



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

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 Boaf 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

Awilda Hernandez

From: President, Bowie Hockey Club <president@bowiehockey.org>
Sent: Monday, January 3, 2022 1:22 PM
To: Awilda Hernandez
Subject: {EXTERNAL}: Fwd: Bowie Ice Arena

Awilda,
Can you please include this email in the citizen participation for tonight's Council meeting?
Thank you!
Lori Jones
President
Bowie Hockey Club

----- Forwarded message -----

From: **President, Bowie Hockey Club** <president@bowiehockey.org>
Date: Thu, Dec 30, 2021 at 4:39 PM
Subject: Bowie Ice Arena
To: <tadams@cityofbowie.org>, <abofo@cityofbowie.org>, <hgardner@cityofbowie.org>, <iharrison@cityofbowie.org>, <mesteve@cityofbowie.org>, <dwoolfley@cityofbowie.org>, <rndebumadu@cityofbowie.org>, <alott@cityofbowie.org>, <dmears@cityofbowie.org>, <lcornwell@cityofbowie.org>, <shein@cityofbowie.org>, <nspurgeon@cityofbowie.org>, Carrie Robertson <crobertson@cityofbowie.org>

Dear Mayor Adams, Mayor Pro Tem Bofo, At-Large Councilmember Gardner, At-Large Councilmember Harrison, Councilmember Esteve, Councilmember Woolfley, Councilmember Ndebumandu, City Manager Lott, Assistant City Manager Mears, Emergency Manager Cornwell, Community Services Department Director Hein and Assistant Director Spurgeon and Bowie Ice Arena Manager Robertson,

Bowie Hockey Club respectfully requests that the City of Bowie please reevaluate and allow the Bowie Ice Arena to reopen as soon as possible with capacity limits and COVID protocols and restrictions in place like last season.

Last season, the Bowie Ice Arena operated a full season pre-vaccines with restrictions in place including limited spectators, building capacity limits, limited time slots with extended time in between each ice session. The youth hockey players (4-18 years of age) dressed in the parking lot in the

rain, sleet, snow and freezing cold weather to limit the amount of time spent inside the Bowie Ice Arena facility.

If you recall, Bowie Ice Arena did not follow Prince George's County last season, they followed the State of Maryland guidelines. Bowie Ice Arena and City of Bowie facilities opened much sooner than Maryland-National Capital Park and Planning Commission facilities. Prince George's County has not mandated the closure of the Bowie Ice Arena. Other gyms, ice rinks and recreational facilities not operated by MNCPPC are open and operating with normal schedules.

Bowie Ice Arena operated a full season of hockey and figure skating last season and is currently in the middle of an active season of skating with league hockey games and figure skating competitions scheduled.

Bowie Ice Arena, Bowie Hockey Club, and other users have not had any major COVID outbreaks or breakthrough cases that have not been contained. Bowie Hockey Club purchased 360 rapid home COVID Antigen test kits and followed strict guidelines for reporting and returning to play. All Bowie Ice Arena staff and Bowie Hockey Club coaches are fully vaccinated.

Due to the high demand for local ice rentals, there are no other ice rentals available at other rinks for Bowie Hockey Club to purchase to make up league games and team practices. We are in the home stretch of our season and the missed league games and team practices will negatively impact our league standings.

At the start of COVID in 2019, I was a member of Governor Hogan's Sports Advisory COVID Committee and this year I was in direct contact with the Prince George's County COVID Compliance Team to ensure that Bowie Hockey Club assisted Bowie Ice Arena with safety and health protocols for the skating community.

Bowie Hockey Club looks forward to the immediate and safe reopening of our beloved home “Bowie Ice Arena” as soon possible.

I would be happy to discuss guidelines and COVID protocols with City Manager Lott, Emergency Manager Cornwell, and BIA Manager Robertson at your earliest convenience.

Bowie Hockey Club wishes the City of Bowie staff a safe, healthy and happy new year.

Respectfully,

Lori Jones

President

Bowie Hockey Club

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Lori Jones
President, Bowie Hockey Club

Bowie City Council – January 3, 2022

I ask the city council and management to stop selling us dirty brown water immediately.

You approved Phase 1 of the Water Main Recapitalization program and that phase ended ahead of schedule yet you still have chosen not to act to move the next phase forward. Your decision has been to continue to sell us dirty brown water.

