

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, JANUARY 3, 2022

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, January 3, 2022, in the Council Chambers at City Hall. Mayor Adams called the meeting to order at 8:20 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 Boafo, Esteve, Gardner, Harrison, Ndebumadu, and Woolfley, City Manager Lott, Assistant City Manager Mears, City Attorney Levan, City Clerk Hernandez, and Staff.

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

Councilmember Gardner motioned to add a presentation on water filtration systems to the agenda. Mayor Pro Tem Boafo second the motion. Motion passed 7-0. Councilmember Esteve motioned to add a discussion on reopening the City's recreational facilities. Councilmember Gardner second the motion. Motion passed 7-0.

CITIZEN PARTICIPATION:

1. Lori Jones, President Bowie Hockey Club – Comment attached.
2. Matthew Gallagher, Marne Lane – Comment attached.
3. Albert Succi – Comment attached.

CITY BOARDS AND COMMITTEES:

Councilmember Woolfley motioned to appoint Anabel Washington to the Arts Committee for a two-year term and reappointing Tameka Washington to the Diversity Committee. Councilmember Gardner seconded the motion. Motion passed unanimously. Mayor Adams swore-in Anabel Washington to the Arts Committee.

COUNCIL ANNOUNCEMENTS:

Councilmember Esteve and Gardner both expressed that the City's recreational facilities should reopen right away.

CITY MANAGER'S REPORT:

City Manager Lott reported on the snowstorm that began yesterday. Snow accumulation of about 6 to 8 inches, several downed trees and power outages. Staff worked through the night plowing the streets and clearing downed trees.

CONSENT AGENDA:

Councilmember Woolfley made a motion to approve Consent Agenda item: A) Approval of Preliminary Plan #4-21016 – 12601 Lanham-Severn Road. Mayor Pro Tem Boafso second the motion. Motion passed unanimously.

OLD BUSINESS:

A. Appeal of Bowie Advisory Planning Board Resolution BV-2-21 – Planning Director Meinert summarized the Resolution. The applicant, Ms. Carmen Woods, has appealed the Bowie Advisory Planning Board's denial of her application on September 14th. She is seeking a variance (after the fact) of 599 square feet, or 5.3%, from the 30% maximum lot coverage requirement prescribed by Section 27-442 (c) (Table II) of the Prince George's County Zoning Ordinance to validate existing lot coverage at 35.3% and a Variance (after the fact) of six feet from the minimum eight foot side yard setback required by Section 27-442 (e)(Table IV) to validate construction of an 11' x 16' pavilion structure two feet from the side lot line. The BAPB voted unanimously to recommend denial, in accordance with the staff recommendation.

Councilmember Harrison asked if the appeal is denied what will the applicant need to do. Mr. Meinert responded that she would need to follow the guidelines from the County Zoning Ordinance and DPIE would monitor the process.

Councilmember Woolfley motioned to accept the Bowie Advisory Planning Boards recommendation of denying the variance as stated in Resolution R-71-21. Councilmember Gardner seconded the motion. Motion passed 7-0.

NEW BUSINESS:

A. Water Distribution System Recapitalization – City staff briefed Council on the status of the City's water main replacement efforts. Phase I of Heather Hills neighborhood is complete and ready to move onto Phase II. The main issue in order to move forward has to do with financing. Staff is looking into different possible grants that the City can apply for, as well a lobbying the delegation for financial support. The City's 2020-2027 Recapitalization Plan will cover 7 miles of pipe that require immediate needs due to tuberculation, 0.8 mile per year, at a cost of \$14.5M. To fix the entire system at the rate of 1.8 miles per year, it would cost about \$135M.

Councilmember Woolfley thanked staff for the completion of Phase I of the pipe replacement in Heather Hills and the report. He asked if staff has determined which neighborhoods have the most issues with the water discoloration. Assistant Public Works Director Hong reported that the Kenilworth section is the worst and should be the next phase to be addressed. Councilmember Woolfley would like to make sure that the streets that have the most concerns be done before focusing on one neighborhood at a time.

Councilmember Gardner asked if at this time they would allow Ms. Harrington to provide her presentation.

B. Water Filtration Presentation by Ms. Deborah Harrington – Her company, Audits and Green Solutions, LLC, provides whole house UV water filtration systems that can help some of the issues the residents are having with water discoloration. Ms. Harrington said that the system cost about \$1,900 per filter and installation. Staff will work with Ms. Harrington and discuss the services her company can provide to the City.

Councilmember Harrison asked Ms. Harrington to please provide a formal proposal to staff on her product and services.

Council directed staff to report back to Council with a plan to speed up the process since there is a possibility of additional funding from ARPA monies.

C. Auditor's Annual Presentation – Mr. Greg Bussink with the firm Clifton Larson Allen LLP summarized the City's audit report. The City received an unmodified "clean" opinion. The City has received the GFOA Distinguished Budget Presentation Award for 27 consecutive years.

Council thanked staff and Mr. Bussink for their presentation.

D. Discussion on reopening of City recreational facilities – Councilmember Esteve motioned to reopen the facilities on Friday, January 7 with the stipulation that patrons need to present proof of vaccination and wear a mask while in the facility at all times and that if further recommendations from County or State are made about closing facilities, Council should be involved for guidance to staff. Mayor Pro Tem Boafo suggested a friendly amendment to extend the opening to Monday. Councilmember Esteve would like to leave it for Friday. Councilmember Gardner second the motion. Motion passed by roll call vote 4-2 (Adams, Boafo, Ndebumadu not present).

Councilmember Harrison motioned to have Council review the COVID case numbers on Thursday, January 6 first and then do a Council Poll before making a final decision of opening on Friday, January 7 or not. Councilmember Esteve second the motion. Motion passed by roll call vote 6-0 (Ndebumadu did not vote).

ADJOURNMENT AND MOVE TO CLOSE SESSION:

Mayor Pro Tem Boafo motioned to adjourn the Regular City Council meeting and move into Closed 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"; §3-3-5(b)(7): "To consult with counsel to obtain legal advice"; and §3-305(b)(8): "To consult with staff, consultants or other individuals about pending or potential litigation". Councilmember Esteve seconded the motion. Motion passed 6-0 (Ndebumadu did not vote). The meeting adjourned at 11:43 p.m.

Respectfully submitted,

Awilda Hernandez, MMC
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: 1-3-22; Time: 10:40; Location: City Hall ;
Motion to close meeting made by: Boafo Seconded by Estevé ;
Members in favor: TA, FH, HG, ME, DW, AD ; Opposed: _____ ;
Abstaining: _____ ; Absent: Ndeburuadi _____ .

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) <input type="checkbox"/> | Employee Employment | |
| §3-305(b) <input checked="" type="checkbox"/> | Litigation | Consult with legal counsel |
| §3-305(b) <input checked="" type="checkbox"/> | Potential Litigation | Potential litigation |
| §3-305(b) <input type="checkbox"/> | | |
| §3-305(b) <input type="checkbox"/> | | |

Jonathan J. Adams

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: 11:42 pm

Place: City Hall

Purpose(s): (1) (7) (9) Consult with counsel and potential litigation

Members who voted to meet in closed session: Adams, Gardner, Harrison, Esteve, Woolfley, Deafo

Persons attending closed session: Adams, Gardner, Harrison, Esteve, Woolfley, Deafo, Levan, Lott, Meers

Authority under § 3-305 for the closed session: (1) (7) (9)

Topics actually discussed: Employment matter, potential litigation, purchase

Actions taken: _____

Each recorded vote: _____

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

Place: _____

Persons present: _____

Subjects discussed: _____