



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

## REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, JUNE 20, 2016

### CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, June 20, 2016 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:

Mayor Robinson led the Pledge of Allegiance to the Flag.

### QUORUM:

In attendance were Mayor Robinson, Councilmembers Esteve, Gardner, Marcos, Polangin and Truth; Acting City Manager Fitzwater, City Attorney Levan, City Clerk Hernandez, Staff, the Press, and the Public.

### CITIZEN PARTICIPATION:

1. Tameka Washington, 12502 Scarlet Lane – Commented against the construction of the apartment complex at Marketplace, they have a petition with over 300 signatures against the complex.
2. Jim Mattson, 12615 Safety Turn – Presented to Council his own traffic study for the area surrounding Marketplace. A copy of the report is attached as well as on file in the City Clerk's office.
3. Albert Succi, 12209 Malin Lane – Asked Council to reconsider the construction of the apartment complex at Marketplace.

### CITY BOARDS AND COMMITTEES:

#### A. Appointments/Reappointments/Swearing-In:

1. Councilmember Polangin moved the appointment of Antonio Lindsey as a member of the Community Outreach Committee for a 2-year term. Councilmember Marcos seconded the motion and it carried 6-0. Mayor Robinson swore-in Mr. Lindsey to the committee.

### CITY MANAGER'S REPORT:

Acting City Manager Fitzwater reported on: 1) a meeting will be held by WSSC on June 30<sup>th</sup> at 7:30 p.m. at the South Bowie Community Center in regards to a project replacing water mains in the Pointer Ridge area; 2) BGE tree trimming has begun again, not as drastic as original cutting, the neighborhoods affected will be Tulip Grove, Somerset, Kenilworth, Whitehall, Rockledge, Huntington,

**MAYOR** G. Frederick Robinson    **MAYOR PRO TEM** Henri Gardner

**COUNCIL** Michael P. Estéve ♦ Courtney D. Glass ♦ James L. Marcos ♦ Diane M. Polangin ♦ Isaac C. Truth    **CITY MANAGER** David J. Deutsch  
City Hall    (301) 262-6200    FAX (301) 809-2302    TDD (301) 262-5013    WEB [www.cityofbowie.org](http://www.cityofbowie.org)

Buckingham, Pointer Ridge, Chapel Forge, Meadowbrook and Heather Hills; 3) bids are out for the repair of the chiller at the Senior Center, bids are due June 27<sup>th</sup> and hope we will be in position to award the contract at the July 5<sup>th</sup> Council meeting.

CONSENT AGENDA:

Councilmember Marcos moved the approval of Consent Agenda Items: A) Approval of June 6 Meeting Minutes; B) Approval of Proclamation P-14-16 Proclaiming June 20-26, 2016 as Pollinator Week in the City of Bowie; C) Approval of Resolution R-31-16 Approving Variance Application BV-3-16, a Request by Jason Bisogno to Allow the Construction of Approximately 160 Linear Feet of Six-Foot High Fencing Along Old Chapel Road, When According to the Prince George's County Zoning Ordinance, Such Fencing Shall not be More Than Four (4) Feet High, at 4105 Chapel Forge Drive; D) Approval of Resolution R-32-16 Appointing an Acting City Manager; E) Approval of Resolution R-35-16 Waiving the Bidding Requirements of Section 61 of the City Charter to Authorize the City Manager to Enter Into a Contract With ARK Machinery Movers, Inc. for Delivery and Placement of the Caboose at the Bowie Railroad Museum in an Amount not to Exceed \$27,500. Mayor Pro Tem Gardner seconded the motion and it carried 6-0.

NEW BUSINESS:

A. Ethics Commission Presentation – Members of the Ethics Commission briefed Council on the Commissions activities in the past year. A copy of their presentation is on file in the City Clerk's Office. The Ethics Commission is in charge of reviewing Financial Disclosure Statements, Lobbying Disclosure Statements and Reports, as well as any ethics complaints filed. In 2015 the commission reviewed 67 Financial Disclosure Statements and 11 Lobbying Disclosure Statements and Reports and performed one educational workshop for employees.

Councilmember Esteve asked what Lobbying Reports are being filed for. Mr. Canales replied that it is mainly any developers that are coming before Council.

Mayor Robinson thanked the commission for their presentation.

B. Zoning Text Amendment for Banquet Hall Use in the Light Industrial Zone – Mr. Joseph Meinert, Planning Director, summarized the staff report. A request by Mr. Mark Saunders of Real Tech, LLC to amend the zoning text amendment to benefit his property at 8333 Zug Road in Old Town Bowie. The property is an 8.4 acre site and has an existing 18,000 square foot building on it. Staff believes that this addition to the list of permitted uses in the I-1 zone would be a problem for the immediate community, as it would increase traffic and bring large groups of people into the neighborhood for gatherings.

