

REGULAR CITY COUNCIL MEETING

MONDAY, DECEMBER 5, 2011

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, December 5, 2011, in the Council Chambers at City Hall. Mayor Robinson called the meeting to order at 8:00 p.m.

QUORUM:

In attendance were Mayor Robinson, Councilmembers Brady, Gardner, Marcos, Polangin, Trough, and Turner; City Manager Deutsch, Asst. City Manager Fitzwater, City Attorney Elissa Levan, City Clerk Fleming, Members of the Staff, the Press and the Public.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Council led the Pledge of Allegiance to the Flag.

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

Mayor Robinson announced that Item D., Approval of Council Meeting Schedule, under the Consent Agenda will be moved to New Business, and that an item regarding school boundaries will be added to New Business.

CITIZEN PARTICIPATION:

1. Ms. D.J. Campbell, spoke about issues of concern to her and presented some cards to the City which depicted a painting done by her in 1975.

2. Hon. Geraldine Valentino-Smith, Maryland House of Delegates: 1) Thanked the City Council for attending the event at the Prince George's Community College on legislation that the City supports; 2) Asked the City Council for support for PG 410-12; 3) Asked that the Council and the 23<sup>rd</sup> Delegation work together on the issue of emergency services.

Mayor Robinson announced that Prince George's County Fire Chief Bashoor will be attending the January 17, 2012 Council meeting to discuss the issue of emergency services.

CITY BOARDS AND COMMITTEES:

A. Mayor Pro Tem Polangin moved to appoint John Coughlin as a Regular Member of the Board of Personnel Appeals. Councilmember Brady seconded the motion and it carried unanimously.

B. Mayor Pro Tem Polangin moved to appoint Ms. Samantha Weaver as the student member of the Environmental Advisory Committee. Councilmember Turner seconded the motion and it carried unanimously.

C. Councilmember Brady moved to appoint Ms. Maria Saldana as a Regular Member of the Bowie Arts Committee. Councilmember Turner seconded the motion and it carried unanimously.

D. Mayor Robinson swore Ms. Saldana into office in accordance with Section 92A of the City Charter.

#### CITY MANAGER'S REPORT:

City Manager David Deutsch reported on the following items: 1) Leaf Collection – City crews have been collecting leaves left at curb sides by City residents; this project will be completed in December; 2) Cable Franchise – City and County staff will be entering into renegotiation discussions with Comcast; the agreement will expire in 2014.

#### CONSENT AGENDA:

Mayor Pro Tem Polangin moved approval of the following items: A. Approval of Minutes of October 17, 2011 Council Meeting; B. Approval of Letter of Support for A-58 Feasibility Study; and C. Approval of Resolution R-77-11, Waiving by 2/3 Vote the Competitive Bidding Requirements of the Charter of the City of Bowie and Awarding a Design and Construction Contract to Atlas Tracks, Inc. in the Amount of \$970,433.07 for the Installation of a Synthetic Turf Field at the Whitemarsh Park Football Field. Councilmember Brady seconded the motion and it carried unanimously.

#### OLD BUSINESS:

A. Ordinance O-15-11 – Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2011 and Ending June 30, 2012, As Embodied in Ordinance O-11-11, for the Purpose of Amending the Fee Schedule Adopted Thereby to Establish Development Application Fees – City Manager Deutsch summarized the ordinance and asked for Council support by adopting the ordinance.

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

Mayor Pro Tem Polangin moved the adoption of Ordinance O-15-11. Councilmember Brady seconded the motion and it carried unanimously.

B. Ordinance O-16-11 – Amending Chapter 2 of the Bowie City Code, “Administration”, to Add Article III, “Procurement Involving Federal Funds” to Codify the City’s Bid Protest Procedures Relative to Solicitations Involving Federal Funds – City Attorney Elissa Levan summarized the ordinance and reported that the Prince George’s County Council approved CR-60-2011, a resolution approving the enactment of City Ordinance O-12-11 concerning municipal zoning authority; the approval gives the City authority to review certain new development applications which were previously handled by the County. She recommended adoption of Ordinance O-16-11.

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

Councilmember Marcos moved the adoption of Ordinance O-16-11. Councilmember Brady seconded the motion and it carried unanimously.

C. Animal Holding Area – City Manager Deutsch summarized the staff report dated December 1, 2011, a copy of which is on file at City Hall. He reported that this item was on the November 21<sup>st</sup> meeting agenda and was tabled for further discussion; several items needed follow up including 1. LEED status; and 2. Visit from the Associate Director of the Prince George's County Animal Management Division. He said that additional review of the radiant heating can be addressed at this time.

**Public Hearing:**

Ms. Connie Carter, Animal Welfare Committee, spoke about providing masks for household pets that have been injured in a house fire.

Associate Director Taylor, Prince George's County Animal Management Division, said he had visited the city facility and has some recommendations: dogs should be separated by cinder block wall 3'-4' high; drains should be in middle of the 3 areas; electrical outlets should be sealed; cat area should be completely separated from dogs with floor to ceiling wall; and the heating system should be tested to be sure exhaust system is sufficient.

