City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, DECEMBER 2, 2013

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, December 2, 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 Trouth, Councilmembers Brady (8:06p.m.), Gardner (8:03p.m.), Marcos (8:22p.m.), Polangin and Turner; City Manager Deutsch, Assistant City Manager Fitzwater, City Attorney Levan, City Clerk Hernandez, Staff, the Press and the Public.

COUNCIL ANNOUNCEMENTS:

Mayor Robinson announced that Bowie Fire Station 39 is officially an all-volunteer run station on evenings and weekends as of December 1st.

CITY MANAGER'S REPORT:

City Manager Deutsch reported an update from State Highway Administration concerning the MD-197 paving project and the installation of a traffic signal on Evergreen Parkway; that project will be a summer 2014 project. The second project is the signal light requested by Council on Belair at the westbound off ramp from 50 will be on full operation in a couple of weeks.

NEW BUSINESS:

A. BGE Presentation – Mr. Mike Fowler, Manager, BGE Governmental Affairs and Mr. Micahel Garzon, Manager, BGE Customer Reliability support briefed Council on BGE's 2012 overview and performance as well as their system improvements for the future. BGE will continue tree trimming to Bowie standards; initiated corrective maintenance work on poor performing feeders in the City, as well as utilizing temporary repairs to restore power quickly and planning permanent solutions during outages. A copy of the power point presentation is on file in the City Clerk's office at City Hall.

Following comments from Council, Mayor Robinson thanked Mr. Fowler and Mr. Garzon for their presentation.

B. Detailed Site Plan DSP-12032 (Mills Car Wash) – Mr. Joe Meinert, Planning Department Director summarized the plan which is for the purpose of constructing an 11,098 square foot car wash building and a 1,773 square foot detail building on a 4.18 acre site.

Ms. Nancy Slepicka with O'Malley, Miles, Nylen & Gilmore, P.A.; representing the applicant, presented to Council a description of how the traffic flow of the car wash will take place as well as the calculation for the parking spaces required on the property.

Public Hearing:

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

Councilmember Trouth asked staff how many parking spaces are proposed for the site. Mr. Meinert replied that there are a total of 14 parking spaces, 12 regular and 2 handicap spaces. Councilmember Trouth expressed concerns with vehicles trying to leave the car wash onto southbound US 301 and trying to make a left hand turn on Mitchellville Road. Ms. Slepicka will work with SHA on these concerns and install signage on the property directing traffic to ext onto Mitchellville Road if wanting to head northbound on US 301.

Councilmember Trouth made a motion to approve Detailed Site Plan #DSP-12032 with staff recommendations and the amendments to item #6 and have applicant work with SHA to address the safety issue and signage directing traffic towards Mitchellville Road. Councilmember Marcos seconded the motion and it carried unanimously.

C. Introduction and Approval of Charter Amendment Resolution CAR-04-13 – 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 and Amending Sections 29 and 30 of the City Charter to Alter the Dates of City Elections Accordingly – City Attorney Elissa Levan, briefed Council on the resolution which stemmed from the Advisory Question that was placed on the November 5, 2013 City Election Ballot on extending Councils' terms to four years instead of two years.

Public Hearing:

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

Councilmember Turner made a motion to approve Charter Amendment Resolution CAR-04-13. Councilmember Brady seconds the motion and motion carried unanimously.

ADJOURNMENT:

Mayor Pro Tem Trouth moved to adjourn the City Council meeting and move into Closed Session under State Government Article §10-508(a)(9): To conduct collective bargaining negotiations or consider matters that relate to the negotiations. Councilmember Brady seconded the motion and it carried unanimously. The meeting was adjourned at 9:34 p.m.

Respectfully submitted,

Awilda Hernandez, CMC
City Clerk

WRITTEN STATEMENT FOR CLOSING A MEETING UNDER THE OPEN MEETINGS ACT

Date: 12/2/13 Time: 9:34pm Location: Bowie City Hall Motion to close meeting made by: Trouth ;

Seconded by Brady. Members voting in favor: Robinson, Polanyn, Marcos, Gardner Turner, Brady, Trouth 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:

(✓) AFSCME contract proposal

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Persons attending closed session: Robinson, Polanyn, Marcos, Gardner, Turner, Brady, Trouth, Devirsch, Fitzwater, Levin

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):

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Time closed session adjourned: _____

Appendix C