



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, NOVEMBER 7, 2016

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, November 7, 2016 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, Councilmembers Esteve, Gardner, Glass, Marcos, Polangin and Truth; Acting City Manager Fitzwater, City Attorney Levan, City Clerk Hernandez, Staff, the Press, and the Public.

CITIZEN PARTICIPATION:

1. Gary Allen, Chair, Bowie Environmental Advisory Committee – Presented to Council sets of coins from 1916 and 2016 collected by the Bowie Coin Club to be inserted in the Bowie Time Capsule.

PRESENTATIONS:

- A. Councilmember Esteve made a motion to approve and present Proclamation P-20-16 to Dr. Norma Martof congratulating her on her induction into the Maryland Senior Hall of Fame for 2016. Mayor Pro Tem Gardner seconded the motion and it carried unanimously.

CITY BOARDS AND COMMITTEES:

A. Appointments/Reappointments/Swearing-In:

1. Councilmember Polangin moved the appointment of Tisha Hillman as a member of the Diversity Committee for a 2-year term. Councilmember Truth seconded the motion and it carried unanimously. Mayor Robinson swore-in Ms. Hillman.
2. Mayor Pro Tem Gardner moved the reappointment of the following members to the Board of Elections for a 2-year Term: Camilla Gaines, Yolanda Jones, Heike Nyland, Tope Ogunrinu and Irving Salzberg and appointment of Yolanda Jones as Chair. Councilmember Truth seconded the motion and it carried unanimously.

CITY MANAGER'S REPORT:

Acting City Manager Fitzwater reported: 1) City offices will be closed in observance of Veterans Day on Friday, November 11th; there will be no trash or recycling pick up on that day; 2) Bowie Advisory Planning Board will hold a Public Hearing on November 15th at 7:00 p.m. for the Marketplace Apartments development.

CONSENT AGENDA:

Councilmember Trowth moved the approval of Consent Agenda Items: A) Approval of October 17 Meeting Minutes; B) Approval of Proclamation P-21-16 Proclaiming November 2016 as Municipal Government Works Month in Bowie; C) Approval of Proclamation P-22-16 Observing Veterans Day, November 11, 2016; D) Approval of Resolution R-64-16 Approving a Landscape Maintenance Agreement With BE Bowie LLC, for the Bowie Community Center Parcel Located at 3209 Stonybrook Drive, and Authorizing the City Manager to Execute the Agreement on Behalf of the City, E) Approval of Resolution R-65-16 By Two-Thirds Vote Authorizing the Waiving of Bidding Requirements to Allow the Bowie Police Department to Utilize the Services of Priority Install, LLC for the Upfitting of Police Vehicles; F) Approval of Resolution R-66-16 Waiving the Bidding Requirements of Section 61 of the City Charter to Authorize the City Manager to Enter Into a Contract With Adler Display Studios to Design, Fabricate and Install an Exhibit at the Kenhill Center Entitled "Belair at Bowie" in an Amount not to Exceed \$63,601; G) Approval of Resolution R-67-16 Approving an Amendment to the Solar Power Purchase Agreements Between the City of Bowie and Solar City to Extend the Outside Commercial Operation Date for the Solar Arrays Located on the City Owned Entzian Property; H) Introduction of Ordinance O-6-16 Amending Chapter 22, "Streets and Sidewalks", of the City of Bowie Code, Article I, "In General", Section 22-11, "Erecting, Etc., Buildings or Obstructions in Streets or Alleys Prohibited", and Article II, "Road and Street Improvements", Division 1, "Permits", Section 22-23A, "Other Types of Permits"; and Adding Chapter 22, "Streets and Sidewalks", Article I, "In General", Section 22-11A, "Permit Limitations", and Division 3, "Wireless Facilities and Support Structures", Section 22-53, "Application for Permit", Section 22-54, "Requirements and Findings", and Section 22-55, "Exceptions" to Provide That Permits, Right-of-Way Protection and Restoration, and Compensation are Required for Installation of Communications Facilities on City Streets, Sidewalks and Other Rights-of-Way, and to Provide for Limitations on Such Installations. Mayor Pro Tem Gardner seconded the motion and it carried unanimously.

