



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

## REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, NOVEMBER 5, 2018

### CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, November 5, 2018 in the Council Chambers at City Hall. Mayor Robinson called the meeting to order at 8:02 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, Truth and Woolfley, City Manager Lott, Assistant City Manager Mears, City Clerk Hernandez, City Attorney Levan, Staff, Press and the Public.

### AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

Mayor Robinson stated that Item A under New Business South Lake Declaration of Covenants Resolution R-76-18, is rescheduled to a future meeting.

### CITIZEN PARTICIPATION:

1. Scott Vining, Trinity Drive – Spoke in regards to speeding on Belair Drive, need more patrol.
2. Ken McCaughey, Chalford Lane – Spoke in support of funding for the Bowie Heritage Trail in next years' City budget.
3. Patty McCaughey, Chalford Lane - Spoke in support of funding for the Bowie Heritage Trail in next years' City budget.
4. Dustin Kuzan, Silver Maple Ct - Spoke in support of funding for the Bowie Heritage Trail in next years' City budget.

### PRESENTATIONS:

Mayor Pro Tem Gardner presented a Proclamation to Lt. Colonel Henry C. Turner, Jr. on the occasion of his 60<sup>th</sup> Birthday.

### COUNCIL ANNOUNCEMENTS:

Mayor Robinson mentioned the plaque that is on the back of the room by the press table that was dedicated in honor of John McNamara, the reporter from the Bowie-Blade that was killed in June.

CITY MANAGER'S REPORT:

City Manager Lott had no report.

CONSENT AGENDA:

Councilmember Marcos moved the approval of Consent Agenda Items: A) Approval of October 15 Meeting Minutes; B) Approval of Proclamation P-14-18 Proclaiming the Month of November as Municipal Government Works Month in Bowie; C) Approval of Proclamation P-15-18 Declaring November 11 as Veteran's Day; D) Approval of Resolution R-72-18 Authorizing Entering in Agreements for the Supply of Water and Wastewater Treatment Chemicals in Accordance With the Metropolitan Washington Council of Governments Request for Proposals; E) Approval of Resolution R-74-18 Approving Variance Application BV-10-18, a Request by Mary Fulton to Validate Construction of a Six Foot High Wooden Fence With Structural Supports (Vertical Posts and Horizontal Rails) Facing Outward From the Property at 2923 Tarragon Lane; F) Approval of Resolution R-75-18 Approving Variance Application BV-11-18, a Request by Helen and Donald Fournier to Allow the Construction of Approximately 52 Linear Feet of Six Foot High Vinyl Replacement Fencing Along Kittery Lane When, According to the Prince George's County Zoning Ordinance, Such Fencing Shall Not be More Than Four Feet High, at 12406 Kembridge Drive; G) Approval of Resolution R-77-18 Accepting a Bid Proposal for Millstream Branch Debris Removal; H) Approval of Resolution R-78-18 Accepting a Proposal for an Agreement for Architect/Engineering Open End Contract – Category 12; I) Approval of Letter to M-NCPPC Planning Director re: Revision to Detailed Site Plan #DSP-18007 New bathhouse in Pool Area – The Aspen at Melford Town Center. Mayor Pro Tem Gardner seconded the motion and it passed 6-0.

OLD BUSINESS:

A. Indoor Court Facility Feasibility Staff Report – City Manager Lott stated that the FY 2019 budget appropriates funds to hire a consultant to conduct a feasibility study related to the possible construction of a new indoor court facility in the City. Before the funds are to be used, staff conducted an analysis with the different options available and prepared a presentation. The purpose of the presentation is to provide critical information with regards to a potential indoor court facility and obtain specific Council direction with respect to the spending of the \$100,000 allocated for a feasibility study.

City Community Services Director, Sally Hein and Project Manager, Matt Reno summarized the presentation. There are two options when it comes to the facility size. Option 1) would consist of 1 high school basketball court facility, which will be overlaid with 2 middle school courts or 2 volleyball courts; approximately 20,000 sq ft. Option 2) would be 2 high school basketball court facility which will be overlaid with 4 middle school courts or 4 volleyball courts, approximately 33,500 sq ft. Staff also analyzed several properties for potential locations, some owned by the City and one that is not. All properties had their pros and cons. Lastly the possible construction types which are air dome, tension structure, pre-engineered metal building or brick and mortar. Staff also met with the members of the Bowie Community Recreation Committee to get their comments on the facility.

Staff also had two alternative proposals, one from Greater Mt. Nebo AME Church and one from The Community Housing Initiative. Reverend Weaver from Greater Mt. Nebo AME Church introduced Mr. Cliff Pulliam a Board member of The Richard Allen Community Development Corporation which is the group that would be working with the City on the project if Council chooses to partner with them. The GMNEBO site is on the corner of intersection Rt 301 and Rt 214 with close access to major transportation routes. The site has all the elements necessary to construct a multi-sport facility both indoor and outdoor. The property is not located in the incorporate limits of the City so it would have to be annexed into the City.

Mr. Courtney Booker with Community Housing Initiative, Inc., presented their proposal to Council. They propose to develop a public/private partnership and reposition the current ice rink as a multi-sports facility. They will up the bill to pay for the facility and then the City would enter into a long-term lease and at a break-even point they will do a revenue share from all facility activities with the City.

