City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING

MONDAY, MAY 19, 2014

CALL MEETING TO ORDER

The Regular Meeting of the Bowie City Council was held on Monday, May 19, 2014 in the Council Chambers at City Hall. Mayor Robinson called the meeting to order at 8:06 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Mayor led the Pledge of Allegiance to the Flag.

QUORUM

In attendance were Mayor Robinson, Mayor Pro Tem Trouth, Councilmembers Brady, Gardner, Marcos, Polangin and Turner, City Manager Deutsch, Assistant City Manager Fitzwater, City Attorney Karen Ruff, members of the Staff, the Press, and the Public.

CITIZEN PARTICIPATION

Monica Best James, Chairman of the Public Safety Committee (PSC), read into the record the attached letter submitted to Council and the City Manager on behalf of the Committee with regard to the Proposed Budget. Ms. Best James reminded Council of the award ceremony to recognize accomplishments of the public safety community coming up on August 22nd and expressed hope that Council will attend.

David McGowan, 3863 Irongate Lane, appeared before Council to ask why the City is opening a Call Center in the Police Department when one of the top five call centers is four miles away. The Mayor briefly explained the multiple purposes of the Call Center. Calling upon his experience as a County Emergency Dispatcher, Mr. McGowan cautioned about the risks of potential delays in service which could put police officers in jeopardy.

CITY BOARDS AND COMMITTEES

Councilmember Polangin moved the appointment of Rhea Pechter as a member (for a two-year term) of the Green Team Executive Committee; motion was seconded by Councilmember Marcos and carried unanimously. Ms. Pechter was sworn-in by the Mayor and congratulated by Council.

COUNCIL ANNOUNCEMENTS

Mayor Robinson reminded everyone of the Memorial Day Parade on Saturday, May 24th that begins at the Belair Annex at 11 a.m., and the ceremony at Veterans Park in Old Bowie on Monday, May 26th at 11 a.m.

CITY MANAGER'S REPORT

City Manager Deutsch noted that in the latest edition of the Maryland Municipal League electronic newsletter, a July 11, 2014 date was given for receipt of Legislative Action Requests. Mr. Deutsch suggested that if Council has items they want to have MML consider, to please let staff know so it can be put on an upcoming June meeting agenda.

Mr. Deutsch noted that the Zoning Hearing Examiner will be hearing the Amber Ridge rezoning request this Thursday, May 22nd at 9:30 a.m. at the County Administration Building.

CONSENT AGENDA

Mayor Pro Tem Trouth moved approval of Consent Agenda items: A) Approval of April 21 Meeting Minutes; B) Approval of Resolution R-27-14 – Accepting the Stormwater Management Facility Constructed Under Permit PSWM2-1112 at Harmony Place and Releasing the Construction Securities Required Therewith; C) Approval of Resolution R-28-14 – Accepting the Commercial Entrance at Harmony Place Constructed Under Permit P1-1112 and Releasing the Construction Securities Therewith; D) Approval of Letter to CSX Transportation re: Train Derailment; and E) Approval of Proclamation P-10-14 – Celebrating Memorial Day 2014. The motion was seconded by Councilmember Brady and it carried unanimously.

OLD BUSINESS

A. Annexation Resolution R-14-14 – Enlarging the Corporate Boundaries of the City of Bowie by Annexing to the City of Bowie Certain Property Contiguous and Adjoining to the City's Existing Corporate Boundaries, Known as the Bowie Honda Dealership properties (Lots 6-7 of Walker Pontiac Subdivision), Bowie Nissan Dealership (Parcel B of Mills Subdivision) and Adjacent Parcels including Lots 1-3 of Walker Pontiac Subdivision, Part of Parcel 26, and Parcels 128, 164, 42, Parcel C of Mills Subdivision, Parcels 175, 163, 171, 181, 16, 3, 44, 29, 116, 33, 32, 139, and 143 All Shown on Prince George's County Tax Map 63, Also including the Southbound Lanes of US 301 and the Median Crossover South of Mount Oak Road, Consisting of 70.8717 Acres of Land.

City Planning Director Joe Meinert noted that R-14-14 is an annexation proposal that will annex 70.87 acres of land into the City. It is located in the Route 301 corridor along the eastern edge of the City north of Mitchellville Road. This Annexation Resolution was introduced by Council at its April 21st meeting; all legal advertising was done for tonight's Public Hearing. The City has obtained consents of at least 25% of owners of assessed value in the annexation area. Mr. Meinert noted that Council also approved an annexation plan outlining the annexation area on August 6, 2012. Staff recommended Council approve R-14-14.

Public Hearing:

Since no one had signed up to speak, Mayor Robinson declared the Public Hearing to have been held.

