



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, MAY 3, 2021

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, May 3, 2021, virtually. 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, Councilmembers Bofo, Esteve, Gardner, Harrison, Ndebumadu, and Woolfley, City Manager Lott, Assistant City Manager Mears, City Attorney Levan, City Clerk Hernandez, and Staff.

CITIZEN PARTICIPATION:

1. Leroy Ferguson, Essington Neighborhood – Comment attached.

PRESENTATIONS:

A. Congressman Anthony Brown presented a check to the City in the amount of \$4,995,000 representing the share the City of Bowie is receiving from the American Rescue Plan.

CONSENT AGENDA:

Mayor Pro Tem Bofo made a motion to approve items A) Approval of April 19 Regular Meeting Minutes; B) Adoption of Proclamation P-8-21 Proclaiming May 2-8, 2021 as Municipal Clerks Week in Bowie; C) Adoption of Proclamation P-9-21 Proclaiming May 2-8, 2021 as Children's Mental Health Awareness Week in Bowie; D) Adoption of Proclamation P-10-21 Proclaiming May 15, 2021 as Kids to Parks Day in Bowie; E) Adoption of Resolution R-27-21 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow the City Manager to Issue a Purchase Order to Data Networks and Authorize the Purchase of Security Camera Equipment; F) Council Approval for Youth Services Bureau Request to Redirect Additional Appropriated Funds for Tutoring. Councilmember Harrison seconded the motion. Motion passed 7-0.

OLD BUSINESS:

A. FY 2022 Budget, CIP and Constant Yield Tax Rate – City Manager Lott reported that municipalities are required by State law to place an advertisement in a local newspaper and to hold a public hearing on the Constant Yield Tax Rate. The City has complied with those requirements and is proposing to maintain the current tax rate of \$0.40 per \$100 of assessment. This tax rate is 4.1% higher

than the Constant Yield Tax Rate and will generate \$1,239,139 in additional property tax revenues for the City.

Mr. Carl Robinson, member of the Financial Advisory Committee presented the committees report on the FY 2022 Proposed Budget (Copy attached).

Public Hearing:

1. Pam Williams – Comment attached.

Since there were no more comments presented, Mayor Adams declared the Public Hearing to have been held.

Councilmember Esteve made a motion to maintain the City's Property Tax Rate at \$0.40 per \$100 of assessed value. Councilmember Harrison seconded the motion. Motion passed unanimously.

NEW BUSINESS:

A. Detailed Site Plan #DSP-21002 – South Lake Multi-Family Residential – Mr. Frank Stevens, Senior Planner for the City summarized the staff report. South Lake Partners, LLC is proposing 325 multi-family dwelling units and a one-story 8,363 sq. ft. community clubhouse with an in-ground swimming pool on 15.86 acres. Staff recommends approval of #DSP-21002 with the conditions stated in the staff report (copy attached) which are intended to improve site and building aesthetics and to conform to the City's Development Review Guidelines and Policies. Mr. Matthew Tedesco, representing the developer, agrees with staff recommendations.

Councilmember Gardner asked staff what the yield of tax collection for the City from this development would be. Finance Director Matthews responded that he did not have the exact figures now but will prepare and send to Council. The property does have a TIFF on it so the City will not be receiving 100% of the property tax until that TIFF is paid off.

Public Hearing:

1. Mr. and Mrs. Dixon, Crimson Ct. – Comment attached.
2. Valerie Ormond, Central Avenue – Comment attached.
3. Patricia Achimovic, Bowie Resident – Comment attached.

Since there were no more comments presented, Mayor Adams declared the Public Hearing to have been held.

Councilmember Ndebumadu made a motion to approve Detailed Site Plan #DSP-21002 – South Lake Multi-Family Residential. Councilmember Gardner seconded the motion. Motion passed 5-2 (Esteve, Woolfley).

B. Detailed Site Plan #DSP-19021 – South Lake Retail/Commercial - Mr. Frank Stevens, Senior Planner for the City summarized the staff report. South Lake Partners, LLC is proposing 900,656 sq. ft. of retail/commercial/office space on 59.83 acres. Staff recommends approval of #DSP-19021 with the conditions stated in the staff report (copy attached) which are intended to improve site and building aesthetics and to conform to the City's Development Review Guidelines and Policies. Mr. Arthur Horne, representing the developer, agrees with staff recommendations.

Public Hearing:

Since there were no comments presented, Mayor Adams declared the Public Hearing to have been held.