City Manager Lott stated that staff's position if Council chooses to proceed with the construction of an indoor court facility, is to move forward with hiring a consultant to analyze the feasibility and cost of constructing option 2 as a tension structure or metal building, either on Rt. 197 adjacent to the Bowie Golf & Country Club or Allen Pond Park in the area of the existing ice arena. Should Council be interested in pursuing a partnership with another entity such as GMNEBO or the Community Housing Initiative, those partnerships could be included in the analysis as well.

#### **Public Hearing:**

1. Carrie Bridges, Hoven Lane – Stated that Council needs to make a decision and not continue with just talks.
2. Renee Carter, Narrows Lane – Would like to see the inclusion of a swimming pool in the new facility.
3. Thomas Cheek – Need to also include soccer and football fields.
4. Karen Parker, Myrtle Avenue – Spoke in support of including a swimming pool and indoor turff.
5. Dave Naves, Dunnagle Ct – Supports the proposal presented by GMNEBO.
6. Alexandra Roane, Donnington Ct – Supports the proposal presented by GMNEBO.
7. Viola Underdue, Dunwood Valley Dr. – Supports multi-sport complex with pool.
8. Marvin Rodgers, Apache Fears Circle – Supports proposal from GMNEBO.
9. Kevin Holmes, BBGC – Thanked Council for continuing the discussion and supports the feasibility study.

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

Councilmember Esteve thanked everyone for their presentations but in reality, there is just no funding for this project.

Mayor Pro Tem Gardner also thanked everyone for the presentations and believes there is a possibility to continue to explore ways that this facility can be built.

Councilmember Woolfley asked Mr. Pulliam what is the timeframe for getting infrastructure started on site. Mr. Pulliam responded that it depends on many factors, one is being annexed into the City and how long that process takes. Councilmember Woolfley then asked if they had had any conversations with M-NCPPC. Mr. Pulliam responded minor; they seem to also be tight on funds because of their new complex being built.

Councilmember Trouth asked staff if they are amiable to looking at both proposals presented this evening. City Manager Lott responded that staff is willing to work with all groups that benefit the City.

Councilmember Esteve made a motion to direct staff to work with The Richard Allen Community Development Corporation and with ADDO/Community Housing Initiative, Inc., to assess in more

November 5, 2018

specific details what a partnership could look like and report back to Council at a January meeting. Councilmember Truth seconded the motion. Motion passed 6-0.

ADJOURNMENT AND MOVE TO CLOSE SESSION:

Mayor Pro Tem Gardner moved to adjourn the Regular City Council meeting and mover to Close Session, General Provisions Article §3-305(b)(7): To consult with counsel to obtain legal advice; and §3-305(b)(8): To consult with staff, consultants, or other individuals about pending or potential litigation. Councilmember Truth seconded the motion and it carried 6-0. The meeting adjourned at 10:29 p.m.

Respectfully submitted,

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

Awilda Hernandez, MMC  
City Clerk

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")  
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. *Complete items 1 – 4 before closing the meeting.*

1. **Recorded vote to close the meeting:** Date: 11/5/18; Time: 10:29<sup>pm</sup>; Location: CH 182 ;  
Motion to close meeting made by: Gardner Seconded by Truth ;  
Members in favor: Robinson Marcos Truth Gardner ; Opposed: \_\_\_\_\_ ;  
Abstaining: Woolfley + Estere ; Absent: Glass .

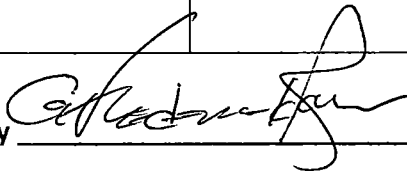
2. **Statutory authority to close session (check all provisions that apply).**  
**This meeting will be closed under General Provisions Art. § 3-305(b) only:**

(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; 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"; (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." (15)  "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) <input checked="" type="checkbox"/> 7	FCC, Cable Franchise + Small Cell Towers	
§3-305(b) <input checked="" type="checkbox"/> 8	FCC, Cable Franchise + Small Cell Towers	
§3-305(b) <input type="checkbox"/>		
§3-305(b) <input type="checkbox"/>		
§3-305(b) <input type="checkbox"/>		

4. This statement is made by , Presiding Officer.

\*\*\*\*\*

**WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)**

➤ For a meeting closed under the statutory authority cited above:

Time of closed session: 10:38

Place: Bowie City Hall

Purpose(s): To seek participation in small cell & Cable Franchise Coalitions

Members who voted to meet in closed session: Robinson Esteve Gardner Merros Trooth Woolfley

Persons attending closed session: Robinson Esteve Gardner Merros Trooth Woolfley Leven Lott Bazzuto Mears

Authority under § 3-305 for the closed session: 738 Consult w/ Attorney Proposed Litigation

Topics actually discussed: Participation in Coalitions for Small Cells & Cable Franchise Fees

Actions taken: Consensus to participate in both coalitions

Each recorded vote: \_\_\_\_\_

➤ For a meeting recessed to perform an administrative function (§ 3-104): Time: \_\_\_\_\_

Place: \_\_\_\_\_

Persons present: \_\_\_\_\_

Subjects discussed: \_\_\_\_\_