City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, MARCH 18, 2024

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, March 18, 2024, in Council Chambers at City Hall. Mayor Adams called the meeting to order at 8:05 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 Woolfley, Councilmembers Brady, Estève, Ndebumadu, Rogers, and Truesdale, City Manager Lott, Assistant City Manager Mears, City Attorney Levan (virtual), City Clerk Hernandez, and Staff.

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

Councilmember Ndebumadu motioned to have the presentation of a proclamation to Blink Charging Co. be moved to a future Council meeting. Mayor Pro Tem Woolfley seconded the motion. Motion passed unanimously.

CITIZEN PARTICIPATION:

1. Patty McCaughey, Chalford Ln – Spoke in support of continuation of the byway for pedestrians and cyclists.
2. Ken McCaughey, Chalford Ln – Spoke in support of continuation of the byway for pedestrians and cyclists.
3. John Teasdale, Midwood Ln – Spoke in support of continuation of the byway for pedestrians and cyclists.
4. Joshua Wooten, Wharton Turn – Comment attached.

PRESENTATIONS:

A. Ms. Elisse Durston with the Diversity Committee read a brief excerpt on Women's History month.
B. Council Ndebumadu presented Proclamations Recognizing Bowie Women Leaders to Ms. Lisa Babin, Ms. Milly Hall, Ms. Katie Owens and Ms. Laura Alacron.

CITY BOARDS AND COMMITTES:

1. Councilmember Esteve moved to appoint Ms. Valerie Mikles to the Arts Committee for a 2-year term. Councilmember Truesdale seconded the motion. Motion passed 7-0.

Mayor Adams swore in Ms. Mikles to the Arts Committee.

COUNCIL ANNOUNCEMENTS:

Councilmember Ndebumadu commented about Friendship Academy opening in the fall at their temporary location in Upper Marlboro. Their permanent location will be in the South Lake Development. She also commented that she will be attending the ICSC Show again this year to recruit more businesses to Bowie.

CITY MANAGER'S REPORT:

City Manager Lott reported that staff is finalizing the proposed FY 2025 budget for introduction next month.

CONSENT AGENDA:

Mayor Pro Tem Woolfley motioned to approve Consent Agenda items: A) Adoption of Resolution R-8-24 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow the Purchase of CCTV Equipment, and Authorizing the City Manager to Issue a Purchase Order to Data Networks; B) Adoption of Resolution R-9-24 Authorizing the Issuance of a Purchase Order to George, Miles & Buhr, LLC for RFP/Task Order #1-04A in the Amount of $45,980.09 in Accordance with the Master Contract Approved on October 31, 2018; C) Introduction of Ordinance O-3-24 Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024, as Embodied in Ordinance O-5-23, and Amended by O-11-23 and O-1-24, to Appropriate an Additional $85,100 for the Purchase of Thirteen (13) Police Vehicles. Councilmember Brady seconded the motion. Motion passed unanimously.

OLD BUSINESS:

A. Adoption of Ordinance O-2-24 Amending Bowie City Code, Chapter 22 "Streets and Sidewalks", Article I "In General" to Clarify That Persons May Not (1) Erect Obstructions Within City Rights-of-Ways, (2) Spill Materials or Certain Liquids on City Rights-of-Ways, (3) Permit Grass, Shrubs, or Trees to Grow Into or Over Sidewalks so as to Obstruct the Safe Passage of Pedestrians and (4) Damage City Curbs, Driveway Aprons or Sidewalks; and to Clarify the Responsibilities of People Who Violate These Restrictions; and Increasing Fines for Violations of Chapter 22, Article I. Code Compliance Manager, Ms. Jamie Braun summarized the ordinance. Residents have brought up the issue of the code being insufficient in handling public safety on sidewalks and streets. This section of the code has not been updated in a while and it needed to be addressed.

Councilmember Esteve commented that some of the amendments seem too arduous and he understands that it needs to get updated but maybe there is a middle ground that can be reached, like instead of 7days to comply with violation it can be two weeks; the fine can be set to $150 instead of $250.

Mayor Pro Tem Woolfley commented his concerns from residents that are getting older and are not able to address issues with trimming of tress/shrubs that overhang on the sidewalks themselves and not being able to afford to pay someone to do it because of fixed incomes. If there are services like Neighbors Helping Neighbors available, promote those services to senior residents. He also expressed concern on what can and cannot be planted on right-of-ways.

Ms. Braun responded that in regard to regulations on plantings on right-of-ways it stems from State law, not just municipal.

Councilmember Rogers suggested that additional communication is needed to residents on what the City is responsible for and what are residents responsible for in regards to streets and sidewalks.

