



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

## REGULAR CITY COUNCIL MEETING MINUTES

TUESDAY, SEPTEMBER 8, 2015

### CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Tuesday, September 8, 2015 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 Truth, Councilmembers Brady, Gardner, Marcos, Polangin and Woolfley; City Manager Deutsch, Assistant City Manager Fitzwater, City Attorney Levan, City Clerk Hernandez, Staff, the Press, and the Public.

### CITIZEN PARTICIPATION:

1. Ms. Evelyn Rhodes thanked City Council and the Bowie Police Department for their support in Old Town Bowie.

### CITY BOARDS AND COMMITTEES:

Mayor Robinson swore-in Dr. Tawah to the Economic Development Committee for a two year term.

### COUNCIL ANNOUNCEMENTS:

Mayor Robinson thanked staff for the great summer concert series held at the city parks.

### CITY MANAGER'S REPORT:

City Manager Deutsch reported that the Bowie Police Department has obtained a K-9 and the County is providing the training for the next 12 weeks. Annual resurfacing program is about 65% complete throughout the City and it is expected to conclude in mid-October

### CONSENT AGENDA:

Councilmember Polangin moved the approval of Consent Agenda Items: A) Approval of August 3 Meeting Minutes; B) Approval of Proclamation P-13-15 Declaring the Week of September 17-23, 2015 as Constitution Week in Bowie; C) Approval of Proclamation P-14-15 Placing Sylma Gottlieb in the Bowie Hall of Honor; D) Approval of Proclamation P-15-15 Placing Kenneth Fox in the Bowie Hall

**MAYOR** G. Frederick Robinson    **MAYOR PRO TEM** Isaac C. Truth

**COUNCIL** Dennis Brady ♦ Henri Gardner ♦ James L. Marcos ♦ Diane M. Polangin ♦ 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](http://www.cityofbowie.org)

of Honor; E) Approval of Proclamation P-16-15 Declaring September 2015 as National Emergency Preparedness Month in Bowie; F) Approval of Resolution R-61-15 Awarding a Contract for the Removal of the Existing Chimney and Installation of a New Modified Bitumen Roof, Soffit, and Trim at the Kenhill Center; G) Approval of Resolution R-62-15 Authorizing the Issuance of a Purchase Order to RK & K for Task Order #2 – Final Design of a Stormwater Retention Pond at Midwood Lane in Accordance With the Master Contract Approved on April 6, 2015.; H) Approval of Resolution R-65-15 Authorizing the City Manager to Execute an Annexation Agreement With TLBT, LLC Establishing the Terms and Conditions Governing the Proposed Annexation of Approximately 4.107 Acres of Land, Located on the South Side of Maryland Route 450, East of Church Road, Into the Corporate Limits of the City of Bowie; I) Approval of Resolution R-66-15 Adopting an Annexation Plan for the Annexation of Parcels 2, 133, 87, 91 and 96 Located in Grid C-1 of Prince George's County Tax Map 46, Also Known as 13401 Annapolis Road, Bowie, Maryland 20720; J) Introduction of Ordinance O-12-15 Amending City Code Chapter 2, "Administration", Article V, "Public Ethics", Section 2.69.K, to Establish Certain Time Limits Within Which Certain Complaints Alleging Violations of the Bowie Public Ethics Ordinance Must be Filed With the Bowie Ethics Commission; K) Introduction of Ordinance O-13-15 Authorizing and Empowering the City of Bowie (The "City") to Issue and Sell From Time to Time, Upon its Full Faith and Credit, General Obligation Refunding Bonds in One or More Series in an Aggregate Principal Amount Not to Exceed Eight Million Eight Hundred Thousand Dollars (\$8,800,000) (The "Bonds"), the Proceeds of the Sale Thereof to be Used and Applied for the Public Purposes of Providing All or a Portion of the Funds Needed for Advance Refunding all or a Portion of the Outstanding Public Improvement Bonds of 2009 That are Subject to Redemption Prior to Their Stated Maturities and Paying Costs of Issuance of the Bonds; Determining That the Bonds of Each Series be Sold at a Private Sale, Without Soliciting Bids; Authorizing the Council by Resolution to Determine and Provide for Various Matters Relating to the Authorization, Sale, Security, Issuance, Delivery, Payment and Prepayment of Each Series of the Bonds; Providing for the Engagement of Certain Professionals; Providing for the Levy and Collection of Ad Valorem Taxes Sufficient for, and Pledging the Full Faith and Credit and Unlimited Taxing Power of the City to, the Prompt Payment of the Principal of and Interest on the Bonds; Providing That the Principal of and Interest on the Bonds Also May be Paid From any Other Sources of Revenue Lawfully Available to the City for Such Purpose; Providing That any Series of the Bonds May be Consolidated With Any Other Bonds or Refunding Bonds Respectively Authorized by the Council and Issued as a Single Series of Bonds and/or Refunding Bonds, as Applicable; Authorizing and Directing Officials and Employees of the City to Take any and all Action Necessary to Complete and Close the Sale, Issuance and Delivery of Each Series of the Bonds; Making Certain Covenants and Determinations Relating to the Tax-Exempt Status of Any Series of Bonds; Providing That the Provisions of this Ordinance Shall be Liberally Construed; Providing That this Title be Deemed a Summary of this Ordinance for all Purposes; and Otherwise Generally Relating to the Sale, Issuance, Delivery and Payment of and for the Bonds. Councilmember Marcos seconded the motion and it carried 7-0.