Councilmember Harrison made a motion to approve Detailed Site Plan #DSP-19021 – South Lake Retail/Commercial. Councilmember Gardner seconded the motion. Motion passed 5-2 (Esteve, Woolfley).

ADJOURNMENT AND MOVE TO CLOSE SESSION:

Mayor Pro Tem Boafo motioned to adjourn the Regular City Council meeting and move into Close Session under the statutory authority of the Md. Annotated Code, State Government Article §3-305(b)(3): “To consider the acquisition of real property for a public purpose and matters directly related thereto”; and §3- 305(b)(7): “To consult with counsel to obtain legal advice”. Councilmember Woolfley seconded the motion. Motion passed 7-0. The meeting adjourned at 9:23 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Awilda Hernandez", with a stylized flourish at the end.

Awilda Hernandez, MMC
City Clerk

Awilda Hernandez

From: Ferguson, Leroy L <Leroy.L.Ferguson@hud.gov>
Sent: Monday, May 3, 2021 4:46 PM
To: Awilda Hernandez
Subject: {EXTERNAL}: Route 197 Adjacent to Bowie Town Center

Question about 197 loud cars/speeding cars.

My name is Leroy L. Ferguson. I'm a homeowner who resides in the Essington neighborhood. Essington is located parallel/adjacent to 197 across from the Bowie Town Center. Lately the traffic on 197 is getting loud and unsafe. Within the last year alone, from my deck I've seen three accidents at the stop light by Best Buy, and more recently I see that there was another accident on 197 that took out a good section of the pedestrian fencing on 197 by the office buildings across from Lowe's. 197 has turned into a drag strip complete with loud, fast cars which are unsafe, and a noise hazard. Have there been any discussions by the city council on (1) install sound proof barrier along 197, (2) increase surveillance of speeding cars? If not, how can I bring this concern up for discussion?

Leroy L. Ferguson

"Whatever America hopes to bring to pass in the world must first come to pass in the heart of America".

Dwight D. Eisenhower

The City of Bowie Financial Advisory Committee
Review of the Proposed FY 2022 Annual Budget

To: City of Bowie Council

Date: 26 April 2021

Re: Proposed FY2022 Annual Budget

The Financial Advisory Committee (FAC) reviewed the City of Bowie's proposed budget for Fiscal Year 2022 (FY2022). This budget continues to provide for both reliable and efficient services to its' citizenry. Attributes such as these and countless others continue to make Bowie a desirable place to live. We wish to commend the City Council, City Manager, Finance Department Director and all associated staff and personnel for ensuring that the budget adheres to the City's Strategic Plan. Although property taxes represent 62% of the General Fund revenues, the FY2022 Proposed Budget boasts a 12th consecutive year without a real property tax rate increase.

The FAC embraces the responsibility of reviewing and commenting on the proposed budget and is appreciative of the opportunity to contribute. The FY2022 proposed budget review was conducted with the intent of highlighting benefits, identifying concerns and providing recommendations as deemed appropriate.

The focus of this year's review and related comments is centered on the following areas:

1. COVID19 Impacts to the FY2022 and Future Budgets
2. Erosion of the Budget's Fund Balance
3. Opportunities for Offsets
4. Small Businesses

COVID19 Impacts to FY2022 and Future Budgets

As was stated in the FY2021 letter to the Council, we applaud the proposed projects and their benefits; however, as we have witnessed, the Pandemic has adversely affected the City's revenue stream. As stated as a matter of fact in the FY2022 Proposed Budget, " Although there is a projected increase in Real Property Taxes (due to value increase), Personal Property Taxes and Public Utilities the cumulative impact of smaller revenue sources that are activity related (Hotel/Motel, Admissions, Amusement, etc.) all result in a decrease of 3.4% of General Fund revenues. Given this downward trajectory, the progressively decreasing fund balance, and an uncertain timeframe for projected relief from the impact of the pandemic, we ask that all discretionary expenditures be modest at best.

Erosion of Fund Balance

As stated in the FY2022 Proposed Budget “there is a lot to be proud of” in the City of Bowie from its location to the reliable and efficient services provided. However as we know there is no free chicken and everything comes with a cost. The accumulation of these costs over time have begun to outweigh revenue streams. As stated on page 14 of the City Manager’s Transmittal Letter, The City’s General Fund Balance is declining. The General Fund Balance is projected to be \$34M in June 2021 as compared to a projection of only \$8M in 2024 and \$2M in 2025. Recommended tax increases are not enough to hold off the projected decline.

