



The City of Glenarden
Special Regular Meeting (Virtual)
Tuesday, January 25th, 2022, at 6:00 PM
Minutes

Attendees:

Council President – Derek D. Curtis, II
Council Vice President – Angela D. Ferguson
Councilwoman – Erika L. Fareed
Councilwoman – Kathleen J. Guillaume
Councilman – Maurice A. Hairston
Councilman – James A. Herring
Councilwoman – Robin Jones

Additional Guest:

Acting Chief – Captain Wayne Jackson
Human Resources – Karen Shoultz

- Called to Order at 6:00 PM
- Invocation led by Vice President Angela D. Ferguson
- Roll Call
 - Council President – Derek D. Curtis, II – Present
 - Council Vice President – Angela D. Ferguson – Present
 - Councilwoman – Erika L. Fareed – Present
 - Councilwoman – Kathleen J. Guillaume – Absent
 - Councilman – Maurice A. Hairston – Present
 - Councilman – James A. Herring – Present
 - Councilwoman – Robin Jones – Present**6 Present, 1 Absent**
- Motion to Adopt Agenda
 - Council President Derek D. Curtis to adopt the agenda – Second by Vice President Angela D. Ferguson.
- Discussion

- **President Curtis** – Request to omit/table the vote for Regis Bryant for Chief of Police from the agenda.
- **President Curtis** – Request to add the vote to appoint Dayan Dean Stewart as City Treasurer to the agenda.
 - **R. Jones** – Has the background check been completed on Mr. Stewart?
 - **President Curtis** – We are currently waiting on a response; Mr. Stewart has taken his fingerprints and background there is just a delay. Mr. Stewart will not start in an official capacity until those items are received, however, it should be noted that he is still even without said items being returned yet acting in capacity as treasurer, there is no change in his status. It should be also noted that a background check has also been completed by Robert Half prior starting as the Acting Treasurer for the City of Glenarden.
 - **J. Herring** – Councilman Herring has concerns as he thought the background check was already done. Even though a background check took place with Robert Half, the candidate should still undergo an official screening from the City of Glenarden before we move forward. While Mr. Stewart is operating in an acting capacity as the City Treasurer, any liability would fall under Robert Half. The city needs to follow proper protocol. If we vote on this and bring him onboard without doing a background check, what is the liability on our part is something happens? This questioning is in reflection of the candidate, however proper protocol needs to be followed regarding the background checks, fingerprinting, and drug screening before onboarding.
 - **President Curtis** – President Curtis understands Councilman Herring's concerns and ensures Mr. Stewart will not start in an official capacity until the complete screening packet is reviewed and approved. Also, Mr. Stewart will not technically be an official employee of the City of Glenarden until his contract is bought out from Robert Half.
 - **Vice President Ferguson** – To clarify today we are just taking a vote to approve the appointment pending satisfaction of the employment

screening. Mr. Stewart will not be working for the City of Glenarden on payroll until completion of the screening process?

- **President Curtis** – Correct, this was discussed last week with the direction/recommendation of Councilman Herring to include in the resolution that the appointment is in condition of a satisfactory background check and (6) six-month probationary period.
- **R. Jones** – We must understand these resolutions are legal documents, and once we have four (4) votes it enacts the lead and the will of the city. Proper protocol has been to have the background check and fingerprinting done before we did a resolution appoint the candidate in the position we are filling.
- **President Curtis** – The question now is what changes? Mr. Stewart will be the Acting Treasurer tomorrow and still have access to our bank accounts and everything he is currently doing for the city tomorrow whether we vote today or not. Nothing changes, even after we vote today, the Acting Treasurer still must go through an HR process for onboarding contingent on a satisfactory background check. If we are concerned about the background check not being completed, we should tell him to turn his computer off.
- **R. Jones** – Mr. Stewart has been on for 10 months as a temporary through Robert Half who did a background check and found him suitable to work this position. A resolution is stating that the City of Glenarden is taking this person on as a full-time employee and that our background screening has been completed so that our bond stays intact. The resolution is a legal document!
- **M. Hairston** – Why can't we follow the rules what is the rush?
 - **President Curtis** – Initially there was no rush, President Curtis assumed the council was all on the same page last week based on a phone call where it was agreed to move forward with the resolution. President Curtis doesn't see anything stopping this vote.

