



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

TUESDAY, SEPTEMBER 4, 2012

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Tuesday, September 4, 2012 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:

Boy Scouts from Troop 1283 led the Pledge of Allegiance to the Flag.

QUORUM:

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

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

Councilmember Brady asked that Item G under Consent Agenda – Approval of State and County Transportation Priority Lists Letters be moved to Item D under New Business. With no objection, item is moved.

CITIZEN PARTICIPATION:

A. Ms. Patrice Murray spoke in reference to speeding concerns in the neighborhood of Collington Station.

B. Mr. Sidney Wise thanked Council for their help in having a roundabout installed in his neighborhood but he said speeding continues.

C. Mr. Sterling Crockett acknowledged and thanked City Manager Deutsch for working closely with their community (Hamptons at Woodmore) to address their concerns. He also invited Council to their Community Day on 9/29.

D. Ms. Valeria N. Tomlin, resident at Hamptons at Woodmore, expressed her concerns with items that have not been completed by the builder.

E. Mr. Lewis Williams also spoke in reference to the excessive speeding in Hamptons at Woodmore and Collington Station.

MAYOR G. Frederick Robinson **MAYOR PRO TEM** Diane M. Polangin

COUNCIL Dennis Brady ♦ Henri Gardner ♦ James L. Marcos ♦ Isaac C. Truth ♦ Todd M. Turner **CITY MANAGER** David J. Deutsch
City Hall (301) 262-6200 **FAX** (301) 809-2302 **TDD** (301) 262-5013 **WEB** www.cityofbowie.org

City Manager Deutsch assured the residents of Hamptons at Woodmore that the City is holding a sufficient bond from the builder that will not be released until all items are completed to meet requirements and inspected.

CITY BOARDS AND COMMITTEES:

A. Appointments/Reappointments/Swearing-in – Councilmember Trough moved to appoint Mr. William C. Grayson to the Public Safety Committee for a 2-year term. Councilmember Turner seconded the motion and it carried unanimously.

B. Mayor Pro Tem Polangin moved to appoint Mr. Carl J. Schuettler to the Advisory Planning Board for a 2-year term. Councilmember Brady seconded the motion and it carried unanimously.

C. Councilmember Marcos moved to appoint Ms. LaTanya Brown-Robertson as a member of the Economic Development Committee for a 2-year term. Councilmember Brady seconded the motion and it carried unanimously.

D. Councilmember Gardner moved to appoint Ms. Katherine “Kay” Kane as Chair of the Green Team Executive Committee. Mayor Pro Tem Polangin seconded the motion and it carried unanimously.

E. Mayor Robinson swore-in the following members: William Grayson to the Public Safety Committee; Carl Schuettler to the Advisory Planning Board; LaTanya Brown-Robertson to the Economic Development Committee; Dina Hosnjak-Shand and Katherine “Kay” Kane to the Bowie Green Team Executive Committee for 2-year terms.

COUNCIL ANNOUNCEMENTS:

Mayor Robinson reminded the audience about the Patriotic Sunday Concert being held at Allen Pond Park at 7pm.

CITY MANAGER'S REPORT:

City Manager Deutsch had no further report.

CONSENT AGENDA:

Mayor Pro Tem Polangin moved the approval of Consent Agenda Items A: Approval of August 6 meeting minutes; B: Approval of Proclamation P-10-12 – Declaring September 17-23, 2012 as Constitution Week in the City of Bowie, Maryland; C: Approval of Proclamation P-13-12 – Declaring September 2012 As National Preparedness Month in Bowie; D: Approval of Resolution R-75-12 – Accepting the Bid to Furnish and Deliver (1) 4-Wheel Drive Enclosed Cab, 66 Gross HP Utility Tractor; E: Approval of Resolution R-76-12 - Authorizing the City Manager to Sign a Deed of Easement Between the City of Bowie and MSTC I, LLC and St. John Properties, Inc. Regarding the Installation and Maintenance of a New Directional Sign Within a Traffic Circle Median Located Within Melford Boulevard; F: Approval of Resolution R-77-12 - Accepting Bid Proposal for Contractor Services for a Stormwater Management Best Management Practices Inventory. Councilmember Brady seconded the motion and it carried unanimously.

OLD BUSINESS:

A. Ordinance O-11-12 – Repealing Bowie City Code, Chapter 24 “Taxation”, Article I “Credit for Senior Citizens” and Enacting Bowie City Code, Chapter 24 “Taxation”, Article I “Local Supplement to the State Homeowners’ Property Tax Credit Program” for the Purpose of Establishing A Supplemental Property Tax Credit for City Homeowners, Which Credit is to be Indexed to the State of Maryland Homeowners’ Property Tax Credit Program – City Manager Deutsch explained that the tax credit program is available to all homeowners regardless of age and whose household income is not more than \$60,000. The taxpayer must own the property, be their principal residence and their net worth must be less than \$200,000 excluding the value of the property. The State has extended the filing deadline to October 31, 2012. Currently there are fourteen counties and five cities including Greenbelt, College Park and Hyattsville that participate in this program. It is expected to cost approximately \$50,000 in its first year.

Public Hearing:

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

Councilmember Brady asked if there was only one application that needed to be filled out for both the State and City Tax Credit and does it need to be done yearly. City Manager Deutsch responded that once they file with the State; they will receive both credits as long as the City is participating in the program and they only need to apply once.