Opportunities for Offsets

With the understanding that this is a capital intensive budget and that a City’s infrastructure demands a certain level of investment we have scoured this budget in hopes of helping you find potential areas of opportunities for offsets to the downward trajectory of the City’s fund balance. These potential offsets are outlined in the following Capital Improvement Projects.

CAPITAL IMPROVEMENT PROGRAM

GYMNASIUM: It is noted that the HVAC controls and equipment replacement costs of \$900K has been accelerated from FY2023 budget. Given the current uncertainties surrounding revenue, we believe it is prudent for the project remain in FY2023.

Williams Plains Property: This building has been deemed unsafe and listed for deconstruction and removal. This appears to be a one-time expenditure of \$450,000. Although this home, built in the early to mid 1800s and is on the historic national register, the project to raise this house was introduced in the previous fiscal year. Given the high cost to remove this property, we believe that this project might better serve the city if it is postponed until the city revenues have had an opportunity to recover.

Church Road Park: We note that the estimated cost to replace the internal drainage for fields 2 and 3 have increased by 40% from \$125K to \$175K from a year ago. We realize that there is always the possibility of a cost increase involving a multi-year project, but this is a sizeable increase over what was originally proposed and should be explained further to the citizens of Bowie.

Bowie Golf Course: As in previous years, we ask that you reconsider the \$2.24M expenditure on the Bowie Golf Course in FY2022. While the replacement of the irrigation system (\$1M), the Green Drainage (\$180k), and the Tree removal (\$60K) were originally planned as part of the multiyear capital improvement program, the proposal to spend an additional \$1M for repairs to the Golf Course Club House does not seem appropriate (from a cost benefit standpoint) at this time.

Wastewater Treatment Plant: Significant variations in cost estimates are noted for various items of Capital Improvement Program expenditures. For example, the Waste Water Treatment Plant Supervisory control and data acquisition (WWTP SCADA) Implementation is listed at

\$250K in the FY2022 Proposed Budget and projected to increase to \$660K in FY2023; however, it was listed at \$80K just a year ago. The Pump replacement at pumping station 8 is listed at \$360K in the FY2022 Proposed Budget; however, it is listed in the FY2021 Budget as \$80K.

PUBLIC WORKS

With the understanding that the street resurfacing is supported by Highway User revenue, it is important to note the expenditures for streets is proposed to increase overall by \$589K or 9.2% (from \$6.4M to \$6.99M) primarily driven by Contractual Services which is expected to increase by \$482K or 12.4%. Given the huge amounts expended on the Streets in FY2021 (especially street resurfacing and street lighting, cleaning & relamping), the 9.2% increase becomes increasingly unjustifiable.

Small Business

The FAC welcomes the Council's continued support of businesses in the City of Bowie, especially during these difficult times. Your efforts to continue to inform and support businesses is both recognized and appreciated. At this time, we would like to place an emphasis on the continued support of small businesses, through the Bowie Business Innovation Center. As businesses consider their location options, we urge Council to deliberate ways to foster lasting relationships within the business community.

This letter and review of the FY2022 Proposed Budget is the result of the efforts of Mr. Rodney Yancey, Ms. Patricia Peterson, Ms. Tiffany Lightbourn, Ms. Meglan Knights, Mr. William Olukoya, and Mr. Carl Robinson, members of the City of Bowie's Financial Advisory Committee. We thank you for entrusting these residents with the responsibility to serve the City of Bowie's Council and residents.

Sincerely,

/s/

Rodney Yancey,
Chair City of Bowie Financial Advisory Committee

Awilda Hernandez

From: pam williams <pwilliams206@gmail.com>
Sent: Friday, April 23, 2021 8:17 AM
To: Awilda Hernandez
Subject: {EXTERNAL}: Bowie Sign

Please consider this email as support for the installation of a Belair Estates sign at Sussex Park.

This year marks the 60th Anniversary of the opening of Belair Estates. As you may be aware, a committee has been formed, with estimates in hand, to construct a Belair sign at Sussex Park.

As former Manager of Historic Properties for the City, I cannot think of a better way to celebrate this anniversary with a sign that shows the City's social and architectural traditions. In our "historical mindset," we give great consideration to events which happened in the 18th and 19th centuries. It's time for Bowie's 20th century history to be acknowledged.

Please consider this sign in your budget deliberations.

Sincerely,

Pam Williams

Detailed Site Plan #DSP-21002
 South Lake Multi-Family Residential Units
 Parcel 1, Part of Outparcel C

V. Stormwater Management Plan

The detailed Stormwater Management (SWM) Plan for South Lake was submitted to the City for review and approval.

