



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

TUESDAY, FEBRUARY 19, 2013

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Tuesday, February 19, 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, Trough and Turner (Arrived 8:43p.m.); City Manager Deutsch, Assistant City Manager Fitzwater, City Attorney Ruff, City Clerk Hernandez, Members of the Staff, the Press and the Public.

PRESENTATIONS:

A. Martin Luther King Jr. Art Contest Winners – Ms. Elveeda Dixon, Chair of the Diversity Committee introduced and presented awards to the winners of the coloring, poster and video categories. A list of the winners is attached hereto. Mayor Robinson congratulated the contest winners on behalf of the Council and thanked the Diversity Committee for an outstanding job and effort they did on the contest which obtained over 300 entries.

CITY MANAGER'S REPORT:

City Manager Deutsch reported on the following: A) Amended Senate Bill presented by Senator Peters concerning the Bowie Racetrack Property, it has been referred to the Rules Committee; B) Bowie License Plate Program is close to final approval from the MVA and the City began mailing applications to citizens that have shown interest in the program.

CONSENT AGENDA:

Mayor Pro Tem Polangin moved the approval of Consent Agenda Items: A) Approval of January 7 Meeting Minutes; B) Approval of January 22 Meeting Minutes; C) Approval of February 4 Meeting Minutes; D) Approval of Resolution R-11-13 – Accepting Bid Proposal for Replacement of Bulkhead and Dock at Allen Pond Park; E) Approval of Resolution R-12-13 – Waiving the Bidding Requirements of Section 61 of the City Charter to Allow the City to Enter Into a Contract With Cody Computer Services, Inc., for the Purchase of the "Cody Systems", Integrated Records Management and Field Reporting System; Based Upon a Grant Allocation from the Maryland Governor's Office of Crime Control and Prevention Authorizing the City

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

COUNCIL: Dennis Brady ♦ Henri Gardner ♦ James I. Marcos ♦ Isaac C. Trough ♦ 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

Manager to Enter Into an Agreement for the Purchase of this Law Enforcement Technology; F) City Position Letter – Revision of Site Plan #ROSP-4368/01 Departure from Parking and Loading Spaces #DPLS-381, Chick-Fil-A Restaurant, 16503 Ballpark Road. Councilmember Marcos seconded the motion. Motion carried unanimously 6-0.

OLD BUSINESS:

A. Polling Districts – City Clerk, Ms. Awilda Hernandez, presented to Council a revised rebalancing of District 4 per the request of Council from the February 4 meeting. The new proposed plan would only move the neighborhoods of Graystone, Ridgeview Estates and Ternberry to poll area 4B. Councilmember Turner had raised additional suggestions at the February 4 meeting in regards to the City providing early voting during the 2013 November elections and possibly changing the Council terms from 2 years to 4 years. City Clerk Hernandez polled five surrounding municipalities somewhat similar in size to Bowie about early voting. Of the five; two have provided early voting previously, two do not offer it and one will be providing this year for the first time. The matter of changing Council terms from 2 years to 4 years has been presented in referendum questions in 1984 and in 2000, both times the majority of voters did not vote in favor of the change.

Ms. Camille Gaines, Chair of the Board of Supervisors of Elections read a report on behalf of the Board on the items City Clerk Hernandez presented to Council (copy attached to minutes). The consensus of the Board is to focus on the no excuse absentee voting and not having early voting.

Following comments from Council, Councilmember Marcos made a motion to approve Plan A for redistricting of District 1. Councilmember Brady seconded the motion. Motion carried unanimously 6-0. Mayor Pro Tem Polangin made a motion to approve Plan A for redistricting of District 2. Councilmember Gardner seconded the motion. Motion carried unanimously 6-0. Councilmember Truth made a motion to approve Plan B for redistricting of District 4. Councilmember Brady seconded the motion. Motion carried unanimously 6-0.

Councilmember Brady made a motion to change the Absentee Voting process to No Excuse Absentee Voting during the November 2013 City elections. Councilmember Gardner seconded the motion. Motion carried unanimously 6-0.

Mayor Pro Tem Polangin made a motion to include a referendum question on the 2013 ballot on changing Council terms from 2 years to 4 years. Councilmember Brady seconded the motion. Motion carried unanimously 6-0.