In response to a question from Councilmember Turner regarding clarification of the area being annexed, Mr. Meinert said that basically it's all of the property on the west side as well as within the median of US 301 between Mount Oak Road and Mitchellville Road, except for the veterinarian on the corner of Mount Oak and adjacent property.

Mayor Pro Tem Trouth requested staff clarify the level of City responsibility in this annexation. Mr. Deutsch explained that since the area is in a commercial district, the full range of municipal services does not apply; for example, refuse collection is not involved. He also said that perhaps the most significant potential change would be in provision of police services, but a high volume is not expected; the City Police Department would be the primary responder. July 3rd will be the effective date of the Annexation Resolution.

Mayor Pro Tem Trouth moved that Council approve Annexation Resolution R-14-14. The motion was seconded by Councilmember Brady and it carried unanimously.

B. Approval of Ordinance O-3-14 – Approving and Adopting a Budget for the Fiscal Year Beginning July 1, 2014 and Ending June 30, 2015. Mr. Deutsch noted that Council was sent an amendment to the Ordinance that was introduced in April, reflecting various changes that Council made over the last six or seven weeks. The scope of changes in dollar value was not significant and did not call into question the recommendation and Council's ongoing support for the tax rate remaining at 40 cents per $100 of assessed value. The biggest adjustment was within the Capital Improvements area – Capital Projects; elimination of $1 million of work at the Ice Rink made it possible to absorb the first year's anticipated cost to move forward with the sports facility project. There were also a couple of additions, most of which were low dollar amounts.

Councilmember Brady asked if a backstop for Huston Field in Allen Pond Park, that he brought up the opening night of budget deliberations, was included in the corrections/changes provided to Council. The City Manager responded no, there was no Council discussion so a dollar value was not included. Councilmember Brady disagreed with staff's evaluation in the April 16th Budget Follow-up Memo #1, said that $18,000-20,000 is a minimal price to spend for the safety of park users, and asked for Council's consideration to add to the FY15 Budget. The City Manager indicated it would be safer to add $20,000 and this will be reflected in the Allen Pond Park CIP page.

Mayor Pro Tem Trouth moved that Council adopt the Budget as amended tonight for the Fiscal Year Beginning July 1, 2014 and Ending June 30, 2015; the motion was seconded by Councilmember Brady.

Councilmember Marcos said it is an honor to serve with colleagues and staff and to serve Bowie residents; commented that Council did a good job of staying in touch with and listening to residents to know what they wanted in the Budget.

Councilmember Polangin thanked staff and the City Manager; gave kudos for making the Budget process as painless as possible, walking Council through every step of the way, explaining and making it clear; commented that she felt she voted properly because there was enough of the proper information to do so. She thanked colleagues for their support and work during that time.

Mayor Pro Tem Trouth referenced the Church Road Park item in Budget Follow-up Memo #3 dated May 13, 2014 to install two goal posts on Field #3, noted that the City Manager and other staff met with him and a South Bowie Boys and Girls Club representative at the Park; it was agreed that goal posts will be added and a monetary contribution will come from SBBGC to help offset costs. The Mayor Pro Tem also mentioned painting of rusted goal posts on Field #2; the City Manager said painting will be taken care of; the situation referenced is the result of field irrigation system spraying water on the goal posts and rust forming.

Mayor Pro Tem Trouth thanked Finance Director Matthews, acknowledging the amount of work and preparation put into the Budget. He mentioned the Council initiative brought to the City Manager for an Indoor Sports Facility, which required staff in midstream to go back and rework numbers. He thanked the City Manager and staff for their part in helping the City continue to be the excellent City it is, and a role model for other municipalities in Prince George's County and in the State. The Mayor Pro Tem noted this was the easiest Budget process he's gone through and thanked Council for that; thanked the Mayor for his leadership, guidance and tutelage. He commented that he wants residents to be proud of the Council, maintaining the City's reputation, being a City on the move and one that will do excellent things in the future.

Councilmember Brady commended staff for their diligence with regard to the development and discussion of the Budget, as well as work done day in, day out; commented Council looks tremendous when things in the City go well and function well, commending staff for that. The Councilmember commented that Finance Director Matthews is a quiet individual but his work speaks volumes for him; his work continues the fine tradition that has been in the City for years, showing the right man was selected. Being able to maintain core services with tax rate remaining the same for the fifth year speaks volumes for the state of the City. Councilmember Brady said he still has some apprehension about the Indoor Sports Facility; has concerns for the court aspect of it; that future expansion may not be possible when new facility is outgrown, as with the current one. He said he believes there is so much good in the Budget document that he is willing to be cautious and accept the action on the Indoor Sports Facility and expressed support for adoption of the Budget and CIP.

