



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, DECEMBER 6, 2021

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, December 6, 2021, in the 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, Councilmembers Bofo, Esteve, Gardner, Harrison, Ndebumadu, and Woolfley, City Manager Lott, Assistant City Manager Mears, City Attorney Levan, Staff, and the Public.

CITIZEN PARTICIPATION:

Matthew Gallagher, Marne Lane – Spoke about City water concerns.

Council and City Manager Lott responded to the concerns mentioned by Mr. Gallagher and provided additional information.

PRESENTATIONS:

Council presented a proclamation to Miranda Rose Schmidt and Martin Schmidt, Jr. for their lifesaving efforts.

COUNCIL ANNOUNCEMENTS:

Mayor Adams thanked citizens for attending the tree lighting ceremony and City staff for a great event.

Councilmember Harrison shared green tips for the holidays and mentioned the Green Bowie Newsletter sent out by the City's Sustainability Planner which also contains great tips.

Councilmembers Esteve, Woolfley, and Ndebumadu discussed the City's water, the water testing results, the process to replace the pipes, and the City's commitment to working on this issue.

CITY MANAGER'S REPORT:

City Manager Lott wished happy holidays to all those in the City and thanked City employees, especially those essential employees, for another year of outstanding performance. City Manager Lott

discussed the three significant ongoing projects: 1) the economic development strategy for the City; 2) the branding study; and 3) the new Bowie ice rink site analysis which will take place in three phases. This will include a CIP project for the courts complex in the FY 2023 budget. Also mentioned was the mid-year budget review which will take place at the January 3rd meeting, and the upcoming FY 2023 budget process.

CONSENT AGENDA:

Councilmember Woolfley made a motion to approve Consent Agenda items: A) Approval of October 18, 2021 Meeting Minutes; B) Adoption of Resolution R-74-21 Accepting Bid for the Replacement of Generators at the Public Works Administration Building and the Media Lane Water Tank; C) Adoption of Resolution R-75-21 Denying Variance Application BV-4-21, a Request by Traci Wilson for a Variance From the Maximum Six-Foot Fence Height Requirement to Allow a 40-Foot Long Section of Eight-Foot High Fencing Along the Eastern Side Lot Line at 12327 Melody Turn; and D) Adoption of Resolution R-76-21 Allowing for the Reduction of the Performance Security Guaranteeing Construction of the Storm Drain/Paving at Melford Town Center – Lake Melford Avenue. Councilmember Gardner seconded the motion. Motion passed 7-0.

OLD BUSINESS:

A. Appeal of Bowie Advisory Planning Board Resolution BV-2-21 – Mr. Joe Meinert, Planning Director, stated that a request was made by the applicant for a continuance of this item to the January 3, 2022 meeting as a family emergency prevented her attendance at this meeting. Councilmember Woolfley made a motion to table this item to the January 3, 2022 City Council Meeting. Councilmember Gardner seconded the motion. The motion passed 7-0.

B. Adoption of Ordinance O-7-21 Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022, to Purchase Machinery and Equipment Owned by Bowie Golf Management Inc., to Increase the General Fund - Reserve for Contingences by \$97,600 for Expenditures Related to the Bowie Golf Course, and to Purchase Contractual Services for the Implementation of the City Branding Strategy – Mr. Byron Matthews, Finance Director explained the ordinance and the supplemental appropriations for the FY2022 budget, which included \$189,100 for the purchase of selected machinery and equipment from Bowie Golf Management; increasing the reserve for contingency by \$97,600 for additional costs associated with the transfer of operations to Indigo Sports; and \$90,000 to develop and assist with the implementation of a unifying brand strategy for the City. The total appropriation is \$376,700.

Councilmembers Esteve and Woolfley thanked staff for their hard work, flexibility, and adaptability on getting the golf course back up and running.

Public Hearing:

Since there were no comments submitted and no one signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Councilmember Esteve made a motion to adopt Ordinance O-7-21 as presented. Councilmember Woolfley seconded the motion. The motion passed 7-0.

