



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

TUESDAY, FEBRUARY 20, 2018

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Tuesday, February 20, 2018 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 (Arrived 8:05 p.m.), Glass; Marcos, and Truth; City Manager Lott, Assistant City Manager Mears, City Attorney Levan, City Clerk Hernandez, City staff, the Press, and the Public.

CITIZEN PARTICIPATION:

1. Lisa Smith, Director of Bowie BIC – Thanked Council for their continued support of Bowie BIC and highlighted the growth of the program in the last five years.
2. Lynda Lynn, Ebbyside Ct. – Spoke about concerns of people walking their dogs without a leash and not cleaning up after their pets.
3. Fiona Moodie, Ithan Lane – Spoke with disappointment that former Councilmember Polangin has decided to run again for the vacant District 2 Council seat even though voters voted to remove her.

CITY BOARDS AND COMMITTEES:

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

1. Councilmember Marcos moved the appointment of Curtis Bowers as a member of the Economic Development Committee for a 2-year term. Councilmember Truth seconded the motion and it carried 6-0.
2. Mayor Robinson swore-in Mr. Bowers to his respective committee.

CITY MANAGER'S REPORT:

City Manager Lott introduced the City's new Assistant City Manager Daniel Mears.

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

COUNCIL Michael P. Estève ♦ Courtney D. Glass ♦ James L. Marcos ♦ Isaac C. Truth ♦ Dufour Woolfley **CITY MANAGER** Alfred D. Lott
City Hall (301) 262-6200 FAX (301) 809-2302 TDD (301) 262-5013 WEB www.cityofbowie.org

CONSENT AGENDA:

Mayor Pro Tem Gardner moved the approval of Consent Agenda Items: A) Approval of December 4 Meeting Minutes; B) Approval of Proclamation P-1-18 Recognizing February 2018 as "Black History Month"; C) Approval of Resolution R-5-18 Approving Variance Application BV-1-18, a Request by Andrew Amatucci to Validate the Construction of Approximately 102 Linear Feet of Six Foot High Wooden Fencing Along Old Chapel Road When, According to the Prince George's County Zoning Ordinance, Such Fencing Shall Not be More Than Four Feet High, at 3814 Winchester Lane; D) Approval of Resolution R-6-18 Approving Variance Application BV-2-18, a Request by Russell Schwemle to Allow the Construction of Approximately 495 Linear Feet of Six Foot High Wooden Fencing Along Maryland Route 214 When, According to the Prince George's County Zoning Ordinance, Such Fencing Shall Not be More Than Four Feet High, at 1109 Danbury Drive; E) Approval of Resolution R-8-18 Accepting Bid Proposal for Consulting Services for the Five Year HUD CDBG Consolidated Plan FY 2019-2023 (HUD FY 2018-2022); F) Introduction of Ordinance O-2-18 Authorizing the Creation of a Floodplain Easement Across Certain Property Owned by the City of Bowie for the Ingress and Egress of Prince George's County. Councilmember Glass seconded the motion and it carried 6-0.

OLD BUSINESS:

A. Approval of Ordinance O-1-18 Amending the Adopted Budget For the Fiscal Year Beginning July 1, 2017 And Ending June 30, 2018, As Embodied In Ordinance O-2-17, As Amended To Reflect The Receipt Of Additional Grant Funding And To Appropriate Funds For The Following Projects And Purchases: Repairs To Truck #13; Replacement Of Submersible Pump And Installation Of A Water Well At Church Road Park; Replacement Of Well 4r At Bradford Lane; Improvements To Whitemarsh Park; Interpretive Panels For Belair Stable Museum; Improvements To The Dog Park; Senior Citizen "Green" Housing Rehab Program; Due Diligence Evaluation of the Bowie Ice Arena; American Disabilities Act (Ada) Ramp At The Bowie Playhouse; Replacement Of Wier Covers And Perform Additional Repairs And Maintenance At The Wastewater Treatment Plant; Brochures For The Old Bowie Walking Tour; Special Recall Election For District 2 and a Stormwater Management Plan For Public Works Main Facility – Finance Director Byron Matthews summarized the Ordinance which covers appropriations for items that have been previously approved by Council.

Public Hearing:

Since there were no speakers signed up to speak, the Mayor declared the Public Hearing to have been held.

Councilmember Marcos made a motion to approve Ordinance O-1-18. Councilmember Glass seconded the motion. Motion passed 6-0.

NEW BUSINESS:

A. Approval of Resolution R-7-18 Citizen Participation Plan for Community Development Block Grant Program – Grants Director Jesse Buggs explained the requirements from the US Department of Housing and Urban Development in order for the City to receive funds from the Community Development Block Grant program. Several hearings have been held to receive input from citizens on the plan.

Public Hearing:

Since there were no speakers signed up to speak, the Mayor declared the Public Hearing to have been held.

Councilmember Esteve asked Mr. Buggs if he has an idea of what areas has particular needs. Mr. Buggs responded that overall most of the focus had been from seniors in regards to housing assistance and additional facilities to accommodate seniors.

