



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, OCTOBER 20, 2014

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, October 20, 2014 in the Council Chambers at City Hall. Mayor Robinson called the meeting to order at 8:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Boy Scout Troop 403 member led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Robinson, Mayor Pro Tem Truth, Councilmembers Brady, Marcos, Polangin and Turner (Arrived 8:08p.m.); City Manager Deutsch, Assistant City Manager Fitzwater, City Attorney Levan, City Clerk Hernandez, Staff, the Press, and the Public.

CITIZEN PARTICIPATION:

1. Monica Best James, on behalf of the Bowie Public Safety Committee – commended the success of the Bowie Police Department.
2. Rammtita Jones, 1406 Peachwood Lane – addressed Council with concerns about pavement patching on Mitchellville Road.
3. Brian Jamison, South Bowie Boys & Girls Club – Presented Mayor Robinson and Mayor Pro Tem Truth with plaques thanking them for their support of the South Bowie Boys & Girls Club.

PRESENTATIONS:

Mayor Pro Tem Truth made a motion to approve Proclamation P-12-14 Recognizing Melissa Dent for outstanding service as a business counselor for small and minority businesses in the City of Bowie through her work with America's Small Business Development Center of Maryland, Councilmember Brady seconded the motion. Motion passed unanimously and Mayor Pro Tem Truth presented proclamation to Ms. Dent.

CITY BOARDS AND COMMITTEES:

A. Appointments/Reappointments/Swearing-In:

1. Councilmember Polangin moved the appointment of Lisa Reid as a member of the Education Committee for a 2-year term. Councilmember Marcos seconded the

MAYOR G. Frederick Robinson **MAYOR PRO TEM** Isaac C. Truth

COUNCIL Dennis Brady ♦ Henri Gardner ♦ James L. Marcos ♦ Diane M. Polangin ♦ Todd M. Turner **CITY MANAGER** David J. Deutsch
City Hall (301) 262-6200 **FAX** (301) 809-2302 **TDD** (301) 262-5013 **WEB** www.cityofbowie.org

motion and it carried 6-0. Mayor Robinson swore-in Ms. Reid to the Education Committee.

COUNCIL ANNOUNCEMENTS:

Mayor Robinson reminded voters that early voting will take place October 23-28 and Election Day is November 4th.

CITY MANAGER'S REPORT:

City Manager Deutsch reported on the addition of Resolution R-66-14 to the agenda, which is to allow the City to demolish the structure on the property of 16302 Pond Meadow Lane which was destroyed in a fire in 2013.

CONSENT AGENDA:

Mayor Pro Tem Truth moved the approval of Consent Agenda Items: A) Approval of September 15 Meeting Minutes; B) Approval of October 6 Meeting Minutes; C) Approval of Resolution R-55-14 – Setting a Greenhouse Gas Emissions Reduction Target for the City; D) Approval of Resolution R-66-14 – By Two-Thirds Vote Waiving the Competitive Bidding Requirements of the City Charter to Allow the City to Enter Into a Contract With Tammal Enterprises, Inc. of Rockville, MD to Raze the Structure at 16302 Pond Meadow Lane. Councilmember Turner seconded the motion and it carried 6-0.

NEW BUSINESS:

A. Prince George's County Transit – Ms. Tomika Monterville, Chief of the Transit Division at the Prince George's County Department of Public Works & Transportation briefed Council on the County's transit service and what the City can expect in the future. A copy of the presentation is on file in the City Clerk's Office. Some of the initiatives are to launch The Bus transit service in Google Transit by fall 2014, installation of new bus shelters and benches and increase the number of accessible stops and ensure ADA compliance. Long-range transit planning includes the continued evaluation of The Bus service adjacent to WMATA's Service Evaluation Corridors and study areas to enhance transit service.

Following comments from Councilmembers, Mayor Robinson thanked Ms. Monterville for the presentation.

B. Maranatha Adventist Fellowship Church – Planning Department staff member Mr. Frank Stevens briefed Council on Preliminary Subdivision Plan #4-12012 to obtain adequate public facilities approval in order to construct a 28,896 sq. ft./500-seat church, a 3,370 sq. ft. parsonage and a 116-car parking lot.

Mr. Kenneth Burruss, Program Manager for the project; and Pastor Uzooma Erondu spoke in support of the recommendations from the City Staff.

Mayor Robinson asked if there were any comments from the Bowie Advisory Planning Board on the plan. Mr. Stevens said that a Public Hearing was held on October 14 and the Board recommends approval of the plan.

Public Hearing:

1. Cecile Martin, 13411 11th Street – expressed concerns with high volume of traffic on 11th Street and is opposed to the construction of the church.
2. Robert Koelsch, 8505 Triple Crown Road – has concerns with number of parking spaces not being adequate for the number of seats in church.
3. Melissa Gilbert, 8503 Triple Crown Road – also spoke about traffic and safety concerns as well as the disturbance of the wooded area.
4. Becky Sunday, 13323 11th Street – is requesting two conditions be added prior to approval, letter with conditions is attached to these minutes for the record.

Since there were no more speakers signed up to speak, Mayor Robinson declared the public hearing to have been held.

Mr. Buruss addressed the traffic concerns that were mentioned. The traffic report was prepared by a reputable firm which followed all the requirements to be able to provide information for this plan.

Councilmember Marcos asked how many cars park there currently. Pastor Erondy responded that currently the church has 117 members, not families.

Councilmember Turner asked Pastor Erondy if he currently owns the entire property and how long has the church been there. Pastor Erondy replied that he does own the entire property and the church was established there since 2008.