COMMENT: The Stormwater Management Plan has been reviewed, was approved by the City on March 6, 2020, and is valid for two years. This criterion has been met.

VI. Woodland Conservation

A Type-II Tree Conservation Plan (TCP-2-126-05) for the entire South Lake development was previously submitted, and was approved on January 14, 2020.

COMMENT: The entire development site contained 303.18 acres of existing woodland. Pursuant to the County's Woodland Conservation Ordinance, 106.97 acres of woodland conservation were required. The South Lake project is providing 104.23 acres of woodland preservation on-site and 2.74 acres in off-site credits. As a result of the on-site preservation and off-site credits, the total 106.97-acre woodland conservation requirement has been met.

Since the Type-II Tree Conservation Plan has been approved, and woodland conservation requirements have been met, this criterion has been satisfied.

VII. Conformance with Area Master Plan

COMMENT: The 2006 Bowie and Vicinity Master Plan designated the South Lake property as an Employment and Institutional Area. The site was not the subject of a Sectional Map Amendment (SMA) in the 2006 Master Plan. However, Council Bill CB-13-2002 defined and permitted a Mixed-Use Planned Community in the E-I-A zone, allowing areas developed with mixed use in the E-I-A zone to be done so in accordance with the standards of the M-X-T (Mixed-Use-Transportation Oriented) zone. As a result, the mixed-use development (residential and commercial) currently underway is permitted on the South Lake property.

VIII. Recommendation

With the conditions set forth below, staff finds the Detailed Site Plan proposed for the development proposed on a portion of the South Lake site will meet the findings for approval set forth in Section 27-285(b). Specifically, the proposed Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. In fact, the proposal, with the recommended conditions, will enhance the aesthetics of the property and the developing community.

Therefore, staff recommends **APPROVAL** of **Detailed Site Plan #DSP-21002** for the construction of a portion of the South Lake Mixed-Use Community that will include: 325 multi-family residential dwelling units in five 4-story buildings, an 8,363 sq. ft. clubhouse and complex, and recreational amenities on 15.86 acres with the following conditions, which are intended to improve site and building aesthetics, and to conform to the City's Development Review Guidelines and Policies:

Detailed Site Plan #DSP-21002
South Lake Multi-Family Residential Units
Parcel 1, Part of Outparcel C

1. Two poles with mirrors shall be installed in two locations opposite the garage building in the northwestern area of the site to provide an opportunity for motorists to see vehicles backing-out of the garage bays, and vice versa.
2. In the southeastern area of the site, facing U.S. Route 301 (Sheet C-2), the number of garage bays in the garage building shall be identified as 10 bays rather than 12.
3. The width of the driveway site access from Gwynn Brook Way shall be identified on the plan.
4. The loading space at the clubhouse shall be relocated immediately adjacent to either side of the circulation island in front of that building.
5. Accent lighting shall be mounted on both sides of the entrance to each multi-family building. The design and style of the light fixture shall match that proposed on the clubhouse and garage buildings.
6. The brick color used on base of the pool equipment building and the base of supporting the pavilion structure shall be the same light brick used on the base of the clubhouse. The plans shall be revised accordingly.
7. Landscaping. The Landscape Plan shall be revised to include the following replacements:
 - A. All White Pine trees shall be replaced with either Red Cedar trees (*Juniperus Virginiana*), or Thuja Green Giant trees.
 - B. The Thundercloud Plum ornamental trees (*Prunus Cerasifera*) shall be replaced with Forest Pansy (*Cercis Canadensis*), a native tree.
 - C. The Otto Luyen English Laurel shrubs (*Prunus laurocerasus*) shall be replaced with Henrys Garnet (*Itea Virginica*), a native shrub.
8. Lighting.
 - A. A note shall be provided on the plans stating that full cutoff LED lighting will be used throughout the site.
 - B. Along the internal pedestrian system where, according to the lighting plan submitted, there is no illumination, either additional light poles shall be provided, or a pedestrian-scale light source in the form of bollard lighting shall be added to eliminate the areas currently proposed to not be illuminated.
9. The brick used on the sign bases shall be one of the two brick colors used on the buildings. The plans shall be revised accordingly.