Mayor Pro Tem Gardner made a motion to approve Resolution R-7-18. Councilmember Marcos seconded the motion. Motion passed 6-0.

B. Bowie Ice Arena Design Presentation – Mr. Edward Newman, from Hill International briefed Council on the design of the new Bowie Ice Arena. The group has completed the schematic design and are proceeding to the Design Development Phase. Due to some issues with wetlands and stream buffers the site design had to be adjusted to avoid those constrains. The site will have two NHL size ice rinks with 250 parking spaces and the entrance to the site will be off Church Road. The building is 77,500 sq ft and about 95% layout efficient. There will be a concessions area with seating, a pro shop, lobby, 2 community rooms, 10 team locker rooms and 2 official locker rooms, two ice rinks with 700 and 100 seating capacities. Cost control objective is to deliver the project within the City's approved budget of \$25M while maximizing functionality.

Councilmember Esteve asked how confident does Mr. Newman feel that the potential operating losses could be brought down to zero. Mr. Newman responded that they have not focused much on the operating costs; their charge is to look at construction costs and operating costs in terms of energy efficiency.

Councilmember Truth addressed staff with concerns of the 2 NHL size rinks, he was under the impression that Council had voted approval for a NHL and an Olympic size rink. Carrie Robertson, Ice Facility Manager responded that most of the facilities being built now have only NHL size rinks, the difference is very nominal, 200' x 85' for NHL and 200' x 100' for Olympic. Staff felt that there was no need for our current or any future programming to have an Olympic sheet.

Councilmember Truth reiterated that the feasibility study said that the City needed courts, not two ice rinks. Council knew that the current ice facility needed repairs and they did not want to lose that amenity that the rink brings to the city, so they agreed to build the ice facility but with NHL and Olympic size rinks and asked that the record be pulled to look at.

Councilmember Glass stated that she was in support with the comments from Councilmember Truth in regards to needing additional court space; and was wondering if there is still a possibility of adding courts to this plan now.

Councilmember Gardner stated for the record that he originally wanted additional basketball courts instead of the two sheets of ice, his colleagues voted against it and we need to move forward with what was voted on.

City Clerk Hernandez read the motion from the September 18, 2017 meeting were Council voted for the two-sheet ice rink facility. The motion was: Councilmember Esteve made a motion to construct a two-sheet ice rink at the Church Road location. Councilmember Marcos seconded the motion. Motion passed 4-2 (Gardner, Truth).

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Councilmember Esteve stated that his motion was intended to be one NHL and one Olympic size; if the language of his motion was not precise then it was on him. However, his reason for doing the two sheet is to keep the existing cost down and if there is the demand and staff feels that this will be used much more so by both of them being NHL size and that has the potential to bring the overall operating losses down by raising revenue, he is on board with that.

Councilmember Esteve made a motion to allow staff to make its recommendation for the size of the rinks based on what will maximize our return on investment and reduce our operating losses. Councilmember Marcos seconded the motion. Motion passed 4-2 (Gardner, Truth).

ADJOURNMENT AND MOVE TO CLOSE SESSION:

Mayor Pro Tem Gardner moved Statutory Authority to Close Session, General Provisions Article, §3-305(b)(7): To consult with counsel to obtain legal advice on a legal matter and §3-305(b)(8): To consult with staff, consultants, or other individuals about pending or potential litigation. Councilmember Marcos seconded the motion and it carried 6-0. The meeting adjourned at 9:12 p.m.

Respectfully submitted,


Awilda Hernandez, MMC
City Clerk

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

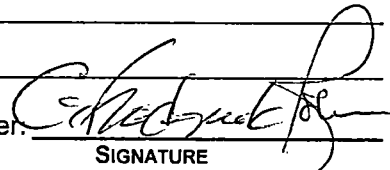
Date: 2/20/18 Time: 9:12pm Location: City Hall 182 Motion to close meeting made by: Gardner
 Seconded by Marcos, Members voting in favor: Robinson, Glass, Marcos, Truth
Esteve, Gardner Opposed: _____ Abstaining: _____ Absent: _____

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) () To discuss opioid litigation
 §3-305(b) () _____
 §3-305(b) () _____

This statement is made by Daniel Mears, 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: Pierce, Levan, Robinson, Gardiner, Marcos, Truth, Esteve, Lott, Mears,
 TOPICS ACTUALLY DISCUSSED Presentation and consideration of engaging counsel on opioid litigation Glass
 ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES: _____

TIME CLOSED SESSION ADJOURNED: 10:16
 PLACE OF CLOSED SESSION Bourie City Hall
 PURPOSE OF CLOSED SESSION: To discuss opioid litigation
 STATUTORY AUTHORITY FOR THE CLOSED SESSION: §3-305(b) (7); (8); ()
 MEMBERS WHO VOTED TO CLOSE: Robinson, Gardiner, Marcos, Truth, Esteve, Glass