- **M. Hairston** – What if we vote today and everyone abstains because they do not feel comfortable voting, or with the way we are going about this having not received the candidates screening packet. The candidate who is qualified could not receive the job because of abstained votes when we could just hold off until his background records have been received. Why can't we just listen to what everyone is saying and table this resolution for now.
- **President Curtis** – Everyone has a right to abstain, and we can move forward with the vote.
- **Vice President Ferguson** – Request line 42 of the resolution to be modified as it contradicts line 36 where it states that employment with the city is pursuant to a satisfactory background check and (6) six-month probationary period. Line 42 states that employment is effective immediately after the passage of this resolution, however, it should state “pursuant to a satisfactory background check and (6) six-month probationary period”.
- **J. Herring** – If the passage of the resolution is contingent on a satisfactory background check and (6) six-month probationary period, we can just wait until the background packet has been received and successful completion of his probationary period to vote. I am not seeing how the delay would hurt anything as the candidate would still be covered under Robert Half.
- **R. Jones** – Councilwoman Robin Jones motions to table this resolution until after we have received all necessary documents.
 - **J. Herring** – We haven't voted on the agenda yet, so we can just not pass a vote on the agenda.
- **E. Fareed** – Do we need to pass a resolution in order to approve the buyout of the contract from Robert Half? If so is that something we should be looking at right now and table the appointment for a later date?
- **E. Fareed** – I thought the background check has already been completed...is that not correct, can Mrs. Shultz please provide insight on the status of that?

- **President Curtis** – From my understanding the candidate did undergo a background check and fingerprinting, there is just a delay.
- **Vice President Ferguson** – Would the Acting Chief have that information.
 - **Acting Chief Jackson** – No, the fingerprint results have not come back to Mrs. Allen yet.
- **J. Herring** – How about the actual background check? Don't you do an actual background check outside of the fingerprints?
 - **Acting Chief Jackson** – I haven't been asked to do anything outside of fingerprinting and drug testing.
- **J. Herring** – Doesn't the Police Department run the background checks on employees?
 - **Acting Chief Jackson** – We do when we are asked to, however, Acting Chief Jackson wasn't requested to do additional background checks on employees.
 - **J. Herring** – This is a problem!
- **President Curtis** – I was told that a background check was preformed, but now you are saying it hasn't even started yet...is this correct?
 - **Acting Chief Jackson** – When we do a background investigation on someone, first they must complete the application, then the applicant is given a personal history book. I haven not issued out an application or personal history book. I do not know what form he was given to fill out, all I know is that Mrs. Shultz brought them down for fingerprinting and was sent to Conconta for drug testing.
- **President Curtis** – Correct me if I am wrong, but every employee is required to do a background check where you must fill out an application?
 - **Acting Chief Jackson** – When it is presented to Acting Chief Jackson to do a background investigation, yes. This process is currently being conducted for the onboarding background

screening process for the new coming Chief of Police Regis Bryant.

- **President Curtis** – Is that done for every employee in the city?
 - **Acting Chief Jackson** – That is done for every applicant that comes into the city via the Police Department, and former City Manager Mr. Timothy George and Ken Jones.
 - **R. Jones** – Department Head must have background checks.
 - **President Curtis** – Is this written in the personnel manual?
 - **J. Herring** – Yes, actually all employees are supposed to get background checks and drug testing.
- **President Curtis** – With that, I withdraw my motion to move forward with the resolution for Mr. Stewart.
- **R. Jones** – To answer Councilwoman Fareed’s question, about if there is a need to have a separate resolution for the contract buyout from Robert Half. I think I seen a resolution today where there was a buyout for the contract of A. Bratton our former Treasurer from Robert Half. Councilwoman Robin Jones will send the information to the council concluding this meeting.
 - **E. Fareed** – Do we need two separate resolutions: one for the appointment, and the second for the contract buyout from the temp agency?
 - **J. Herring** – Two resolutions were done for the Council Clerk. I think it needs to be two because I may want to vote for the appointment and not for the buyout.
- **President Curtis** – Regarding the process...Acting Chief Jackson can you please contact Mr. Stewart to make sure his background check is completed.
 - **Acting Chief Jackson** – Yes, I will investigate if a formal application has been completed first, then provide him a personal history book to start the investigation.
- **President Curtis** – What is proper protocol? Who is required to notify you begin the investigation?
 - **Acting Chief Jackson** – The City Manager and Mrs. Karen Shultz of Human Resources provide the notification.

