City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, MARCH 18, 2013

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, March 18, 2013 in the Council Chambers at City Hall. Mayor Robinson called the meeting to order at 8:05 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 Ruff, City Clerk Hernandez, Members of the Staff, the Press and the Public.

CITIZEN PARTICIPATION:

Benjamin Woolery, 12302 Manship Lane, spoke on behalf of the Bowie Ethics Commission. He said the Commission still needs an Alternate Member. He also reminded Council that there are new requirements when it comes to lobbyists that need to be followed.

PRESENTATIONS:

A. Teacher of the Month Award (December, January, February) – Dr. Dawn Brodus-Yougha Chairperson of the Bowie Education Committee presented the "Teacher of the Month Award" to Ms. Lora Villafranca from C. Elizabeth Rieg Regional School for the month of December 2012, Ms. Rena Shylanski from Rockledge Elementary for the month of January and Mr. Todd Pozen from Whitehall Elementary School for the month of February. All teachers will receive a dinner for two voucher from Texas Roadhouse in Bowie; T.J. Elliotts Restaurant in Bowie will provide the teacher and her homeroom class with a pizza party and from the City of Bowie a Certificate of Recognition and a check for $50.

CITY MANAGER'S REPORT:

City Manager Deutsch reported on the following: A) SHA resurfacing project of Rt 197 from Evergreen Parkway east to US 301 is currently out-to-bid, they expect to issue Notice to Proceed in early summer and project will begin immediately there after; B) Prototype of Bowie license plate is complete, program is about 6 weeks away from implementation.

Councilmember Turner commented that Rt 450 is also in need of some cleaning up.

CONSENT AGENDA:

Mayor Pro Tem Polangin moved the approval of Consent Agenda Items: A) Approval of March 4 Meeting Minutes; B) Approval of Resolution R-18-13 – Approving Variance Application BV-1-13, a Request by Mr. Armstrong Awani for Variances From Building Setback and Lot Coverage Requirements to Validate Existing Conditions on the Property Located at 13013 8th Street, Bowie, Maryland and to Construct Approximately 127 Linear Feet of Six Foot (6') High Fence Between the Dwelling Unit and Adjacent Streets; C) Approval of Resolution R-19-13 – Waiving Bidding Requirements of Section 61 of the City Charter to Authorize the City Manager to Enter Into a Contract With Urbas Plastering for the Repair of Interior Walls at the Belair Mansion in an Amount not to Exceed $17,280; D) Letter Concerning Formula 2040 Master Plan for Parks, Recreation and Open Space Prince George's County. Councilmember Brady seconded the motion. Motion carried unanimously 7-0.

OLD BUSINESS:

A. Council Term Limits Discussion – Councilmember Turner suggested including another referendum question on the ballot to consider term limits for Councilmembers. This item will only be contingent upon the passage of the first referendum question, which is changing Council terms from 2 years to 4years.

Public Hearing:

1. Mr. John Henry, 16104 Pond Meadow Lane, spoke in opposition of the extension of terms and term limits.

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

Councilmember Trouth expressed that he is not in favor of extending the term limits to 4 years or term limits.

Councilmember Brady said that he is not in agreement with term limits.

Councilmember Turner thanked his colleagues for having the discussion.

Mayor Robinson mentioned that a question has been brought up in previous discussions about changing the deadline to file for candidacy from 30 days to 60 days prior to Election Day.

Councilmember Brady requested more information from staff on this matter and would like to have it discussed at the April 15th meeting.

City Manager Deutsch will gather information and include on the agenda for the April 15th meeting.

B. Kenhill Center Leasing – City Manager Deutsch briefed Council on the status of Kenhill Center and recommends that the City enter into a program that will offer opportunities for local non profit organizations, to be considered for leasing space on a paid basis in that facility.

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 direct staff to move forward with a leasing program for Kenhill Center. Councilmember Gardner seconded the motion. Motion carried 6-0 (Councilmember Trouth not present).

ADJOURNMENT:

Mayor Pro Tem Polangin moved to adjourn the City Council meeting and enter into Closed Session under Article §10-508(a)(3): To consider the acquisition of real property for a public purpose and matters directly related thereto; Article §10-508(a)(9): To conduct collective bargaining negotiations or consider matters that relate to the negotiations; Article §10-508(a)(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. Councilmember Turner seconded the motion and it carried 6-0 (Councilmember Trouth not present). The meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Awilda Hernandez, CMC
City Clerk

WRITTEN STATEMENT FOR CLOSING A MEETING UNDER THE OPEN MEETINGS ACT

Date: 3/18/13 Time: 8:46pm Location: CH-181 Motion to close meeting made by: Polangin ;

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

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:

(✓) To discuss the acquisition of property for recreation, open space + public purpose.
(✓) To discuss the disposition of City owned property.
(✓) To discuss the current status of negotiations with the FOP + AFSME
(✓) To discuss strategy concerning a proposal coming before the City.

Persons attending closed session: Robinson, Polangin, Marcos, Brady, Turner, Gardner, Trouth, Deutsch, Fitzwater, RuFP

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

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

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

Time closed session adjourned: 9:45 p.m.

Appendix C