Public Hearing:

City Clerk Hernandez stated that two comments were received via email and will be made part of the record for this hearing. (Attached)

1. Anne Simonetti, Round Tree Ln – Spoke in opposition of the amendments, especially the high fines.
2. Steven Woolley, Round Tree Ln – Spoke in opposition of the short compliance time.

Since there was no one else signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Mayor Pro Tem Woolfley motioned to have staff incorporate discussed items into the ordinance and bring back to Council for approval. Councilmember Brady seconded the motion. Councilmember Esteve questioned the motion and asked Mayor Pro Tem Woolfley if he had a specific date of when this should be brought back to Council for approval. Mayor Pro Tem Woolfley amended his motion to include the date of April 15. Councilmember Brady seconded the motion. Motion passed unanimously.

B. Complete Streets Pilot Project (Kenhill Drive) – Mr. Joe Meinert, Planning Director, briefed Council on staffs' alternative options to the project based off feedback received from Council at the February 5th Council meeting. Staff is now recommending the realignment of the Bowie Byway's Primary Route to use the existing trail system along MD 197 and MD 450 rather than streets in Kenilworth, Foxhill and Somerset sections. Staff also recommended advancing the portion of the Complete Streets design for Kenhill Drive, between Kembridge Drive and MD 197, to construction in FY 2025 and begin a public participation process regarding future consideration of converting the existing sidewalks to concrete, shared-use paths along Kenhill Drive, Belair Drive and Stonybrook Drive following the Primary Route mapped in the current Trails Master Plan.

Council concurred to follow staff's recommendation of realignment of the Bowie Byway's Primary route, advance the portion between Kembridge Dr. and MD 197 to construction in FY25 and schedule stakeholders meeting with residents of the different neighborhoods that will be affected.

<u>New Business:</u>

A. Financial Statement Audit Results Presentation – Ms. Aires Coleman with Clifton Larson Allen, presented to Council the results of the June 30, 203 financial audit. The City received an unmodified "clean" opinion from the auditors. No material weaknesses or significant deficiencies were identified.

Mayor Adams thanked Ms. Coleman for her presentation.

B. Resource Recycling Systems (RRS) City-wide Food Waste Feasibility Study Presentation – Ms. Wieland briefed Council on three different options for the program that can be expanded to more neighborhoods. The City currently has a pilot program that consists of 7 neighborhoods with 1,100 eligible households. There are 256 participants that average about 7 pounds per week of food waste per home. The options presented were to continue with current program of food waste only; food and yard waste co-collection model semi-auto; and food and yard waste co-collection model fully auto. Co-collection model is the most cost-effective model for Bowie.

Mayor Adams thanked Ms. Wieland for her presentation.

C. Preliminary Plan PPS-2022-104, Premier A-2 Consolidated Storage Facility – Mr. Joe Meinert, Planning Director summarized the staff report and recommended combining this item with the Detailed Site Plan DET-2022-012 which is a companion application to this proposal. Premier A-2 Bowie, LLC is seeking approval of a new proposal to build a multi-story, 80,652 square foot consolidated storage facility on the vacant land located at a consolidated storage facility at 13600 and 13604 Old Annapolis Road in the Commercial-General-Office (CGO) Zone. The proposed use was listed as a permitted use in the CGO zone, until passage of CB-11-2023, which prohibited consolidated storage in the CGO zone. Because the applicant held a pre-application neighborhood meeting in August, 2022, prior to the April 1, 2023 cutoff date for grandfathering, the proposal may move forward under the Zoning Ordinance provisions that existed prior to enactment of CB-11-2023.

Mr. Matthew Tedesco, with the law firm of McNamee Hosea, representing the applicant, commented that the applicant accepts II recommendations from the Bowie Advisory Planning Board.

Public Hearing:

1. Leslie Jefferson, Gothic Ln – Spoke in opposition of the storage facility.
2. Dawn Eberly, Marthas Choice Circle – Spoke in opposition of the storage facility.
3. Karen Parker, Myrtle Ave – Spoke in opposition of the storage facility.

Since there was no one else signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Mayor Pro Tem Woolfley motioned against approval of the Preliminary Plan PPS-2022-104. Councilmember Esteve seconded the motion. Motion failed 3-4 (Adams, Brady, Ndebumadu, Rogers). Councilmember Brady motioned to approve Preliminary Plan PPS-2022-104. Councilmember Rogers seconded the motion. Motion passed 4-3 (Esteve, Truesdale, Woolfley).

D. Detailed Site Plan DET-2022-012, Premier A-2 Consolidated Storage Facility – This item was combined for the Public Hearing with the companion application of Preliminary Plan PPS-2022-104 as stated above.

Mayor Adams moved to approve Detailed Site Plan DET-2022-102. Councilmember Brady seconded the motion. Motion passed 4-3 (Esteve, Truesdale, Woolfley).