Councilmember Turner extended thank-yous to his colleagues for another budget session well done; look at the value of any organization by going to its books – "put your money where your mouth is" and that is what Council does with respect to the process. He commented that Council working with staff will overcome any issues with respect to the Indoor Sports Facility to make it a success. He expressed appreciation to the City Manager and staff, especially kudos to Mr. Matthews for his first go-round. Budget is an opportunity to tell residents what Council's priorities are; not having to increase tax burden is testament to leadership and efforts on behalf of Council and staff, understanding where the City stands in the region, nationally and the State. Councilmember Turner thanked staff for holding the line and colleagues for being supportive; bodes well for the future. Core responsibilities funded with this Budget; important increases in departments – specifically Police Department, with four additional officers and starting implementation of five-year strategic plan developed by the Chief and Deputy Chief. He thanked Mr. McGowan and said his comments about Call Center will be considered; however he expressed confidence that any issues or concerns that may arise will be addressed, given the commitment on the staff level. He also mentioned commitment to the Fire Department and its initiatives to be implemented. Councilmember Turner concluded by saying he looks forward to implementing the Budget.

Councilmember Gardner thanked District 3 residents for the opportunity to be their voice on the Council and in the budget process. He thanked his colleagues for explaining issues/overcoming obstacles while reviewing the Budget; and thanked the Mayor for paving the way through this difficult process, and for his guidance and direction. The Councilmember thanked staff, including Finance Director Matthews. He recognized the residents who came out to speak on, and were supportive of, the Indoor Sports Facility.

Mayor Robinson mentioned Council's passion during the process and noted issues were resolved in a civil manner; congratulated colleagues for effort in preparing to handle the Budget and doing a good job of discussing all aspects and concerns. The Mayor commended staff for the job done every day; and noted the commendable job done by Mr. Matthews in his first time going solo. He thanked residents who came forward and put their points of view across on various issues. Mayor Robinson said a conservative balanced budget was fashioned, bills paid and substantial reserve protected. He noted that Bowie is unequivocably the envy of a lot of communities across the State for the way Council works together, the way things get done, and the way a solid organization has been built.

The motion to adopt the Budget as amended (O-3-14) carried unanimously.

C. Approval of Resolution R-17-14 – Adopting a Capital Improvements Program for the Fiscal Years 2015-2020. City Manager Deutsch noted that the Resolution is quite broad, it merely references the Capital Improvements Program for the upcoming six-year period. The first year is viewed as the capital budget for the upcoming year; the remaining five as the plans for capital improvements over the remaining time period. He said it is appropriate to insert "as amended", as there were significant changes in the CIP from the manner in which it was transmitted to Council.

Mayor Pro Tem Trouth moved approval of Resolution R-17-14 as amended. The motion was seconded by Councilmember Turner and carried unanimously.

NEW BUSINESS

A. CDBG Housing and Community Development Annual Plan for Fiscal Year 2015 – Resolution R-19-14. Jesse Buggs, Director of the Office of Grant Development & Administration, presented for Council consideration the Annual Action Plan for the next fiscal year for the City's participation in HUD's CDBG Program. A year ago staff presented recommendations of a consultant that did a demographic analysis of the City, and combined with surveys, listed requirements; and it was pointed out again that seniors are a population in need of considerable assistance at many different levels and types, and based on the nature of the funds received from HUD, Council decided it would be prudent for the City to proceed with what had been started five years ago and that was the rehabilitation of houses owned by senior citizens in the City. This past year was the first year in that program. In the past 30 days, 34 residents have been approved for participation in this program based on income and need; by combining the HUD allocation under the Entitlement Program plus $180,000 received from the Maryland Department of Housing and Community Development Community Legacy Program, the City can help this number of residents. As required by HUD, the City has gone through a number of steps, including holding appropriate outreach activities and public hearings. Council was asked to consider all that is provided in the document and allow staff to move forward for one more year to provide housing rehab services under this specific program of CDBG funds.

Public Hearing:

Since no one had signed up to speak, the Mayor declared the Public Hearing to have been held.

Councilmember Turner thanked Mr. Buggs for his efforts on behalf of the CDBG program; expressed support for the Resolution and work that the City has done. He noted conversation in the last 6-8 months related to seniors in rental situations; asked Mr. Buggs to describe what the process would entail if the City wanted to do something different with respect to an amendment to the five-year Consolidated Plan. Mr. Buggs responded HUD requires a substantial amendment to the existing Consolidated Plan and, in addition, filing a new Action Plan. Staff is currently researching several programs in the region and will soon have for the City Manager's consideration, a complete analysis from staff perspective on not only what is possible but what has proven to be an efficient and economical approach by some jurisdictions. Mr. Buggs has consulted with the Housing Department on programs they administer as well as some of the programs they provide financial assistance to, and staff will make recommendations consistent both with what is palatable plus what can be done with the small amount of money the City has. A major consideration is that the City receives the least amount of money as an entitlement community of almost any place in the nation for a number of reasons. The administration burden associated with some of our needs could far extend beyond what our resources are. Staff will get back to Council in 30-45 days.