**NEW BUSINESS:**

A. Detailed Site Plan #DSP-15004 – Mr. Frank Stevens, City Planning Director, summarized the staff report. The plan proposes to demolish an existing vacant space which was formerly a bowling alley and construct a 12,538 sq. ft. child care center with a 10,000 sq. ft. outdoor play area located on Annapolis Road in the western portion of the shopping center.

**Public Hearing:**

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

Councilmember Polangin asked if there are any restrictions on the fence being chain-link for privacy purposes.

Mr. Stevens replied that they only need to conform to the height and not material.

Mr. Edward Gibbs with Gibbs and Haller stated that the day care center will serve over 230 children from 6 months to 12 year olds, with before and after school care, food, snacks and various activities. In regards to the fence surrounding the playground area, it will be a solid vinyl 6' tall fence for privacy and ballads will be installed in front of them to protect the fence and children from any vehicles that might crash into it.

Councilmember Marcos made a motion to approve Detailed Site Plan #DSP-15004. Mayor Pro Tem Trouth seconded the motion. Motion carried 7-0.

B. Approval of Resolution R-59-15 Adopting the Housing and Community Development Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2015 – Mr. Jesse Buggs, Director Office of Grant Development & Administration summarized the staff report, a copy which is on file at City Hall. The report developed with citizen participation, identifies the extent to which the City has satisfied specific goals and objectives delineated in its Annual Action Plan for Fiscal Year 2015.

**Public Hearing:**

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

Mayor Pro Tem Trouth made a motion to adopt Resolution R-59-15 and have staff forward the report to HUD. Councilmember Brady seconded the motion. Motion carried 7-0.

C. Old Town Bowie Workforce and Life Skills Development and Training Program Proposal; Resolution R-60-15 – Mr. Jesse Buggs, Director Office of Grant Development & Administration summarized the staff report. The objective of the program is to provide job skill development, training and placement (where possible) for at-risk residents of Old Town Bowie through a process which also enhances household stability and community development. Also, assist families with access to resources to improve health and educational outcomes.

**Public Hearing:**

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

Councilmember Brady asked what will happen after the six-month timeline.

Mr. Buggs replied that they are hoping to use this program as a platform to move forward and see what will be the next steps to be able to continue the program with adequate funding.

Councilmember Woolfley commented that this is an excellent step forward and noted that he would like staff to consider other parts of the City that can benefit from these resources also.

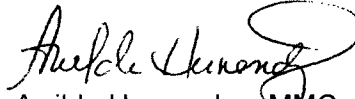
Councilmember Marcos made a motion to adopt Resolution R-60-15. Councilmember Gardner seconded the motion. Motion carried 7-0.

September 8, 2015

ADJOURNMENT:

Mayor Pro Tem Truth moved to adjourn the City Council meeting and move into Closed Session under General Provisions Article, §3-305(b)(7): To consult with counsel to obtain legal advice on a legal matter. Councilmember Brady seconded the motion and it carried 7-0. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Awilda Hernandez", with a large, stylized flourish at the end.

Awilda Hernandez, MMC  
City Clerk

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

Date: 9/8/15 Time: 8:55 Location: City Hall Motion to close meeting made by: Truth  
 Seconded by Brady Members voting in favor: Woolfley, Polangin, Truth, Robinson  
Brady, Marcos, Gardner Opposed: \_\_\_\_\_ Abstaining: \_\_\_\_\_ Absent: \_\_\_\_\_

**STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (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:**

- §3-305(b) (7) Council received an update from the City Attorney, Council legal meeting
- §3-305(b) (4) Council received an update on a matter of council, to a meeting expanding in the city
- §3-305(b) ( ) \_\_\_\_\_

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

**WORKSHEET FOR USE IN CLOSED SESSION (CHECKLIST OF DISCLOSURES TO BE MADE IN MINUTES OF NEXT REGULAR MEETING- NOT A PART OF THE CLOSING STATEMENT)**

PERSONS ATTENDING CLOSED SESSION: Robinson, Truth, Brady, Woolfley, Polangin, Marcos, Gardner, Deutsch, Fitzwater, Le'm

TOPICS ACTUALLY DISCUSSED: \_\_\_\_\_

ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES: No action taken

TIME CLOSED SESSION ADJOURNED: 9:10

PLACE OF CLOSED SESSION: Board City Hall

PURPOSE OF CLOSED SESSION: Consult with attorney, discuss legal matters

STATUTORY AUTHORITY FOR THE CLOSED SESSION: §3-305(b) (4); (7); ( )

MEMBERS WHO VOTED TO CLOSE: Robinson, Truth, Brady, Woolfley, Polangin, Marcos, Gardner