NEW BUSINESS:

A. Mixed Use Developments – Mr. David Deutsch, City Manager introduced Mr. Stephen J. Ferrandi who presented to Council a presentation on mixed used developments throughout the states. A copy of the presentation is on file at City Hall. Mixed-Use development needs a minimum of three revenue producing uses to succeed, which mean they are of a large scale. The typical mixed-use project often exceeds 100,000sf. Rockefeller Center, Baltimore's Renaissance Harborplace, and National Harbor are a few examples of mixed-use centers.

Councilmember Gardner asked Mr. Ferrandi if he knew of any mixed-use developments near the local metropolitan area that have failed. Mr. Ferrandi responded that one he knows of is Towson Commons in Baltimore County and he is still unsure of why it failed. There were no residential components on the site at that time.

Councilmember Brady asked if there are any drawbacks to mixed-use developments. The drawbacks are when they build one particular component that outweighs other components, no balance of uses.

Councilmember Marcos asked if a mixed use project has a better success rate if location is near major highways. Mr. Ferrandi replied yes, it provides easier access.

Mayor Robinson thanked Mr. Ferrandi for his presentation and comments.

B. Environmental Advisory Committee Presentation – Mr. Gary Allen, Chair for the Bowie Environmental Advisory Committee presented the committee's environmental initiatives toward a Green Bowie for the year ahead. Some of the steps are to increase city recycling, recommendations on street tree replacement and home owner incentives, City stream restoration plan with focus on buffers and water quality, and assessment for construction of a Nature Center in CIP for 2017.

Following questions from Councilmembers, Mayor Robinson thanked Mr. Allen for his presentation and the work done by the committee.

C. Mid-Year Budget Review – City Manager Deutsch provided an overview of the Fiscal Year 2013 mid-year budget as contained in the report dated February 19, 2013, a copy of which is on file at City Hall. Mr. Deutsch reported that by June 30, 2013, General Fund revenues are projected to be approximately half a million dollars under budget and expenditures approximately a quarter million dollars under budget. He also highlighted items in the report including negotiations on a new Franchise Agreement with Comcast, conducting a joint Active Shooter training for all City employees and local schools, creating an internship program for high school students to assist City staff in operating shows at the Playhouse, renovate engineered wood surfacing at Dog Park, purchase of three additional speed signs piggybacking on an Anne Arundel County contract, and retrofit underdrain outlets on Memphis Lane and several other streets. Mr. Deutsch went on to report on the financial summary contained in the report as well as the water and sewer funds.

Mayor Robinson thanked City Manager Deutsch and staff for the report.

D. Police Department Update – Chief Nesky summarized the staff report dated February 14, 2013, a copy of which is on the file at City Hall. His report includes information on staffing, speed cameras, grant purchases, police activities, crime trends, community services and future projects. He also provided reports on Non-Priority Calls for Service, Priority Calls for Service, Total Calls for Service, Crime and Citation Statistics and Theft Stats for 2011 to December 2012.

Mayor Pro Tem Polangin asked why there was such a big drop from 2009 to 2012 on the number of service calls. Chief Nesky did not have a logical answer except that they are trending down countywide. Mayor Pro Tem Polangin also thanked the Chief and his department for the Active Shooter training they are conducting.

Councilmember Gardner commented on the parking issues in the Pin Oak community as well as issues they are having with towing companies. Mr. Deutsch replied that staff will work on the parking issues and provide Council with updated information.

Councilmember Turner thanked the Chief and the Deputy Chief for their reports. He suggested that notice be sent to parents ahead of time when the Active Shooter trainings are being done at the schools.

Councilmember Brady asked if the Active Shooter program should be extended to movie theatres or other sites among the City as well as day cares. Chief Nesky said that they have already talked to the movie theatre and ran a joint exercise with the County there and are working to expand with various other locations including day cares.

Mayor Robinson thanked the Chief and his staff for their reports and the outstanding job the department is doing.

ADJOURNMENT:

Mayor Pro Tem Polangin moved to adjourn the City Council meeting and move to Close Session as permitted by the Maryland Public Open Meetings Act, Section 10-508(a)(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 (Attached). Councilmember Brady seconded the motion and it carried unanimously. The meeting was adjourned at 11:26 p.m.