Councilmember Turner also asked staff if any recommendations have been received from State Highway Administration since they own the road. Mr. Stevens replied that no comments have been received from SHA.

Councilmember Brady asked staff if they have had a chance to review the recommendations Ms. Sunday presented. Mr. Stevens said they had and the recommendations have been addressed.

Councilmember Marcos made a motion to approve Preliminary Subdivision Plan #4-12012 with these four additional conditions: (1) request of a Detailed Site Plan approval by the County Planning Board; (2) the addition of a Primary Management Area; (3) consider the use of a Safety Person to direct traffic on the days of services; (4) review improvements for sidewalks. Councilmember Polangin seconded the motion.

Councilmember Turner recommended that a request be sent to the Planning Board to have SHA address issues of the road and sidewalk and to increase the number of parking spaces from 116 to 125.

Councilmember Brady expanded on Councilmember Turner's comments to have a Limited Detailed Site Plan addressing architectural landscaping and lighting presented before Council for approval as well as possibly including dedicated turning lanes.

Following comments from Council the motion passed unanimously, 6-0, for approval of Preliminary Subdivision Plan #4-12012.

C. Police Department Update - Police Chief Nesky briefed Council on department statistics, programs and the status of in-house call center. Staffing is currently at 54 sworn officers; 4 officer

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candidates for the upcoming County academy and 3 openings for lateral positions. A speed camera placement has been approved for Benjamin Tasker Middle School on Rt 197, advance notice will be provided before actual citations begin. The department has also been looking at costs of body cameras.

Councilmember Polangin asked if there are any grants available for the purchase of the body cameras. Chief Nesky replied that there are some via the Council of Governments as well as Local Government Insurance Trust that are being considered.

Following comments from Councilmembers, Mayor Robinson thanked Chief Nesky and Deputy Chief Preston for the updates and the job the department is performing.

ADJOURNMENT:

Mayor Pro Tem Truth moved to adjourn the City Council meeting and move into Closed Session under 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; or any other personnel matter that affects one or more specific individuals. Councilmember Turner seconded the motion and it carried 6-0. The meeting was adjourned at 10:51 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Awilda Hernandez". The signature is written in black ink and is positioned above the printed name and title.

Awilda Hernandez, CMC
City Clerk

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RE: Preliminary plan of subdivision, 4-12012

Dear Mayor Robinson and City Council Members,

Before you tonight is a proposal for a preliminary plan of subdivision. I understand this plan approval is required because the church building being proposed is over 5,000 square feet in size. It is also required so that a plat can be recorded in the land records to reflect the current and proposed disposition of the property. As part of the county's review process of these types of applications, the design and layout of the project are never considered or discussed.

The applicant has been made aware by county staff of multiple shortcomings of the design, however, because the county's process goes from a subdivision plat directly to permit, there is no opportunity in the process for public input on the design.

We are respectfully requesting two conditions. The first condition would provide the citizens of Bowie the opportunity to comment on the design and layout of the site. The second would give the citizens some reassurance that the concept plan approval has been based solely on factual information.

1. Prior to submission of a building or grading permit application, a limited detailed site plan shall be approved by the Planning Board, or their designee, that addresses the following items:
 - a. The building location in relation to the existing residential structures and uses on adjacent properties.
 - b. The provision of the required landscape buffers and the allowance of Alternative Compliance only in those locations where a revised design would not result in full compliance.
 - c. The proper placement of required access points given the sight distance issues along 11th Street and the disposition of and uses within the access easement to Parcel 198.
 - d. The preservation of several large and specimen trees in the side and rear lawn areas of the property.

2. Prior to approval of the storm water concept plan by the City of Bowie, the plans must be revised to show the existing contours and correct any factual errors such as note #5 that states that a Primary Management Area is not present.

Thank you for your time and attention to this important matter.

Respectfully,
Becky Sunday
Chris Nickas

RECEIVED

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PLANNING DEPARTMENT

**WRITTEN STATEMENT FOR CLOSING A MEETING
UNDER THE OPEN MEETINGS ACT**

Date: 10/23/14 Time: 10:51pm Location: 31182 Motion to close meeting made by: Troeth
 Seconded by Turner, Members voting in favor: Robinson, Polangin, Brady, Marcus
Troeth, Turner Opposed: _____ Abstaining: _____ Absent: #Gardner

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (check all that apply):

- (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; or 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 on a legal matter;
- ____ (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.

FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

§3-305(b) (1) Personnel matter involving city employee
 §3-305(b) () _____
 §3-305(b) () _____

This statement is made by Maya Robinson, Presiding Officer: 
 SIGNATURE

WORKSHEET FOR USE IN CLOSED SESSION (CHECKLIST OF DISCLOSURES TO BE MADE IN MINUTES OF NEXT REGULAR MEETING- NOT A PART OF THE CLOSING STATEMENT)

PERSONS ATTENDING CLOSED SESSION: Troeth, Turner, Robinson, Polangin, Brady, Marcus, Deusch, Fitzmaurice, Lewis
 TOPICS ACTUALLY DISCUSSED Personnel matter involving city employee
 ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES: No actions taken

TIME CLOSED SESSION ADJOURNED: 11:08
 PLACE OF CLOSED SESSION Bowie City ~~Meeting~~ Hall
 PURPOSE OF CLOSED SESSION: To discuss personnel matter involving city employee relating to a disciplinary action
 STATUTORY AUTHORITY FOR THE CLOSED SESSION: §3-305(b) (1); (1); (1)
 MEMBERS WHO VOTED TO CLOSE: _____