Awilda Hernandez

From: Si Dixon <sierraleone439@gmail.com>
Sent: Friday, April 23, 2021 7:39 PM
To: cityclerk
Cc: Michael Esteve; Sierra Leone Joyce
Subject: {EXTERNAL}; South Lake Development

Dear City Council Member and all other Interested Parties:

I would like to state my reasons for this letter. I am writing in the hopes that you will not allow this project to continue for a number of reasons. Traffic on 301 North and South is already a nightmare, any day any time on the weekend. This should strongly suggest to those who live in the area that the infrastructure for more roads to ease the traffic congestion is simply not in place. Along with overburdening our roads that were made for a lesser dense population, we are now going to flood the schools with students in a school system that is already bursting at the seams. After our community has had more of the greenview space ripped out from under us, (the residents) the buyers and sellers of this property will merrily go on with their life as it was their agenda only - that stood to gain and benefit. Meanwhile, our suburban Bowie, is more and more city-like with the traffic, the growing crime, the loss of greenview/green space and the ever increasing pollution. Someone gets a hefty financial gain - two parties: the owners of the land, and the buyers of the land. But what is in it for Bowie? Bowie residents once again get caught in the middle; getting squeezed out of their small suburban town once again. Should we have to sit back and watch the developers invade our small town, so that they can make a profit? Can we afford to allow them to destroy Bowie's character as we know and love it?

This is the town in which we live. Many of us came here due to low density, suburban/rural greenview/greenspace, appreciation for nature, low crime rate, fresh air to breathe, birds to appreciate with their chirping sounds, reminding you of morning or that the seasons are changing again. We are already saying good-bye to the once shorter lines at the banks and stores. The parks and the bike trails were also a lure. But once we become a mega metropolis, all of that will be gone. I pray you let the developer go ruin someone else's community. Developing every vacant lot or land space is not smart growth. Preserving the character of this community is something most of the residents have said time and time again is a top priority. We do not owe this developer the serene greenview/green space that drew many of us to this town; that we are still able to appreciate as we ride our bikes, walk our dog and raise our families. I urge you to please get on board and help us save our town by voting with the residents and against the developers. Afterall, we are the ones who live here.

Sincerely,
Mr. William Dixon
Mrs. Sierra Leone Dixon
12604 Crimson Court
Bowie, MD 20715

Awilda Hernandez

From: Valerie Ormond <valerieormond@aol.com>
Sent: Saturday, April 24, 2021 4:14 PM
To: cityclerk
Cc: Michael Esteve
Subject: {EXTERNAL}: South Lake Problems

Dear Bowie City Council,

(To be read at the May 3 City Council Meeting during South Lake discussions)

I am a Bowie resident who resides on MD Route 214 less than two miles east of the South Lake property. It has been difficult to watch the woods torn down and the hundreds of trucks leveling the South Lake property and cluttering our already overcrowded roads. I ask in your development discussions, please consider the people in this old neighborhood here, many who have lived here, or whose relatives have lived here, for over 100 years.

Most of us moved here for peace and quiet and to enjoy the "rural tier." That tier is disappearing, and Route 214 has more dirty trucks travelling on it at high speeds than I have seen in the sixteen years of living in this home. Additionally, neither Route 301 nor Route 214 were built to accommodate the kind of traffic this development will bring. There have to be changes made to the traffic pattern, and taxpayers and current homeowners who did not want this development in the first place should not bear those costs.

Sincerely,

Valerie Ormond
17610 Central Ave.
Bowie, MD 20716

Valerie Ormond
Veteran Writing Services, LLC
(443)994-5651

Awilda Hernandez

From: Patricia Achimovic <pachimovic@yahoo.com>
Sent: Friday, April 30, 2021 3:20 PM
To: cityclerk
Cc: Michael Esteve
Subject: {EXTERNAL}: South Lake

Members of the City Council,

I've lived in Bowie for 40+ years and am vehemently opposed to this project. Our roads cannot support an undertaking of this magnitude. Mayor Adams, are pockets getting lined with this development?

Patricia Achimovic

Sent from my iPhone

VII. Conformance with Area Master Plan

COMMENT: The 2006 Bowie and Vicinity Master Plan designated the South Lake property as an Employment and Institutional Area. The site was not the subject of a Sectional Map Amendment (SMA) in the 2006 Master Plan. However, Council Bill CB-13-2002 defined and permitted a Mixed-Use Planned Community in the E-I-A zone, allowing areas developed with mixed use in the E-I-A zone to be done so in accordance with the standards of the M-X-T (Mixed-Use-Transportation Oriented) zone. As a result, the mixed-use development (residential and commercial) currently underway is permitted on the South Lake property.