Councilmember Marcos asked if the City has received information from the other cities that are participating in the program on how it's working. City Manager Deutsch has spoken to College Park and Greenbelt and it is working fairly well.

Mayor Pro Tem Polangin made a motion to adopt Ordinance O-11-12. Councilmember Marcos seconded the motion and it carried unanimously.

NEW BUSINESS:

A. Resolution R-66-12 – Adopting the Housing and Community Development Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2012 – Mr. Jesse Buggs, Director Office of Grant Development & Administration gave an overview of the CAPER Report that needs to be filed with U.S. Department of Housing and Urban Development. It analyzes housing, human services, and non-housing community development needs throughout the City, identifies and prioritizes community needs, and includes a strategy to address those needs.

Public Hearing:

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

Mayor Pro Tem Polangin made a motion to adopt Resolution R-66-12. Councilmember Brady seconded the motion and it carried unanimously.

B. Adoption of Resolution R-69-12 – Approving the Application and Receipt of Funding for the FY 2013 Maryland Department of Housing and Community Development, Community Legacy Application - Mr. Jesse Buggs, Director Office of Grant Development & Administration explained that the Maryland Department of Housing and Community Development, Office of Neighborhood Revitalization has opened the grant application period for the Community Legacy Program for FY 2012. The program enables municipalities to apply for funds for eligible projects in approved Priority Funding Areas and approved Sustainable Communities. The City's application is requesting funds in the amount of \$168,500 to expand the Senior Citizen Green Housing Rehabilitation Program.

Public Hearing:

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

Councilmember Turner asked since we applied for the designation of Sustainable Community has it been approved and does the City need to have this designation before we receive this grant.

Mr. Buggs has kept in contact with the State in regards to the application and it is still under review, during the last legislative session a bill was introduced and approved that extends the actual certification that the City currently has for another year so the City is covered either way.

Mayor Pro Tem Polangin made a motion to adopt Resolution R-69-12. Councilmember Gardner seconded the motion and it carried unanimously.

C. After Action Report – Emergency Management Office Staff Report Pertaining to the Derecho Storm of June 29th, 2012 – Mr. Alan Creveling, Emergency Management Resource Coordinator gave an overview of the report that was presented to Council. The storm caused about 85% of the homes in the City to lose power and numerous trees and tree branches were downed causing transportation and safety problems. It should be noted that the area was also in the midst of a heat wave with temperatures in the mid to upper 90's and heat indexes over 100 degrees, prompting the City to open cooling centers for residents.

Ms. Una Cooper, Communications Coordinator briefed Council on communications and outreach during the storm. Normal tools she used were not at her disposal for at least the first 24 hours in some instances up to 48 hours. No internet service, land phone lines, Nextel service was very spotty along with Comcast cable and Verizon cable and email was not functioning properly so it was very difficult to get alerts out to residents. Resorted to delivering flyers to senior facilities and posted at different locations around the City to get the message of cooling centers that were open for citizens. By Monday morning, the internet and email were working and she was able to post alerts. Ms. Cooper posted some messages via Facebook and Twitter that also helped to get information out to residents.

Ms. Monica James, Public Safety Committee Chair stated that the committee will review the report and submit their comments to Council at a future meeting.

Mayor Pro Tem Polangin asked if there was enough money allocated in the budget for training. Mr. Creveling responded that there is enough, many of the training opportunities are free.

Councilmember Marcos asked if there was difficulty in obtaining communication with County representatives or State representatives. During this particular storm the City was able to have communication between both.

Councilmember Trough wanted to know if Web EOC was used. Mr. Creveling replied no.

Councilmember Brady asked if we knew what was the reason the phone lines and internet service were not in service. City Manager Deutsch responded that it was an issue with Verizon on a regional level.

Mayor and Council thanked staff for the incredible job they did during the storm, the running of day to day operations of the City with all that was going on and still being able to put together the 4th of July celebration.

D. Approval of State and County Transportation Priority List Letters – Councilmember Brady requested that a paragraph be inserted towards the end of letter in reference to the traffic congestion from Rt. 50 south on Rt. 301 also.

Councilmember Turner asked to also send a separate cover letter to WMATA on the City's Transportation Priority List.

Councilmember Brady made a motion to approve the amended letters. Councilmember Turner seconded the motion and it carried unanimously.

ADJOURNMENT:

Mayor Pro Tem Polangin moved to adjourn the City Council meeting and move to Executive Session as permitted by the Maryland Public Open Meetings Act, Section 10-508(a)(7): To consult with counsel to obtain legal advice on a legal matter (Attached). Councilmember Brady seconded the motion and it carried unanimously. The meeting was adjourned at 9:50 p.m.

Respectfully submitted,


Awilda Hernandez, CMC
City Clerk

**WRITTEN STATEMENT FOR CLOSING A MEETING
UNDER THE OPEN MEETINGS ACT**

Date: 9/4/12 Time: 9:50pm Location: City Hall Motion to close meeting made by: DP

Seconded by DB, Members voting in favor: IT, JM, DP, GFR, DB, TT, HG

Opposed: 0 Abstaining 0 Absent 0

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:

- (7) McL Ford Covenant
- () _____
- () _____

Persons attending closed session: Robinson, Polunski, Marcos, Turner, Gardner, Brady, Truitt, Deutsch, Fitzwater, Loran

This statement is made by Mary Robinson, Presiding Officer: 
SIGNATURE

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

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

Time closed session adjourned: 10:30 pm

Appendix C