Respectfully submitted,


Awilda Hernandez, CMC
City Clerk

Parents:

Congratulations! Your son or daughter is a winner in the Martin Luther King, Jr. Art Contest sponsored by the City of Bowie. They are invited to attend the Bowie City Council meeting on Tuesday, February 19 at 8 p.m., where they will be recognized and presented with their prize check.

Please contact Una Cooper at 301-809-3032 or email ucooper@cityofbowie.org to RSVP for the February 19th meeting. It takes place in the Council Chambers at Bowie City Hall, 15901 Excalibur Road.

**City of Bowie
Martin Luther King, Jr. Art Contest
2013 Winners**

Coloring Category (Kindergarten - Second Grade)

<u>Name</u>	<u>School</u>	<u>Grade</u>	<u>Place</u>	<u>Prize</u>
Haider Syed	Pointer Ridge Elementary School	K	First	\$100
Jocelyn Gross	The Lowell School	1	Second	\$50
Samantha Burgess	Whitchall Elementary School	1	Third	\$25

Poster Category (Third - Fifth Grade)

<u>Name</u>	<u>School</u>	<u>Grade</u>	<u>Place</u>	<u>Prize</u>
Ankita Gola	Rockledge Elementary School	5	First	\$100
Karen Gomez-Cordon Melissa	Rockledge Elementary School	5	Second	\$50
Jada Avery	Pointer Ridge Elementary School	5	Third	\$25

Video Category (Sixth - Twelfth Grade)

<u>Name</u>	<u>School</u>	<u>Grade</u>	<u>Place</u>	<u>Prize</u>
Henry Jackson & Kareem Adebisi (joint entry)	Bowie High School	12	First	\$100
Sarah Kuhnert	Home schooled	12	Second	\$50
Sixtus Akinsosoh	Bowie High School	11	Third	\$25

MEMORANDUM

TO: Awilda Hernandez, City Clerk

FROM: Camilla Gaines, Chair Board of Elections

SUBJECT: City Elections- Poll Balancing, Early Voting and County Council Terms

DATE: February 18, 2013

The Board of Elections met on Friday, February 15, 2013 to discuss the subject as outlined. The committee reviewed feedback from the following districts in regards to their experience and costs regarding early voting: Greenbelt, Gaithersburg, College Park, and Laurel. After reviewing the feedback from the noted districts, it was the consensus of the board that it would not be cost effective considering the percentage of voters who participated in the last election. The City of Bowie has 40,372 registered voters and in the 2011 election, only 4,597 (11.39%) participated in the election, which was also taken into consideration for the consensus. The Board collectively recommends that consideration be given to placing a survey on the city's website and/or in the City Newsletter for residents to vote whether to further explore early voting. It is our opinion that we place more focus on the absentee ballots, perhaps lifting the restrictions and issuing ballots specific to the voting districts to promote more voting.

After discussing the possible change of Council members' terms from 2 to 4 years, we did not reach a consensus to support a term change. The board discussed while 2 years may not be a significant amount of time to accomplish goals, it is our opinion that the council members should manage their goals and commitments relative to the current term of 2 years, which would possibly earn reelection. However, we are proposing that a Referendum be placed on the next election's ballot for the citizens to voice their concerns of a possible change in terms.

In addition to the possible change in terms, the Board reviewed the possibility of placing a limit on consecutive terms to give other qualified candidates an opportunity to serve the City. Therefore we request an additional referendum to allow the citizens to vote whether to limit the consecutive terms. Both referendums would be for informational purposes and not an actual vote in the upcoming 2013 elections.

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

Date: 2/19/13 Time: 11:26 Location: City Hall Motion to close meeting made by: Polangin
Seconded by Brady Members voting in favor: Truth, 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:

- (✓) Public security matter regarding 4th of July
- (✓) Status of negotiations with FOP
- (✓) Consideration of Property Acquisition for Open Space

Persons attending closed session: Truth, Marcos, Polangin, Robinson, Brady, Turner, Gardner, Deutsch, Fitzmaurice, Neck, P. M., Ruff

This statement is made by Maya Robinson, Presiding Officer: [Signature]
SIGNATURE

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

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

Time closed session adjourned: 12:05

Appendix C