



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, APRIL 1, 2019

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, April 1, 2019 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, Senn-Carter, Trough and Woolfley, City Manager Lott, Assistant City Manager Mears, City Attorney Levan, Staff, the Press and the Public.

CITIZEN PARTICIPATION:

1. Aaron Marcavitch, Maryland Milestones – Briefed Council on the Maryland Heritage Areas Authority grant program for capital and non-capital projects located within a Maryland Certified Heritage Area.

PRESENTATIONS:

Councilmember Esteve presented a proclamation to the volunteers of the Bowie Supportive Housing Corporation that provides transitional housing and other services to women victims of domestic violence and their young children.

CITY MANAGER'S REPORT:

City Manager Lott reported on a health fair that will be conducted for City employees on March 27 at the Kenhill Center.

CONSENT AGENDA:

Councilmember Marcos moved the approval of Consent Agenda Items: A) Approval of March 18 Meeting Minutes; B) Approval of Proclamation P-1-19 Proclaiming April 2019 as Earth Month in Bowie; C) Approval of Proclamation P-2-19 Proclaiming April 22, 2019 as Earth Day in Bowie; D) Approval of Resolution R-17-19 Authorizing the issuance of a Contract for a Golf Course Renovation Analysis to McDonald and Sons, Inc.; E) Approval of Resolution R-18-19 Waiving by a Two-Thirds Vote, the Bidding Requirements of Section 61 of the City Charter and Authorizing the City Manager to Enter Into An Annual Support and Licensing Agreement With Avaya to Provide Maintenance of the Telephone System; F) Introduction of Charter Amendment Resolution CAR-1-19 Amending Section 58

Of The Charter Of The City Of Bowie (The "Charter") In Order To: (1) Provide That The Council Shall Determine Certain Matters By Ordinance And May Determine Certain Matters By Resolution Pertaining To General Obligation Debt Of The City; (2) Confirm That General Obligation Debt Of The City May Be Sold By Private Negotiated Sale Without Advertisement Or Publication Of Notice Or Sale Or At Public Sale After Solicitation Of Competitive Bids; (3) Authorize Or Provide For The Methods By Which General Obligation Debt May Be Bid For In Connection With The Sale Of The Same By Solicitation Of Competitive Bids At Public Sale; (4) Provide For The Manner In Which Any Notice Of Sale Or Summary Thereof May Be Published And That Any Notice Of Sale May Be Made Available By Methods Other Than By Publication; And (5) Provide That The Powers Set Forth In Section 58 Of The Charter Are Additional And Supplemental To Any Other General Obligation Borrowing Authority Applicable To The City; Providing For Compliance With Certain Provisions Of The Annotated Code Of Maryland And The Charter Regarding The Amendments Provided For Herein; Providing That This Title Constitutes A Fair Summary Of This Charter Amendment Resolution; And Otherwise Generally Relating To The Charter Amendments Provided For Herein. Councilmember Truth seconded the motion and it passed unanimously.

NEW BUSINESS:

A. Approval of Emergency Ordinance O-2-19 Amending Chapter 22, "Streets And Sidewalks", Of The City Of Bowie Code, Article I, "In General", Section 22-11, "Erecting, Etc., Buildings Or Obstructions In Streets Or Alleys Prohibited", Section 22-11a, "Permit Limitations", Section 19a, "Penalty", Article II, "Road And Street Improvements", Division 1, "Permits", Section 22-20, "Definitions", Division III, Section 22-53, "Application For Permit"; And Adding Chapter 22, "Streets And Sidewalks", Article III, Section 22-54, "Requirements And Findings", And Adding Section 22-55.1, "Expiration" In Order To Provide Additional Regulatory Protections For The City And Its Residents In Connection With The Siting Of Small Wireless Facilities – Assistant City Manager Mears summarized the report and ordinance. Emergency Ordinance O-2-19 will allow the City to be in compliance with the Federal Communications Commission's (FCC) new regulations on Small Wireless Facilities in the public right-of-ways. On September 27, 2018, the FCC issued the Small Cell Preemption Order, which did the following: a) capped all fees related to small wireless facilities; b) preempts aesthetics requirements for small wireless facilities; c) imposes shot clocks of 60 days for small wireless facilities added to existing structures and 90 days for small wireless facilities using a new structure; d) does not grandfather existing agreements or state small cell bills or other state laws. Local governments must begin accepting applications by April 15, 2019.

Public Hearing:

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

Councilmember Woolfley asked if there are any applicants interested at the moment. City Counsel Levan replied that AT&T has approached the City but no confirmed decision yet, things could change come the 15th of April.

Councilmember Esteve made a motion to approve Emergency Ordinance O-2-19. Councilmember Truth seconded the motion. Motion passed unanimously.

B. Approval of Resolution R-20-19 Approving the Small Wireless Facilities Design Guidelines - Assistant City Manager Mears summarized the report. Per the FCC regulations, the City needs to develop and implement a Small Wireless Facilities Design Guidelines in the Public Right-of-Way. This resolution goes in conjunction with Emergency Ordinance O-2-19.

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Councilmember Esteve made a motion to approve Resolution R-20-19. Councilmember Woolfley seconded the motion. Motion passed unanimously.

ADJOURNMENT:

Mayor Pro Tem Gardner moved to adjourn the Regular City Council meeting. Councilmember Trough seconded the motion and it carried unanimously. The meeting adjourned at 8:32 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, looped initial "A".

Awilda Hernandez, MMC
City Clerk