Mr. Saunders would like to establish banquet halls as a permitted use in the I-1 (Light Industrial) zone. The banquet hall would cater to formal events, and certain stipulations can be added such as no serving of alcohol after a certain time and closing the establishment at 1:00 a.m.

**Public Hearing:**

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

June 20, 2016

Councilmember Esteve made a motion to table the matter until the September 6<sup>th</sup> meeting to allow for the applicant and city staff to meet and discuss further action needed for the change. Mayor Pro Tem Gardner seconded the motion. Motion carried 6-0.

C. Approval of Emergency Ordinance O-5-16 Amending the Adopted Budget for the Fiscal Year 2016 – Acting City Manager Fitzwater briefed Council on Ordinance O-5-16 which will authorize the transfer of certain amounts into accounts that, at year-end, will have an excess of expenditures over appropriations. The adjustments in total amount to 1.5% of the adopted FY 2016 final budget of \$69,307,700.

**Public Hearing:**

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

Councilmember Polangin made a motion to approve Emergency Ordinance O-5-16 Amending the Adopted Budget for the Fiscal Year ending June 30, 2016. Councilmember Truth seconded the motion. Motion carried 6-0.

**ADJOURNMENT:**

Mayor Pro Tem Gardner moved to adjourn the City Council Meeting. Councilmember Truth seconded the motion and it carried unanimously 6-0. The meeting was adjourned at 9:06 p.m.

Respectfully submitted,



Awilda Hernandez, MMC  
City Clerk

6/19/2016

Dear Mayor and Bowie City Council,

Article III, Section 26-53 of the Bowie City Code sets the surface volume standards for Bowie City streets. According to this law, **“The City has determined that the minimum acceptable level-of-service on City residential streets should be Level-of-Service C (ADT), due to an overriding concern for public safety.”**

Section 26-54 defines the two residential streets, Stonybrook Drive and Superior Lane, which flank the new shopping center, as “Major Drives.” Section 26-57 tells us Level-of-Service C for these two streets equals 5,190 vehicle trips per day. Section 26-56 tells us **“The City’s Planning department shall not approve or recommend approval of any development that, when added to existing traffic levels, will result in the deterioration of traffic conditions on any such street below Level-of-Service C (ADT).”**

When the March 12, 2016 *Traffic Impact Analysis For Bowie Marketplace* was released, a copy was secured from the Bowie City Planning Department, and reviewed. It tells us the existing ADT for Superior Lane is “4758 +/- veh/day” (Exhibit 3) based on a 24-hour count performed Tuesday, January 5, 2016. The conclusion of the report states the completion of the new shopping center and proposed apartment building **“will reduce the overall daily traffic 498 trips per day.”** (pages 12 & 19) They achieve this result by allocating 12,320 trips to the old shopping center (Exhibit 6), and then subtracting the estimate of the new shopping center/apartments from that allocation.

This made me suspicious. When was the last time the old shopping center saw this kind of traffic? After a little weather data digging, I found the average temperature on January 5, 2016, the day they counted our traffic, was 21 degrees Fahrenheit. A little more digging showed this day was the first really cold day of the winter. Does temperature or bad weather have a relationship to traffic volume? It seemed a good idea to find out.

## **Methodology**

On January 5, 2016 our traffic was recorded using several video cameras (CountCams from countingcars.com) placed strategically at intersections around The Bowie Marketplace. Once the data was collected, the cameras were taken back to the office where the video was reviewed and the traffic was manually inputted into a computer. Then special software performed the counting.

These cameras cost about \$1,500 each. Fortunately there is an inexpensive class of recording instruments called "construction cams". They take a series of time-stamped photographs over long periods of time without worry of drained batteries and overloaded recording media. Their output is a time-lapse video.

On May 9th, a Brinno construction cam arrived at my house and at 7:00 PM, May 10th, it went into service recording traffic on Superior Lane. It was configured to take a picture every 2 seconds, and was placed in the side window of my pickup truck which was parked across from the southern entrance to the new shopping center. Except for a brief time when it was blocked by nearby parked minivans, over the next 24 hours it took thousands of time-stamped pictures of traffic between Sage Lane and the northern intersection with Safety Turn. Exactly a week later, and two more times after that, the experiment was repeated.

Two computers were used to process the information. My desktop computer played the videos using the arrow keys to jog/shuttle the video forwards and backwards. A text editing program running on the laptop was used to record the cars seen in the video, inputting an "s" for a southbound car, and an "n" for a northbound car. After an hour of traffic was reviewed, the inputted letters were counted by the software. Even with the help of computers, it took about 8 hours to review, input and tabulate one 24-hour period.

The camera provided 4 consecutive videos to span each 24-hour period. Ideally, each counted vehicle was seen in 6 or 7 separate frames. Sometimes they were only seen in 1 or 2 depending on interfering traffic. At night, only the lights were seen. For the first effort, approximately 50 vehicles weren't counted because of a nearby parked minivan. This increased to an estimated 150 vehicles for the second effort when a minivan completely blocked the camera for 44 minutes. Fifteen minutes of video wasn't recorded at midnight due to yours truly not yet understanding how to properly configure the camera.

