



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, APRIL 7, 2014

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, April 7, 2014 in the Council Chambers at City Hall. Mayor Robinson called the meeting to order at 8:05 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 Turner; City Manager Deutsch, Assistant City Manager Fitzwater, City Attorney Levan, City Clerk Hernandez, Staff, the Press, and the Public.

CITIZEN PARTICIPATION:

1. Ms. Rachel Purdie, presented to Council a proposal for installation of two speed humps in the Saddlebrook West neighborhood.

CITY BOARDS AND COMMITTEES:

A. Mayor Pro Tem Truth moved to appoint Ms. Mikaela B. Florence to the Bowie Community Outreach Committee for a two-year term. Councilmember Marcos seconded the motion and it carried unanimously.

B. Councilmember Gardner moved to appoint Ms. Julie E. Fryberger to the Bowie Environmental Advisory Committee for a two-year term. Councilmember Brady seconded the motion and it carried unanimously.

Mayor Robinson swore in Ms. Florence and Ms. Fryberger and welcomed them to their committees.

COUNCIL ANNOUNCEMENTS:

Mayor Robinson announced that Council met in Closed Session prior to regular meeting under State Government Article, §10-508(a)(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.

CITY MANAGER'S REPORT:

City Manager Deutsch reported that the FY 2015 budget is at the printer and it will be delivered to Council and posted on the website by Thursday, April 3rd. In addition to the five budget worksessions on the schedule, there will be two public hearings held, one on April 14th and on May 5th.

CONSENT AGENDA:

Councilmember Gardner moved the approval of Consent Agenda Items: A) Approval of March 24 Meeting Minutes; B) Approval of Resolution R-16-14 – Approving Variance BV-1-14, a Request by Richard Humes for a Variance to Validate Existing Lot Coverage at 36.9% at 2227 Hindle Lane When, According to the Prince George's County Zoning Ordinance, Lot Coverage in the R-80 Zone Shall Not be More Than 30%. Mayor Pro Tem Trough seconded the motion and it carried unanimously.

OLD BUSINESS:

A. Annexation Resolution R-7-14 – Annexing Into the City Lands Contiguous and Adjoining to the City's Existing Corporate Boundary, Specifically, Residential Property Known as the Adnell Woods Subdivision and Adjacent Lots, Including Parts of Blocks 12, 13, 14, 21 and 24 and all of Blocks 22, 23, 33, 34, 35, 36, 37 and 44, and Portions of 3rd Street, 4th Street, 5th Street, 6th Street, Myrtle Avenue, Chestnut Avenue and Elm Avenue, Also Known as Huntington City and City of Huntington, "Bowie", Consisting of 39.3372 Acres of Land, Generally Located East of Chestnut Avenue, South of Adnell Subdivision and North of the Amtrak Northeast Corridor Railroad Tracks.

Mr. Joe Meinert, City of Bowie Planning Director, summarized the staff report and recommends approval of Resolution R-7-14.

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 Resolution R-7-14 – Annexing Adnell Woods Subdivision and adjacent lots into the City. Councilmember Polangin seconded the motion and it carried unanimously.

NEW BUSINESS:

A. Ethics Commission Presentation – Members of the City of Bowie Ethics Commission presented a short presentation to Council concerning the purpose of the Commission, and the process as to how issues can be raised with the Commission. A copy of the presentation is on file in the City Clerk's office in City Hall.

Councilmember Brady asked if the Commission has any thoughts on having the filed Ex-Partes and Financial Disclosure Forms available to the general public. Mr. Woolery said that the Commission's attorney has been researching on what information should be made public and if it could be posted on the city's website.

Mayor Robinson thanked the Commission members for their presentation.

B. Zoning Map Amendment (#A-10031) – Mr. Frank Stevens, City of Bowie Senior Planner summarized the application for a Zoning Map Amendment (#A-10031) which requests to rezone the

19.03-acre Amber Ridge site from C-S-C (Commercial Shopping Center) to M-X-T (Mixed Use Transportation Oriented), a mixed use zone. The change will allow developing the property with commercial/retail uses, and residential units. Staff recommends approval of the application with a condition that an updated traffic study shall be required that includes current traffic volumes, an analysis of the impacts on the nearby state and local roads and intersections, at the time of Preliminary Subdivision Plan submittal.