OLD BUSINESS:

A. Approval of Ordinance O-7-16 Authorizing the Purchase of Several Surplus Parcels of Land Owned by the Maryland State Highway Administration in Connection With the Construction of the MD 564 Bridge Over the Amtrak Northeast Corridor Railroad Tracks, Comprised of the 0.37 Acre Nash Property, the 0.13 Acre Fishkin/Banks Parcel 2 and the 264 Square Foot Banks Parcel 1 Located Within Blocks 29 and 30 in the Subdivision Known as "Plan of the City of Huntington "Bowie", Maryland", at a Cumulative Purchase Price of \$77,279.00, and Authorizing the City Manager to Execute a Contract of Sale Therefor.

Mr. Joe Meinert, Bowie Planning Director, summarized the staff report. The properties consist of three parcels measuring approximately 22,550 square feet adjoining a planned City park and playground at the end of 10th Street. The acquisition of the SHA properties will provide more area for park development and off-street parking and will allow the existing cul-de-sac turnaround at the end of 10th Street to be preserved. The City's Program Open Space allocation will be the method used for funding the acquisition of the three parcels.

Public Hearing:

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

Councilmember Esteve made a motion to adopt Ordinance O-7-16. Councilmember Polangin seconded the motion. Motion carried unanimously.

NEW BUSINESS:

A. Sustainability Plan Public Hearing – Ms. Kristin Larson, Bowie Sustainability Planner, summarized the staff report. The City's Planning Department began work with the Maryland-National Park and Planning Commission (M-NCPPC) and a team of consultants on the creation of a Sustainability Plan, a plan that would bring the City's new and existing sustainability-related initiatives and programs into one overarching document. A proposed plan has since been completed and made available for a 30-day public comment period. City and M-NCPPC staff will work to address comments received from the public and finalize plan for Council approval at a future meeting.

Public Hearing:

1. Gary Allen, Chair, Bowie Environmental Advisory Committee – Spoke in support of the Sustainability Plan. A copy of his comments are attached.
2. Jackie Lord, Member of Bowie EAC and Green Team Committees – Spoke in support of the plan.

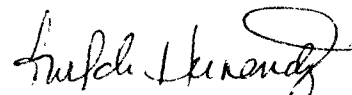
Since there were no more speakers signed up to speak, Mayor Robinson declared the public hearing to have been held.

Following comments from Council, Mayor Robinson thanked staff for the work done on the preparation of this plan.

ADJOURNMENT:

Mayor Pro Tem Gardner moved to adjourn the City Council Meeting and move to Close Session under Statutory Authority to Close Session, 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)(7): To consult with counsel to obtain legal advice on a legal matter, Councilmember Truth seconded the motion and it carried 7-0. The meeting was adjourned at 8:38 p.m.

Respectfully submitted,



Awilda Hernandez, MMC
City Clerk

Sustainability Plan Remarks EAC Nov 7th 2016 (3)

The EAC is pleased to comment this evening on the recently completed Sustainability Plan and we want to thank MNCPP for its financial and staff support of this effort.

The purpose of this document is to present a strategy that will, over the next ten years frame the vision, goals and actions to make Bowie more sustainable and environmentally-sensitive. While this PLAN highlights city activities and actions, we understand that the City intends to promote and encourage similar actions by individual businesses and residents. Together we can make a huge difference that will assure that Bowie residents continue to enjoy a high quality of life well into the future.

Background

A combination of forces, including population growth, economic expansion, urbanization trends, climate changes, and ever-fluctuating energy prices, particularly for fossil fuels, are stressing the earth's resources and society's economic ability to maintain our current QUALITY OF LIFE. Further, it has become increasingly clear that many of these challenges are falling to local government to solve. Cities that act with innovation, creativity and foresight to successfully address these challenges will likely enjoy economic advantages over other communities, and lead the way for others to follow.

