City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, SEPTEMBER 16, 2013

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, September16, 2013 in the Council Chambers at City Hall. Mayor Robinson called the meeting to order at 8:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Robinson led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Robinson, Mayor Pro Tem Polangin, Councilmembers Brady, Gardner, Marcos, Trouth and Turner; City Manager Deutsch, Assistant City Manager Fitzwater, City Attorney Levan, City Clerk Hernandez and the Public.

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

Mayor Robinson added Item B under New Business for the consideration of approval of Charter Amendment Resolution CAR-03-13.

CITY BOARDS AND COMMITTEES:

Councilmember Trouth made a motion to appoint Mr. Karl Stehmer as a member of the Community Recreation Committee. Councilmember Marcos seconded the motion. Motion carried unanimously.

Councilmember Marcos made a motion to appoint Ms. Patricia R. Peterson as a member of the Financial Advisory Committee. Councilmember Brady seconded the motion. Motion carried unanimously.

Councilmember Trouth made a motion to appoint Mr. Earl R. Braxton to the Public Safety Committee. Councilmember Gardner seconded the motion and it carried unanimously.

Mayor Robinson swore-in the new members and thanked them for their service.

CITY MANAGER'S REPORT:

City Manager Deutsch mentioned the upcoming meetings to be held at the County on the subdivision proposal for the property on Belair Drive at Beaverdale and Bartlett Lanes.

CONSENT AGENDA:

Mayor Pro Tem Polangin moved the approval of Consent Agenda Items: A) Approval of Proclamation P-17-13 – Declaring the Week of September 17-23, 2013 as Constitution Week in Bowie; B) Approval of letter to Senator Peters Re: MD 197; C) Approval of Resolution R-55-13 – Adopting an Annexation Plan for the Annexation of Ashleigh Subdivision, Phase 2; D) Introduction of Resolution R-56-13 – Enlarging the Corporate Boundaries of the City of Bowie, by Annexing Into the City Lands Contiguous and Adjoining to the City's Existing Corporate Boundary, Specifically, Residential Property Known as the Ashleigh Subdivision (Phase 2), Consisting of 60.0700 Acres of Land, Generally Located West of Pin Oak Parkway, South of Woodmore Estates and North of Church Road Park, Lying Between Phase 1 of Ashleigh Subdivision and Church Road; E) Approval of Letter to Planning, Zoning and Economic Development Committee Re: County Legislation CB-67-2013; F) Approval of Letter to Maryland Health Care Commission Re: Certificate of Need Application for Prince George's Hospital Center. Councilmember Brady seconded the motion and it carried unanimously.

NEW BUSINESS:

A. Amendment to Prince George's County Water and Sewer Plan (#13/W-01, Maranatha Adventist Fellowship) – Mr. Joe Meinert, City of Bowie Planning Director, summarized the staff memo recommending the City Council send a letter to the County Council supporting the amendment to their water and sewer plan to allow reclassification of a property from W-5/S-5 to W-4/S-4.

Public Hearing:

Since there were no speakers signed up to speak, Mayor Robinson declared the public hearing to have been held.

Following comments from Council, Councilmember Marcos made a motion to approve the recommended change from W-5/S-5 to W-4/S-4. Mayor Pro Tem seconded the motion and it carried unanimously.

B. Approval of Charter Amendment Resolution CAR-03-13 – Amending Sections 3 and 14 of the City Charter to Provide That Incoming City Elected Officials Will Take Office at the Next Regular Meeting of the City Council Following the Election – City Counsel Levan summarized the resolution that will allow for the swearing in ceremony to take place on the same night as a regular City Council meeting.

Councilmember Brady commented that he is not in favor of having both events on the same evening. He recommends having two separate meetings.

Councilmember Turner made a motion to have the swearing in ceremony on the second Monday following the election and the regular City Council meeting on the fourth Monday of the month in City election years. Councilmember Brady seconded the motion. Motion carried unanimously.

ADJOURNMENT:

Mayor Pro Tem Polangin moved to adjourn the City Council meeting and move into Close Session under State Government Article §10-508(a)(3): To consider the acquisition of real property for a public purpose and matters directly related thereto. State Government Article

§10-508(a)(7): To consult with counsel to obtain legal advice on a legal matter. Councilmember Brady seconded the motion and it carried unanimously. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Awilda Hernandez, CMC
City Clerk

WRITTEN STATEMENT FOR CLOSING A MEETING UNDER THE OPEN MEETINGS ACT

Date: 9/16/13 Time: 8:45pm Location: Council Chambers Motion to close meeting made by: Polangin ;

Seconded by Brady, Members voting in favor: Trouth, Marcos, Polangin, Robinson Brady, Turner, Gardner Opposed: _____ Abstaining _____ Absent _____

STATUTORY AUTHORITY TO CLOSE SESSION, State Government Article, §10-508(a) (check all that apply):

___ (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
___ (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
✓ (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
___ (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
___ (5) To consider the investment of public funds;
___ (6) To consider the marketing of public securities;
✓ (7) To consult with counsel to obtain legal advice on a legal matter;
___ (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
___ (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
___ (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
___ (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
___ (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
___ (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
___ (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

(✓) Consulted with legal counsel on land use matter
(✓) Considered the acquisition of real property for open space + recreation purposes
( ) _____

Persons attending closed session: _____

This statement is made by Mayor Robinson, Presiding Officer: _____
SIGNATURE

********** FOR USE IN MINUTES OF NEXT REGULAR MEETING: **********

TOPICS DISCUSSED AND ACTION(S) TAKEN (IF ANY):

Time closed session adjourned: 9:00

Appendix C