- **President Curtis** – The application process starts as of when?
- **Acting Chief Jackson** – When the person is applying for the position, he must fill out an employment application with HR. Based on the employment status of the applicant it determines what kind of background check is required, and all of that information is filled out in human resources during on-boarding and provided to me.
- **E. Fareed** – Can we allow the administration to take care of the onboarding process to completion before we move forward with putting forth a resolution for approval by the council?
 - **President Curtis** – I was under the assumption this was an administrative thing and was just misinformed of the status.
 - **R. Jones** – The guideline is, once the council has confirmed/selected a candidate to fill the open position, the Council President relays that information to HR who then starts the administrative screening and on-boarding. The HR Department would then contact the candidate to inform that they have been selected and provide next steps procedures for drug and background screening.
- **K. Shultz** – Mrs. Shultz was instructed to run the same type of security check for Mr. Stewart as was done for the previous City Manager Mr. Timothy George. Mr. George received fingerprinting and drug testing, from there the lieutenant said the total background investigation.
- **K. Shultz** – The test result delay is due Concentra not being responsive to calls from the Administrative Assistant Mrs. Allen, and the fingerprinting office stating “background checks for police officers are the priority” per Mrs. Shultz which caused a delay. Mrs. Shultz mirrored the same screening instructions that was in the personnel file for Mr. Bratton.

Council President – Derek D. Curtis, II - No
 Council Vice President – Angela D. Ferguson - No
 Councilwoman – Erika L. Fareed - No
 Councilwoman – Kathleen J. Guillaume - Absent
 Councilman – Maurice A. Hairston - No
 Councilman – James A. Herring - No
 Councilwoman – Robin Jones - No

0 Yes, 6 No = FAILED

- **President Curtis** – Is there written protocol somewhere that can give us guidance on how to onboard appointed employees? Based on the terms of employment drafted at the prior week’s work session, employment for this candidate is based on completion of the background check and a successful 6-month probationary period. President Curtis assumed based on that verbiage the candidates full-time permanent employment was contingent on those terms, however, now wants further clarification to make sure everyone has the same understanding going forward.
 - **J. Herring** – Once the council chooses which candidate to move forward with the administration is responsible for upholding the personnel manual for onboarding. Human Resources should send a conditional letter of interest and instructions to have the candidate go through screening before the legislation comes to the council for approval.
 - **K. Shultz** – The candidate had the drug test and finger printing done; we are just awaiting the results. What is the difference between when Mr. George was onboarded versus the onboarding of Mr. Stewart?
 - **J. Herring** – The personnel manual says upon successful completion of the background check not waiting for it to come back.
 - **K. Shultz** – Are you just referring to the portion that Lt. Robinson does or the part that I initiate and get done?
 - **J. Herring** – All of it needs to be done and completed before the legislation is presented to the council for vote.
 - **Vice President Ferguson** – Who’s responsibility is it to request the background check once the council decides they want to move forward with a candidate?
 - **J. Herring** – The responsibility should be the City Managers.
 - **R. Jones** – Once the Council President says this is our candidate and our choice, the City Manager then goes back to HR and the Police Dept to determine what needs to be done.

- **Vice President Ferguson** – For clarity all relative employees should receive a three-level clearance which consist of fingerprinting, drug test, and application. The officers have a more extensive background check.
- **K. Shultz** – That is not how I was hired. When Mrs. Shoultz was hired a drug test and fingerprinting was done, and the background by Lt. Robinson was done while I was there. What we need is something in writing that spells out a step-by-step, by step process for new hire onboarding for each level of employee.
 - **J. Herring** – The step-by-step process is in the personnel manual in chapter 4/section 5.
 - **K. Shoultz** – The problem is that I am finding out in this conversation that everything is the background check. Everything wasn't done bringing on Jordan the Executive Assistant.
 - **J. Herring** – That is a problem that I have as a councilmember because we do not know what is going on, as we are not in the administration. It is the administrations responsibility to make sure we are following the steps required to bring on these applicants. If it is not all right...it is not because the council did anything.
 - **K. Shoultz** – The issue for me from a Human Resources standpoint is we have not had a strong City Manager that's there long enough to walk me through any of the process' that I've gone through thus far. I have no problem with taking responsibility if I've dropped the ball because that is the way the ball has been dropped since I've been here, and no one has told me until just now anything different.

