



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, MARCH 20, 2023

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, March 20, 2023, in the Council Chambers at City Hall. Mayor Adams called the meeting to order at 8:01 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Adams led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Adams, Mayor Pro Tem Ndebumadu, Councilmembers Estève, Gardner (arrived 8:12 p.m.), Hawkins, Truesdale and Woolfley, City Manager Lott, Assistant City Manager Mears, City Attorney Ruff, Carolyn Fifer (for City Clerk Hernandez), and Staff.

CITIZEN PARTICIPATION:

1. Timothy Holmes, Eider Street – Thanked Council for their support in opposition of the proposed consolidated storage facility on Elder Oaks Boulevard.
2. Linda Norris, Eight Penny Lane – Spoke in opposition of the proposed consolidated storage facility on Elder Oaks Boulevard.
3. Lisa Babin, Eider Street – Spoke in opposition of the proposed consolidated storage facility on Elder Oaks Boulevard.
4. Elliott Gibson, Jr. – Spoke in opposition of the proposed storage consolidated facility on Elder Oaks Boulevard.
5. Rosalind Stevens – Spoke in opposition of the proposed consolidated storage facility on Elder Oaks Boulevard.

Following the citizen comments, Mayor Adams spoke on County Bill CB-11 and that the bill would change the zoning back to storage facilities existing only in industrial zones. Mayor Adams wrote that Council would discuss and then write a letter to the Prince George's County Council in the hopes of them (County Council) creating another bill which would then remove selective currently existing storage facilities and/or stop storage facilities who have already begun the process from building in non-industrial locations.

PRESENTATIONS:

A. Ms. Elveeda Dixon presented on Irish American Heritage Month on behalf of the Diversity Committee.

COUNCIL ANNOUNCEMENTS:

Councilmember Gardner stated that Council is unified in supporting opposition of the consolidated storage facility. He explained that only three City Council members could attend the meeting that was held to stay in accordance with the Open Meetings Act, but stated the four ended up being in attendance.

Mayor Pro Tem Ndebumadu stated that it was not orchestrated as to who would be attending, that there was unclarity as to who would be attending.

Mayor Adams asked that moving forward Council let him know what meetings and events they will be attending so as to avoid any future conflicts with the Open Meetings Act.

CITY MANAGER'S REPORT:

City Manager Lott stated that City staff is working hard on the FY2024 proposed budget which will be presented to Council on April 10th.

CONSENT AGENDA:

Councilmember Gardner made a motion to approve Consent Agenda items: A) Approval of February 6, 2023 Meeting Minutes; B) Approval of February 7, 2023 Special Meeting Minutes; C) Adoption of Resolution R-17-23 Awarding a Contract for Audio Visual Technology Update at the Bowie Senior Center; D) Adoption of Resolution R-19-23 Authorizing the Issuance of a Purchase Order to Gant Brunnett Architects, Inc. for Task Order/RFP#7-14 in Accordance with the Master Contract Approved on January 7, 2019; E) Adoption of Resolution R-20-23 Awarding a Contract for Removal and Replacement of Sixteen (16) Roof Top HVAC Units at Kenhill Center; F) Adoption of Resolution R-21-23 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie Authorizing the City Manager to Enter Into a Three-Year Enterprise Agreement with Microsoft Through SHI; and G) Introduction of Ordinance O-3-23 Amending the Code of the City of Bowie, Chapter 26 "Zoning," Article I "In General" To Reference Updates To The Prince George's County Zoning Ordinance, To Amend Various Definitions Contained In § 26-1 "Definitions", To Amend § 26-2 "Fences" To Clarify Where Fences May Be Located; To Amend § 26-4 "Permitted Vehicle Parking In The R-R And R-E Zones" And Repeal § 26-5 "Vehicle Parking In The R-55, R-80 And R-T Zones", § 26-6 "Vehicle Parking In The R-30-C Zone" And § 26-7 "Vehicle Parking In The O-S Zone" To Consolidate City Code Provisions Regarding The Types Of City of Bowie Vehicles That May Be Parked In Residential Zones In The City; And Other Miscellaneous Nonsubstantive Changes. Councilmember Estève seconded the motion. Motion passed 7-0.