E. Annexation Presentation – Councilmember Ndebumadu motioned to have this item tabled until the April 1 Council meeting. Councilmember Truesdale seconded the motion. Motion passed unanimously.

ADJOURNMENT:

Mayor Pro Tem Woolfley motioned to adjourn the regular City Council meeting. Councilmember Rogers seconded the motion. Motion passed 7-0. The meeting adjourned at 12:55 a.m.

Respectfully submitted,

Awilda Hernandez MKH

Awilda Hernandez, MMC
City Clerk

Mary Hartig

From: Zach Lowe <zdlowe0@gmail.com>
Sent: Saturday, March 16, 2024 3:50 PM
To: CityClerk
Subject: {EXTERNAL}: Fwd: Bowie News and Events

Greetings, City Council -

I'd like to offer an additional thought regarding sidewalk rules, as indicated in Councilman Esteve's email below. Aside from the outlined vegetation concern, as an avid runner, I also find it unsafe how folks park their vehicles in their driveways and block the sidewalk. This requires those using the sidewalk to shift into the street to get around the vehicles - often with the vehicle acting creating a blind spot for oncoming traffic. Please help remedy this situation, which is all too prevalent in our city, especially on those streets which end in culdesacs.

Thanks,
Zach Lowe, Ph.D., NBCT

Please excuse brevity and spelling errors, as this message was sent from my iPhone.

Begin forwarded message:

> **From:** Michael Estève <michael@michaelesteve.com>
> **Date:** March 16, 2024 at 3:45:26 PM EDT
> **To:** zdlowe0@gmail.com
> **Subject: Bowie News and Events**
> **Reply-To:** Michael Estève <mesteve@cityofbowie.org>

Mike Estève Bowie City Council | michaelesteve.com
mesteve@cityofbowie.org 301.728.9262 (cell)

Happy Saturday!

I hope everyone is enjoying this sunny weekend and holding on for dear life as we move into windy Spring.

Below are Bowie news and event updates. If you know someone who would appreciate these newsletters, invite them to subscribe at michaelesteve.com.

Sidewalk Rules Could Get Much Tougher

The City Council is considering a new ordinance on Monday to enhance sidewalk and vegetation rule enforcement. This follows recent ADA complaints concerning sidewalk passability for residents with disabilities.

Under current rules, residents with sidewalks on their property are responsible for keeping the sidewalks passable from snow and vegetation with a 4-foot width. Learn more about existing code rules here.

The new ordinance would go further to make sidewalk passability enforcement faster and include new driver visibility rules. Among the changes, the new ordinance would:

- Require homeowners to maintain landscaping to prevent pedestrian and vehicular traffic obstructions on sidewalks and streets.
- Reduce the timeframe in which property owners could address citations from 30 days to 7 days.
- Prohibit owners from damaging, planting, or maintaining obstructions in the right-of-way and allowing the city to remove any illegal landscaping or obstruction after notice is given.
- Increase initial fines from $100 to $250 and allow the city to place liens on properties to recover costs incurred for maintenance.

The challenge for the city is striking a balance between addressing sidewalk passability concerns with the reality that it's often not obvious how even mild overgrowth or vegetation in the wrong place can obstruct wheelchairs and driver visibility.

The ordinance will be discussed under Old Business at the City Council meeting on Monday, **March 18** at 8:00pm at City Hall at 15901 Fred Robinson Way.

Mary Hartig

From: Mary Beth Blocker <blockermb@yahoo.com>
Sent: Saturday, March 16, 2024 9:09 PM
To: CityClerk
Subject: {EXTERNAL}: Sidewalk issue

A couple thoughts on this issue for discussion
1 7 days is a bit extreme for a problem to be corrected before fine is issued. The mail often takes several days to be delivered. I would think 2 weeks would be more reasonable. Need to consider too the elderly population in owners who may need some extra time to get the work done 2. You need to make sure you have an accurate address for the citation. This winter we received a notice that our sidewalks were not cleared within the 48-72 hours which was false. We in fact had cleared the sidewalk 4 times that day starting at 7am the day of the snow including late in afternoon after the plow through all the snow back onto the sidewalk. A few houses on our street did not clear their sidewalks but we were not one of them. We have always cleared our sidewalks and over the yrs have help neighbors do theirs. Very frustrating to receive a notice in error and have no one from the city call you back after leaving a message.
3. If you are enforcing safety issues, why are the utility companies allowed to have broken or missing covers in our yards adjacent to the sidewalks. This is very dangerous for those walking or kids playing if you step into a hole or cut yourself on the cover. I have called the city about this issue and was told I had to contact the utility company myself. Despite contacting them, nothing is ever repaired and there does not seem to be any consequences for the utility company.

I will try to attend the meeting, but would appreciate these concerns being addressed.
Thank you
Mary Beth Blocker

Sent from my iPhone

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