City Manager Deutsch replied to a question posted by Councilmember Brady by saying that Mr. Taylor's recommendations were not shared with City staff last Friday; staff doesn't have the ability to resolve the issues tomorrow; looks like this item should be tabled once again and would like to hear Council's concerns or direction for guidance.

Following discussion and questions from Council, Councilmember Brady moved to table this item until January 3, 2012. Councilmember Turner seconded the motion and it carried unanimously.

**NEW BUSINESS:**

A. Auditor Presentation – Mr. Lucas Matesa of the Reznick Group, gave the City Council a report on the findings of the audit which included: 1) Independent Auditor's Report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with Government Auditing Standards. He reported that they did not identify any deficiencies in internal control over financial reporting that they consider to be material weaknesses; and the results of their tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards. Mr. Michael Bisson then displayed some graphs showing Total Net Assets, Primary Government Revenue, General Programs and Revenues, Total Primary Government Expenditures, and Expenditures by Function.

Mayor Robinson thanked Messrs. Matesa and Bisson for their report.

B. Legislation – Councilmember Turner recused himself from discussion of this item.

Mr. Leonard Lucchi, City Lobbyist, presented an overview of legislation dealing with issues which would affect the City: Gas Tax, Highway User Revenues, Bowie Health Center, and Local Legislation. A copy of Mr. Lucchi's report is attached.

C. Budget Guidance – Mr. Rob Patrick, City Finance Director, provided a PowerPoint presentation and reported that the City Manager is required to prepare an annual budget to be submitted to the Council between the tenth and fifteenth days of April each year. Mr. Patrick's presentation included the budget development schedule, revenue and expenditure policies, capital financing and debt management policies, and the revenue outlook by state, county, and city. Mr. Patrick also reported on Council guidance for the budget. A copy of the presentation is on file at City Hall.

Following discussion and comments by members of the Council, Mayor Robinson summarized by saying that the City will continue to monitor Federal grants, look at operating costs of city facilities and user fees, and keeping the tax rate flat.

D. School Boundary Changes – City Manager Deutsch reported that public hearings will be held at Bowie High School and Central High School and these are the last hearing before the Prince George's County School Board will vote on the changes. He then summarized the proposed changes affecting local schools.

#### **Public Hearing:**

Ms. Cynthia Fikes-Umrani, 12662 Heming Lane, referred to the proposed changes and said she felt they were not fiscally responsible and that the community should be kept intact. Her complete statement is attached.

Following discussion, Mayor Robinson summarized by saying that the City representative speaking at the December 6 hearing should be authorized to state that local schools should be for neighborhoods so that students can attend the school in the neighborhood in which they reside. Council concurred.

E. Discussion of Merger of Exelon Corporation and Constellation Energy Group, Inc. – City Manager Deutsch reported that the Public Service Commission (PSC) had 3 hearings and they are still accepting written comments through the end of the week; if the City Council endorses the draft letter which was provided to Council it will be on the PCS docket for review.

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

Mayor Robinson asked for concurrence of the Council to support the draft letter. Councilmember Turner reported for the record that he was contacted by Senator Jim Rosapepe to make the Council aware of this issue and what the impact of the potential merger on reliability issues. He then moved that Council approve the letter and that copies be sent to the 23<sup>rd</sup> Legislative Delegation. Councilmember Brady asked that the word "reliability" be used instead of "dependability".

Councilmember Marcos seconded the motion and it carried unanimously.

E. Public Safety Committee Presentation – Mr. Rich O'Brien, member of the Public Safety Committee, summarized a letter dated December 1, 2011 addressed to the City

Council. He reported the Committee has been discussing a viable way to recognize public servants who risk their lives on behalf of Bowie residents; the program would require ongoing and annual planning and have a financial component to it.

Mr. Leonard Lucchi, member of the Public Safety Committee, said that the Chamber of Commerce has offered to partner with the PSC to establish an annual Bowie Public Safety Awards Program; the program will consist of a banquet and will include a plaque to the recipient and a donation to the recipient's organization; they are anticipating a kick-off for this event in February 2012; there is expected to be no cost to the City. He asked for the Council's endorsement.

Following some discussion, Council agreed to endorse the program.

Mr. O'Brien then said that the Committee appreciates and supports the Council's efforts to address the speeding problem in the community. He referred to the proposal made by Councilmember Brady for dynamic speed display signs, and said that the PSC recommends obtaining the signs with the capability to provide traffic data to the city for use in other planning areas. Mayor Robinson thanked the committee and said the matter will be referred to the City Manager to address during the budget process.

G. County Meeting Schedule for 2012 – Councilmember Brady said he had removed this item from the Consent Agenda for discussion because he wanted to discuss holding quarterly town hall meetings in each of the 4 districts.

City Manager Deutsch said that with Council concurrence, a summary of the last town hall meetings could be provided before the Council commits to adding them to the meeting schedule.

Councilmember Turner suggested making the meetings issue oriented so there would more interest to the residents.

#### ADJOURNMENT:

Mayor Robinson wished everyone a Happy Holiday season and a healthy and prosperous New Year. He asked everyone to keep the United States military service men and women in their thoughts and prayers.

Mayor Pro Tem Polangin moved to adjourn the meeting. Councilmember Brady seconded the motion and it carried unanimously. The meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Pamela A. Fleming, MMC  
City Clerk