

Approved: Bridget Donnell Newton

Attest: Kathleen Conway

Approved Meeting Number and Date: Meeting No. 33-16; September 26, 2016

MINUTES
MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
July 18, 2016
Meeting No. 28-16
7:00 p.m.

- A. Convene in Open Session to vote on motion to go into Executive Session pursuant to Section 3-305(b)(3) of the General Provisions Article of the Annotated Code of Maryland to consult with counsel to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Executive Session Meeting Summary

Prior to the July 18, 2016 General Meeting, the Mayor and Council convened in Open Session to vote on a motion to convene in Executive Session.

Upon motion by Councilmember Feinberg, seconded by Councilmember Pierzchala and approved unanimously, the Mayor and Council convened in Executive Session at 6:02 p.m. pursuant to Section 3-305(b)(3) of the General Provisions Article of the Annotated Code of Maryland to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Present at the Executive Session were Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr and Councilmember Mark Pierzchala. Also present were Acting City Manager Craig Simoneau, City Attorney Debra Daniel, City Clerk/Director of Council Operations Kathleen Conway, Acting City Manager Craig Simoneau, Deputy City Manager Jenny Kimball, Director of Recreation and Parks Tim Chesnutt and Director of Community Planning and Development Services Susan Swift.

The topic of discussion was the possible acquisition of real property.

Action: to authorize the City to engage in negotiations for possible acquisition of real property

The Executive Session adjourned at 6:38 p.m.

The Open Session of the Mayor and Council convened at 7:00 p.m.

Present:

Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Staff Present:

Acting City Manager Craig Simoneau, City Attorney Debra Daniel and City Clerk/Director of Council Operations Kathleen Conway

1. Convene

The Mayor and Council convened in a regular meeting at 7:00 p.m. on Monday, July 18, 2016 in the Mayor and Council Chambers, 111 Maryland Avenue, Rockville, Maryland.

Present:

Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala

Staff Present:

Acting City Manager Craig Simoneau, City Attorney Debra Daniel and City Clerk/Director of Council Operations, Kathleen Conway

2. Pledge of Allegiance

The Mayor led the Pledge of Allegiance.

3. Agenda Review

City Clerk/Director of Council Operations Kathleen Conway reported an update to the cover sheet for Agenda Item 9 (Boards and Commissions Appointments and Vacancies) and an update to Agenda Item 13A (a letter to Governor Hogan asking him to fund supplemental County bus service during Safe Track Metro Repairs). Agenda Item 13A is no longer needed as Governor Hogan announced today that he has approved funding for supplemental bus service during the Metro Safe Track Redline Repairs Project.

4. City Manager's Report

Acting City Manager Craig Simoneau presented the following information.

Storm Drain Mural Project

The City's Storm Drain Mural Walking Tour highlighted the murals of five local artists who were chosen from entries to a Storm Drain Mural Project co-sponsored by the City of Rockville and VisArts, to help educate the public about the impact our collective actions have on local waterways and the Chesapeake Bay. The artists completed work on their murals in the Twinbrook neighborhood in June. Each one is a unique design that centers about the themes of streams and rivers, native plants and wildlife, pollution prevention and the Chesapeake Bay, and each one includes the tagline, "Healthy Streams Start Here." Additional information on the artists and the project can be found at www.rockvillemd.gov/stormdrainmural.

Salute to Non-Profits

The eleventh annual Salute to Rockville Nonprofits, presented by the City of Rockville in Partnership with the Rockville Human Services Advisory Commission, provides an opportunity

for residents to learn about local nonprofit agencies and to check out volunteer opportunities. For more information, contact the City's Community Services Division at 240-314-8310.

7. Proclamation Declaring Tuesday, August 2, 2016 as National Night Out in Rockville

Mayor Newton invited members from New Mark Commons to join her as she proclaimed August 2, 2016 as National Night Out in Rockville.

Moved by Councilmember Palakovich Carr, seconded by Councilmember Onley and approved unanimously.

Rockville Police Corporal Ken Matney and two citizens from New Mark Commons received the Proclamation. The New Mark Commons Community recognized Corporal Matney for his support of National Night Out.

8. Proclamation Declaring the Week of August 7 through August 13, 2016 as National Farmers' Market Week

Councilmember Onley proclaimed the week of August 7 through August 13, 2016 as National Farmers' Market Week.

Moved by Councilmember Onley, seconded by Councilmember Pierzchala and approved unanimously.

Director of Recreation and Parks Tim Chesnutt received the Proclamation.

9. Appointments/Reappointments and Announcements of Boards and Commissions

Motion: To reappoint Dr. Lois Neuman to the Board of Supervisors of Elections until June 1, 2020

Moved by Councilmember Feinberg, seconded by Councilmember Onley and approved unanimously.