VIII. Recommendation

With the conditions set forth below, staff finds the Detailed Site Plan proposed for the development proposed on a portion of the South Lake site will meet the findings for approval set forth in Section 27-285(b). Specifically, the proposed Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. In fact, the proposal, with the recommended conditions, will enhance the aesthetics of the property and the developing community.

Therefore, staff recommends **APPROVAL** of **Detailed Site Plan #DSP-19021** for 900,656 sq. ft. of retail/commercial/office/hotel space on 59.83 acres with the following conditions, which are intended to improve site and building aesthetics, and to conform to the City's Development Review Guidelines and Policies:

1. A recommendation for approval of Detailed Site Plan #DSP-19021 is subject to the approval of #BD-1-20 to utilize parking spaces with dimensions of 9 ft. by 18 ft., rather than using all 9.5 ft. by 19 ft. spaces.
2. As other users/tenants become part of the overall South Lake project, a detailed site plan shall be submitted for those buildings to address: building architecture and materials; signage; landscaping; and, service areas (loading/unloading and trash collection).
3. ~~The applicant shall either obtain an exception from the requirements for the handicapped in applicable building codes from the state and county agencies responsible for administering those codes, redesign the handicap parking spaces to utilize dimensions that comply with the Zoning Ordinance.~~
(Condition #3 has been deleted since the discrepancy has been corrected between the notation of the dimensions of handicap parking spaces and the plan detail of those spaces.)
4. Sheetz (Pad Site 10)
 - A. A loading space shall be identified on the plans for the Sheetz site (Pad Site 10).

- B. The discrepancy shall be resolved in the number of parking spaces shown on the DSP for Pad Site 10 (Sheet 6), the site plan in the architectural plan set (Sheet 6 – “Preliminary Site Plan”), and on the Parking Tabulation (Sheet 3).
- C. The striped/hatched areas in the parking lot at the northwestern and southwestern corners of the Sheetz building shall be converted to landscaped islands.
- D. “Do Not Enter” signs shall be provided, from the parking area south of the building into the drive thru lane.

5. Lighting

Either additional free-standing light poles or building-mounted light fixtures shall be located in the following locations to eliminate these unlit areas:

- At the trail head on the east side of Fairmont Drive;
- Between Pad Sites 20 and 27;
- East of Pad Site 26 (hotel);
- Between Pad Sites 24 and 25;
- In the trash area between Pad Sites 11 and 12;
- Between Pad Sites 14 and 15;
- In the southeastern area of Pad Site 16; and,
- In the area northeast of Pad Site 1.

6. Signage

- A. The height of the free-standing Sheetz sign shall be reduced to no higher than 25 ft.
- B. All signage on the front elevation of the grocery store shall be relocated to be above the store’s main entrance.
- C. The specific location of Sign #1 shall be set back from the roadway so as to not interfere with the line-of-sight of motorists traveling along Old Central Avenue and Summit Point Boulevard.
- D. Sign #3 shall be reduced in height and bulk to be more compatible with sizes of the buildings proposed within South Lake.

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. *Complete items 1 – 4 before closing the meeting.*

1. **Recorded vote to close the meeting:** Date: 5/3/21; Time: 9:25; Location: City Hall;
Motion to close meeting made by: Boafo; Seconded by: Woolfley;
Members in favor: TA, TH, HG, ME, DW, AB, RIV; Opposed: _____;
Abstaining: _____; Absent: _____.

2. **Statutory authority to close session (check all provisions that apply).**
This meeting will be closed under General Provisions Art. § 3-305(b) only:

(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; 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"; (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." (15)___ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) (3)	Real Property Acquisition	Consider acquiring property
§3-305(b) (7)	Legal advice from Counsel	Discussion of littering.
§3-305(b) ()		
§3-305(b) ()		
§3-305(b) ()		

4. This statement is made by _____, Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

- For a meeting closed under the statutory authority cited above:

Time of closed session: 9:25

Place: City Hall

Purpose(s): (7) (3) Real Property Acquisition and Legal Advice

Members who voted to meet in closed session: TA, HG, IH, ME, DW, & B, RN

Persons attending closed session: Harris, Gardner, Harrison, Woolfley, Beato, Ndobunade, Lott, Louan, King, Mears, Bazurto

Authority under § 3-305 for the closed session: (7) (3)

Topics actually discussed: Appraisal for property acquisition, Consult with Attorney

Actions taken: _____

Each recorded vote: _____

- For a meeting recessed to perform an administrative function (§ 3-104): Time: _____

Place: _____

Persons present: _____

Subjects discussed: _____