



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

## REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, SEPTEMBER 21, 2015

### CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, September 21, 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 Trouth, 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. Mr. Gary Garten would like for City Council to consider appointing a Poet Laureate in the City.

### CITY BOARDS AND COMMITTEES:

#### A. Appointments/Reappointments/Swearing-In:

1. Mayor Pro Tem Trouth moved the appointment of Alan R. Kolski as an alternate member of the Ethics Commission for a 2-year term. Councilmember Woolfley seconded the motion and it carried 7-0.
2. Mayor Pro Tem Trouth moved the appointment of Daniel E. Thomas as an alternate member of the Ethics Commission for a 2-year term. Councilmember Brady seconded the motion and it carried 7-0.
3. Councilmember Brady moved the reappointment of Jamali Phillips to the Information Technology Committee for a 2-year term. Mayor Pro Tem Trouth seconded the motion and it carried 7-0.
4. Mayor Robinson swore-in the new members to their committees.

### COUNCIL ANNOUNCEMENTS:

Mayor Robinson thanked staff and the members of the Community Outreach Committee for the Hall of Honor Presentation that was held on September 20<sup>th</sup>. Mr. Kenneth Fox and Ms. Sylma Gottlieb were added to the Hall of Honor.

### CITY MANAGER'S REPORT:

City Manager Deutsch reported that the electronic reader sign located on Racetrack Road and MD 450 should be activated shortly; City has received permit from SHA and is just waiting for the permit from the County and installation of meter from BGE.

CONSENT AGENDA:

Councilmember Woolfley moved the approval of Consent Agenda Items: A) Approval of Resolution R-63-15 Approving a Memorandum of Understanding for the Acquisition and Renovation of a Caboose from the Baltimore and Ohio Railroad in the Amount of \$65,100; B) Approval of Resolution R-67-15 Accepting a Bid Proposal for Site and Utility Design at Whitemarsh Park; C) Approval of Resolution R-69-15 Approving Variance Application BV-6-15, a Request by Mr. Ryan Reed for a Variance to Validate Existing Lot Coverage of 36% at 12821 9<sup>th</sup> Street; D) Approval of Resolution R-70-15 Releasing the Construction Securities Under Permit P1-0615 for Milling and Overlay on Black Branch Way and Jennings Mills Drive; E) Approval of Letter to Prince George's County Planning Board re: Proposed FY 2017 M-NCPPC Budget; F) Introduction of Ordinance O-14-15 Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016, as Embodied in Ordinance O-5-15, as Amended to Reflect the Receipt of Additional Grant Funding to Appropriate Funds for the Following Projects and Purchases: Heming Lane Waterline Replacement; Interior Lights Upgrade; Flocculator Repairs; Purchase of Aluminum Sulfate and Photovoltaic System Installation at the Wastewater Treatment Plant; Purchase of a Passenger Van and Cost to Develop a Workforce and Life Skills Development Training Program for the Residents of Old Town Bowie. Mayor pro Tem Truth seconded the motion and it carried 7-0.

OLD BUSINESS:

A. Approval 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 – Ms. Elissa Levan, City Attorney, summarized the staff report. The amendment would establish that complaints must be filed with the City Ethics Commission within one year from the date of the earliest act or omission giving rise to an alleged violation.

**Public Hearing:**

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

City Manager Deutsch noted that the City's Ethics Commission recommended the ordinance.

Councilmember Polangin made a motion to approve Ordinance O-12-15. Councilmember Brady seconded the motion. Motion carried 7-0.

B. Approval 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 – City Manager Deutsch summarized the staff report. In 2009 the City authorized \$15,500,000 in general obligation bonds for the construction of a combined city hall and police station building. The City's financial advisors indicate favorable market conditions exist to refund a portion of the outstanding debt. It is anticipated the savings from the refunding will proximate \$289,000 in lower interest cost.

**Public Hearing:**

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

Councilmember Woolfley asked if the maturity of the bonds stay the same. City Manager Deutsch responded yes.

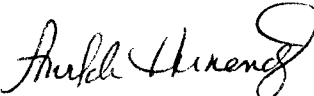
Councilmember Brady asked if the market changes before the ordinance is effective will we be able to withdraw the refunding. City Manager Deutsch replied yes.

Councilmember Polangin made a motion to approve Ordinance O-13-15. Councilmember Marcos seconded the motion. Motion carried 7-0.

**ADJOURNMENT:**

Mayor Pro Tem Truth moved to adjourn the City Council meeting and move into Closed Session under General Provisions Article, §3-305(b)(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 and §3-305(b)(4): To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State. Councilmember Brady seconded the motion and it carried 7-0. The meeting was adjourned at 8:17 p.m.

Respectfully submitted,



Awilda Hernandez, MMC  
City Clerk

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

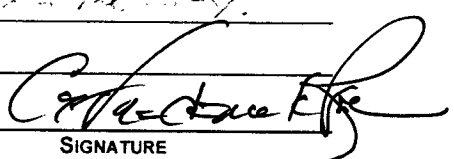
Date: 9/21/15 Time: 8:17pm Location: City Hall Motion to close meeting made by: Truth  
 Seconded by Brady, Members voting in favor: Gardner, Brady, Robinson, Truth, Marcos  
Pobojin, Woolley Opposed: \_\_\_\_\_ Abstaining: \_\_\_\_\_ Absent: \_\_\_\_\_

**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) (1) Council discussed a personnel issue.  
 §3-305(b) (4) Council discussed a business location issue 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, Gardner, Woolley, Marcos  
Devish, Fitzwarr, Lerman, Glover

TOPICS ACTUALLY DISCUSSED: Personnel + Business Locations in City

ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES: \_\_\_\_\_

TIME CLOSED SESSION ADJOURNED: 8:40 pm

PLACE OF CLOSED SESSION: Bowie City Hall

PURPOSE OF CLOSED SESSION: Personnel + Business Locations in City

STATUTORY AUTHORITY FOR THE CLOSED SESSION: §3-305(b) (1); (4); ( )

MEMBERS WHO VOTED TO CLOSE: Robinson, Truth, Brady, Gardner, Marcos, Pobojin, Woolley