Motion: To reappoint Peter Mork to the Board of Appeals until November 1, 2018

Moved by Councilmember Palakovich Carr, seconded by Councilmember Onley and approved unanimously.

Motion: To appoint Matt Goguen to the Cultural Arts Commission until July 1, 2019

Moved by Councilmember Pierzchala, seconded by Councilmember Onley and approved unanimously.

Motion: To appoint Tolulope Odunlami to the Human Rights Commission until July 1, 2019

Moved by Councilmember Onley, seconded by Councilmember Feinberg and approved unanimously.

The Mayor announced the current list of Boards and Commissions vacancies.

10. Community Forum

<i>Name</i>	<i>Topic</i>
Rebecca Ehrman	Rockshire Village Center
Jack Kelly	Purchasing Plan Update
Sam Shipkovitz	Rockville Pike Plan
Bob Hemberger	Rockshire Village Center
Bob Wright	Rockshire Village Center
Susan Clemmons	Southlawn Industrial Study
Bob Garrett	Southlawn Industrial Study
Gary Clemmons	Southlawn Industrial Study; thank you to the Mayor and Council for their work on the bus depot

11. Mayor and Council's Response to Community Forum and Announcements

Councilmember Onley and Mayor Newton thanked everyone for participating.

12. Mayor and Council Reports

Councilmember Pierzchala attended the second meeting of the County Charter Review Commission and attended the Rockville Economic Development Inc. (REDI) celebration of several businesses taking advantage of the free advertising program and the opportunity to connect with the business community.

Councilmember Feinberg attended the Rockville Sister City Corp. (RSCC) meeting as their liaison. Councilmember Feinberg thanked the City Manager's Office, the City Clerk/Director of Council Operations' Office, the Public Information Office and Dept. of Recreation and Parks for the visit with the delegation from China and their partnership with the County for the event. The event allowed the Delegation from China to learn about our City government and County government. Mayor Newton and Councilmember Onley also attended the event. Councilmember Feinberg also led a session with the Eagle Scout Candidates who are working on their Civics badge.

Councilmember Palakovich Carr attended the Nelson Mandela International Day of Volunteering event in Town Center. Councilmember Palakovich Carr also wished "Happy 9th Anniversary" to her husband Eric!

Mayor Newton thanked Councilmember Feinberg for bringing the event with the delegation from China to the City and thanked the Department of Recreation of Parks for their assistance.

13. Consent Agenda

- A. Letter to Governor Hogan to Fund Supplemental County Bus Service During Safe Track Metro Repairs (See Agenda Review, Item 3 above. This item was removed from the Consent Agenda.)
- B. Letter to the 21st Century School Facilities Commission
- C. Contract Award for Bundled Deferred Compensation Services
- D. Authorize the Acting City Manager to Execute the Second Amendment to the Land Lease

Agreement Between the Mayor and Council of Rockville and Crown Atlantic Company, LLC

E. Award a rider contract with Colossal Contractors, Inc., utilizing Charles County Public Schools Contract ITB#BGI-1112 for Building and Grounds Improvement Services in the amount of \$149,850 to renovate the Social Hall to provide an ADA compliant corridor

Mayor Newton asked that Consent Agenda Item D be held, as she has questions.

Motion: to approve Consent Agenda Items B, C and E

Moved by Councilmember Palakovich Carr, seconded by Councilmember Feinberg and approved unanimously.

Mayor Newton asked questions regarding Consent Agenda Item D. The revenue amount appears different than what was discussed during meetings earlier this year. In reviewing future agendas, the Mayor asked if additional amounts will be presented later. Deputy City Manager Jenny Kimball confirmed this was correct. This agreement (Consent Agenda Item D) is for Crown Atlantic Company. This land lease agreement plus additional telecommunication agreements will equal the revenue amount discussed last Spring.

Motion: to approve Consent Agenda Item D

Moved by Councilmember Pierzchala, seconded by Councilmember Feinberg and approved unanimously.

14. Presentation of Annual Report for Fireside Apartments and Proposed Refinancing Plan

Jessica Anderson presented the Fireside Apartments Annual Report and Proposed Refinancing Plan. Mayor and Council comments and questions follow.

Councilmember Onley stated that the early pay off of the loan to Rockville is good news.

Councilmember Pierzchala thanked Ms. Anderson for the report and expressed that he is happy to hear that the refinancing will occur three years early.

Councilmember Feinberg asked about the plan to cope with the extraordinary expenses moving forward.

Jessica Anderson indicated that they do not expect the extraordinary expenses at this level over the next twelve months. They are on track for a good year in 2016. Their goal to keep occupancy high, along with their refinancing effort, will also help.

