



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, MAY 6, 2013

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, May 6, 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:

Boy Scouts from Troop 1660 led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Robinson, Mayor Pro Tem Polangin, Councilmembers Brady, Gardner (arrived 8:37p.m.), Marcos, Truth and Turner; City Manager Deutsch, Assistant City Manager Fitzwater, City Attorney Levan, City Clerk Hernandez, Members of the Staff, Press and the Public.

CITIZEN PARTICIPATION:

A. Mr. Richard Stein, 2712 Filbert Lane, asked Council for usage of the Cable TV Studio at Kenhill Center to produce four shows.

Mayor Robinson will pass information to City Staff and have them contact Mr. Stein.

PRESENTATIONS:

A. Mayor Pro Tem Polangin made a motion to approve Proclamation P-9-13 – Congratulating Officer Eugene White on his Recognition by the Prince George's County Police Chief's Association as the "2012 Officer of the Year". Councilmember Brady seconded the motion and it carried 6-0 (Gardner not present). Mayor Pro Tem Polangin presented the proclamation to Officer White.

B. Councilmember Truth made a motion to approve Proclamation P-10-13 – Recognizing Rosario "Russ" Ideo for His Service and Commitment to His Community. Councilmember Marcos seconded the motion and it carried 6-0 (Gardner not present). Councilmember Truth presented the proclamation to Mr. Ideo.

C. Swearing-in of new City Police Officers - Mayor Robinson swore in the following new Officers to the Bowie Police Department: Private First Class Kwok S. Kam and Private First Class Melvin F. Proctor III.

D. Teacher of the Month Award (March, April) – Dr. Dawn Brodus-Yougha Chairperson of the Bowie Education Committee presented the "Teacher of the Month Award" to

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

Ms. Cathy Smith from Kenilworth Elementary School for the month of March, and Ms. Rebecca Feng from Rockledge Elementary for the month of April. All teachers received 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 BOARDS AND COMMITTEES:

A. Appointments/Reappointments/Swearing-in – Mayor Pro Tem Polangin moved to appoint Ms. Dora Myles-Moore as Member to the Bowie Education Committee for a 2-year term. Councilmember Brady seconded the motion. Motion carried 6-0 (Gardner not present).

B. Councilmember Brady moved to appoint Ms. Jasmin S. Hall as a member of the Bowie Arts Committee for a 2-year term. Councilmember Marcos seconded the motion. Motion carried 6-0 (Gardner not present).

C. Councilmember Marcos made a motion to appoint Mr. Jim Holderbaum as a Full Member to the Bowie Ethics Commission to replace outgoing member Dr. Lori Glaze. Councilmember Brady seconded the motion. Motion carried 6-0 (Gardner not present).

D. Mayor Robinson swore in Ms. Myles-Moore and Ms. Hall to their respective committees and welcomed them.

COUNCIL ANNOUNCEMENTS:

Mayor Robinson mentioned the Excellence in Education Award Ceremony being held May 8th at the Comfort Inn & Conference Center.

CITY MANAGER'S REPORT:

City Manager Deutsch had no report.

CONSENT AGENDA:

Mayor Pro Tem Polangin moved the approval of Consent Agenda Items: A) Approval of April 15 Meeting Minutes; B) Approval of April 22 Special Meeting Minutes; C) Approval of April 29 Special Meeting Minutes; D) Approval of Proclamation P-8-13 – Proclaiming May 17, 2013 As Bike to Work Day in the City of Bowie; E) Approval of Resolution R-29-13 – Approving Variance Application BV-3-13, A Request by Claudio and Karen Mejia to Validate "After the Fact" the Construction of a 15-Foot by 21-Foot Gazebo Structure (A Roofed Pavilion) Approximately 29 Feet From the Side Street Lot Line Along Pinelake Lane When, According to the Prince George's County Zoning Ordinance, Such Accessory Structures on Corner Lots Must be Located a Minimum of 30 Feet From the Side Street Lot Line (Along Which An Abutting Lot Fronts), at 1515 Perrell Lane; F) Approval of Resolution R-31-13 – Waiving the Advertising Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie and Authorizing a Backup System for Police Data. Councilmember Turner seconded the motion. Motion carried 6-0 (Gardner not present).

OLD BUSINESS:

A. FY2014 Budget, CIP and Constant Yield Tax Rate - City Manager Deutsch reported that municipalities are required by State law to place an advertisement in a local

newspaper and to hold a public hearing on the Constant Yield Tax Rate. The City has complied with those requirements and is considering not decreasing the current tax rate of \$.40 per \$100 of assessment since the difference is minor.