NEW BUSINESS:

A. Youth Council Town Hall Meeting Request – Council approved the Town Hall Meeting and directed staff to assist the Youth Council with their request, keeping in mind protocols and safety parameters in terms of holding the event in person or doing a hybrid format. Included in this approval is the \$250 budget for light refreshments and assistance with advertising the event. Mayor Adams and Councilmembers Woofley, Esteve, Harrison, Gardner, and Ndebumadu spoke in support.

B. Special Exception #4842, Assembly Classic Center Banquet Hall – The applicant is requesting the City's approval recommendation for a 4,000 square foot banquet hall facility proposed in Condo Unit 7 of Colonial Village Shoppes, located at 13637 Old Annapolis Road. The subject property includes 8,285 square feet (overall site is 1.9 acres) and is zoned C-S-C (Commercial Shopping Center) – Mr. Joe Meinert, Planning Director, introduced the item and asked Mr. Terry Rogers, Bowie Advisory Planning Board Chair to give the summary from the Bowie Advisory Planning Board (BAPB) Hearing on this item. Mr. Rogers stated that the BAPB accepts the staff recommendation of approval. He also stated that there were comments made by the BAPB members on safety and maintaining the peace and order of the surrounding neighborhood. The applicant (a church) reassured them to the best of their ability that they will maintain the peace and order and that their alcohol permit will be only for beer and wine. The safety concerns are there but the banquet hall is a lawful use of the facility so the BAPB could agree with the staff recommendation for approval.

Councilmember Harrison asked what outreach to the community has been done by the applicant. Mr. Rogers responded that staff sent out notices to the surrounding community, had a virtual community stakeholders meeting, and posted two notices on the property advertising the BAPB meeting. There were no attendees at the stakeholders meeting and only one tenant expressed concern at a later date.

Councilmember Harrison asked what the tenant's concern was. Mr. Meinert stated that the condo owner (who rents out several spaces) was concerned was about the loss of parking as a detriment to some of his tenants and could possibly affect his leasing. Mr. Meinert stated that it turns out there is a surplus of parking at this location. It is a fairly small storefront, and the parking would be adequate, and comparable to the former use of the storefront as a church. A condition of the approval is that the applicant would adhere to the parking standards.

Councilmember Esteve thanked Mr. Rogers and the BAPB for all their hard work and diligence. He is okay moving forward with this.

Councilmember Gardner stated that he welcomed this facility in the City as he frequently gets questions on where people can host events and the hotel and church spaces aren't always available.

Mr. Rogers stated that this is a for-profit entity and hopefully the City will see some revenue from it, as before it was a church and operating as a non-profit.

Public Hearing:

Since there were no comments submitted and no one signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Councilmember Harrison made a motion to approve Special Exception #4842 for the Assembly Classic Center Banquet Hall. Councilmember Gardner seconded the motion. The motion carried 6-0

(Ndebumadu did not vote).

ADJOURNMENT AND MOVE TO CLOSED SESSION:

Mayor Pro Tem Boafu motioned to adjourn the Regular City Council meeting and move to Close Session under the statutory authority of the Md. Annotated Code, State Government Article §3-305(b)(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", 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 9:17 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carolyn Fifer".

Carolyn Fifer (for City Clerk Awilda Hernandez)
Administrative Associate to the City Clerk

**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: 12-6; Time: 9:17; Location: City Hall;
Motion to close meeting made by: Boerfo Seconded by Wolfley;
Members in favor: All; 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) ☒	Appointment of Personnel	
§3-305(b) ☒	Consult with counsel to obtain legal advice	
§3-305(b) ☐		
§3-305(b) ☐		
§3-305(b) ☐		

4. This statement is made by Samuel J. Adams, 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): (1) Appoint Personnel (7) Consult with Counsel

Members who voted to meet in closed session: TA, HG, JH, ME, AD, DW, RN

Persons attending closed session: Adams, Gardner, Harrison, Esteve, Woolfley, Baeo, Heburnadu, Lott, Levan, Mears

Authority under § 3-305 for the closed session: (1) (7)

Topics actually discussed: Lobbying Services

Actions taken: Motion to keep Venable for legislative session and meet with Venable as a Council

Each recorded vote: 6 Aye 0 Nay Adams Abstain

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

Place: _____

Persons present: _____

Subjects discussed: _____