You could sell bonds like you did for your ice rink, yet you don't think the health of Bowie residents is important enough to do that. Why?

The city has triple A ratings which could be used to finance the project and benefit the health of the citizens and provide us clean water yet you won't act. Why?

You say you're going to begin discussing the budget for next fiscal year so you'll do more talking and cause further delay in providing us clean water. You must provide the funding to award a contract and replace the pipes today, not next fiscal year in 6 months. You must award a multi-phase or multi-year contract to the company who will replace the pipes. Your decision to sit and talk only causes more harm to the pipes and more harm to the citizens of Bowie. Your decision to talk instead of act is more evidence of your lack of concern for the citizens of Bowie.

This is a problem your predecessors ignored and kicked down the road and now you continue to do that same thing. Your unwillingness to act provides you the same legacy of previous councils.

Your concern for ice rinks and golf courses instead of the health of the citizens who voted for you is your legacy.

You say the water passes the test for safety yet we all know the test has been established to protect the city not guarantee clean water. Stop selling us dirty brown water.

You sold bonds for your ice rink and miraculously find money for parks, golf course and the new city branding initiative yet you refuse to find money for clean water for the citizens of Bowie. Why?

This isn't a complaint about the water only after the hydrants are flushed. This is dirty brown water every day. And your lack of action proves you just don't care.

Stop selling us dirty brown water now.

If you care about the citizens of Bowie, you'll stop selling us dirty brown water now.

If you care, you will fix this problem and provide us with clean water now.

Matthew Gallagher

12233 Marne Lane, Bowie MD 20715

301.325.7650

gallaghermjp@yahoo.com

Awilda Hernandez

From: Al <asucci01@gmail.com>
Sent: Monday, January 3, 2022 6:04 PM
To: Awilda Hernandez
Cc: matt gallagher; Henri Gardner; Henri Gardner
Subject: {EXTERNAL}: Bowie's Dirty Water Delivery to its Residents
Attachments: PXL_20211225_140009894.jpg

Ms. Hernandez - Please add this to the citizen portion of tonight's meeting since I am unable to attend. Over the years I have sent countless emails which have included pictures and videos of the disgusting brown, possibly contaminated, water that the City of Bowie delivers to my home. I have sent these emails to Mayor Adams and numerous council members, never have I received a reply. However, the City of Bowie engineers have been to my home on numerous occasions to explain the rotten pipes that deliver water to my home and have repeatedly told me to run the taps/showers to let it filter through. They have also recommended plumbers to come to my home and install a water filtration system. Both plumbers have told me that it is impossible to install a water filtration system under my sink. I live in a Colonial style home on Malin Lane in the M Section.

What the City of Bowie needs to do is:

1. Immediately outline steps to correct this issue - it's been over 10 years of Bowie residents complaining about this issue.

What we in the community are doing:

1. We've already had the local media NBC4 come out and do a segment on this issue.
2. We have over 30 families in the M, S and T sections who are willing to go on record about the vile brown water that is delivered into our homes.
3. We have spoken with a few non-profit environmental groups who are interested in this issue and are advising us to continue to gather names and are looking into any possible legal options we may have against the City of Bowie.
4. I would like the Bowie Council to look at the water issues the schools in Levitt area are encountering.
5. I want every family who is willing to go on record to receive a credit of 500 gallons of water off their quarterly water bill as we have been directed to run the taps/showers by city engineers to flush the system.

The attached photo is what we encountered on Christmas day.

Thanks

Albert Succi

**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 Estave ;
Members in favor: TA, FH, HG, ME, DW, AD ; Opposed: _____ ;
Abstaining: _____ ; Absent: Ndebumadu _____ .

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"/> 7	Litigation	Consult with legal Counsel
§3-305(b) <input checked="" type="checkbox"/> 8	Potential Litigation	Potential litigation
§3-305(b) <input type="checkbox"/>		
§3-305(b) <input type="checkbox"/>		

Samuel 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) (8) Consult with Counsel and potential litigation
 Members who voted to meet in closed session: Adams, Gardner, Harrison, Esteve, NealFley, Deafo
 Persons attending closed session: Adams, Gardner, Harrison, Esteve, NealFley, Deafo, Levan, Lott, Mears
 Authority under § 3-305 for the closed session: (1) (7) (8)
 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: _____