Public Hearing:

1. Ms. Bonnie Moore, Chair of the Bowie Financial Advisory Committee, presented their annual report on the budget. They are thankful that the proposed budget is focused on maintaining current levels of services to the community, and is within the same range as previous budgets and no substantial increases or decreases are anticipated. A copy of Ms. Moore's report is attached.

2. Mr. Gary Allen, Chair of the Environmental Advisory Committee, presented to Council their report on the budget. A copy of Mr. Allen's comments is attached.

3. Ms. Laurie Baty, Deputy Director of National Capital Radio and Television Museum, thanked Council for the public/private partnership and the installation of the solar panels that has reduced their electrical bills by almost 50% at Harmell House. The museum is working on a two week summer program for children that will focus on STEM and would like to request a budget item of \$10,000 to help sponsor this program.

4. Councilmember Turner introduced for the record an email he received from Earnest White, President of Saddlebrook West HOA. A copy of the email is attached.

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

Councilman Brady made a motion to keep the Constant Yield Tax Rate at \$.40 per \$100 of assessment value. Councilmember Truth seconded the motion. Motion carried unanimously.

NEW BUSINESS:

A. Approval of Resolution R-22-13 – Adopting a Consolidated Plan for Housing and Community Development FY 2014-2018 – Mr. Jesse Buggs, Director for Grant Development & Administration Office introduced Ms. Marjorie Williams with Mullin & Lonergan Associates, the consulting firm retained by the City to conduct the needs assessment that is required by CDBG.

Ms. Williams briefed Council on the results of the assessment. The City is in need of housing for minority households, affordable workforce housing for young adults and families wanting to move to Bowie. She also mentioned a lack of affordable housing for the elderly. Under Public Services there is a need for youth center services and additional senior center space. CDBG funding the city will receive for FY 2014 will be approximately \$156,796 to address some of these issues.

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 Resolution R-22-13 authorizing the Five Year Strategic Plan/Consolidated Plan FY14-13 and Annual Action Plan FY 14 to be sent to HUD. Mayor Pro Tem Polangin seconded the motion and it carried unanimously.

Mayor Robinson thanked staff for their report.

B. Legislative Review – City's lobbyist, Mr. Len Lucchi provided Council a review of the bills affecting Maryland municipalities that were passed during the 2013 General Assembly Session. Some of the bills deal with budgets, property tax credits for historical and architecturally valuable properties, Open Meetings Act – violations and penalties, and sustainable communities. A copy of Mr. Lucchi's report is on file with the City Clerk.

Mayor Robinson thanked Mr. Lucchi for another outstanding year of service.

C. Approval of Resolution R-30-13 – Approving an Agreement Between the City and the Fraternal Order of Police, Lodge 140. City Manager Deutsch summarized some of the highlights of the contract. It is a three year contract which takes it through FY 2016; it defines positions excluded from the bargaining unit, management rights, schedules, wages, specialty pay, leave, insurance and pension. The contract was ratified by the F.O.P. membership on April 11, 2013.

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 Resolution R-30-13 Approving an Agreement Between the City and the Fraternal Order of Police, Lodge 140. Councilmember Trough seconded the motion and it carried unanimously.

D. Approval of Charter Amendment Resolution CAR-2-13 – Amending Section 18A, "Express Powers" of the City Charter. City Manager Deutsch explained that the Charter Amendment is a companion piece to the action Council took on Resolution R-30-13. The existing Charter prohibits the City from entering into a collective bargaining agreement that contains any binding arbitration. The proposed Charter Amendment would permit the City to include binding arbitration of grievances in a collective bargaining agreement between it and F.O.P. Lodge 140.

Public Hearing:

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

Councilmember Marcos made a motion to approve Charter Amendment Resolution CAR-2-13 Amending Section 18A, "Express Powers" of the City Charter. Councilmember Brady seconded the motion and it carried unanimously.

E. Approval of Charter Amendment Resolution CAR-1-13 – Amending Section 61, "Purchasing and Contracting" and Section 62, "Cooperative Bidding" of the City Charter. Assistant City Manager Fitzwater stated that the amendments proposed in CAR-1-13 will improve the City's procurement process. In addition, staff will be proposing that the City

incorporate certain procurement provisions in the City Code, as well as adopt procurement policies and procedures.