Councilmember Palakovich Carr asked how the refinancing will affect affordable units. Councilmember Palakovich Carr also asked about the maintenance of turnover units and if the maintenance expenses are related to the turnover or the condition of units.

Jessica indicated that the ratio of affordable units to market units will remain the same. Regarding the maintenance expenses, they are related to the condition of units.

Mayor Newton complimented Jessica and RHE for their outstanding performance. The Mayor expressed concerns about the reserves, and thought there were more reserves in place.

Jessica informed that RHE has reserves for capital improvements and turnover expenses cannot be paid from those reserves.

The Mayor asked that the Presentation be added to the web and to provide the presentation to the Mayor and Council prior to presentations in the future.

15. Discussion and Instructions – Southlawn Industrial Area Feasibility Study Recommendations

GIS Specialist and Project Manager Clark Larson presented the Southlawn Industrial Area Feasibility Study. Discussion topics included the location and number of portable camera units, possible new road connections and traffic signal timing. The Mayor and Council provided comment and feedback to staff on the Transportation Section of the Study.

Mayor Newton asked if WECA, East Rockville and other community groups have been met with, as was done with businesses. Staff indicated this has not occurred to date; public input is planned.

The meeting recessed at 9:10 p.m. and reconvened at 9:28 p.m.

Upon return from recess, the Mayor and Council postponed the Snow Response Report, the Circulator Study discussion, the Youth Sports Topic and the MFD presentation, to continue the Southlawn Zoning Study Review.

The Mayor and Council provided comment and feedback to staff on the Zoning Section of the Study. The remaining staff recommendations resulting from the Southlawn Industrial Area Feasibility Study will be discussed in a future meeting.

16. Introduction of an Ordinance Rockville Pike Neighborhood Plan

The Mayor and Council, along with staff, continued discussion of the edits proposed by Councilmember Palakovich Carr and Councilmember Pierzchala on the Rockville Pike Neighborhood Plan, prior to the introduction of the Ordinance. Planner III Cindy Kebba led the discussion. Discussion topics also included lay back slopes; autonomous vehicles; current APFO and school boundaries; acquisition costs and lack of City ownership of access roads; population growth; undergrounding of utilities; flexibility of the roadway cross section when needed; sidewalk width; bicycle traffic, habits and safety; and open spaces for people of all abilities to support a diverse community.

Councilmember Palakovich Carr introduced the Ordinance.

Staff will incorporate comments and prepare the Rockville Pike Neighborhood Plan for adoption

17. Discussion and Instructions to staff on the Circulator Study (Moved to August 1, 2016 Meeting)

18. Presentation - Minority, Female, and Disabled (MFD) Owned Business Outreach Program and Purchasing Action Plan update (Moved to August 1, 2016 Meeting)

19. Discussion Briefing on 2015-2016 Snow Response (Moved to a future meeting)

20. Review and Comment - Mayor and Council Action Report

Councilmember Feinberg would like to see the Procurement Annual Report added to the Action Report. Councilmember Feinberg also asked about the Fiscal Year End Vacancy Report. Acting City Manager Craig Simoneau will provide.

Councilmember Palakovich Carr would like to add an outdoor dining establishments smoking ban assessment to the Action Report.

21. Review and Comment – Future Agendas

The following future agenda updates were presented:

- Discussion and Instructions to staff on the Circulator Study – move to August 1, 2016 General Meeting
- Presentation on Minority, Female and Disabled (MFD) Owned Business Outreach Program and Purchasing Plan update - move to August 1, 2016 General Meeting
- Discussion briefing on the 2015-2016 Snow Response – move to a future meeting
- Town Center Parking – add to August 1, 2016 General Meeting
- Southlawn Study – add to September 12, 2016 General Meeting
- Cultural Arts Commission Annual Report – schedule in the Fall
- Budget Process Discussion – schedule prior to September 26

22. Old/New Business

Motion: to ask staff to create a thank you letter to Governor Hogan for Safe Track appropriation

Moved by Councilmember Pierzchala, seconded by Councilmember Feinberg and approved unanimously.

Councilmember Feinberg asked that the proprietors on Regal Row be made aware of the August 1, 2016 Town Center Parking Agenda Item. Councilmember Feinberg also asked if the discussion on the Wednesday Farmers Market could come back on the September 26 agenda.

Mayor Newton asked if there is a way to compliment the Farmers Market at Dawson Foods with something on Regal Row.

23. Adjournment

Motion: to adjourn at 11:21 p.m.

Moved by Councilmember Palakovich Carr, seconded by Councilmember Feinberg and approved unanimously.