Bowie is the fifth largest city in Maryland. It occupies over 19 square miles within the metropolitan Washington, D.C. area.

The Mayor and Council has committed to making Bowie a sustainability leader among Maryland communities by a series of actions over the past decade, including the creation of the Environmental Advisory Committee in 2008 and a "Green Team" in 2012. The City has been working to fulfill an ambitious vision for the City by 2020. Specifically, that vision calls for Bowie to be:

"A leader in environmentally sustainable development that protects and enhances our community's quality of life, and will continue to do so for future generations. Bowie residents, its local government, and the business community are encouraged to foster and apply sound environmental practices. High technology, energy conservation and recycling are employed appropriately at every opportunity."

Each day, Bowie staff, residents and businesses make thousands of small decisions that relate to the overall sustainability of the City. Consequently, no single City department or division can achieve the vision alone. Rather, the PLAN requires a coordinated and strategic examination of current practices and procedures across the City. Bowie's programs and activities to date have already resulted in

significant progress, however, much remains to be done and under the plan the City will act upon a series of steps each year to achieve a SUSTAINABLE GREEN BOWIE.

The EAC therefore recommends the Council accept the Plan. Furthermore, we pledge to support, and work with staff to promote information about the plan and to solicit engagement of citizens for the

25 goals, 57 strategies and 103 actions planned over the coming decade

Ten years to a lengthy period

And we understand that that a plan is an “intention to act” not action itself.

Therefore WE further recommend these additional four steps:

1) That **you instruct staff** to provide annual updates in the city Environmental Report and highlight planned actions in the CITY budget.

2) That staff be instructed to prioritize outreach efforts across all departments to provide information to incentivize and encourage citizens and our business community to reflect on the daily decisions that can strengthen our stewardship of our neighborhoods, our city, our nation and our planet.

As the EAC and Green Team have pledged this evening to help implement this plan, we believe it wise to challenge you to do the same.

3) **Therefore WE to ask that the Council** look beyond the first step of accepting the plan and commit the city **to support the plan** by: **providing assurance** to the community in the forthcoming FY 18 Budget that the Sustainability Plan before you this evening will be a focus of action and

4) That the Council will provide at least a penny’s worth of local property tax revenues to implement the actions described in this plan over the next 10 years.

It is our hope this PLAN will be a framework for action across all city departments and that the annual budget provide a summary of projects and expenditures, which are intended to support this plan and its attendant strategies.

Bowie is well on its way to becoming a leader in municipal sustainability. Making significant additional progress will require determination, commitment and resources by elected officials, senior city management, and all staff. Residents will be encouraged to support this initiative by actively engaging with staff, and identifying creative solutions. Success will require selective investments along the way. However, we are confident that we will succeed, and that Bowie will continue to be a desirable place to live, work, and raise a **family**.

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

Date: 11/7/14 Time: 8:38pm Location: CH181 Motion to close meeting made by: Gardner

Seconded by Truth Members voting in favor: Robinson, Truth, Marcos, Glass, Polangin
Gardner, Esteve Opposed: _____ Abstaining: _____ Absent: _____

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (check all that apply):

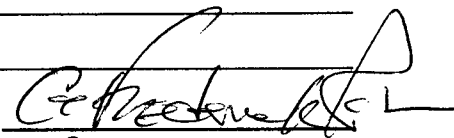
- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific 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) Contract issues with City Manager Candidate

§3-305(b) (7) _____

§3-305(b) () _____

This statement is made by Mayor 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: _____

TOPICS ACTUALLY DISCUSSED Contract issues with CM candidate

ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES: _____

TIME CLOSED SESSION ADJOURNED: 9:15 MOVE to Adjourn Truth / Marcos

PLACE OF CLOSED SESSION CITY HALL

PURPOSE OF CLOSED SESSION: PERSONNEL MATTER WITH LEGAL COUNSEL

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

MEMBERS WHO VOTED TO CLOSE: UNANIMOUS