NEW BUSINESS:

A. Consolidated Storage – Mayor Adams discussed County Bill CB-11 which will require that all new storage facilities be located in industrial zones. The County Council will vote on the bill on March 28th. Mayor Adams stated that it is expected that the bill will pass. After that, the City Council plans to present a letter to the County Council requesting a new bill to allow for the removal of some of the existing storage facilities and the ones that have already begun the process, such as the one proposed for Elder Oaks Boulevard.

Councilmember Truesdale shared that he went to the neighborhood meeting and heard the concerns of residents. He agrees that the storage facility should not be located in a residential area and appreciated the residents coming together and coming to the City Council Meeting to voice their concerns.

Assistant City Manager Mears provided history and background on CB-11 and read the letter that the City Council had previously sent to the County Council in support of CB-11.

Councilmember Estève asked about the grandfathering of the properties which have already started the process. Mayor Adams responded that the properties would be grandfathered in but that a future bill could prevent them from being approved. Councilmember Estève also commented that nothing is guaranteed until it happens and that residents should communicate their opposition to the County Council as well. Councilmember Estève asked if anyone had communicated with the property owner of the commercially zoned property, but the Mayor said he did not believe anyone had as that could be a conflict of interest. It was discussed that following the bill, a conversation should be had with County Council Member Ingrid Watson and the property owner. In addition, a conversation about changing the zoning of the property could be beneficial.

B. Code Enforcement Fines for HOA's – Mayor Pro Tem Ndebumadu asked that this item be added to the agenda so Council could receive an update of fines for HOA's; how they are being fined, what the fines are, and the accountability of HOA's.

Code Compliance Manager Jamie Braun presented to Council that the fines are \$100 for the first offense, \$200 for the second offence, and \$500 for additional offenses which is the same as it is for homeowners, unless provided for differently in other section of City Code. The general fines have not been raised since 2005 and \$100 is not a deterrent. She researched the topic for other municipalities and shared that other municipalities have higher fines. She stated that the HOA's comply right when they get the violation notices. Ms. Braun shared that they can only cite for code violations on HOA properties and that the City cannot enforce HOA bylaws, cannot make the HOA's enforce their own bylaws.

Mayor Pro Tem Ndebumadu asked why fines have not been raised, how often are violations looked at or updated, and asked about a list of annual violations. Ms. Braun shared that they have not seen the need to raise the violations as they typically cancel 60% or more of the fines for compliance. Ms. Braun stated that they would need to update multiple sections of City Code to change the fines. She also stated that Code changes are based on community complaints.

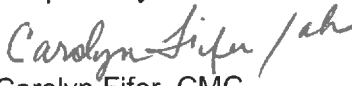
Councilmember Woolfley thanked Ms. Braun for the information, said that the fines need to be commensurate with inflation, and asked about the monitoring of HOA property. Ms. Braun responded that the HOA properties are monitored for compliance. She stated that the only pushback is that HOA's are sometimes not enforcing their own bylaws, and that sometimes their bylaws are stricter than what is required for by the City.

Councilmember Estève stated that he appreciates all the hard work of the Code Compliance staff and mentioned that HOA's are a topic of discussion all the time now. He shared that many of the HOA's are great but that residents should reach out to the HOA directly or to lawmakers about HOA's if there are concerns.

ADJOURNMENT:

Councilmember Woolfley motioned to adjourn the Regular City Council meeting. Mayor Pro Tem Ndebumadu second the motion. Motion passed 7-0. The meeting adjourned at 9:33 p.m.

Respectfully submitted,


Carolyn Fifer, CMC
for City Clerk Awilda Hernandez