

ARTICLE VII

PERSONNEL

Section 701. City Manager

The Commission of the City of District Heights may appoint a City Manager who shall serve at the pleasure of the Commission. The compensation of the City Manager shall be determined by the Commission. The City Manager shall be responsible for the day to day operations of the City government and shall be responsible for carrying out the policies determined and approved by the Commission. The City Manager shall attend Commission meetings and may take part in the discussion, but he or she shall not have a vote. The City Manager shall perform such other duties as may be prescribed by this Charter or required by the Commission, not inconsistent with this Charter.

Section 702. Clerk to the Commission

The Commission shall appoint a City Clerk who shall serve as Clerk to the Commission. The Clerk shall serve at the pleasure of the Commission, and the compensation of the Clerk shall be determined by the Commission. The Clerk shall attend meetings of the Commission and keep a full and accurate account of the proceedings of the Commission. The Clerk shall serve as custodian of all official City records. He or she shall keep such other records and perform such other duties as may be required by this Charter or the Commission.

Section 703. City Treasurer

The Commission shall appoint a City Treasurer who shall be the chief financial officer of the City and who shall perform the duties described in Article VI of this Charter. The Treasurer shall serve at the pleasure of the Commission, and the compensation of the Treasurer shall be determined by the Commission.

Section 704. City Attorney

The Commission may appoint a City Attorney. The City Attorney shall serve at the pleasure of the Commission and his or her compensation shall be determined by the Commission. The City Attorney shall be a member of the bar of the Maryland Court of Appeals. The City Attorney shall be the legal advisor of the City and shall perform such duties in this connection as may be required by the Commission. The City shall have the power to employ such legal consultants as it deems necessary from time to

time.

Section 705. City Engineer

The Commission may appoint a City Engineer. The City shall have the power to employ such other engineering consultants as it deems necessary from time to time. The Engineer shall serve at the pleasure of the Commission, and the compensation of the Engineer shall be determined by the Commission.

Section 706. Authority to Employ Personnel

The Commission shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other State law and to operate the City government.

Section 707. Appointments

The Commission shall appoint the heads of all offices, departments, and agencies of the City government including offices, departments, and agencies not specifically described in this Charter. All office, department, and agency heads shall serve at the pleasure of the Commission unless otherwise provided in this Charter. All subordinate officers and employees of the City government shall be hired and removed by the Commission in accordance with the rules and regulations of any merit system which may be adopted by the Commission, to the extent those rules and regulations are applicable to the subordinate officer or employee.

Section 708. Merit System

The City may provide by ordinance for appointments and promotions in the administrative service on the basis of merit and fitness. To carry out this purpose the Commission shall have the power to adopt such rules and regulations governing the operation of a merit system as it deems desirable or necessary. Among other things these rules and regulations may provide for competitive examinations, the use of eligibility lists, a classification plan, a compensation plan, a probation period, an appeal procedure for employees who are disciplined, and vacation and sick leave regulations.

Section 709. Unclassified and Classified Service

(a) The civil service of the City shall be divided into the unclassified and classified service.

(b) The unclassified service shall comprise the following offices and positions, which shall not be included within the merit system:

- (1) The Mayor, the Commission and persons appointed to fill vacancies in these positions.
- (2) The City Manager, the City Clerk, the City Treasurer, the City Attorney, and the City Engineer.
- (3) The heads of all offices, departments, and agencies and members of City boards and commissions.
- (4) Part-time, temporary, and unpaid offices and positions.

(c) The classified service shall comprise all positions not specifically included by this section in the unclassified service. All offices and positions included in the classified service shall be subject to any merit system rules and regulation which may be adopted.

Section 710. Public Ethics

Pursuant to State law, the Commission shall adopt by ordinance a Code of Ethics for City officials and procedures for enforcement.

Section 711. Retirement System

The City shall have the power to include its officers and employees within any retirement system or pension system and to pay the employer's share of the cost of any such retirement or pension system out of the general funds of the City.

Section 712. Compensation of Employees

The compensation of all officers and employees of the City shall be set from time to time by an ordinance passed by the Commission.

Section 713. Employee Benefit Programs

The City is authorized and empowered to provide for or participate in hospitalization or other forms of benefit or welfare programs for its officers and employees, and to expend public monies of the City for such programs. Such programs shall be enacted by ordinance.