Councilmember Turner mentioned the briefing coming up in June with respect to senior rental housing issues; asked Council to think of this as another opportunity to utilize entitlement funds when discussing.

In response to questions from Councilmember Turner, Mr. Buggs said HUD publishes every year income limits and standards for individuals and households and the City is required to follow that. HUD median income established for the Washington, D.C. area is about $107,000. To be eligible for the City's program, the income level for a one-person household is about $58,000; a three-person household is about $75,000. The City is required to not only administer the program, it has to verify and certify incomes, which sometimes creates a problem because some applicants have multiple households, multiple incomes from individuals/children in the household. HUD audits the program. Awards for rehab are currently capped at $10,000 (started at $20,000) so more people can be accommodated, given numbers applying.

Mayor Pro Tem Trouth asked if in the 34 homes approved, there is a fair balance among the four Council Districts. Mr. Buggs will provide maps to Council showing the distribution of the 34 households; noted that because of the different demographics in the sections of the City, income levels are different so that automatically creates some differences in disbursement of funds in those areas.

Councilmember Polangin commented that one of the reasons our City looks beautiful is because core services are always accounted for in the Budget. Our seniors are taken care of through these grants and this fantastic program to rehab 34 more homes that would otherwise be sitting and languishing because the homeowners don't have the money to make repairs. She thanked Mr. Buggs for finding grants that help make the City beautiful.

Councilmember Brady said he shares his colleagues appreciation for Mr. Buggs' hard work in pursuing grants. As a follow-up to Councilmember Turner's question, he said he agrees that the City has done a good job of helping seniors who live in owner-occupied homes and Council has been asked to look at assistance for seniors who are renters. Councilmember Brady asked if this is a revision that would occur mid-year of the Plan or would the City wait to do something else in next year's submission. Mr. Buggs responded this would have to wait until FY16 submission.

Councilmember Marcos moved to adopt the CDBG Housing and Community Development Annual Action Plan for Fiscal Year 2015 – R-19-14. The motion was seconded by Mayor Pro Tem Trouth and 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)(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. The motion was seconded by Councilmember Turner and carried unanimously. The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Anne S. Ford

Anne S. Ford, Acting City Clerk

From: MonicaBest@comcast.net [mailto:MonicaBest@comcast.net]
Sent: Monday, May 19, 2014 4:33 PM
To: Awilda Hernandez
Cc: David Deutsch; Mayor; Henri Gardner; Todd M. Turner; Isaac Trouth; dbrady; James Marcos; Diane Polangin
Subject: Letter for the May 19, 2014 Bowie City Council Budget Hearing

Dear Mayor Robinson and Members of the Bowie City Council:

On behalf of the Bowie Public Safety Committee, we would like to commend the work of Chief Nesky and Deputy Chief Preston as they continue to grow Bowie's Police Department. We support their request for budget increases to add to their staff and the number of new vehicles for them. We also applaud their initiatives to install security cameras on the buildings and bike trails, thereby increasing the safety measures employed to protect Bowie residents and visitors.

The Committee looks forward to working with the Emergency Preparedness Resources Coordinator as he further develops and updates the City's Emergency Plan. We anticipate supporting budget recommendations from his program in the next budget cycle.

Finally, as we continue to work with the Chiefs of the Volunteer and County Fire Departments, we anticipate providing testimony regarding their initiatives in the future. We thank you for the opportunity to provide testimony on behalf of the community and neighbors of the City of Bowie.

Sincerely,

Monica

Monica Best James, Esq
Chair, Bowie Public Safety Committee

WRITTEN STATEMENT FOR CLOSING A MEETING UNDER THE OPEN MEETINGS ACT

Date: 5/19/14 Time: 8:55pm Location: CH 181 Motion to close meeting made by: Trout ;

Seconded by Matcos , Members voting in favor: Unanimous

______________ 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:

( ) ______________________________

( ) ______________________________

( ) ______________________________

Persons attending closed session: Matcos, Pocangin, Gardner, Trout, Brady, Turner

____

This statement is made by ______________________________, Presiding Officer: [signature]
SIGNATURE

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

TOPICS DISCUSSED AND ACTION(S) TAKEN (IF ANY):
Personnel / Compensation Issue

____

Time closed session adjourned: __________

Appendix C