- **President Curtis** – We are not trying to finger point who dropped the ball. This sounds like a communication issue that we need to work collectively on to fix. It was requested to have something in writing of the step-by-step onboarding process, however, Councilman Herring states that the procedure is written in the personnel manual. The issue is the definition of a background check is different based on the position/level/status/ranking of the employee. So, let's define what a background check is based on the employment position so we can be in a better position to move forward.
- **E. Fareed** – I think we just need to get clarity on what steps should be taken a what time. It sounds like we are confirming the appointees offline, then want them to get a background check to move forward with a resolution to formally confirm the candidate. What happens if someone goes forth to get a background check and the resolution doesn't pass?
 - **R. Jones** – The procedure is as follows:
 - The HR personnel search for qualified applicants to which they then submit several submissions to the Mayor for review.
 - If the Mayor is not moving forward with trying to fill the positions, the council steps in and the applications are now sent to the council for standard consideration and review.
 - The council interviews a selection of candidates to which they decide who is qualified to confirm in that position. Council President lets the City Manager and HR know who is confirmed to move forward with background check from the police department, fingerprinting, and drug screening for a vote for appointment. Once the council confirms a candidate to move forward with background screening, it is more

than likely they will be selected. The resolution solidifies legally that the council is appointing the candidate for this position.

- **R. Jones** – Councilman Herring stated that the personnel manual gives detailed guidelines/instructions as to the onboarding process and overall operations of the city. A resolution was also submitted to provide more clarity for the personnel manual; it took two years to establish the procedures and outline each departments designated responsibility and to ensure that the wording provided clarity for the operations and procedures of the City of Glenarden, Maryland.
- **R. Jones** – Suggest that Mrs. Shoultz sit down with the City Manager and staff to discuss what is not clear in the personnel manual or how things are done pertaining to employee onboarding responsibilities. If there is something that needs to be added to the personnel manual, please have the City Manager send that resolution to the council for review.
- **E. Fareed** – Councilwoman Fareed does not agree with the role the legislators are playing in hiring personnel...per the charter the only personnel that the council should be involved with the hiring is the City Manager and Council Clerk. Councilwoman Fareed does not believe the council should be as involved as they are in selecting personnel. Councilwoman Fareed believes it is the council's responsibility to confirm whom the is brining forth as the candidate they want to proceed with. Councilwoman Fareed believes that the council is getting itself entangled in a lot of the administrative process that the council shouldn't be involved in and is the reason why she didn't participate in the treasurer's interview.
- **Mayor Cross** – Mayor Cross feels that charter resolution CR-03-2021 has persistently been ignored throughout the year, as it is the duty of the Mayor with the recommendation of the City Manager and with the approval of the City Council for the appointment of employees.

- **President Curtis** – Agrees with Councilwoman Fareed that legislators should not be knee deep in the on goings of the administrative matters. However, as it relates to the Chief of Police, Treasure, and City Manager positions; those are all appointed positions which the legislation plays a role in the confirmation process.
- **President Curtis** – As it relates to the comment that the mayor said about the council having the applications since October...without going into too much detail it was found that some candidates that were in appointed positions were not qualified to uphold or run the appropriate areas for which they were appointed. As legislators it is our responsibility to make sure that those who are in those top positions are qualified and will do right by the citizens of Glenarden, MD. Upon our confirmation hearings we were able to discover that some of those individuals were not even remotely qualified, which is why the legislation took the steps to not move forward with those individuals and to look out for the best interests of the citizens of Glenarden. President Curtis believes that the person before us now is the right candidate, we just need to follow the onboarding process designated in the employee manual.

- Adjourned at pm 6:57pm

Submitted by:

Victoria Lewis, Council Clerk