## **Results**

Even without compensating for the un-counted cars, the total trips recorded for the 5/10-5/11 period was 6,246. It rained that afternoon during the peak traffic period, yet this result surpasses the Berman tally by more than 1500. The result for a week later, a much nicer day, the total was 6,528, and the pictures illustrate a frequent backup we experience during evening rush hour. Both of these numbers far exceed the Level-of-Service C (5,190) found in the Bowie City Code.

My most successful count was the last one on Superior. By re-positioning the truck, I was able to get a completely unblocked recording. By upping the frame rate to one picture per second, there was little chance a car could slip by without being counted. Even though the recording only lasted 16 hours, from 6:00 AM to 10:00 PM, 6509 vehicles were recorded by the camera. Since this count was taken on June 1st, presumably some people were on vacation. There was also a serious backup on 50 east at the Beltway, which likely pushed some people onto 450 and off "The Bowie Turnpike". Still, that's a lot of traffic!

## **Stonybrook Drive**

If the average daily traffic for Superior Lane is really somewhere around 6,427 (6,246 + 6,528 + 6509 divided by 3), and not the 4,758 recorded on January 5th, then it stands to reason the traffic on Stonybrook Drive north of its intersection with Superior is far more than the 4,071 reported in the traffic analysis, and probably also exceeds Level-of-Service C.

Conspicuously absent from the report is the traffic total on Stonybrook Drive south of its intersection with Superior lane. Since Stonybrook and Superior meet at a "T" intersection, there is nowhere else for that traffic to go except south on Stonybrook. If you have 6000+ trips on Superior and 5000+ trips on the north end of Stonybrook, it's possible the south end of Stonybrook could experience 10,000 trips per day. This would not only exceed Level-of-Service C, but also Level-of-Service D which limits traffic to 9,230 trips.

To find this out for sure, on June 7th, a kindly, 82-year-old retired school teacher allowed the use of his Sycamore tree to support the time-lapse camera. It was he who coined the term "Bowie Turnpike" referring to Stonybrook out in front of his house. For 16 hours, (6:00AM to 10:00PM) the camera recorded 8,643 vehicles passing by between Bendix and Swirl on Stonybrook. Had the camera run all night, it's reasonable to surmise Level-of-Service D would have been reached. Don't forget this occurred a week deeper into Summer with some schools out and more people on vacation.

Keep in mind these numbers reflect existing traffic before the new shopping center is populated. According to the Berman traffic impact analysis, the new shopping center will generate 8,254 daily trips, with 4,952 of those being "Primary Trips" (those where the shopping center is the endpoint and not a bypass trip). Certainly much of that will come via 450 from the east and west. Any trips from the south will arrive via Stonybrook or Superior.

Then there is the new apartment complex. With 285 units, it's expected to generate more than 1800 new primary daily trips with more than 1100 expected via Sage Lane alone (page 20 in the report). This makes sense since most school and commuter traffic will head south. Although this additional traffic won't directly affect Superior, it will definitely make merging onto Stonybrook more difficult, elongating the backup seen in the second and third sets of videos. And since Sage Lane dead-ends into Stonybrook, it will certainly push their traffic count further past Level-of-Service C.

Logic tells us that most people traveling to a destination will return along the same route. However, the numbers show between 800 and 1300 more northbound trips than southbound on Superior and/or Stonybrook, indicating much of the excess traffic in the afternoon is from people avoiding the clogs on 197, or more likely, Route 3. Commuters are alerted to these backups on their smart-phones via apps like Google Maps and Waze. Nothing short of widening those roads will remove that traffic and the resulting detours into our neighborhoods. No one thinks that will happen any time soon, leaving us with no foreseeable fix for the existing traffic on Superior Lane and Stonybrook Drive.

A stop light and right-turn lane at Stonybrook and Superior might remove the afternoon snarls, but this just aids the traffic in moving faster and encouraging others to join in. Along with Kenhill, these roads are thoroughfares and will never recover the sleepy charm or quiet solitude they may have once known long ago. Would you let your kids play in the front yard along one of these streets? I don't think so.

Despite the questionable conclusion of the Berman traffic analysis, the new shopping center will certainly make our traffic worse, not lower it by 498 trips. Everyone understands it's too late to change this outcome; the center is almost finished and ready for tenants. But the apartment complex is another deal altogether, and owes its fate to the good blessing of your genuine optimism. Right now it's nothing but a pile of dirt and isn't hurting anyone. I hope the Bowie City Council will do the right thing and keep it that way.

Respectfully submitted,



Jim Mattson

12615 Safety Turn

Cell: (301)-204-6668

Email: [jmattson@verizon.net](mailto:jmattson@verizon.net)