



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, AUGUST 6, 2018

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, August 6, 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, Glass, Marcos, Truth and Woolfley; City Manager Lott, Assistant City Manager Mears, City Clerk Hernandez, City Attorney Levan, City staff, the Press, and the Public.

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

Councilmember Woolfley requested to move Consent Agenda Item E under New Business Item A for further discussion.

COUNCIL ANNOUNCEMENTS:

Mayor Robinson reminded everyone of the National Night Out event taking place tomorrow August 7 at Allen Pond Park at 6:00 p.m.

CONSENT AGENDA:

Councilmember Woolfley moved the approval of Consent Agenda Items: A) Approval of May 7 Meeting Minutes; B) Approval of Resolution R-53-18 By Two-Thirds Vote Waiving of Bidding Requirements of Section 61 of the City Charter to Authorize the Purchase of a Forestry Truck Based Upon a Quotation; C) Approval of Resolution R-54-18 Approving Variance Application BV-6-18, a Request by Edward and Ruby Thompson to Allow Construction of Approximately 264 Linear Feet of Six Foot High Vinyl Replacement Fencing Along Needlewood Lane and Nottinghill Drive When, According to the Prince George's County Zoning Ordinance, Such Fencing Shall Not be More Than Four Feet High, at 2900 Nemeth Lane; D) Approval of Resolution R-55-18 Approving Variance Application BV-7-18, a Request by Patty and Glenn Stewart to Allow Construction of a Six Foot High Wooden Fence With Structural Supports (Vertical Posts and Horizontal Rails) Facing Outward From the Property at 12701 Beaverdale Lane. Councilmember Marcos seconded the motion and it passed 7-0.

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

NEW BUSINESS:

A. Introduction of Ordinance O-7-18 Amending Chapter 5, "Building and Property Maintenance", of the City of Bowie Code, Article II, "Housing and Property Maintenance Code", Section 5-11, "Unfit Dwellings", With Respect to the Requirements for Habitability of a Dwelling Unit (Consent Agenda Item E) – Councilmember Woolfley stated that the proposed new language states that an unfit dwelling constitutes any structure that lacks electrical or water service. His question is how does that wording relate to those properties that have well and septic, does the language remain ambiguous for those properties.

City Attorney Levan responded that the term is to define if the dwelling constitutes as being habitable, not whether it has water from the City or well. As long as the property has running water, it is considered a habitable dwelling.

Councilmember Woolfley made a motion to Introduce Ordinance O-7-18. Councilmember Marcos seconded the motion. Motion passed 7-0.

B. City Transportation Priority List – Mr. Joe Meinert, City Planning Director, summarized the staff report. The city's highest transportation priorities have been the same for years, which are MD 197, which is #4 in the County's priority list; MD 450, which is #6 in the County's priority list; and Church Road is the highest priority for County road facilities. Council has also in the past indicated the desire to see a new interchange on US 50 at MD 193 and that affects traffic flow on MD 197 as well as MD 450 and that was studied at the time 450 was widened, so that interchange is a critical point in the regional transportation system. Another project Council has advocated for is a new roadway connecting MD 197 near Bowie State University with MD 3 in Anne Arundel County.

Mr. Meinert also briefed Council on the status of the Bowie Heritage Trail Project. Phase 1 is on track to begin construction in about three weeks. The trail will start at 12th Street and will go north along the CSX railroad behind the Railroad Museum property, there will be a retaining wall constructed and the trail will go underneath the MD 564 bridge over to the east side of the bridge onto City owned property at the cul-de-sac at 10th Street. Phase 2 of the Heritage Trail involves improvements to the Railroad Museum on the southwest side and a new playground and park project on the northeast side. The construction cost is estimated at about \$1 million dollars for Phase 2. Staff has been in contact with the Huntington Heritage Society and several community meetings where held at the Bowie Lions Club, all supporting this project. Staff is requesting that Council consider funding this project in the next fiscal year budget.

Public Hearing:

1. Larry Swank, Scarlet Lane – Declined to comment.

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

Councilmember Woolfley asked if there is any information on the funding for improvements on 197/301 interchange including the widening of 301. Mr. Meinert responded that there is no new information.

Councilmember Esteve commented that residents have stated the need to either improve or replace certain sidewalks in Old Bowie along Lanham–Severn Road.

Councilmember Truth commented that staff should reassess the residents of the area of Pennsbury and Hall Road to determine if State funding should be used for a pedestrian bridge over Rt. 214 versus the possible expansion of northbound Rt 301, which will definitely be needed if the development of South Lake occurs.

Councilmember Esteve made a motion to approve the transportation priorities list that were discussed this evening. Mayor Pro Tem Gardner seconded the motion. Motion passed 6-1 (Truth).

C. Karington (South Lake, Resolutions R-56-18 and R-57-18) – Bowie Economic Development Director, Mr. John Henry King summarized the staff reports. In June 7, 2016 Council approved an Annexation Agreement with Karington, LLC for 381.5297 acres of land located on the south side of MD 214 and west side of US 301. Resolution R-56-18 authorizes the City Manager to sign a letter agreement with Karington, LLC that is intended to supplement and clarify the parties' mutual understandings and agreements regarding to storm water management facilities and the permitting process. The letter agreement will not amend or modify the June 7, 2016 Annexation Agreement.

Public Hearing:

1. Larry Swank, Scarlet Lane – Stated that he had no objection to this matter.

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

Councilmember Esteve wanted to get clarification that by approving the resolutions it does not state that the City has formerly agreed to annex the property, committed to enter into a Tax Increment Financing (TIF), or approved any form of development. Mr. King responded that that was correct.

Councilmember Truth made a motion to approve Resolution R-56-18. Councilmember Marcos seconded the motion. Motion passed 6-1 (Woolfley).

Mr. King went on to summarize the staff report for Resolution R-57-18. Staff has received an application for tax increment financing (TIF) for the project named South Lake (formerly Karington). In the City's Tax Increment Financing Policy, it states that a developer is responsible for paying all fees and expenses the City will incur for consultants, including the City's financial advisor and bond counsel whether or not a requested tax increment financing is completed. Resolution R-57-18 authorizes the City Manager to complete the paperwork necessary for establishment, operation and replenishment of the accounts needed to pay the fees and expenses of the City Attorney, the City's bond counsel and the City's financial advisor relating to the proposed tax increment financing. Approving this resolution will not bind the Council to approve the proposed financing structure.

Public Hearing:

1. Larry Swank, Scarlet Lane – Spoke in support of the establishment of accounts in order for the developer to pay the fees associated with the TIF.

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

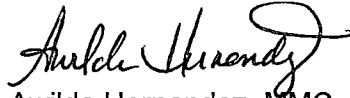
After further discussion by Council, Councilmember Truth made a motion to approve Resolution R-57-18. Councilmember Marcos seconded the motion. Motion passed 6-1 (Woolfley).

August 6, 2018

ADJOURNMENT AND MOVE TO CLOSE SESSION:

Mayor Pro Tem Gardner moved to adjourn to Executive Session to discuss a personnel matter. Councilmember Marcos seconded the motion and it carried 7-0. The meeting adjourned at 9:41 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Awilda Hernandez". The signature is written in a cursive, flowing style.

Awilda Hernandez, MMC
City Clerk