



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

## REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, NOVEMBER 6, 2017

### CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, November 6, 2017 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; City Manager Lott, Assistant City Manager Fitzwater, City Attorney Levan, City Clerk Hernandez, the Press, and the Public.

### CITY BOARDS AND COMMITTEES:

#### A. Appointments/Re-appointments/Swearing-in:

1. Councilmember Marcos moved the appointment of Leroy Tillery as a member of the Economic Development Committee for a 2-year term. Councilmember Truth seconded the motion and it carried 6-0.
2. Councilmember Esteve moved the appointment of Michael Gregory Paines as a member of the Information Technology Committee for a 2-year term. Councilmember Truth seconded the motion and it carried 6-0.
3. Mayor Robinson swore-in the new members to their respective committees.

### COUNCIL ANNOUNCEMENTS:

Mayor Robinson commented on the upcoming Veteran's Day Service that will be held at Veterans Park in Old Bowie on November 11<sup>th</sup> at 11:00 a.m.

### CITY MANAGER'S REPORT:

City Manager Lott reported that staff is working on the review of CIP projects for the upcoming FY 2019 budget. The Assistant City Manager position has been posted and expect to start the interview process in December.

### CONSENT AGENDA:

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

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

Mayor Pro Tem Gardner moved the approval of Consent Agenda Items: A) Approval of October 16 Meeting Minutes; B) Approval of Proclamation P-21-17 Proclaiming the Month of November as Municipal Government Works Month in Bowie; C) Approval of Proclamation P-22-17 Observing Veteran's Day, November 11, 2017; D) Introduction of Resolution R-62-17 Enlarging the Corporate Boundaries of the City of Bowie, by Annexing Into the City Lands Contiguous and Adjoining to the City's Existing Corporate Boundaries, Property Known as Parcel 78, Also Known as the Bowie Ice Arena Site, Owned by the City of Bowie, and a Portion of Parcel 22, Both Shown on Prince George's County Tax Map 54, and a Portion of the U,S, Route 50 Right-Of-Way, between the Existing Corporate Limits and Church Road, Consisting of Approximately 73.3029 ± Acres of Land in Total Located Generally Between the US Route 50/MD Route 197 Interchange and Church Road; E) Approval of Resolution R-64-17 Accepting Bid for the Purchase of a Trailer Mounted Sewer Cleaner; F) Approval of Resolution R-65-17 Approving a Revision to the City's Development Review Guidelines; G) Approval of Resolution R-66-17 Authorizing the Waiving of Bidding Requirements to Allow for Issuance of Purchase Order to Neptune Technology Group, Inc. as a Sole Source Supplier; H) Approval of Resolution R-67-17 Accepting Bid for the Installation of City Supplied Water Meters; I) Approval of Resolution R-68-17 Accepting the Construction of the Private Stormwater Management Facility Constructed Under the Permit SWM5-16 at 16300 Heritage Boulevard and Releasing the Construction Securities Required Therewith; J) Approval of Resolution R-69-17 Accepting the Construction of the Right of Way Improvements Constructed Under the Permit ROW2-16 at 16300 Heritage Boulevard and Releasing the Construction Securities Required Therewith. Councilmember Marcos seconded the motion and it carried 6-0.

NEW BUSINESS:

A. Water and Sewer Grant Fund – Assistant City Manager Fitzwater summarized the proposed program which will provide a waiver to residents of the new water pipe renewal and replacement fee of \$22.50 per quarter or \$90.00 per year for those who cannot afford to pay this fee, primarily seniors on fixed incomes.

Currently the Maryland Department of the Environment (MDE) and the Washington Suburban Sanitary Commission (WSSC) have established financial hardship programs of their own for the Bay Restoration Fund. Some of the criteria for these programs include meeting income criteria, receiving energy assistance subsidy, receiving public assistance – supplemental security income or food stamps.

The City Attorney indicates that the City could setup a grant fund with funds from other sources such as the General Fund, in a manner similar to the way the City funds other grant programs. Staff proposes the following recommendations to Council: 1) establish a Water/Sewer System Assistance Program that would establish credits for customers from having to pay the water pipe renewal and replacement fee of \$22.50 per quarter using the criteria established by WSSC to determine income eligibility; 2) fund this program by budgeting \$10,000 in the FY 2019 budget. This money would be used to offset the credits provided to eligible customers; 3) establish a program that provides waivers to requirements to participate in the Bay Restoration Fund using the criteria established by WSSC to determine eligibility. This program would require approval by MDE before implementing.

If Council approves of these recommendations, staff will develop the specifics of the program and get MDE's approval for the Bay Restoration portion of the program, and bring the actual program back to Council for formal approval at a subsequent Council meeting.

Councilmember Esteve asked if staff has an estimate of what the potential total fiscal impact could be to the system. Assistant Manager Fitzwater responded that at the moment there is no way to determine exactly what it would be, but feel that the \$10,000 initial fund should work.

Councilmember Truth asked if this program would be a long-term program or just for a short period. Assistant Manager Fitzwater responded that the program would have to be looked at year after year and base any changes on what the response to the initial program is.

Councilmember Polangin made a motion to have staff proceed with establishing the water and sewer grant fund program. Councilmember Esteve seconded the motion, motion passed 6-0.

B. County Legislation CB103-2017 – Medical Cannabis Uses – Dispensary – City Manager Lott summarized the proposed County legislation that would amend the minimum distance from certain areas which the boundary of property used as a medical cannabis dispensary shall be located. The modification will reduce the distance from which a dispensary shall be located from at least 500 feet to at least 300 feet from: 1) any R-A, R-E, R-L, R-R, R-S, R-80, OR R-55 Zone; 2) any land owned by the Maryland-National Capital Park and Planning Commission; and 3) any school land uses. It will also add day care for children and recreational program, before and after school uses to the list of properties from which a medical cannabis dispensary cannot be located closer than 300 feet.

Councilmember Esteve has heard from many constituents with different reactions to this legislation and he feels that this change is excessive. Councilmember Esteve suggests going back to the County and asking them to keep the day care centers and other recreational areas on the list but to keep the 500 feet minimum requirements on all properties.

Councilmember Truth has asked before what is the chemical compound in this endeavor and nobody seems to be able to provide an answer for that he cannot support this change.

Councilmember Polangin is in agreement with the suggestion from Councilmember Esteve.

Councilmember Gardner asked his colleagues to not take a position on this legislation.

Mayor Robinson has serious concerns about the process that the County has taken to address the issues in order for this business to be able to open and strongly recommends opposing this legislation.

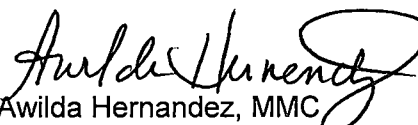
Councilmember Esteve made a motion to support adding day care for children, recreational programs, before and after school uses to list of properties from which medical cannabis cannot be located but that distance remain at 500 feet in the legislation. Councilmember Polangin seconded the motion. Motion dies 2-3-1 (Robinson, Marcos, Truth)(Gardner).

Councilmember Marcos made a motion to oppose the legislation. Councilmember Truth seconds the motion. Motion passed 5-0-1 (Gardner)

ADJOURNMENT:

Mayor Pro Tem Gardner moved to adjourn the City Council meeting. Councilmember Truth seconded the motion and it carried 6-0. The meeting adjourned at 8:48 p.m.

Respectfully submitted,

  
Awilda Hernandez, MMC  
City Clerk