Public Hearing:

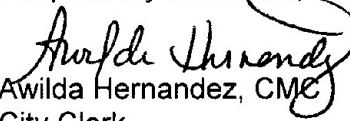
Since there were no speakers signed up to speak, Mayor Robinson declared the public hearing to have been held.

Mayor Pro Tem Polangin made a motion to approve Charter Amendment Resolution CAR-1-13 Amending Section 61, "Purchasing and Contracting" and Section 62 "Cooperative Bidding" of the City Charter. Councilmember Marcos seconded the motion and it carried unanimously.

ADJOURNMENT:

Mayor Pro Tem Polangin moved to adjourn the City Council meeting. Councilmember Turner seconded the motion and it carried unanimously 7-0. The meeting was adjourned at 9:45 p.m.

Respectfully submitted,


Awilda Hernandez, CMC
City Clerk

To: The Bowie City Council
From: The Financial Advisory Committee
Date: May 6, 2013
Re: The Proposed 2014 Annual Budget

Thank you for the opportunity to give you our perspective on the proposed budget for fiscal year 2014. We appreciate that the budget is consistent with our City's operating approach which is based on a pay-as-you-go philosophy and which has continuously earned the City a AAA credit rating. We also appreciate that the city's reserve funds continue to meet or exceed the established requirement. We note that the proposed operating budget is within the same range as previous budgets and no substantial increases or decreases are anticipated.

We suggest that the prudent budget approach at this time should remain conservative due to the uncertainties in the regional and national financial climate. We are fortunate to live in close proximity to Washington and to reap the benefit of the large number of jobs funded either directly or indirectly by the federal budget. However, the effect of the federal sequestration has not yet reached its full impact on the local and state economies. While it might appear that the economy is improving, it is too soon to make substantial spending decisions based on the uncertainty of future revenue projections.

We focused on the Capital Budget and developed four categories of expenditures planned in the current year:

Required: A project that is mandated by law, or one that if not fixed may result in more problems and additional future costs. Examples would be water plant repairs, stormwater management, and the sediment control reserve funds. The projects in the current budget are all funded with local funds and revenue.

Replacement/Repair: In-kind replacement, or a repair, of an existing facility that needs immediate repair in order to function properly. The projects in the current budget are all funded with local funds and revenues. The local fund includes an additional \$1M from a highway user fee which contributes to the street resurfacing program.

Examples would be repairs to the Senior Center, Kenhill Center, Ice Area repairs, street resurfacing, facility maintenance, water plant repairs and wastewater treatment plant repairs.

Enhancement: Replacement of an existing facility that may currently serve its purpose with an upgraded or enhanced version. The projects in the current budget are all funded with local funds and revenue.

In summary, the Committee suggests that Council should support a conservative fiscal year 2014 budget at this time which minimizes non-essential expenditures while maintaining all of our current city services and complying with our current reserve fund policy.

Sincerely,

City of Bowie Financial Advisory Committee

Remarks EAC Chair City Budget May 6, 2013

Gary G Allen

Good evening Mr. Mayor and Council:

Of the many topics that present themselves on your agenda few are as important, lasting, or visible as decisions made on the Annual Budget. This year you have the opportunity to make some particularly important and very visible decisions to benefit our local environmental.

I want to compliment THE CITY MANAGER AGAIN THIS YEAR for his budget cover letter and the care he again took this year to share with you and the citizens of Bowie **TEN** indicators of the Environmental progress the City is making based on past Council decisions. **MANY** of these such as THE CONTINUING success in the “of the larger recycling carts” and resulting expansion of the CITY recycling **REFLECT**
RECUMMENDATIONS MADE BY THE EAC.

These last few budget meetings and the decisions they embody again provide you the opportunity to maintain this progress even in a challenging fiscal climate.

I WANT TO HIGHLIGHT SIX items (PAGE X-10- OF THE CITY MANAGER COVER MEMO)

RECUMMENDED IN THE PROPOSED BUDGET- THREE were addressed in our February Briefing on the next Steps to a “Green Bowie”

FIRST— a Sustainability Planner position

AS I HAVE OFTEN NOTED every community of similar size to ours IN MARYLAND THAT has a significant environmental commitment has seen that commitment enhanced when the community has a significant, visible and responsible **staff leader** to coordinate that effort among city programs, serve as a single point of citizen contact and lead the staff effort to identify resources and support for locally adopted goals. THE PROPOSED POSITION IS A GOOD BEGINNING.