Mr. Matthew Tedesco, representing the applicant, commented that staff's report adequately represents the property owners' desire of the proposed development for the site and agree with the conditions presented by staff.

Mr. Mike Lenhart, traffic consultant for the project, indicated that under the proposed scenario, there would be more AM peak hour trips and a substantial reduction in the PM peak hour trips, resulting in a forty percent reduction in anticipated traffic from the previously approved commercial development.

Public Hearing:

1. Ruth Ann Snyder, 1707 Pittsfield Lane – spoke against the proposed development on the property and presented for the record a letter from Garlena Thompson and Derrick Thompson opposed to the construction of apartment units on the Amber Ridge property. A copy is on file in the Planning Department.
2. Russ Ideo, 16403 Pointer Ridge Drive – stated that the proposed traffic signal at Rt 301 and the subject property should remain part of the plan.
3. Larry Weinstein, 1207 Peachwood Lane – is opposed to the mixed use development.
4. David Dasenbrock, 1407 Pennington – he is not for or against the project but has concerns on not having a clear knowledge of what types of business will be on the property and the impact the added traffic will have on the fire station.
5. Chuck Bulger, 14949 Nighthawk Lane – does not agree with the proposed development.
6. Ivy Meadows, 1621 Portland Lane – has concerns with the added traffic on Rt 301.

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

Mayor Pro Tem Trough added for the record that there was an Ex-Parte filed on March 10, 2014 stating a meeting that was held with Mr. Tedesco and Mr. Spott of the Rappaport Company to discuss the Amber Ridge Shopping center. Councilmember Turner was also present in that meeting and filed an Ex-Parte. Mayor Pro Tem Trough expressed concerns on not having a clear picture of what type of commercial or residential units will be built on the property.

Councilmember Turner commented on the additional improvements recommended on the left turn lanes on northbound Rt 301 to Pointer Ridge Drive and the second receiving lane along Pointer Ridge Drive and the impacts it will have on the traffic for the gas station, post office and the volunteer fire department that are in that corner.

Councilmember Brady asked if there is a date scheduled for this case to go before M-NCPPC. Mr. Tedesco replied no but they are hopeful to have a date by late May.

Councilmember Marcos stated for the record that he is against the zoning change and has a lot of concerns with all the development and traffic impacts from this project as well as Melford and Karrington projects.

After further comments, Mayor Pro Tem Trough made a motion to approve Zoning Map Amendment (#A-10031) to include staff recommendations, impact on schools and school bus service, test for adequate facilities, Marlboro clay issue and flooding issue and more improved communications with the community. Councilmember Polangin seconded the motion. Motion failed 3-4 (Councilmembers Marcos, Brady, Turner and Gardner)

C. Water and Sewer Allocation Foxhill Park – Assistant City Manager John Fitzwater summarized the application received from the Maryland National Capital Park and Planning Commission for the water and sewer allocation for a restroom facility that will be constructed at Foxhill Park. All conditions required have been met and staff recommends approval of Resolution R-15-14 providing approval of Category 1 service.

Public Hearing:

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

Councilmember Polangin made a motion to approve Resolution R-15-14. Councilmember Turner seconds the motion and the motion passed 6-0 (Councilmember Trough not present).

ADJOURNMENT:

Councilmember Brady moved to adjourn the City Council meeting. Councilmember Polangin seconded the motion and it carried unanimously. The meeting was adjourned at 10:51 p.m.

Respectfully submitted,


Awilda Hernandez, CMO
City Clerk

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

Date: 4/7/14 Time: 7:40pm Location: CH 181 Motion to close meeting made by: Brady;

Seconded by Gardner, Members voting in favor: Robinson, Marcus, Troum, Polansky

Brady, Gardner, Turner Opposed: _____ Abstaining _____ Absent ~~Robinson~~

STATUTORY AUTHORITY TO CLOSE SESSION, State Government Article, §10-508(a) (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:

- (1) Council briefed on personnel matter
- () _____
- () _____

Persons attending closed session: Robinson, Troum, Polansky, Gardner, Marcus, Brady, Turner
Deutsch, Fitzwater, Haley, Loran

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

***** FOR USE IN MINUTES OF NEXT REGULAR MEETING: *****

TOPICS DISCUSSED AND ACTION(S) TAKEN (IF ANY):

Council briefed on personnel matter

Time closed session adjourned: 8:03

Appendix C
