forward to that a holistic approach in agreement with the Charter could be ensured.

Vice Mayor Harcourt noted that 13-4 Section D in the proposed Ordinance conflicted with the Charter. Mr. Farrar agreed.

Mr. Farrar suggested that the Charter Committee should take up the Personnel system and consider bifurcating the system, one for the general staff and one for the Police Department.

Commissioner Janifer suggested to Mr. Farrar that he might be able to provide the language necessary to the Charter Committee to review.

Additional discussion ensued.

Mr. Street requested that the Charter Committee be tasked with building out the high level/ executive office duties and responsibilities to include City Manager, Treasurer, Clerk and Police Chief.

Commissioner Tilghman moved to table the item and was seconded by Commissioner Janifer which carried a 5-0 vote.

Commissioner Gomez moved to refer the Personnel Systems matter to the Charter Committee which was seconded by Vice Mayor Harcourt and carried a 5-0 vote.

Mr. Street requested a clarification of the time frame the Commission wished to provide to the Charter Committee.

60 days was the consensus.

Mayor Miller inquired when the Charter Committee had its regularly scheduled meetings.

Mrs. Lou Williams, the Chair of the Charter Committee, informed the Commission that the committee's meetings are held the second Monday of each month.

Commissioner Gomez amended her motion and moved to refer the Personnel Systems matter to the Charter Committee to report back to the Commission within 60 days, which was seconded by Vice Mayor Harcourt and carried a 5-0 vote.

## **Action Item 8 – General Workforce Pay System**

David Street and Nikki Pancho reviewed the approval of the City's ununiformed staff where they Commission approved DMV Market, 110% pay of that market with a Step and Grade system.

Human Resources Manager, Nikki Pancho requested the opportunity to review the proposed tables and pay scales as related to approved job descriptions.

Commissioner Gomez proposed approving the Step and Grade system and returning at a later date to approve job descriptions.

Vice Mayor Harcourt confirmed that the Commission had already approved the DMV market at 110%

Discussion ensued on whether to set up the pay scales and implement them at the same time.

City Manager, David Street offered the Commission their options of allowing Human Resources to go through each individual position or to run a process based on years of service.

Commissioner Tilghman agreed with Vice Mayor Harcourt that delaying the implementation of the findings of the pay study was least desirable.

Human Resources Director, Chris Lawson, offered the importance of the Commission including the performance reviews and not just years of service for the initial placement of employees into their steps and grades.

Vice Mayor Harcourt suggested that 'desk audits' would be helpful in assisting Human Resources drill down into the unique job duties held by various staff members.

Commissioner Janifer suggested approving Tables 1 and 2 as presented in the item in the interim while Human Resources conducted the 'desk audits'.

Commissioner Janifer moved to approve Table 1. General Workforce Pay System and Table 2. General Workforce Step and Grade as presented in the item for the Pay Parity Study. Commissioner Janifer seconded the motion which carried a 4-0-1 vote (MM abstained).

Vice Mayor Harcourt moved to allow Human Resources 90 days to compile job descriptions which will be entered into the newly approved pay scale system.

Additional discussion ensued.

City Attorney, Bradley Farrar emphasized that the Charter is clear. The Commission is responsible for the personnel system.

Additional discussion ensued.

Vice Mayor Harcourt amended his initial motion and moved to provide Human Resources 90 days to update job descriptions and provide the Commission and additional 30 days after receipt to review; the entire period not to exceed 120 days which was seconded by Commissioner Tilghman which carried a 4-0-1 vote (MM abstained).

## **Action Item 9 – Economic Development: Municipal Growth Area D**

David Street presented to the Mayor and Commission Council District 6 and 7. The area is comprised of approximately 500 acres which consists of the area east of the City's current boundary to Ritchie Road and continues along Ritchie Road to Walker Mill Road. The subject area includes the proposed annexation of Walker Mill Road to complete the northern boundary to the City. Zoning in the area predominantly consists of RSF-95, RSF-65, ROS, and a small section of IE at the intersection of Walker Mill and Ritchie Roads. The area consists of approximately 6.5 miles of roadway.

Vice Mayor Harcourt inquired whether the gifted areas of Walker Mill Park were eligible for development and who would be responsible for its maintenance. Mr. Street opined that the County would remain responsible for the parks maintenance.

Commissioner Tilghman moved that the City Commission adopt Municipal Growth Area D, Lower Half as shown in Figure 3 and direct staff to conduct a fiscal analysis on the cost for service delivery for that area, which was seconded by Commissioner Gomez and carried a 4-0-1 vote (MM abstained).

#### **Action Item 10 – Section 204: Proposed Fencing Regulations**

Michelle Watkins presented to the Commission a proposal for new fencing regulations, highlighting the inclusion of definitions providing clarity on fence location.

The new ordinance also provides for an appeal process.

The ordinance removes the City's reliance on amendments to BOCA and creates a standalone section specific to residential fences.

Ms. Watkins highlighted the residential fence administrative variance process. The processes was created to allow for privacy fences in qualifying rear yards, subject to a review and inspection process.

Additionally, the ordinance allows for the city to address legal and non-legal fences within the city.

Vice Mayor Harcourt moved that the City Commission introduce Ordinance DH-2023-08 Sec. 204: Fences and forward the ordinance to the last Work Session in January 2024, which was seconded by Commissioner Janifer and carried a 4-0-1 vote (MM abstained).

#### **MAYOR AND COMMISSION COMMENTS/REPORTS**

David Street announced the Senior Center finally passed its Fire Inspection

Commissioner Tilghman announced the city's Christmas Party on Saturday December 16<sup>th</sup> 12pm-2pm and also announced Santa is Coming to Town 5pm-8pm

Commissioner Gomez Christmas Caroling December 23<sup>rd</sup> at 2:15pm

Commissioner Gomez moved to suspend the Rules of Procedure to allow the Union Representative 3 minutes to address the Commission and was seconded by Commissioner Tilghman and carried a 4-0-1 vote (MM abstained).

Vice Mayor Harcourt moved that the Commission go into recess from December 13<sup>th</sup> and return on January 4, 2024 for the City Meeting and was seconded by Commissioner Janifer which carried a 4-0-1 vote (MM abstained).

#### **ADJOURNMENT**

Commissioner Tilghman moved to adjourn the City Meeting. Commissioner Gomez seconded the motion which carried a 4-0-1 vote (MM abstained).

The City Meeting adjourned at 10:20 pm.

Respectfully submitted,

Starr Jefferson  
City Clerk