EAC remains convinced that a SENIOR staff position providing coordination and visibility across all departments of environmental programs, initiatives and projects would provide the champion the city requires much more effectively than a PLANNER

Second – WE STRONGLY ENCOURAGE YOUR APPROVAL OF THE new program initiatives (an Urban Greening Program funded at \$10,000 and a senior citizen energy audit program funded at \$10,000. EAC ADDRESSED THESE LAST FEBURARY.

AND THE addition, OF FUNDING FOR (\$75,000 has been allocated in the Department of Community Services operating budget) **invasive removal on City properties** (see page 111).

I NOTE The Green Team budget request was INCLUDED as part of the Planning Division's supplies budget at \$7,500,

AND SMALL BUT IMPORTANT ENERGY EFFICIENCIES UPGRADES FOR ARE PROPOSED FOR PUBLIC WORKS FACILITIES

THIRD fully fund the EAC budget (a modest \$1500.) --so that we can--

EXPAND OUR Outreach EFFORTS to:

Launch Community Green Energy challenge
 Encourage Household Certification program
 Expand the city Habit certification program AND OTHER EFFORTS
 IN COOPERATION WITH OTHER CITY COMMITTEES SUCH AS
 BUSINESS AND ECONOMIC DEVELOPMENT.

Finally

I would like to raise an item which at least in this Budget **will cost nothing** but which can only underline your vision and long term thinking about our environmental future and provide a foundation for the next generation of city leaders on these issues.

In the seventies when the first Master PLAN FOR WHITE MARSH PARK WAS ADOPTED AND AGAIN IN 1990 WHEN THE MASTER PLAN FOR TANGLEWOOD PARK WAS ADOPTED MENTION WAS MADE IN BOTH PLANS of A NATURE CENTER

“TO SERVE AS FACILITY IN ONE OF THESE LOCATIONS FOR INTRODUCTION AND INTERPERATION OF THE BENEFITS AND VALUES CITIZENS COULD EXPECT FROM THE SETTING ASIDE OF THESE LANDS FOR THE FUTURE OF OUR COMMUNITY. “

A GENERATION HAS PASSED SINCE THESE PLANS WERE PUBLISHED and a new recreation plan is now READY TO BE IMPLEMENTED in preparation. YET NO PROGRESS HAS BEEN MADE TO REALIZE THIS DREAM.

You have the opportunity in this budget to reaffirm and begin the process to reframe these early visions for our future. THE EAC asks that you **Put a page in the CIP committing the city by 2017 to an assessment of “the need for and potential location of a Community Nature Center” and thus address how the plans and visions of earlier leaders can be realized.** Such a request is no different in character from that contained in planning for a city hall, or a senior center, a gym or a performing arts center and like that Center it may be an ideal facility to invite the public to participate in helping to fully fund the project identified.

Much as been accomplished on local environment issues this past year I note in particular the PLANNING AND ENERGY OF THE GREEN TEAM AND IT WORK AND THE INITIAL CERTIFICATION OF THE CITY UNDER THE SUSTAINABLE MARYLAND PROGRAM. **Now** in your hands is the opportunity to maintain that progress and make your efforts as a Council even more visible for years to come.

THIS YEAR



2013 Next ~~ten~~ NINE* steps toward a Green Bowie

1. Fund Green team outreach projects and refine recommended GT policies
2. Frame action strategy for city leadership example in facility, equipment and -
---- on GHG reduction
3. Review, revise and increase city recycling goals to significantly enhance
program over next 2 years including assessment of collection and pilot
composting of food waste
4. Further refine city greening program with recommendations on street tree
replacement and home owner incentives
5. Align and advance priorities for City stream restoration plan with focus on
buffers, water quality and improving habit values
6. Frame parameters for an invasive threats assessment of plants, insects and
other non native species
7. Comprehensive review of integrated GI, open space policies, passive
recreation sites, and trails plan.
8. Place assessment for construction of Nature Center in CIP for 2017

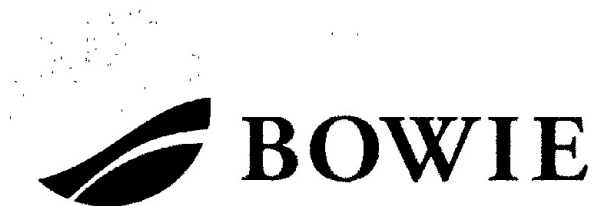
9. Sustainability Staffing—Create City staff position Environmental Programs Director. This action supports and enables all the others

* EAC has combined several actions and strongly recommends support for Projects developed by the Bowie Green Team - Item#1

Complete 2012 actions

1. Recommend Natural exploration area be installed in a City Park (staff action moving)
2. Frame City Bay Friendly Fertilizer Policy (framework identified) --action initiated
3. Certify Bowie in Maryland Sustainability Program (submitted)
4. Adopt community Greening ordinance and specific action steps
5. Reduce City mowing area by x 5% (limited progress)
6. **EXPAND** Outreach to:
 - Launch Community Green Energy challenge
 - Encourage Household Certification program
 - Expand Habit certification program
 - Recommend City support for enabling authority county decision on plastic Bag fee to Reduce Plastic bag use

LAST YEAR



2012(FY 2013) Next ten steps toward a Green Bowie

10. Form Green team & initially certify Bowie
In Maryland Sustainability Program
11. Launch Green Business Certification and Green Business recognition
12. Confirm city Canopy Goal, draft and Adopt community Greening ordinance
13. **EXPAND** Outreach to:
 - Launch Community Green Energy challenge
 - Encourage Household Certification program

- Expand Habit certification program
- Reduce Plastic bag use
- 14. Modify City Development Review Guidelines where appropriate to encourage energy efficiency and renewable energy
- 15. Frame city Bay Friendly Fertilizer Policy (framework identified)
- 16. Frame parameters for an invasive threats assessment of plants, insects and other non native species
- 17. Comprehensive review of integrated GI, open space policies, passive recreation sites, and trails plan.
- 18. Place assessment for construction of Nature Center in CIP for 2016
- 19. Sustainability Staffing—Create City staff position Environmental Programs Director. This action supports and enables all the others

Building on earlier Steps Progress

- Climate actions **adopted**
 - Renewal energy purchase
 - Set Fleet mileage average and 10 year reduction plan
- EECS strategies **ADOPTED TRACKED REPORTED**
- 2012 Green Expo **Launched- second is April 2012**
- Distribute remaining Recycling carts **FALL 2012**
- Register Bowie as Sustainable community—**Resolution Adopted**
- Budget element on environmental indicators **City Mgr. Report 2011**
- City Habit Certification **Committee working**
- Rebate program for electric lawn mower and Reel type **Adopted**
- **Review progress** City's Environmental Infrastructure Action Strategy Plan (EI Plan) **scheduled actions**

 You forwarded this message on 5/6/2013 3:07 PM.

Todd M. Turner

From: E [earnest.white@gmail.com]

Sent: Mon 5/6/2013 2:28 PM

To: Todd M. Turner

Cc:

Subject:

Attachments:

I should have one or two Board members at the meeting tonight, but in case neither of them make it I wanted you to have something that could be read. Feel free to make whatever changes you see fit.
Will the meeting be available online?

I would like to thank the City Council, not just for hearing me, but for all they do for our wonderful city.

Some people wait until a catastrophic event occurs before thinking about how to improve a situation. In speaking with other communities in and around Bowie, we have heard more and more stories about what appears to be an uptick in crime. Whether it is vandalism, property damage, theft, or worse still; loss of life. There seems to be some debate about the cause of the uptick, but there is little debate about the steps to take to ameliorate the problem. We in Saddlebrook West have attempted to take a page out of some of the major cities play book and have tried to implement, on a much smaller scale, a "broken window" or "zero tolerance" policy. Working closely with the City Code Compliance department, we know many of the officers by name and we especially appreciate Mr. David Findlater, we have sought to enforce many of the City's rules and regulations as well as our Community's rules and regulations. We do this in an attempt to keep our community looking as esthetically appealing as possible, but also to look as unappealing a place for would be wrongdoers to want to cause havoc. However, try as we might, vandalism, loitering for the purpose of engaging in sexual activity, the consumption of alcohol, as well as the use and possible distribution of illegal drugs, and even breaking and entering's plague our community. These, as well as other infractions, have led us to getting bids from camera security companies and speaking with the Bowie Police Department about hiring off duty officers to patrol our community. The cost of these measures is the only reason we haven't implemented them yet. Which is why we were extremely pleased to hear about the Honorable Todd Turner's proposal for a public safety grant program. We look forward to the generous funding of the proposal

and believe it will go a long way in helping keep the City of Bowie a safe and desirable place to live and raise a family.

Thank you,
Earnest White
President - Saddlebrook West HOA